
WELSH STATUTORY INSTRUMENTS

2005 No. 2689

The Access to Information (Post-Commencement Adoptions) (Wales) Regulations 2005

PART 5

COUNSELLING

Information about the availability of counselling

14.—(1) An adoption agency must provide written information about the availability of counselling to any person —

- (a) who is seeking information under sections 60, 61 or 62 of the Act;
- (b) whose views have been sought as to the disclosure of information about him or her under section 61(3) or 62(3) or (4) of the Act;
- (c) who enters, or is considering entering, into an agreement with the agency under regulation 10.

(2) The information provided under paragraph (1) must include information about the fees that may be charged by persons providing counselling.

Duty to secure counselling

15.—(1) Where a person mentioned in regulation 14(1) requests that counselling be provided for him or her, the adoption agency must make arrangements to secure counselling for that person.

(2) The agency may provide the counselling itself or make arrangements with any of the following persons for the provision of counselling—

- (a) if the person is in Wales or England, another adoption agency or a registered adoption support agency;
- (b) if the person is in Scotland, a Scottish adoption agency;
- (c) if the person is in Northern Ireland, an adoption society which is registered under Article 4 of the Adoption (Northern Ireland) Order 1987⁽¹⁾ or from any Board; or
- (d) if the person is outside the United Kingdom, any person or body outside the United Kingdom who appears to the agency to correspond in its functions to a body mentioned in paragraphs (a) to (c).

(3) In this regulation —

“Board” means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972⁽²⁾ or where the functions of a Board are exercisable by a Health and Social Services Trust, that Trust;

(1) S.I. 1987/2203 (N.I. 22).

(2) S.I. 1972/1265 (N.I. 14).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“registered adoption support agency” means an adoption support agency in respect of which a person is registered under Part 2 of the Care Standards Act 2000.

Disclosure of information for the purposes of counselling

16.—(1) An adoption agency may disclose information (including protected information), which is required for the purposes of providing counselling to any person with whom it has made arrangements to provide counselling.

(2) An adoption agency must make a written record of any disclosure made by virtue of this regulation.