

## SCHEDULE 1

Regulations 7(5), 12(2)(c), 16(5)(a), 17(5)(a), 18(1)(c)

### PART I

#### INFORMATION ABOUT PROSPECTIVE ADOPTERS

1. Name, date and place of birth.

2. Address.

3. Nationality and ethnicity.

4. Whether the prospective adopter has their home in Great Britain and, if not, the address at which the prospective adopter has their home if different from paragraph 2.

5. Whether the prospective adopter is domiciled or habitually resident in the United Kingdom, the Channel Islands or the Isle of Man and, if not, the country in which they are domiciled or habitually resident. If habitually resident, for how long.

6. Whether the prospective adopter intends to apply for an order under section 59 of the Act.

7. Where there are 2 prospective adopters—

- (a) the date and place of the prospective adopters' marriage;
- (b) the date and place of the prospective adopters' civil partnership registration;
- (c) whether either prospective adopter has previously been married or in a civil partnership;
- (d) whether that marriage or civil partnership was dissolved or annulled and, if so, the grounds of divorce, annulment or dissolution;
- (e) whether there are any financial commitments in respect of a former spouse or civil partner or children from a previous relationship;
- (f) whether the prospective adopters are living together as husband and wife or as civil partners in an enduring family relationship.

8. Where there is only 1 prospective adopter—

- (a) whether that person is—
  - (i) married;
  - (ii) in a civil partnership;
  - (iii) living with another person as if husband and wife in an enduring family relationship;  
or
  - (iv) living with another person as if civil partners in an enduring family relationship;
- (b) if the prospective adopter is married or in a civil partnership—
  - (i) the reasons for their spouse or civil partner choosing not to join in the application;
  - (ii) whether the spouse or civil partner cannot be found;
  - (iii) whether the prospective adopter and their spouse or their civil partner are separated and living apart and whether the separation is likely to be permanent; or
  - (iv) whether the spouse or civil partner is incapable of joining in the application by virtue of their physical or mental health.
- (c) if the prospective adopter is living with another person as if husband and wife in an enduring family relationship or as if civil partners in an enduring family relationship the reasons for their partner choosing not to join in the application.

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9. Details of other members of the prospective adopter's household including any children of the prospective adopter whether or not they are resident in the household.

10. Details of the prospective adopter's parents and any of the prospective adopter's siblings and their ages or ages at death.

11. The attitudes to adoption of such other members of the prospective adopter's household and of such of the other members of the prospective adopter's family as the adoption agency considers appropriate.

12. The prospective adopter's personality.

13. Details of the prospective adopter's previous experience of caring for children and an assessment of ability in this respect together, where appropriate, with an assessment of their ability in caring for their own children.

14. Whether the prospective adopter or any other member of their household has previously—

- (a) notified a local authority of their intention to adopt a child;
- (b) applied to an adoption agency with a view to adopting a child;
- (c) had in their care a foster child within the meaning of section 1 of the Foster Children (Scotland) Act 1984<sup>(1)</sup> who has been removed under section 12 of that Act;
- (d) been disqualified or prohibited from keeping a foster child under section 7 or section 10 of that Act<sup>(2)</sup> or disqualified or prohibited under section 68 or 69 of the Children Act 1989<sup>(3)</sup> from fostering a child privately;
- (e) had in their care—
  - (i) a child who had been a protected child who had been removed under section 34 of the Adoption Act 1976<sup>(4)</sup>; or
  - (ii) a privately fostered child within the meaning of section 66 of the Children Act 1989 in respect of whom an emergency protection order under section 44 of that Act has been made or the local authority has taken steps in accordance with section 67(5) of that Act;
- (f) been convicted of an offence mentioned in Schedule 1 to the Criminal Procedure (Scotland) Act 1995<sup>(5)</sup> or an offence under Schedule 1 to the Children and Young Persons Act 1933<sup>(6)</sup>;
- (g) been convicted of an offence under section 11 of the Protection of Children (Scotland) Act 2003<sup>(7)</sup> or has been disqualified from working with children within the meaning of that Act;
- (h) had parental responsibilities and rights in respect of one or more of their own children transferred to a local authority under section 86 of the 1995 Act<sup>(8)</sup> or had one or more of such children made subject to care orders under section 31 of the Children Act 1989<sup>(9)</sup>;

(1) 1984 c. 56. Section 1 was amended (and repealed in part) by the Children Act 1989 c. 41, section 108 and Schedule 2. Section 12 was amended by the 1995 Act, Schedule 4.

(2) Section 7 was amended by the Children Act 1989, Schedule 4, the 1995 Act, Schedule 4 and the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 c. 40, Schedule 4, and is amended by the 2007 Act, schedule 4.

(3) 1989 c. 41. Section 68 was amended by the Criminal Justice Act 2003 c. 44, Schedules 32 and 37 and repealed, in part, by the Safeguarding Vulnerable Groups Act 2006 c. 47, Schedule 9.

(4) 1976 c. 36. Section 34 was repealed by the Children Act 1989 section 108 and Schedule 15.

(5) 1995 c. 46. Schedule 1 was amended by the Prohibition of Female Mutilation (Scotland) Act 2005 asp 8, section 7 and the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 asp 9, schedule 1.

