OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2014 Rhif 567 (Cy. 68)

PLANT A PHOBL IFANC, CYMRU

Rheoliadau Asiantaethau Mabwysiadu (Cymru) (Diwygio) 2014

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005 ("y Prif Reoliadau"), sy'n gwneud darpariaeth ynghylch yr arfer gan asiantaethau mabwysiadu (sef, awdurdodau lleol a chymdeithasau mabwysiadu cofrestredig) o'u swyddogaethau mewn perthynas â mabwysiadu o dan Ddeddf Mabwysiadu a Phlant 2002. Deuant i rym ar 1 Ebrill 2014.

Mae'r Prif Reoliadau yn ei gwneud yn ofynnol bod rhaid i asiantaeth fabwysiadu, wrth ystyried mabwysiadu ar gyfer plentyn, atgyfeirio'r achos at banel mabwysiadu a fydd wedyn yn gorfod gwneud argymhelliad i'r asiantaeth ynghylch a ddylid lleoli'r plentyn ar gyfer ei fabwysiadu.

Mae'r Rheoliadau hyn yn diwygio'r Prif Reoliadau er mwyn rhoi mwy o hyblygrwydd i asiantaethau mabwysiadu wrth iddynt ffurfio panel mabwysiadu, pa un ai ar eu pennau eu hunain neu ar y cyd ag asiantaethau mabwysiadu eraill.

Mae rheoliad 2 yn rhoi'r rheoliadau a ganlyn yn lle rheoliadau 3 i 9 o'r Prif Reoliadau:

Mae rheoliad 3 yn ei gwneud yn ofynnol i asiantaethau mabwysiadu gynnal rhestr o bersonau y maent yn ystyried eu bod yn addas i fod yn aelodau o banel mabwysiadu ("y rhestr ganolog"), yn gwneud darpariaeth ynghylch cynnwys personau ar y rhestr ac yn darparu i ddwy neu ragor o asiantaethau mabwysiadu gynnal rhestr ar y cyd.

2014 No. 567 (W. 68)

CHILDREN AND YOUNG PERSONS, WALES

The Adoption Agencies (Wales) (Amendment) Regulations 2014

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Adoption Agencies (Wales) Regulations 2005 ("the Principal Regulations"), which make provision about the exercise by adoption agencies (that is, local authorities and registered adoption societies) of their functions in relation to adoption under the Adoption and Children Act 2002. They come into force on 1 April 2014.

The Principal Regulations require that, when an adoption agency is considering adoption for a child, the agency must refer the case to an adoption panel, which must then make a recommendation to the agency as to whether the child should be placed for adoption.

These Regulations amend the Principal Regulations to provide greater flexibility for adoption agencies when constituting an adoption panel, whether on their own or jointly with other adoption agencies.

Regulation 2 substitutes regulations 3 to 9 of the Principal Regulations with the following regulations:

Regulation 3 requires adoption agencies to maintain a list of persons they consider to be suitable to be members of an adoption panel ("the central list"), makes provision about inclusion in the list and provides for two or more adoption agencies to maintain a list jointly.

Mae rheoliad 4 yn gwneud darpariaeth ynghylch ffurfio paneli mabwysiadu, gan gynnwys darpariaeth i ddwy neu ragor o asiantaethau mabwysiadu ffurfio panel mabwysiadu ar y cyd.

Regulation 4 makes provision regarding the constitution of adoption panels, including provision for two or more adoption agencies to constitute a joint adoption panel.

Mae rheoliad 5 yn darparu nad yw rheoliad 7 yn gymwys i asiantaeth fabwysiadu nad yw ond yn gweithredu er mwyn rhoi personau mewn cysylltiad ag asiantaethau mabwysiadu eraill.

Regulation 5 provides that regulation 7 does not apply to an adoption agency which operates only to put persons in contact with other adoption agencies.

Mae rheoliad 6 yn gwneud darpariaeth ynghylch pryd y mae panel mabwysiadu yn gallu gwneud cworwm.

Regulation 6 makes provision as to when an adoption panel is quorate.

Mae rheoliad 7 yn gosod dyletswydd ar asiantaethau mabwysiadu i lunio a gweithredu polisi a chyfarwyddiadau gweithdrefnol ysgrifenedig sy'n llywodraethu sut yr arferir swyddogaethau'r asiantaeth a'r panel mabwysiadu.

