

## SCHEDULE 1

### INFORMATION

Regulation 15(1)

## PART 1

### INFORMATION ABOUT THE CHILD

1. Name, sex, date and place of birth and address including the local authority area.
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 accommodation under section 59(1) of the 1989 Act.
7. Details of any order made by a court with respect to the child under the 1989 Act including the name of the court, the order made and the date on which the order was made.
8. Whether the child has any rights to, or interest in, property or any claim to damages under the Fatal Accidents Act 1976 <sup>M1</sup> or otherwise which he stands to retain or lose if he is adopted.

.....  
**Marginal Citations**

**M1** 1976 c. 30.

9. A chronology of the child's care since birth.
10. A description of the child's personality, his social development and his emotional and behavioural development.
11. Whether the child has any difficulties with activities such as feeding, washing and dressing himself.
12. The educational history of the child including—
  - (a) the names, addresses and types of nurseries or schools attended with dates;
  - (b) a summary of his progress and attainments;
  - (c) whether he is subject to a statement of special educational needs under the Education Act 1996 <sup>M2</sup>;
  - (d) any special needs he has in relation to learning; and
  - (e) where he is looked after, details of his personal education plan prepared by the local authority.

.....  
**Marginal Citations**

**M2** See section 324 of the 1996 Act.

13. Information about—

*Status: Point in time view as at 01/07/2013.*

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

- (a) the child's relationship with—
    - (i) his parent or guardian;
    - (ii) any brothers or sisters or other relatives he may have; and
    - (iii) any other person the agency considers relevant;
  - (b) the likelihood of any such relationship continuing and the value to the child of its doing so; and
  - (c) the ability and willingness of the child's parent or guardian or any other person the agency considers relevant, to provide the child with a secure environment in which he can develop, and otherwise to meet his needs.
14. The current arrangements for and the type of contact between the child's parent or guardian or other person with parental responsibility for him, his father, and any relative, friend or other person.
15. A description of the child's interests, likes and dislikes.
16. Any other relevant information which might assist the adoption panel and the adoption agency.
17. In this Part “parent” includes the child's father whether or not he has parental responsibility for the child.
- Regulation 15(2)

## **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—
  - (a) details of his birth and any complications;
  - (b) the results of a physical examination and screening tests;
  - (c) details of any treatment given;
  - (d) details of any problem in management and feeding;
  - (e) any other relevant information which may assist the adoption panel and the adoption agency; and
  - (f) the name and address of any registered medical practitioner who may be able to provide further information about any of the above matters.
3. A full health history of the child, including—
  - (a) details of any serious illness, disability, accident, hospital admission or attendance at an out-patient department, and in each case any treatment given;
  - (b) details and dates of immunisations;
  - (c) a physical and developmental assessment according to age, including an assessment of vision and hearing and of neurological, speech and language development and any evidence of emotional disorder;
  - (d) for a child over five years of age, the school health history (if available);
  - (e) how his physical and mental health and medical history have affected his physical, intellectual, emotional, social or behavioural development; and
  - (f) any other relevant information which may assist the adoption panel and the adoption agency.

Regulation 16(1)

## **PART 3**

### **INFORMATION ABOUT THE CHILD'S FAMILY AND OTHERS**

#### **Information about each parent of the child**

1. Name, sex, date and place of birth and address including the local authority area.
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.

#### **Information about the child's brothers and sisters**

7. Name, sex, and date and place of birth.
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 18—
  - (a) where and with whom he or she is living;
  - (b) whether he or she is looked after or is provided with accommodation under section 59(1) of the 1989 Act;
  - (c) details of any court order made with respect to him or her under the 1989 Act, including the name of the court, the order made, and the date on which the order was made; and
  - (d) whether he or she is also being considered for adoption.

#### **Information about the child's other relatives and any other person the agency considers relevant**

12. Name, sex and date and place of birth.
13. Nationality.
14. Address, if appropriate.

#### **Family history and relationships**

15. Whether the child's parents were married to each other at the time of the child's birth (or have subsequently married) and if so, the date and place of marriage and whether they are divorced or separated.

16. Where the child's parents are not married, whether the father has parental responsibility for the child and if so how it was acquired.

17. If the identity or whereabouts of the child's father are not known, the information about him that has been ascertained and from whom, and the steps that have been taken to establish paternity.

