
STATUTORY INSTRUMENTS

2005 No. 389

**CHILDREN AND YOUNG PERSONS,
ENGLAND SOCIAL CARE, ENGLAND**

The Adoption Agencies Regulations 2005

Made - - - - *23rd February 2005*
Laid before Parliament *2nd March 2005*
Coming into force *30th December 2005*

THE ADOPTION AGENCIES REGULATIONS 2005

PART 1

GENERAL

1. Citation, commencement and application
2. Interpretation

PART 2

ADOPTION AGENCY - ARRANGEMENTS FOR ADOPTION WORK

3. Establishment of adoption panel
- 3A
4. Tenure of office of members of the adoption panel
5. Meetings of adoption panel
6. Payment of fees to member of local authority adoption panel
7. Adoption agency arrangements for adoption work
8. Requirement to appoint an agency adviser to the adoption panel
9. Requirement to appoint a medical adviser
10. Establishment of new adoption panels on 30 December 2005

PART 3

**DUTIES OF ADOPTION AGENCY WHERE THE
AGENCY IS CONSIDERING ADOPTION FOR A CHILD**

11. Application of regulations 11 to 17
12. Requirement to open the child's case record

Status: Point in time view as at 12/10/2009.

Changes to legislation: There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005. (See end of Document for details)

13. Requirement to provide counselling and information for, and ascertain wishes and feelings of, the child
 14. Requirement to provide counselling and information for, and ascertain wishes and feelings of, the parent or guardian of the child and others
 15. Requirement to obtain information about the child
 16. Requirement to obtain information about the child's family
 17. Requirement to prepare child's permanence report for the adoption panel
 18. Function of the adoption panel in relation to a child referred by the adoption agency
 19. Adoption agency decision and notification
 20. Request to appoint an officer of the Service or a Welsh family proceedings officer
- 20A

PART 4

DUTIES OF ADOPTION AGENCY IN RESPECT OF A PROSPECTIVE ADOPTER

21. Requirement to provide counselling and information
22. Requirement to consider application for an assessment of suitability to adopt a child
23. Requirement to carry out police checks
24. Requirement to provide preparation for adoption
25. Prospective adopter's report
26. Function of the adoption panel
27. Adoption agency decision and notification
28. Information to be sent to the independent review panel
29. Review and termination of approval
30. Duties of the adoption agency in a section 83 case

PART 5

DUTIES OF ADOPTION AGENCY IN RESPECT OF PROPOSED PLACEMENT OF CHILD WITH PROSPECTIVE ADOPTER

31. Proposed placement
32. Function of the adoption panel in relation to proposed placement
33. Adoption agency decision in relation to proposed placement
34. Function of the adoption agency in a section 83 case

PART 6

PLACEMENT AND REVIEWS

35. Requirements imposed on the adoption agency before the child may be placed for adoption
36. Reviews
37. Independent reviewing officers
38. Withdrawal of consent

PART 7

CASE RECORDS

39. Storage of case records
40. Preservation of case records
41. Confidentiality of case records

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42. Access to case records and disclosure of information
43. Transfer of case records
44. Application of regulations 40 to 42

PART 8

MISCELLANEOUS

45. Modification of 1989 Act in relation to adoption
46. Contact
47. Contact: supplementary
Signature

SCHEDULE 1 — INFORMATION

PART 1 — INFORMATION ABOUT THE CHILD

1. Name, sex, date and place of birth and address including...
2. A photograph and physical description.
3. Nationality.
4. Racial origin and cultural and linguistic background.
5. Religious persuasion (including details of baptism, confirmation or equivalent ceremonies)...
6. Whether the child is looked after or is provided with...
7. Details of any order made by a court with respect...
8. Whether the child has any rights to, or interest in,...
9. A chronology of the child's care since birth.
10. A description of the child's personality, his social development and...
11. Whether the child has any difficulties with activities such as...
12. The educational history of the child including—
13. Information about— (a) the child's relationship with—
14. The current arrangements for and the type of contact between...
15. A description of the child's interests, likes and dislikes.
16. Any other relevant information which might assist the adoption panel...
17. In this Part “parent” includes the child's father whether or...

PART 2 — MATTERS TO BE INCLUDED IN THE CHILD'S HEALTH REPORT

1. Name, date of birth, sex, weight and height.
2. A neo-natal report on the child, including—
3. A full health history of the child, including—

PART 3 — INFORMATION ABOUT THE CHILD'S FAMILY AND OTHERS

1. Information about each parent of the child
2. A photograph, if available, and physical description.
3. Nationality.
4. Racial origin and cultural and linguistic background.
5. Religious persuasion.
6. A description of their personality and interests.
7. Information about the child's brothers and sisters
8. A photograph, if available, and physical description.
9. Nationality.
10. Address, if appropriate.
11. If the brother or sister is under the age of...
12. Information about the child's other relatives and any other person the agency considers relevant

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13. Nationality.
14. Address, if appropriate.
15. Family history and relationships
16. Where the child's parents are not married, whether the father...
17. If the identity or whereabouts of the child's father are...
18. Where the child's parents have been previously married or formed...
19. So far as is possible, a family tree with details...
20. Where it is reasonably practicable, a chronology of each of...
21. The observations of the child's parents about their own experiences...
22. The past and present relationship of the child's parents.
23. Details of the wider family and their role and importance...
24. Other information about each parent of the child
25. Details of their educational history.
26. Details of their employment history.
27. Information about the parenting capacity of the child's parents, particularly...
28. Any other relevant information which might assist the adoption panel...
29. In this Part "parent" includes the father of the child...

