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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1313**

**The Adoption Agencies (Wales) Regulations 2005**

**PART 4**

**DUTIES OF ADOPTION AGENCY IN  
RESPECT OF A PROSPECTIVE ADOPTER**

**Reviews and termination of approval**

**30.**—(1) The adoption agency must review the approval of each prospective adopter in accordance with this regulation, unless—

- (a) in a section 83 case, the prospective adopter has visited the child in the country in which the child is habitually resident and has confirmed in writing that he wishes to proceed with the adoption; and
- (b) in any other case, the child is placed for adoption with the prospective adopter.

(2) A review must take place whenever the adoption agency considers it necessary but otherwise not more than two years after approval and thereafter at intervals of not more than two years.

(3) When undertaking such a review the adoption agency must —

- (a) make such enquiries and obtain such information as it considers necessary in order to review whether the prospective adopter continues to be suitable to adopt a child; and
- (b) seek and take account of the views of the prospective adopter.

(4) As a part of each review the adoption agency must consider —

- (a) why no child has yet been placed with the prospective adopter;
- (b) any arrangements for the provision of adoption support services and whether they should continue or be modified;
- (c) where a child is returned to the adoption agency in accordance with section 35(1) or (2) of the Act, the reasons for the child's return; and
- (d) whether the prospective adopter is still suitable to adopt a child.

(5) The adoption agency must —

- (a) set out in writing the arrangements governing the manner in which the review of a prospective adopter is to be carried out and must draw the written arrangements to the attention of —
  - (i) the prospective adopter; and
  - (ii) any other person the agency considers relevant.
- (b) ensure that —
  - (i) the information obtained in respect of the prospective adopter;
  - (ii) details of the proceedings at any meeting arranged by the agency to consider any aspect of the review; and

(iii) details of any decision made in the course of or as a result of the review, are recorded in writing and placed on the prospective adopter's case record.

(6) If at the conclusion of the review, the adoption agency considers the prospective adopter may no longer be suitable to be an adoptive parent, it must prepare a written report which must include —

- (a) the information obtained on the matters referred to in paragraphs (3) and (4);
- (b) the agency's reasons; and
- (c) any other information which the agency considers relevant.

(7) The adoption agency must notify the prospective adopter that the report referred to in paragraph (6) is to be referred to the adoption panel and give the prospective adopter a copy of that report and invite any observations on the report to be sent in writing to the agency within 10 working days, beginning with the date on which the notification was sent.

(8) At the end of the period of 10 working days referred to in paragraph (7) (or earlier if the prospective adopter's comments are received before the 10 working days have expired), the adoption agency must send a copy of the report referred to in paragraph (6) together with the prospective adopter's observations and the report prepared for panel under regulation 26(4).

(9) The adoption agency must obtain, so far as is reasonably practicable, any other relevant information which may be required by the adoption panel and send that information to the adoption panel.

(10) The adoption panel must consider the report and any other information passed to it by the adoption agency under this regulation and make a recommendation to the agency as to whether the prospective adopter continues to be suitable to adopt a child.

(11) Regulation 28 will apply in relation to the decision by the adoption agency about whether a prospective adopter continues to be suitable to adopt a child as it applies in relation to the decision by the agency about whether the prospective adopter is suitable to adopt a child.