*Status: Point in time view as at 01/07/2013.*

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

18. Where the child's parents have been previously married or formed a civil partnership, the date of the marriage or, as the case may be, the date and place of registration of the civil partnership.

19. So far as is possible, a family tree with details of the child's grandparents, parents and aunts and uncles with their age (or ages at death).

20. Where it is reasonably practicable, a chronology of each of the child's parents from birth.

21. The observations of the child's parents about their own experiences of being parented and how this has influenced them.

22. The past and present relationship of the child's parents.

23. Details of the wider family and their role and importance to—

(a) the child's parents; and

(b) any brothers or sisters of the child.

#### **Other information about each parent of the child**

24. Information about their home and the neighbourhood in which they live.

25. Details of their educational history.

26. Details of their employment history.

27. Information about the parenting capacity of the child's parents, particularly their ability and willingness to parent the child.

28. Any other relevant information which might assist the adoption panel and the adoption agency.

29. In this Part “parent” includes the father of the child whether or not he has parental responsibility for the child.

Regulation 16(2)

## **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 natural parent.

2. A health history of each of the child's natural parents, including details of any serious physical or mental illness, any hereditary disease or disorder, drug or alcohol misuse, disability, accident or hospital admission and in each case any treatment given where the agency consider such information to be relevant.

3. A health history of the child's brothers and sisters (of the full blood or half-blood), and the other children of each parent with details of any serious physical or mental illness and any hereditary disease or disorder.

4. A summary of the mother's obstetric history, including any problems in the ante-natal, labour and post-natal periods, with the results of any tests carried out during or immediately after the pregnancy.

5. Details of any present illness, including treatment and prognosis.

6. Any other relevant information which the adoption agency considers may assist the adoption panel and the agency.

## SCHEDULE 2

Regulation 20

### 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 adoption agency with respect to the child.
4. Confirmation by the adoption agency that it has counselled, and explained to the parent or guardian the legal implications of both consent to placement under section 19 of the Act and, as the case may be, to the making of a future adoption order under section 20 of the Act and provided the parent or guardian with written information about this together with a copy of the written information provided to him.
5. Such information about the parent or guardian or other information as the adoption agency considers the officer of the Service or the Welsh family proceedings officer may need to know.

## SCHEDULE 3

Regulation 23(3)

### PART 1

#### OFFENCES SPECIFIED FOR THE PURPOSES OF [F<sup>1</sup>REGULATION 25(3)(b)]

##### Textual Amendments

**F1** Words in Sch. 3 Pt. 1 heading substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **8(a)**

##### Offences in England and Wales

1. Any of the following offences against an adult—
  - (a) an offence of rape under section 1 of the Sexual Offences Act 2003 <sup>M3</sup>;
  - (b) an offence of assault by penetration under section 2 of that Act;
  - (c) an offence of causing a person to engage in sexual activity without consent under section 4 of that Act, if the activity fell within subsection (4) of that section;
  - (d) an offence of sexual activity with a person with a mental disorder impeding choice under section 30 of that Act, if the touching fell within subsection (3) of that section;
  - (e) an offence of causing or inciting a person with mental disorder impeding choice to engage in sexual activity under section 31 of that Act, if the activity caused or incited fell within subsection (3) of that section;
  - (f) an offence of inducement, threat or deception to procure sexual activity with a person with a mental disorder under section 34 of that Act, if the touching involved fell within subsection (2) of that section; and

**Status:** Point in time view as at 01/07/2013.

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

- (g) an offence of causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception under section 35 of that Act, if the activity fell within subsection (2) of that section.

**Marginal Citations**

**M3** 2003 c. 42.

**Offences in Scotland**

[<sup>F2</sup>2. An offence under section 1 (rape) and section 18 (rape of a young child) of the Sexual Offences (Scotland) Act 2009.]

**Textual Amendments**

**F2** Sch. 3 paras. 2, 3 substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **8(b)**

[<sup>F2</sup>3. An offence specified in Schedule 1 to the Criminal Procedure (Scotland) Act 1995 except, in a case where the offender was under the age of 20 at the time the offence was committed.]

**Textual Amendments**

**F2** Sch. 3 paras. 2, 3 substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **8(b)**

4. An offence of plagium (theft of a child below the age of puberty).
5. Section 52 or 52A of the Civil Government (Scotland) Act 1982 (indecent photographs of children) <sup>M4</sup>.