Regulation 7 imposes a duty on adoption agencies to prepare and implement a written policy and procedural instructions governing the exercise of the functions of the agency and adoption panel.

Mae rheoliad 8 yn gwneud darpariaeth ynghylch penodi gweithiwr cymdeithasol sydd â'r cymwysterau a'r profiad addas yn gynghorydd asiantaeth a phenodi cynghorydd meddygol i'r panel.

Regulation 8 makes provision about the appointment of a suitably qualified and experienced social worker as an agency adviser and appointment of a medical adviser to the panel.

Mae rheoliad 9 yn gwneud darpariaeth ynghylch y cyngor sydd i'w roi i baneli mabwysiadu mewn mabwysiadau ag elfen dramor iddynt.

Regulation 9 makes provision about advice to be given to adoption panels in adoptions with a foreign element.

Mae rheoliad 3 o'r Rheoliadau diwygio hyn yn gwneud darpariaethau trosiannol ynghylch achosion a atgyfeirir at banel mabwysiadu cyn 1 Ebrill 2014 ond nad ydynt wedi eu hystyried gan banel mabwysiadu erbyn y dyddiad hwnnw.

Regulation 3 of these amending Regulations makes transitional provisions regarding cases referred to an adoption panel before 1 April 2014 but which have not been considered by an adoption panel by that date.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2014 Rhif 567 (Cy. 68)

PLANT A PHOBL IFANC, CYMRU

Rheoliadau Asiantaethau Mabwysiadu (Cymru) (Diwygio) 2014

Gwnaed	*10 Mawrth 2014*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*11 Mawrth 2014*
Yn dod i rym	*1 Ebrill 2014*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 9(1)(a), 140(7) ac (8), 142(4) a (5) o Ddeddf Mabwysiadu a Phlant 2002(**1**)(**2**), yn gwneud y rheoliadau a ganlyn:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Asiantaethau Mabwysiadu (Cymru) (Diwygio) 2014.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2014.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(4) Yn y Rheoliadau hyn, ystyr "y Prif Reoliadau" ("*the Principal Regulations*") yw Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005(**3**).

Diwygio'r Prif Reoliadau

2.—(1) Yn rheoliad 2 o'r Prif Reoliadau (dehongli) ym mharagraff (1)—

(**1**) 2002 p.38. I gael y diffiniad o "regulations", *gweler* adran 144(1).
(**2**) Trosglwyddwyd y pŵer a roddwyd i Gynulliad Cenedlaethol Cymru i wneud rheoliadau o dan Ddeddf Mabwysiadu a Phlant 2002 i Weinidogion Cymru o dan adran 162(1) o Ddeddf Llywodraeth Cymru 2006 (2006 p.32) a pharagraff 30 o Atodlen 11 iddi.
(**3**) O.S. 2005/1313 (Cy.95).

2014 No. 567 (W. 68)

CHILDREN AND YOUNG PERSONS, WALES

The Adoption Agencies (Wales) (Amendment) Regulations 2014

Made	*10 March 2014*
Laid before the National Assembly for Wales	*11 March 2014*
Coming into force	*1 April 2014*

The Welsh Ministers, in exercise of the powers conferred by sections 9(1)(a), 140(7) and (8) and 142(4) and (5) of the Adoption and Children Act 2002(**1**)(**2**), make the following regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Adoption Agencies (Wales) (Amendment) Regulations 2014.

(2) These Regulations come into force on 1 April 2014.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations "the Principal Regulations" ("*y Prif Reoliadau*") means the Adoption Agencies (Wales) Regulations 2005(**3**).

Amendment of the Principal Regulations

2.—(1) In regulation 2 of the Principal Regulations (interpretation) in paragraph (1)—

(**1**) 2002 c.38. For the definition of "regulations", *see* section 144(1).
(**2**) The power conferred on the National Assembly for Wales to make regulations under the Adoption and Children Act 2002 was transferred to the Welsh Ministers under section 162(1) and paragraph 30 of Schedule 11 of the Government of Wales Act 2006 (2006 c.32).
(**3**) S.I. 2005/1313 (W.95).

