
WELSH STATUTORY INSTRUMENTS

2005 No. 1313 (W.95)

**CHILDREN AND YOUNG PERSONS, WALES
SOCIAL CARE, WALES**

The Adoption Agencies (Wales) Regulations 2005

Made - - - - *10 May 2005*

Coming into force *30 December 2005*

THE ADOPTION AGENCIES (WALES) REGULATIONS 2005

PART 1

GENERAL

1. Citation, commencement and application
2. Interpretation

PART 2

ADOPTION AGENCY — ARRANGEMENTS FOR ADOPTION WORK

3. Establishment of adoption panel
4. Tenure of office of members of the adoption panel
5. Meetings of adoption panel
6. Payment of fees — chair or independent person on local authority adoption panel
7. Adoption agency arrangements for adoption work
8. Requirement to appoint an agency adviser to the adoption panel
9. Requirement to appoint a medical adviser
10. Establishment of new adoption panels on 30 December 2005

PART 3

**DUTIES OF ADOPTION AGENCY WHERE THE
AGENCY IS CONSIDERING ADOPTION FOR A CHILD**

11. Application of regulations 11 to 20
12. Requirement to open child's case record
13. Requirement to provide counselling and information for, and ascertain the wishes and feelings of, the child

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14. Requirement to provide counselling and information for, and ascertain the wishes and feelings of, the parent or guardian of the child and others —
15. Requirement to obtain information (including health information) about the child
16. Requirement to obtain information (including health information) about the child's family
17. Requirement to prepare a written report for the adoption panel
18. Function of the adoption panel in relation to a child referred by the adoption agency
19. Adoption agency decision and notification
20. Request to appoint a Welsh family proceedings officer or an officer of CAFCASS

PART 4

DUTIES OF ADOPTION AGENCY IN RESPECT OF A PROSPECTIVE ADOPTER

21. Requirement to provide counselling and information
22. Requirement to consider application for an assessment of suitability to adopt a child
23. Requirement to carry out police checks
24. Requirement to notify
25. Requirement to provide preparation for adoption
26. Procedure in respect of carrying out an assessment
27. Function of the adoption panel
28. Adoption agency decision and notification
29. Information to be sent to the independent review panel
30. Reviews and termination of approval
31. Duties of the adoption agency in a section 83 case following approval of prospective adopter

PART 5

DUTIES OF ADOPTION AGENCY IN RESPECT OF PROPOSED PLACEMENT OF CHILD WITH PROSPECTIVE ADOPTER

32. Proposed placement
33. Function of the adoption panel in relation to the proposed placement
34. Adoption agency's decision in relation to the proposed placement
35. Function of the adoption agency in a section 83 case

PART 6

PLACEMENTS AND REVIEWS

36. Requirements imposed on the adoption agency before the child is placed for adoption with prospective adopter
37. Reviews
38. Independent reviewing officers
39. Withdrawal of consent

PART 7

RECORDS

40. Storage of case records

41. Preservation of case records
42. Confidentiality of case records
43. Access to case records and disclosure of information
44. Transfer of case records
45. Application of regulations 41 to 43

PART 8

MISCELLANEOUS

46. Modification of the 1989 Act in relation to adoption
47. Contact
48. Revocation
Signature

SCHEDULE

1

PART 1 — INFORMATION ABOUT THE CHILD

1. Name, gender, date and place of birth and address including...
2. A photograph and physical description.
3. Nationality.
4. Racial origin and cultural and linguistic background.
5. Religious persuasion, if any, (including details of baptism, confirmation or...
6. Whether the child is looked after or is provided with...
7. Details of any order made by a court with respect...
8. Whether the child has any rights to, or interest in,...
9. A chronology of the child's care since birth.
10. An assessment of the child's personality, social development and emotional...
11. Whether the child has any difficulties with activities such as...
12. The educational history of the child including—
13. Information about— (a) the child's relationship with —
14. The current arrangements for and the type of contact between...
15. A description of the child's interests, likes and dislikes.
16. Any other relevant information which might assist the adoption panel...

PART 2 — MATTERS TO BE INCLUDED IN THE CHILD'S HEALTH REPORT

1. Name, date of birth, gender, weight and height.
2. A neo-natal report on the child, including—
3. A full health history of the child, including—
4. The signature, name, address and telephone number and qualifications of...

PART 3 — INFORMATION ABOUT THE CHILD'S FAMILY AND OTHERS

1. Information about each parent of the child (both natural and adoptive) including a father who does not have parental responsibility for the child
2. A photograph, if available, and physical description.
3. Nationality.
4. Racial origin and cultural and linguistic background.

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5. Religious persuasion, if any.
6. A description of their personality and interests.
7. Information about the child's brothers and sisters
8. A photograph, if available, and physical description.
9. Nationality.
10. Address, if appropriate.
11. If any brother or sister is under the age of...
12. Information about the child's other relatives and any other person the agency considers relevant
13. Nationality.
14. Address, if appropriate.
15. Family history and relationships
16. Where the child's parents were not married to each other...
17. If the identity or whereabouts of the child's father are...
18. Where the child's parents have been previously married or formed...
19. So far as is possible, a family tree with details...
20. Where it is reasonably practicable, a chronology of each of...
21. The observations of the child's parents about their own experiences...
22. The past and present relationship of the child's parents.
23. Details of the wider family and their role and importance...
24. Other information about each parent of the child and where regulation 14(2) applies, the father
25. Details of their educational history.
26. Details of their employment history.
27. Information about the parenting capacity of the child's mother and...
28. Any other relevant information which might assist the adoption panel...