**Marginal Citations**

**M4** 1982 c. 45. Section 52A was inserted by section 161 of the [Criminal Justice Act 1988 \(c. 33\)](#).

6. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust) <sup>M5</sup>.

**Marginal Citations**

**M5** 2000 c. 44.

**Offences in Northern Ireland**

[<sup>F3</sup>7. An offence under Article 5 (rape) and Article 12 (rape of a child under 13) of the Sexual Offences (Northern Ireland) Order 2008.]

**Textual Amendments**

**F3** Sch. 3 paras. 7, 8 substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **8(c)**

[<sup>F3</sup>**8.** An offence specified in Schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968, except in the case where the offender was under the age of 20 at the time the offence was committed.]

**Textual Amendments**

**F3** Sch. 3 paras. 7, 8 substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **8(c)**

**9.** An offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs) <sup>M6</sup>.

**Marginal Citations**

**M6** [S.I. 1978/1047 \(N.I.17\)](#).

<sup>F4</sup>**10.** . . . . .

**Textual Amendments**

**F4** Sch. 3 para. 10 omitted (1.7.2013) by virtue of [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **8(d)**

**11.** An offence contrary to Article 15 of the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (possession of indecent photographs of children) <sup>M7</sup>.

**Marginal Citations**

**M7** [S.I. 1988/1847 \(N.I.17\)](#).

Regulation 23(4)

## PART 2

### REPEALED STATUTORY OFFENCES

- 1.**—(1) An offence under any of the following sections of the Sexual Offences Act 1956 <sup>M8</sup>—
- (a) section 1 (rape);
  - (b) section 5 (intercourse with a girl under 13);
  - (c) subject to paragraph 4, section 6 (intercourse with a girl under 16);
  - (d) section 19 or 20 (abduction of girl under 18 or 16);
  - (e) section 25 or 26 of that Act (permitting girl under 13, or between 13 and 16, to use premises for intercourse); and

**Status:** Point in time view as at 01/07/2013.

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

- (f) section 28 (causing or encouraging prostitution of, intercourse with or indecent assault on, girl under 16).
- (2) An offence under section 1 of the Indecency with Children Act 1960 <sup>M9</sup> (indecent conduct towards young child).
- (3) An offence under section 54 of the Criminal Law Act 1977 <sup>M10</sup> (inciting girl under sixteen to incest).
- (4) An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).

#### Marginal Citations

- M8** 1956 c. 69.
- M9** 1960 c. 33.
- M10** 1977 c. 45.

**2.** A person falls within this paragraph if he has been convicted of any of the following offences against a child committed at the age of 18 or over or has been cautioned by a constable in respect of any such offence which, at the time the caution was given, he admitted—

- (a) an offence under section 2 or 3 of the Sexual Offences Act 1956 Act (procurement of woman by threats or false pretences);
- (b) an offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse);
- (c) an offence under section 14 or 15 of that Act (indecent assault);
- (d) an offence under section 16 of that Act (assault with intent to commit buggery);
- (e) an offence under section 17 of that Act (abduction of woman by force or for the sake of her property); and
- (f) an offence under section 24 of that Act (detention of woman in brothel or other premises).

**3.** A person falls within this paragraph if he has been convicted of any of the following offences committed at the age of 18 or over or has been cautioned by a constable in respect of any such offence which, at the time the caution was given, he admitted—

- (a) an offence under section 7 of the Sexual Offences Act 1956 (intercourse with defective) by having sexual intercourse with a child;
- (b) an offence under section 9 of that Act (procurement of defective) by procuring a child to have sexual intercourse;
- (c) an offence under section 10 of that Act (incest by a man) by having sexual intercourse with a child;
- (d) an offence under section 11 of that Act (incest by a woman) by allowing a child to have sexual intercourse with her;
- (e) subject to paragraph 4, an offence under section 12 of that Act by committing buggery with a child under the age of 16;
- (f) subject to paragraph 4, an offence under section 13 of that Act by committing an act of gross indecency with a child;
- (g) an offence under section 21 of that Act (abduction of defective from parent or guardian) by taking a child out of the possession of her parent or guardian;
- (h) an offence under section 22 of that Act (causing prostitution of women) in relation to a child;