(a) yn y diffiniad o "panel mabwysiadu" ("*adoption panel*") yn lle'r geiriau "rheoliad 3" rhodder "rheoliad 4";

(b) yn y diffiniad o "person annibynnol" ("*independent person*") yn lle'r geiriau "rheoliad 3" rhodder "rheoliad 4(8)"; ac

(c) yn y diffiniad o "panel mabwysiadu ar y cyd" ("*joint adoption panel*") yn lle'r geiriau "rheoliad 3(5)" rhodder "rheoliad 4(3)".

(2) Yn lle rheoliadau 3 i 9 (asiantaeth fabwysiadu – trefniadau ar gyfer gwaith mabwysiadu) o'r Prif Reoliadau rhodder—

"**Y rhestr ganolog**

3.—(1) Yn ddarostyngedig i reoliad 5, rhaid i asiantaeth fabwysiadu gynnal rhestr o bersonau y mae'n ystyried eu bod yn addas i fod yn aelodau o banel mabwysiadu ("y rhestr ganolog"), gan gynnwys—

(a) un neu ragor o weithwyr cymdeithasol sydd ag o leiaf dair blynedd o brofiad ôl-gymhwyso perthnasol, a

(b) cynghorydd meddygol yr asiantaeth fabwysiadu (neu o leiaf un os oes mwy nag un cynghorydd meddygol wedi'i benodi).

(2) Caiff person sydd wedi'i gynnwys ar y rhestr ganolog ar unrhyw adeg ofyn am i'w enw gael ei ddileu o'r rhestr ganolog drwy roi mis o hysbysiad ysgrifenedig.

(3) Pan fo'r asiantaeth fabwysiadu o'r farn bod person sydd wedi'i gynnwys ar y rhestr ganolog yn anaddas neu'n analluog i barhau ar y rhestr caiff yr asiantaeth ddileu enw'r person hwnnw o'r rhestr drwy roi mis o hysbysiad ysgrifenedig iddo ynghyd â rhesymau.

(4) Caiff unrhyw ddwy neu ragor o asiantaethau mabwysiadu gynnal ar y cyd restr o bersonau y maent yn ystyried eu bod yn addas i fod yn aelodau o banel mabwysiadu.

Ffurfio'r panel mabwysiadu

4.—(1) Rhaid i asiantaeth fabwysiadu ffurfio un neu ragor o baneli mabwysiadu, yn ôl yr angen, i gyflawni swyddogaethau panel mabwysiadu o dan y Rheoliadau hyn a rhaid iddi benodi aelodau'r panel o blith y personau ar y rhestr ganolog gan gynnwys—

(a) person i gadeirio'r panel, a hwnnw'n berson annibynnol, sydd â'r sgiliau a'r profiad sy'n angenrheidiol ar gyfer cadeirio panel mabwysiadu, a

(a) in the definition of "adoption panel" ("*panel mabwysiadu*") for the words "regulation 3" substitute "regulation 4";

(b) in the definition of "independent person" ("*person annibynnol*") for the words "regulation 3" substitute "regulation 4(8)"; and

(c) in the definition of "joint adoption panel" ("*panel mabwysiadu ar y cyd*") for the words "regulation 3(5)" substitute "regulation 4(3)".

(2) For regulations 3 to 9 (adoption agency – arrangements for adoption work) of the Principal Regulations substitute—

"**The central list**

3.—(1) Subject to regulation 5, an adoption agency must maintain a list of persons who are considered by it to be suitable to be members of an adoption panel ("the central list"), including—

(a) one or more social workers who have at least three years relevant post – qualifying experience, and

(b) the medical adviser to the adoption agency (or at least one if more than one medical adviser is appointed).

(2) A person who is included in the central list may at any time ask to be removed from the central list by giving one month's notice in writing.

(3) Where the adoption agency is of the opinion that a person included in the central list is unsuitable or unable to remain in the list the agency may remove that person's name from the list by giving them one month's notice in writing with reasons.

(4) Any two or more adoption agencies may jointly maintain a list of persons who are considered by them to be suitable to be members of an adoption panel.

Constituting the adoption panel

4.—(1) An adoption agency must constitute one or more adoption panels, as necessary, to perform the functions of an adoption panel under these Regulations and must appoint the panel members from the persons in the central list including—

(a) a person to chair the panel, being an independent person, who has the skills and experience necessary for chairing an adoption panel, and

(b) un neu ddau berson a gaiff weithredu fel cadeirydd os yw'r person a benodwyd i gadeirio'r panel yn absennol neu os yw'r swydd honno yn wag ("yr is-gadeiryddion").