PART 4 — PARTICULARS RELATING TO A GUARDIAN

1. (a) Name, gender and date and place of birth.
2. Their past and present relationship with the child.
3. Religion.
4. Any other relevant information which the agency considers may assist...

PART 5 — PARTICULARS RELATING TO THE HEALTH OF THE CHILD'S NATURAL PARENTS AND BROTHERS AND SISTERS

1. Name, date of birth, gender, weight and height of each...
2. A family health history, covering each of the child's natural...
3. A health history of each of the child's natural parents,...
4. A summary of the mother's obstetric history, including any problems...
5. Details of any present illness, including treatment and prognosis.
6. Any other relevant information which the agency considers may assist...
7. The signature, name, address, telephone number and qualifications of any...

SCHEDULE
2 **INFORMATION AND DOCUMENTS TO BE PROVIDED TO WELSH FAMILY PROCEEDINGS OFFICER OR OFFICER OF CAFCASS**

1. A copy of the child's birth certificate.
2. Name and address of the parent or guardian.
3. A chronology of the actions and decisions taken by the...

4. Confirmation by the agency that it has counselled, and explained...
5. Such information about the parent or guardian or other information...

SCHEDULE

3

PART 1 — OFFENCES SPECIFIED FOR THE PURPOSES OF REGULATION 23(3)(b)

1. Offences in England and Wales
2. Offences in Scotland
3. An offence specified in Schedule 1 to the Criminal Procedure...
4. An offence of plagium (theft of a child below the...
5. An offence under section 52 or 52A of the Civil...
6. An offence under section 3 of the Sexual Offences (Amendment)...
7. Offences in Northern Ireland
8. An offence specified in Schedule 1 to the Children and...
9. An offence under Article 3 of the Protection of Children...
10. An offence under Article 9 of the Criminal Justice (Evidence...
11. An offence contrary to Article 15 of the Criminal Justice...
12. An offence under section 3 of the Sexual Offences (Amendment)...

PART 2 — REPEALED STATUTORY OFFENCES

1. (1) An offence under any of the following sections of...
2. A person falls within this paragraph if he has been...
3. A person falls within this paragraph if he has been...
4. Paragraphs 1(c) and 3(e) and (f) do not include offences...

SCHEDULE

4

PART 1 — INFORMATION ABOUT PROSPECTIVE ADOPTER

1. Information about the prospective adopter
2. A photograph and physical description.
3. Whether the prospective adopter is domiciled or habitually resident in...
4. Racial origin and cultural and linguistic background.
5. Religious persuasion, if any.
6. Relationship (if any) to the child.
7. An assessment of the prospective adopter's personality and interests.
8. If the prospective adopter is married or in a civil...
9. Details of any previous family court proceedings in which the...
10. Names and addresses of three referees who will give personal...
11. Name and address of the prospective adopter's registered medical practitioner,...
12. If the prospective adopter is— (a) married, the date and...
13. Details of any previous marriage, civil partnership or relationship.
14. A family tree with details of the prospective adopter, their...
15. A chronology of the prospective adopter from birth.
16. The observations of the prospective adopter about their own experience...
17. Details of any experience the prospective adopter has had of...
18. Any other information which indicates how the prospective adopter and...
19. Wider family
20. Information about the home of the prospective adopter etc.
21. Details of other members of the prospective adopter's household (including...

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22. The local community of the prospective adopter, including the degree...
23. Education and employment
24. Details of the prospective adopter's employment history and the observations...
25. The current employment of the prospective adopter and their views...
26. Income
27. Other information
28. The prospective adopter's — (a) reasons for wishing to adopt...
29. The views of other members of the prospective adopter's household...
30. Any other relevant information which might assist the adoption panel...

PART 2 — INFORMATION ABOUT THE HEALTH OF THE PROSPECTIVE ADOPTER

1. Name, date of birth, gender, weight and height.
2. A family health history of the parents, the brothers and...
3. Infertility or reasons for deciding not to have children (if...
4. Past health history, including details of any serious physical or...
5. Obstetric history (if applicable).
6. Details of any present illness, including treatment and prognosis.
7. A full medical examination.
8. Details of any consumption of alcohol that may give cause...
9. Any other relevant information which the agency considers may assist...
10. The signature, name, address and qualifications of the registered medical...

SCHEDULE 5 INFORMATION ABOUT THE CHILD TO BE GIVEN TO THE PROSPECTIVE ADOPTER

1. Details of the child.
2. Photograph and physical description.
3. Details of the child's family circumstances and home environment, including...
4. Chronology of the child's care.
5. The child's behaviour, how the child interacts with other children...
6. Whether the child is looked after by the local authority...
7. Details of the child's placement history including reasons for any...
8. Details of the child's state of health, health history and...
9. Details of the child's educational history, a summary of the...
10. The child's ascertainable wishes and feelings in relation to adoption,...
11. The wishes and feelings of the child's parent, guardian, relative...
12. The views of the person with whom the child is...
13. The assessment of the child's needs for adoption support services...
14. The agency's proposals for allowing any person contact with the...
15. The proposed time-scale for placement.
16. Any other information which the agency considers relevant.

SCHEDULE 6 PLACEMENT PLAN

1. Status of the child and whether placed under a placement...
2. The arrangements for preparing the child and the prospective adopter...
3. Date on which it is proposed to place the child...

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4. The arrangements for review of the placement.
 5. Whether parental responsibility of the prospective adopter for the child...
 6. The adoption support services the local authority has decided to...
 7. The arrangements which the adoption agency has made for allowing...
 8. The date on which the life story book and later...
 9. Details of any arrangements that need to be made.
 10. Contact details of the child's social worker, the prospective adopter's...
- Explanatory Note