- (i) an offence under section 23 of that Act (procuration of girl under 21) by procuring a child to have sexual intercourse with a third person;
- (j) an offence under section 27 of that Act (permitting defective to use premise for intercourse) by inducing or suffering a child to resort to or be on premises for the purpose of having sexual intercourse;
- (k) an offence under section 29 of that Act (causing or encouraging prostitution of defective) by causing or encouraging the prostitution of a child;
- (l) an offence under section 30 of that Act (man living on earnings of prostitution) in a case where the prostitute is a child;
- (m) an offence under section 31 of that Act (woman exercising control over prostitute) in a case where the prostitute is a child;
- (n) an offence under section 128 of the Mental Health Act 1959<sup>M11</sup> (sexual intercourse with patients) by having sexual intercourse with a child;
- (o) an offence under section 4 of the Sexual Offences Act 1967<sup>M12</sup> (procuring others to commit homosexual acts) by—
  - (i) procuring a child to commit an act of buggery with any person; or
  - (ii) procuring any person to commit an act of buggery with a child;
- (p) an offence under section 5 of that Act (living on earnings of male prostitution) by living wholly or in part on the earnings of prostitution of a child; and
- (q) an offence under section 9(1)(a) of the Theft Act 1968<sup>M13</sup> (burglary), by entering a building or part of a building with intent to rape a child.

#### Marginal Citations

**M11** 1959 c. 72.

**M12** 1967 c. 60.

**M13** 1968 c. 60.

4. Paragraphs 1(c) and 3(e) and (f) do not include offences in a case where the offender was under the age of 20 at the time the offence was committed.

#### [F5] SCHEDULE 4

#### Textual Amendments

**F5** Schs. 4, 4A substituted for Sch. 4 (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, 9

Regulation 26(a)

**Status:** Point in time view as at 01/07/2013.  
**Changes to legislation:** There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005. (See end of Document for details)

## PART 1

### Information to be provided during Stage 1

#### **Information about the prospective adopter**

1. Name, sex, date and place of birth and address including the local authority area.
2. If the prospective adopter is married or has formed a civil partnership and is applying alone for an assessment of their suitability to adopt, the reasons for this.
3. Details of any previous family court proceedings in which the prospective adopter has been involved.
4. Names and addresses of three referees who will give personal references on the prospective adopter, not more than one of whom may be a relative.
5. Name and address of the prospective adopter's registered medical practitioner.
6. If the prospective adopter—
  - (a) is married, the date and place of the marriage,
  - (b) has formed a civil partnership, the date and place of registration of that partnership, or
  - (c) has a partner, details of that relationship.
7. Details of any previous marriage, civil partnership or relationship.
8. Whether the prospective adopter is domiciled or habitually resident in a part of the British Islands and if habitually resident for how long they have been habitually resident.

#### **Information about the home etc of the prospective adopter**

9. Details of other members of the prospective adopter's household (including any children of the prospective adopter whether or not resident in the household).  
Regulation 26(b)

## 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 sisters and the children of the prospective adopter, with details of any serious physical or mental illness and any hereditary disease or disorder.
3. Infertility or reasons for deciding not to have children (if applicable).
4. Past health history, including details of any serious physical or mental illness, disability, accident, hospital admission or attendance at an out-patient department, and in each case any treatment given.
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 for concern or whether the prospective adopter smokes or uses habit-forming drugs.

8. Any other relevant information which the adoption agency considers may assist the adoption panel and the adoption agency.  
Regulation 30(1)

## PART 3

### Information to be provided during stage 2

#### **Information about the prospective adopter**

1. A photograph and physical description.
2. Racial origin and cultural and linguistic background.
3. Religious persuasion.
4. Relationship (if any) to the child.
5. A description of the prospective adopter's personality and interests.
6. A family tree with details of the prospective adopter, the prospective adopter's siblings and any children of the prospective adopter, with their ages (or ages at death).
7. A chronology of the prospective adopter from birth.
8. The observations of the prospective adopter about their own experience of being parented and how this has influenced them.
9. Details of any experience the prospective adopter has had of caring for children (including as a parent, step-parent, foster parent, child minder or prospective adopter) and an assessment of the prospective adopter's ability in this respect.
10. Any other information which indicates how the prospective adopter and anybody else living in the prospective adopter's household is likely to relate to a child placed for adoption with the prospective adopter.