(2) Rhaid i'r asiantaeth fabwysiadu sicrhau bod digon o aelodau ar banel mabwysiadu, a bod gan yr aelodau unigol rhyngddynt y profiad a'r arbenigedd sy'n angenrheidiol i gyflawni swyddogaethau'r panel yn effeithiol.

(3) Caiff unrhyw ddwy neu ragor o asiantaethau mabwysiadu ffurfio ar y cyd banel mabwysiadu ("panel mabwysiadu ar y cyd") ac yn yr achos hwnnw rhaid i'r asiantaethau gytuno rhyngddynt ar yr aelodau a benodir.

(4) Caiff asiantaeth fabwysiadu dalu i unrhyw aelod o banel mabwysiadu a ffurfiwyd ganddi unrhyw ffi a benderfynir ganddi, sef ffi sydd yn swm rhesymol.

(5) Caiff unrhyw aelod o banel mabwysiadu ymddiswyddo ar unrhyw adeg drwy roi mis o hysbysiad ysgrifenedig i asiantaeth y panel mabwysiadu a'i penododd.

(6) Pan fo asiantaeth fabwysiadu o'r farn bod unrhyw aelod o'r panel mabwysiadu a benodwyd ganddi yn anaddas neu'n analluog i barhau yn y swydd, caiff derfynu penodiad yr aelod hwnnw ar unrhyw adeg drwy roi hysbysiad ysgrifenedig iddo ynghyd â rhesymau.

(7) Yn achos panel mabwysiadu ar y cyd, pan fo asiantaeth fabwysiadu o'r farn bod unrhyw aelod o banel mabwysiadu a benodwyd ganddi yn anaddas neu'n analluog i barhau yn y swydd, caiff derfynu penodiad yr aelod hwnnw ar unrhyw adeg drwy roi hysbysiad ysgrifenedig i'r aelod am y rhesymau, os yw'r asiantaethau mabwysiadu a ffurfiodd y panel yn cytuno.

(8) Nid yw person ("P") yn berson annibynnol at ddibenion y rheoliad hwn a rheoliad 6—

(a) os yw P, yn achos cymdeithas fabwysiadu gofrestredig, yn ymddiriedolwr neu'n gyflogai i'r gymdeithas honno, neu

(b) os yw P, yn achos awdurdod lleol—

(i) yn aelod etholedig o'r awdurdod hwnnw, neu

(ii) yn gyflogedig gan yr awdurdod hwnnw at ddibenion y gwasanaeth mabwysiadu neu at ddibenion unrhyw un neu ragor o swyddogaethau'r awdurdod lleol hwnnw sy'n ymwneud ag amddiffyn plant, neu

(b) one or two persons who may act as chair if the person appointed to chair the panel is absent or that office is vacant ("the vice chairs").

(2) The adoption agency must ensure that an adoption panel has sufficient members, and that individual members have between them the experience and expertise necessary to effectively discharge the functions of the panel.

(3) Any two or more adoption agencies may jointly constitute an adoption panel ("a joint adoption panel") in which case the appointment of members must be by agreement between the agencies.

(4) An adoption agency may pay to any member of an adoption panel constituted by it such fee as it may determine, being a fee of reasonable amount.

(5) Any adoption panel member may resign at any time by giving one month's notice in writing to the adoption panel agency which appointed them.

(6) Where an adoption agency is of the opinion that any member of the adoption panel appointed by it is unsuitable or unable to continue as a panel member it may terminate that member's appointment at any time by giving the member notice in writing with reasons.

(7) In the case of a joint adoption panel, where an adoption agency is of the opinion that any member of an adoption panel appointed by it is unsuitable or unable to continue as a panel member, it may terminate that member's appointment at any time by giving the member notice in writing of the reasons, if the adoption agencies who constituted the panel agree.

