
WELSH STATUTORY INSTRUMENTS

2005 No. 1313

The Adoption Agencies (Wales) Regulations 2005

PART 6

PLACEMENTS AND REVIEWS

Reviews

37.—(1) This paragraph applies where the adoption agency is authorised to place a child for adoption but the child has not been placed for adoption.

(2) This paragraph applies where a child is placed for adoption.

(3) Where paragraph (1) applies, the adoption agency must carry out a review of the child's case —

- (a) not more than three months after the date on which the agency first has authority to place; and
- (b) thereafter not more than six months after the date of the previous review (“six months review”),

until the child is placed for adoption.

(4) Where paragraph (2) applies, the adoption agency must carry out a review of the child's case —

- (a) not more than four weeks after the date on which the child is placed for adoption (“the first review”);
- (b) no more than three months after the first review; and
- (c) thereafter not more than six months after the date of the previous review,

unless the child is returned to the agency by the prospective adopter or an adoption order is made.

(5) Where paragraph (2) applies, the adoption agency must —

- (a) ensure the child and the prospective adopter are visited within one week of the placement and thereafter at least once a week until the first review and thereafter at such frequency as the agency decide at each review;
- (b) ensure that written reports are made of such visits; and
- (c) provide such advice and assistance to the prospective adopter as the agency considers necessary.

(6) When carrying out a review the adoption agency must visit the child and so far as reasonably practicable ascertain the views of —

- (a) the child in the light of the child's age and understanding;
- (b) if the child is placed for adoption, the prospective adopter; and
- (c) any other person the agency considers relevant,

in relation to each of the matters set out in paragraph (7)(a) to (f).

- (7) As part of each review the adoption agency must consider—
- (a) whether placed or not, whether the adoption agency remain satisfied that the child should still be placed for adoption;
 - (b) the child’s needs, welfare, progress and development, and whether any changes need to be made to meet the child’s needs or assist the child’s development;
 - (c) the existing arrangements for contact, and whether they should continue or be modified;
 - (d) where the child is placed for adoption the arrangements in relation to the exercise of parental responsibility for the child, and whether they should continue or be modified;
 - (e) the existing arrangements for the provision of adoption support services and whether there should be any re-assessment of the need for those services;
 - (f) in consultation with the appropriate agencies, the arrangements for assessing and meeting the child’s health care needs and educational needs;
 - (g) subject to paragraphs (3) and (4) the frequency of the reviews.
- (8) Where the child is subject to a placement order and has not been placed for adoption at the time of the first six months review, the local authority must at that review —
- (a) establish why the child has not been placed for adoption and consider what further steps the authority should take in relation to the placement of the child for adoption; and
 - (b) in light of that, consider whether it remains satisfied that the child should be placed for adoption.
- (9) The adoption agency must —
- (a) set out in writing the arrangements governing the manner in which the case of each child is to be reviewed and must draw the written arrangements to the attention of —
 - (i) the child where reasonably practicable in the light of the child’s age and understanding;
 - (ii) the prospective adopter; and
 - (iii) any other person the agency considers relevant.
 - (b) ensure that —
 - (i) the information obtained in respect of a child’s case including the ascertainable wishes and feelings of the child;
 - (ii) details of the proceedings at any meeting arranged by the agency to consider any aspect of the review of the case; and
 - (iii) details of any decision made in the course of or as a result of the review (including as to frequency of visits),are recorded in writing and placed on the child’s case record.
- (10) The adoption agency must, so far as is reasonably practicable, notify —
- (a) the child where it considers the child is of sufficient age and understanding;
 - (b) the prospective adopter; and
 - (c) any other person whom it considers ought to be notified
- of the outcome of the review and of any decision taken by it in consequence of the review.
- (11) Where the child is returned to the adoption agency in accordance with section 35(1) or (2) of the Act, the agency must conduct a review of the child’s case as soon as reasonably practicable and in any event no later than 28 days after the date on which the child is returned to the agency.