#### **Wider Family**

11. A description of the wider family of the prospective adopter and their role and importance to the prospective adopter and their likely role and importance to a child placed for adoption with the prospective adopter.

#### **Information about the home etc of the prospective adopter**

12. Information about the prospective adopter's home and the neighbourhood in which the prospective adopter lives.

13. Information about the local community of the prospective adopter, including the degree of the family's integration with its peer groups, friendships and social networks.

#### **Education and employment**

14. Details of the prospective adopter's educational history and attainments and the prospective adopter's views about how this has influenced them.

15. Details of the prospective adopter's employment history and the observations of the prospective adopter about how this has influenced them.

**Status:** Point in time view as at 01/07/2013.  
**Changes to legislation:** There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005. (See end of Document for details)

16. The current employment of the prospective adopter and the prospective adopter's views about achieving a balance between employment and child care.

**Income**

17. Details of the prospective adopter's income and expenditure.

**Other information**

18. Information about the prospective adopter's capacity to—

- (a) provide for a child's needs, particularly emotional and behavioural development needs;
- (b) share a child's history and associated emotional issues; and
- (c) understand and support a child through possible feelings of loss and trauma.

19. The prospective adopter's—

- (a) reasons for wishing to adopt a child;
- (b) views and feelings about adoption and its significance;
- (c) views about their parenting capacity;
- (d) views about parental responsibility and what it means;
- (e) views about a suitable home environment for a child;
- (f) views about the importance and value of education;
- (g) views and feelings about the importance of a child's religious and cultural upbringing; and
- (h) views and feelings about contact.

20. The views of other members of the prospective adopter's household and wider family in relation to adoption.

21. Any other relevant information which might assist the adoption panel or the adoption agency.]

[<sup>F5</sup>SCHEDULE 4A

Regulation 30F(3)

Modifications to Part 4

1. Regulation 22 does not apply.
2. Regulations 24, 25 and 26 only apply where an adoption agency considers it necessary.
3. Regulations 27 and 28 do not apply.
4. Regulation 30 applies as if—
  - (a) paragraphs (1) and (4) were omitted;
  - (b) for paragraph (2) there were substituted—
    - “(2) The adoption agency must prepare a written report (“the prospective adopter's report”) which includes—
      - (a) where applicable, a summary, written by the agency's medical adviser, of the state of the health of the prospective adopter;
      - (b) where applicable, any observations of the agency on the matters referred to in regulation 25;

- (c) where applicable, any relevant information obtained by the agency under regulation 26;
  - (d) the agency's assessment of the prospective adopter's suitability to adopt; and
  - (e) any other information which the agency considers relevant.”; and
- (c) the words “where applicable” were inserted at the beginning of paragraph (6)(b).
5. Regulation 30A(3) does not apply.
6. Regulation 30B applies as if for paragraph (1) there were substituted—
- “(1) The adoption agency must decide whether the prospective adopter is suitable to adopt a child within four months of the date on which the agency received the prospective adopter's notification that they wished to proceed with the pre-assessment process.”]

## SCHEDULE 5

Regulation 35(2)

### ADOPTION PLACEMENT PLAN

1. Whether [<sup>F6</sup>the child is] placed under a placement order or with the consent of the parent or guardian.

#### Textual Amendments

**F6** Words in Sch. 5 para. 1 inserted (30.12.2005) by [The Adoption and Children \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3482\)](#), regs. 1, **5(s)**

- 2. The arrangements for preparing the child and the prospective adopter for the placement.
- 3. Date on which it is proposed to place the child for adoption with the prospective adopter.
- 4. The arrangements for review of the placement.
- 5. Whether parental responsibility of the prospective adopter for the child is to be restricted, and if so, the extent to which it is to be restricted.
- 6. Where the local authority has decided to provide adoption support services for the adoptive family, how these will be provided and by whom.
- 7. The arrangements which the adoption agency has made for allowing any person contact with the child, the form of contact, the arrangements for supporting contact and the name and contact details of the person responsible for facilitating the contact arrangements (if applicable).
- 8. The dates on which the child's life story book and later life letter are to be passed by the adoption agency to the prospective adopter.
- 9. Details of any other arrangements that need to be made.
- 10. Contact details of the child's social worker, the prospective adopter's social worker and out of hours contacts.

**Status:**

Point in time view as at 01/07/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005.