
WELSH STATUTORY INSTRUMENTS

2005 No. 1313

The Adoption Agencies (Wales) Regulations 2005

PART 2

ADOPTION AGENCY — ARRANGEMENTS FOR ADOPTION WORK

Establishment of adoption panel

3.—(1) Subject to paragraph (5), the adoption agency must establish at least one panel, to be known as the adoption panel, in accordance with this regulation.

(2) The adoption agency must appoint to chair the panel a person, not being a person who has been an elected member, trustee, director or employee of the agency within the last 12 months, who has the skills and experience necessary for chairing the adoption panel.

(3) Subject to paragraph (5), the adoption panel must consist of no more than ten members, including the person appointed under paragraph (2), and must include —

- (a) two social workers;
- (b) in the case of a registered adoption society a person who is a director, manager or other officer of the agency and is concerned in the management of the agency;
- (c) in the case of a local authority, one elected member of the authority;
- (d) the person appointed as the medical adviser to the agency in accordance with regulation 9, (or one of them if more than one medical adviser is appointed), for so long as that person is the medical adviser;
- (e) at least three other persons (in this regulation referred to as “independent persons”) including where reasonably practicable at least two persons with personal experience of adoption.

(4) The adoption agency must appoint two members of the adoption panel either of whom will act as chair if the person appointed to chair the panel is absent or their office is vacant (“the vice chair”).

(5) The adoption panel may be established jointly by any two but not more than three local authorities (“joint adoption panel”) and where a joint adoption panel is established—

- (a) the maximum number of persons who may be appointed to that panel is eleven;
- (b) each local authority must appoint two persons to the panel, one of whom must be a social worker and the other who must be an elected member of that authority;
- (c) by agreement between the local authorities there must be appointed —
 - (i) a person to chair the panel who is not an elected member of any of the local authorities whose panel it is and who has the skills and experience necessary for chairing the adoption panel;
 - (ii) at least three independent members including where reasonably practicable at least two persons with personal experience of adoption;
 - (iii) two members of the panel either of whom will act as chair if the person appointed to chair the panel is absent or their office is vacant (“the vice chair”).

(iv) the medical adviser to one of the authorities.

(6) A person must not be appointed as an independent person on the adoption panel if that person—

- (a) is or has been within the last year employed —
 - (i) in the case of a registered adoption society, by that agency; or
 - (ii) in the case of a local authority, by that authority to carry out any of the social services functions of that authority;
- (b) is or has been within the last year in the case of a local authority an elected member of that authority;
- (c) is or has been within the last year in the case of a registered adoption society a trustee or concerned in the management of that agency;
- (d) is an adoptive parent with whom the agency has placed a child for adoption or whom the agency have approved as suitable to be an adoptive parent unless at least two years have elapsed since the adoption order was made in respect of the child;
- (e) is related —
 - (i) in the case of a registered adoption society, to a person employed by that agency ; or
 - (ii) in the case of a local authority, to a person employed by that authority to carry out any of the social services functions of that authority.

(7) For the purposes of paragraph (6)(e) a person (“person A”) is related to another person (“person B”) if person A is —

- (a) a member of the household of, or married to or the civil partner of, person B;
- (b) the son, daughter, mother, father, sister or brother of person B; or
- (c) the son, daughter, mother, father, sister or brother of the person to whom person B is married or with whom B has formed a civil partnership.