PART 4 — INFORMATION RELATING TO THE HEALTH OF THE
CHILD'S NATURAL PARENTS AND BROTHERS AND
SISTERS

1. Name, date of birth, sex, weight and height of each...
2. A health history of each of the child's natural parents,...
3. A health history of the child's brothers and sisters (of...
4. A summary of the mother's obstetric history, including any problems...
5. Details of any present illness, including treatment and prognosis.
6. Any other relevant information which the adoption agency considers may...

SCHEDULE 2 — INFORMATION AND DOCUMENTS TO BE PROVIDED TO
THE CAFCASS OR THE NATIONAL ASSEMBLY FOR WALES

1. A certified copy of the child's birth certificate.
2. Name and address of the child's parent or guardian.
3. A chronology of the actions and decisions taken by the...
4. Confirmation by the adoption agency that it has counselled, and...
5. Such information about the parent or guardian or other information...

SCHEDULE 3 —

PART 1 — OFFENCES SPECIFIED FOR THE PURPOSES OF
REGULATION 23(3)(b)

1. Offences in England and Wales
2. Offences in Scotland
3. An offence specified in Schedule 1 to the Criminal Procedure...
4. An offence of plagium (theft of a child below the...
5. Section 52 or 52A of the Civil Government (Scotland) Act...
6. An offence under section 3 of the Sexual Offences (Amendment)...
7. Offences in Northern Ireland
8. An offence specified in Schedule 1 to the Children and...
9. An offence under Article 3 of the Protection of Children...
10. An offence under Article 9 of the Criminal Justice (Northern...
11. An offence contrary to Article 15 of the Criminal Justice...

PART 2 — REPEALED STATUTORY OFFENCES

1. (1) An offence under any of the following sections of...
2. A person falls within this paragraph if he has been...

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3. A person falls within this paragraph if he has been...
4. Paragraphs 1(c) and 3(e) and (f) do not include offences...

SCHEDULE 4 —

PART 1 — INFORMATION ABOUT THE PROSPECTIVE ADOPTER

1. Information about the prospective adopter
2. A photograph and physical description.
3. Whether the prospective adopter is domiciled or habitually resident in...
4. Racial origin and cultural and linguistic background.
5. Religious persuasion.
6. Relationship (if any) to the child.
7. A description of his personality and interests.
8. If the prospective adopter is married or has formed a...
9. Details of any previous family court proceedings in which the...
10. Names and addresses of three referees who will give personal...
11. Name and address of the prospective adopter's registered medical practitioner...
12. If the prospective adopter is— (a) is married, the date...
13. Details of any previous marriage, civil partnership or relationship.
14. A family tree with details of the prospective adopter, his...
15. A chronology of the prospective adopter from birth.
16. The observations of the prospective adopter about his own experience...
17. Details of any experience the prospective adopter has had of...
18. Any other information which indicates how the prospective adopter and...
19. Wider family
20. Information about the home etc. of the prospective adopter
21. Details of other members of the prospective adopter's household (including...
22. Information about the local community of the prospective adopter, including...
23. Education and employment
24. Details of his employment history and the observations of the...
25. The current employment of the prospective adopter and his views...
26. Income
27. Other information
28. The prospective adopter's – (a) reasons for wishing to adopt...
29. The views of other members of the prospective adopter's household...
30. Any other relevant information which might assist the adoption panel...

PART 2 — REPORT ON THE HEALTH OF THE PROSPECTIVE ADOPTER

1. Name, date of birth, sex, weight and height.
2. A family health history of the parents, any brothers and...
3. Infertility or reasons for deciding not to have children (if...
4. Past health history, including details of any serious physical or...
5. Obstetric history (if applicable).
6. Details of any present illness, including treatment and prognosis.
7. Details of any consumption of alcohol that may give cause...
8. Any other relevant information which the adoption agency considers may...

SCHEDULE 5 — ADOPTION PLACEMENT PLAN

1. Whether the child is placed under a placement order or...
2. The arrangements for preparing the child and the prospective adopter...
3. Date on which it is proposed to place the child...
4. The arrangements for review of the placement.

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5. Whether parental responsibility of the prospective adopter for the child...
6. Where the local authority has decided to provide adoption support...
7. The arrangements which the adoption agency has made for allowing...
8. The dates on which the child's life story book and...
9. Details of any other arrangements that need to be made....
10. Contact details of the child's social worker, the prospective adopter's...

Explanatory Note

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