(8) A person ("P") is not an independent person for the purposes of this regulation and regulation 6 if—

(a) in the case of a registered adoption society, P is a trustee or employee of that society, or

(b) in the case of a local authority, P—

(i) is an elected member of that authority, or

(ii) is employed by that authority for the purposes of the adoption service or for the purposes of any of that local authority's functions relating to the protection of children, or

(c) os yw P yn rhiant mabwysiadol i blentyn a oedd—

(i) wedi'i leoli i'w fabwysiadu gyda P gan yr asiantaeth fabwysiadu ("asiantaeth A"), neu

(ii) wedi'i leoli i'w fabwysiadu gyda P gan asiantaeth fabwysiadu arall pan oedd P wedi'i gymeradwyo yn berson addas i fod yn rhiant mabwysiadol gan asiantaeth A,

oni bai bod o leiaf 12 mis wedi mynd heibio ers i'r gorchymyn mabwysiadu gael ei wneud mewn cysylltiad â'r plentyn.

(c) P is the adoptive parent of a child who was—

(i) placed for adoption with P by the adoption agency ("agency A"), or

(ii) placed for adoption with P by another adoption agency where P had been approved as suitable to be an adoptive parent by agency A,

unless at least 12 months has elapsed since the adoption order was made in respect of the child.

Asiantaethau mabwysiadu yn gweithredu at ddibenion penodol yn unig

5. Pan na fo asiantaeth fabwysiadu ond yn gweithredu at ddiben rhoi personau mewn cysylltiad ag asiantaethau mabwysiadu eraill ac at ddiben rhoi'r asiantaethau hynny mewn cysylltiad â'i gilydd neu at y naill ddiben neu'r llall, nid yw rheoliadau 3, 4, 8 nac, i'r graddau y mae'n ofynnol ymgynghori â phersonau ar y rhestr ganolog, reoliad 7, yn gymwys i asiantaeth o'r fath.

Adoption agencies operating only for certain purposes

5. Where an adoption agency operates only for the purpose of putting persons into contact with other adoption agencies and for the purpose of putting such agencies into contact with each other or for either of such purposes, regulations 3, 4, 8 and to the extent that it requires consultation with persons in the central list, regulation 7, does not apply to such an agency.

Cyfarfodydd panel mabwysiadu

6.—(1) Ni chaniateir i unrhyw fusnes gael ei gynnal gan banel mabwysiadu oni bai bod o leiaf y canlynol yn cyfarfod fel panel—

(a) naill ai'r person a benodwyd i gadeirio'r panel neu un o'r is-gadeiryddion,

(b) un person sy'n dod o fewn rheoliad 3(1)(a),

(c) tri, neu yn achos panel mabwysiadu a ffurfiwyd o dan reoliad 4(3), bedwar aelod arall a phan na fo'r cadeirydd yn bresennol a phan na fo'r is-gadeirydd yn berson annibynnol, rhaid i o leiaf un aelod arall o'r panel fod yn berson annibynnol.

(2) Rhaid i banel mabwysiadu wneud cofnod ysgrifenedig o'i drafodion, ei argymhellion a'r rhesymau dros ei argymhellion.

Meetings of adoption panel

6.—(1) No business may be conducted by an adoption panel unless at least the following meet as a panel—

(a) either the person appointed to chair the panel or one of the vice chairs,

(b) one person falling within regulation 3(1)(a),

(c) three, or in the case of an adoption panel constituted under regulation 4(3) four, other members and where the chair is not present and the vice chair is not an independent person, at least one other panel member must be an independent person.

(2) An adoption panel must make a written record of its proceedings, its recommendations and the reasons for its recommendations.

Trefniadau asiantaeth fabwysiadu ar gyfer gwaith mabwysiadu

7. Rhaid i asiantaeth fabwysiadu, drwy ymgynghori â'r personau hynny ar y rhestr ganolog y mae'r asiantaeth yn eu hystyried yn briodol ac, i'r graddau a bennir yn rheoliad 8(4),

Adoption agency arrangements for adoption work

7. An adoption agency must, in consultation with such persons in the central list as the agency considers appropriate and, to the extent specified in regulation 8(4) with the

â chynghorydd meddygol yr asiantaeth, lunio a gweithredu polisi a chyfarwyddiadau gweithdrefnol ysgrifenedig sy'n llywodraethu sut yr arferir swyddogaethau'r asiantaeth a phanel mabwysiadu mewn perthynas â mabwysiadu, a rhaid i'r asiantaeth adolygu'r cyfarwyddiadau hynny yn gyson a, phan fo'n briodol, eu diwygio.

