
STATUTORY INSTRUMENTS

2005 No. 389

The Adoption Agencies Regulations 2005

PART 3

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

Requirement to prepare child's permanence report ^{F1}...

17.—(1) The adoption agency must prepare a written report (“the child's permanence report”) which shall include—

- (a) the information about the child and his family as specified in Parts 1 and 3 of Schedule 1;
- (b) a summary, written by the agency's medical adviser, of the state of the child's health, his health history and any need for health care which might arise in the future;
- (c) the wishes and feelings of the child regarding the matters set out in regulation 13(1)(c);
- (d) the wishes and feelings of the child's parent or guardian, and where regulation 14(4)(a) applies, his father, and any other person the agency considers relevant, regarding the matters set out in regulation 14(1)(c);
- (e) the views of the agency about the child's need for contact with his parent or guardian or other relative or with any other person the agency considers relevant and the arrangements the agency proposes to make for allowing any person contact with the child;
- (f) an assessment of the child's emotional and behavioural development and any related needs;
- (g) an assessment of the parenting capacity of the child's parent or guardian and, where regulation 14(4)(a) applies, his father;
- (h) a chronology of the decisions and actions taken by the agency with respect to the child;
- (i) an analysis of the options for the future care of the child which have been considered by the agency and why placement for adoption is considered the preferred option; and
- (j) any other information which the agency considers relevant.

^{F2}(2) In a case where—

- (a) the adoption agency is a local authority and is considering whether the child ought to be placed for adoption, and
- (b) either paragraph (2A) or paragraph (2B) applies,

the adoption agency may not refer the case to the adoption panel.

(2A) This paragraph applies where—

- (a) the child is placed for adoption by the adoption agency or is being provided with accommodation by them,
- (b) no adoption agency is authorised to place the child for adoption, and

Status: This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005, Section 17. (See end of Document for details)

(c) the child has no parent or guardian, or the agency consider that the conditions in section 31(2) of the 1989 Act are met in relation to the child.

(2B) This paragraph applies where—

- (a) an application has been made, and has not been disposed of, on which a care order might be made in respect of the child, or
- (b) the child is subject to a care order and the adoption agency are not authorised to place the child for adoption.

(2C) In a case not falling within paragraph (2), the adoption agency must send the information and reports referred to in paragraph (2D) to the adoption panel.

(2D) For the purposes of paragraph (2C) and regulation 19(1A) the information and reports are—

- (i) the child’s permanence report,
- (ii) the child’s health report and any other reports referred to in regulation 15, and
- (iii) the information relating to the health of each of the child’s natural parents,

except that, in a case falling within paragraph (2C), the adoption agency may only send to the adoption panel the documents referred to in subparagraphs (ii) and (iii) if the agency’s medical adviser advises it to do so.]

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

Textual Amendments

- F1** Words in reg. 17 heading omitted (1.9.2012) by virtue of [The Adoption Agencies \(Panel and Consequential Amendments\) Regulations 2012 \(S.I. 2012/1410\)](#), regs. 1, **5(a)**
- F2** Reg. 17(2)-(2D) substituted for reg. 17(2)(2A) (1.9.2012) by [The Adoption Agencies \(Panel and Consequential Amendments\) Regulations 2012 \(S.I. 2012/1410\)](#), regs. 1, **5(b)** (with reg. 7)

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