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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1819**

The Independent Review of Determinations  
(Adoption) (Wales) Regulations 2005

**PART 2**

PANELS

**Constitution and functions of panels**

4.—(1) The National Assembly must, at the request of a prospective adopter, constitute a panel for the purpose of reviewing a qualifying determination in relation to the prospective adopter.

(2) The members of the panel must be drawn from a list of persons appointed and serving as members of adoption agency panels in Wales (in these Regulations referred to as “the central list”), kept by the National Assembly who are considered by the National Assembly to be suitable, by virtue of their skills, qualifications or experience to be members of a panel.

(3) A panel established under paragraph (1) must —

- (a) review the qualifying determination; and
- (b) make a recommendation to the adoption agency which made the qualifying determination as to whether or not a prospective adopter is suitable to be an adoptive parent.

**Membership of panels**

5.—(1) Subject to paragraphs (2) and (3), the National Assembly must appoint no more than five persons as members of the panel, who must (where reasonably practicable) include:

- (a) an adoptive parent; and
- (b) an adopted person who has attained the age of 18 years.

(2) The panel must be advised by:

- (a) a social worker within the meaning of Part IV of the Care Standards Act 2000<sup>(1)</sup> and has at least 5 years post qualifying experience in adoption and family placement work;
- (b) a registered medical practitioner with expertise in adoption work; and
- (c) where the panel considers it appropriate, a legal advisor with knowledge and expertise in adoption legislation.

(3) No person will be appointed, either as a member or an advisor, to a panel which is convened to review a qualifying determination made by an adoption agency by which he or she was employed at any time in the two years before the date on which the case is referred to the panel.

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<sup>(1)</sup> 2000 c. 14. By virtue of section 55(2)(a) and (4) of the Care Standards Act 2000, a social worker for the purposes of Part IV of that Act, is a person who engages in social work that is required in connection with any health, education or social services provided by any person.

(4) In this regulation reference to having been employed includes being employed by an adoption agency whether or not for payment and whether under a contract of services or a contract for services or as a volunteer.

#### **Chair and vice chair**

6. When constituting a panel in accordance with regulation 4, the National Assembly will appoint:

- (a) to chair the panel a person who has —
  - (i) expertise in adoption work; and
  - (ii) the skills and experience necessary for chairing a panel; and
- (b) one of the members of the panel as vice chair to act as chair if the person appointed to chair the panel is absent or his or her office is vacant.

#### **Administration of Panels**

7. The panel will be administered by the National Assembly, who will make suitable provision for clerking services to the panel.

#### **Expenses of panel members**

8. The National Assembly may at its discretion pay to any member of a panel such fees as the National Assembly considers to be reasonable.

#### **Meetings of panels**

9. A panel must not conduct any business unless at least four of its members including the chair or vice chair meet as a panel.

#### **Records**

10. A panel must —
- (a) keep a written record of its reviews of qualifying determinations, including the reasons for its recommendations; and
  - (b) ensure that such records are kept in conditions of appropriate security.