Gofyniad i benodi cynghorydd asiantaeth a chynghorydd meddygol

8.—(1) Rhaid i'r asiantaeth fabwysiadu benodi uwch aelod o staff, neu pan fo asiantaethau mabwysiadu yn cytuno i ffurfio paneli mabwysiadu ar y cyd yn ôl yr angen, benodi uwch aelod o staff o un ohonynt (y cyfeirir ato yn y rheoliad hwn fel "cynghorydd yr asiantaeth")—

(a) i gynorthwyo gyda'r gwaith o gynnal y rhestr ganolog a ffurfio paneli mabwysiadu,

(b) i fod yn gyfrifol am gynefino a hyfforddi personau ar y rhestr ganolog,

(c) i fod yn gyfrifol am gydlynu rhwng yr asiantaeth a phanel mabwysiadu, monitro perfformiad personau ar y rhestr ganolog ac aelodau o'r panel mabwysiadu a gweinyddu paneli mabwysiadu, ac

(ch) i roi unrhyw gyngor i banel mabwysiadu y mae'r panel yn gofyn amdano mewn perthynas ag unrhyw achos neu yn gyffredinol.

(2) Rhaid i gynghorydd yr asiantaeth fod yn weithiwr cymdeithasol ag o leiaf bum mlynedd o brofiad ôl-gymhwyso perthnasol ac, ym marn yr asiantaeth fabwysiadu, brofiad rheoli perthnasol.

(3) Rhaid i'r asiantaeth fabwysiadu benodi o leiaf un ymarferydd meddygol cofrestredig yn gynghorydd meddygol yr asiantaeth.

(4) Rhaid ymgynghori â'r cynghorydd meddygol mewn perthynas â'r trefniadau ar gyfer gweld a datgelu gwybodaeth am iechyd, sy'n ofynnol neu a ganiateir yn rhinwedd y Rheoliadau hyn.

Cyngor i baneli mabwysiadu mewn mabwysiadau ag elfen dramor iddynt

9. Rhaid i'r asiantaeth fabwysiadu sicrhau bod paneli mabwysiadu yn cael eu cynghori'n briodol gan berson sydd â chymwysterau priodol mewn perthynas â mabwysiadau ag

agency's medical adviser, prepare and implement a written policy and procedural instructions governing the exercise of functions of the agency and an adoption panel in relation to adoption and such instructions must be kept under review and, where appropriate, revised by the agency.

Requirement to appoint an agency adviser and a medical adviser

8.—(1) The adoption agency must appoint a senior member of staff, or where adoption agencies agree to constitute joint adoption panels as necessary appoint a senior member of staff of one of them, (referred to in this regulation as the "agency adviser")—

(a) to assist with the maintenance of the central list and the constitution of adoption panels,

(b) to be responsible for the induction and training of persons in the central list,

(c) to be responsible for liaison between the agency and an adoption panel, monitoring the performance of persons in the central list and members of the adoption panel and the administration of adoption panels, and

(d) to give such advice to an adoption panel as the panel may request in relation to any case or generally.

(2) The agency adviser must be a social worker and have at least five years relevant post – qualification experience and, in the opinion of the adoption agency, relevant management experience.

(3) The adoption agency must appoint at least one registered medical practitioner to be the agency's medical adviser.

(4) The medical adviser must be consulted in relation to the arrangements for access to, and disclosure of, health information which is required or permitted by virtue of these Regulations.

Advice to adoption panels in adoptions with a foreign element

9. The adoption agency must ensure that adoption panels are properly advised by an appropriately qualified person in relation to adoptions with a foreign element if such a case

elfen dramor iddynt os yw achos o'r fath yn cael ei ystyried."

Darpariaeth drosiannol

3. Caiff panel mabwysiadu a sefydlir o dan y Prif Reoliadau, ac sy'n cyflawni swyddogaethau panel mabwysiadu ar 1 Ebrill 2014, barhau i gyflawni swyddogaethau panel o dan y Rheoliadau hynny mewn perthynas ag unrhyw achos a atgyfeirir ato cyn y dyddiad hwnnw.

is being considered."

Transitional provision

3. An adoption panel established under the Principal Regulations, and which is carrying out the functions of an adoption panel on 1 April 2014, may continue to carry out the functions of a panel under those Regulations in relation to any case referred to it before that date.

Gwenda Thomas

Y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol, o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

10 Mawrth 2014

Deputy Minister for Children and Social Services under the authority of the Minister for Health and Social Services, one of the Welsh Ministers

10 March 2014

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