(6) 1933 c. 12. Schedule 1 was amended by the Sexual Offences Act 2003 c. 33, Schedule 6 and by the Domestic Violence, Crime and Victims Act 2004 c. 28, Schedule 10.

(7) 2003 asp 5.

(8) Section 86 of the 1995 Act was amended by the Adoption and Children Act 2002 c. 38, Schedule 3.

- (i) had parental responsibilities and rights in respect of one or more of their own children transferred to a local authority or any other person under section 81 or 82 of the Act;
- (j) been refused registration as a child minder or worker in a nursery under—
  - (i) the Children Act 1989; or
  - (ii) Part 1 of the Regulation of Care (Scotland) Act 2001(10),and details of any such occurrence.
- 15. An assessment of the prospective adopter's ability to raise an adopted child throughout their childhood.
- 16. Religious persuasion including the degree of religious observance.
- 17. The ability of the prospective adopter to have regard to a child's religious persuasion, racial origin and cultural and linguistic background.
- 18. Educational background.
- 19. Past and present occupations and interests.
- 20. Details of the prospective adopter's financial circumstances and comments on the living standards of the household.
- 21. Opinion of the adoption agency as to whether any adoption allowance may be paid.
- 22. The reasons given by the prospective adopter for wishing to adopt a child and the extent of their understanding of the nature and effect of adoption.
- 23. Names and addresses of at least 2 referees (who are not close relatives) who will give personal references on the prospective adopter.
- 24. Name and address of the prospective adopter's registered medical practitioner.
- 25. A comprehensive medical report on the prospective adopter prepared and signed by a registered medical practitioner including such details as the medical adviser to the adoption agency considers necessary in the circumstances of each prospective adopter.
- 26. Any other relevant information which the adoption agency considers may assist the panel.

## PART II

### INFORMATION ABOUT THE CHILD

- 1. Name, sex, date and place of birth and address.
- 2. Nationality and ethnicity.
- 3. Physical description.
- 4. Religious persuasion of the child including details of any baptism, confirmation or equivalent ceremonies and level of current religious observance.
- 5. Personality, social, emotional and behavioural development.

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(9) Section 31 was amended by the 1995 Act, Schedule 4, the Powers of Criminal Courts (Sentencing) Act 2000 c. 6, Schedule 9, the Criminal Justice and Court Services Act 2000 c. 43, Schedule 8 and the Adoption and Children Act 2002 sections 120 and 121(1).

(10) 2001 asp 8. Part 1 has been amended as follows: section 2 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 asp 13, schedule 5; sections 2, 16 and 25 were amended by the Smoking, Health and Social Care (Scotland) Act 2005 asp 13, sections 29, 30 and 31 respectively; and sections 2, 21 and 25 are amended by the Adoption and Children (Scotland) Act 2007 asp 4, section 82, schedules 2 and 3.

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6. Any linguistic and cultural needs.
7. Names and addresses of schools attended and educational attainments.
8. Whether the child's father was married to the child's mother at the time of birth or subsequently. If they have not married, whether the child's father has any parental responsibilities or parental rights.
9. Details of any court orders relating to the child, including residence, maintenance, or parental contact or court orders awarding or depriving any person of parental responsibilities or parental rights in respect of the child.
10. Details of any current or previous supervision requirements relating to the child imposed by a children's hearing.
11. Details of any siblings including their dates of birth, addresses, arrangements in respect of residence and contact and whether any sibling is also being considered for adoption and, if so, whether it would be in the child's interests to place them together.
12. The extent of any contact with any member of the child's family including the child's father even where the father has no parental responsibilities and parental rights and details of any court orders relating to contact.
13. Where the child has been looked after by a local authority details, including dates, of placements including particulars of the persons with whom the child has had their home and observations on the care provided.
14. Any particular requirements in relation to the physical or mental health of the child and whether the child has additional support needs or a co-ordinated support plan within the meaning of the Education (Additional Support for Learning) (Scotland) Act 2004<sup>(11)</sup>.
15. The child's views in relation to adoption and whether an application should be made for a permanence order with authority for the child to be adopted under section 80 of the Act taking into account the age and maturity of the child and any wishes in respect of their religious persuasion, racial origin and cultural and linguistic background.
16. Whether the child has any right to or interest in any property.
17. Whether an insurance policy for the payment on the death of the child of money for funeral expenses has been effected.
18. A comprehensive medical report prepared and signed by a registered medical practitioner including such details as the medical adviser to the adoption agency considers necessary as to the circumstances of the child.
19. Any other relevant information which the adoption agency considers may assist the adoption panel.

## PART III

### INFORMATION ABOUT THE CHILD'S FAMILY

1. Name, date, place of birth and address of each parent and guardian of the child.
2. The marital status and date and place of marriage or date of registration of civil partnership of the child's parents and guardian if applicable.
3. The nationality and ethnicity of the child's parents and guardian.

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(11) 2004 asp 4.

4. The current and past relationship between the child's parents including an assessment of its stability.
5. The names, addresses, ages and brief details of the personal circumstances of the parents of the child's parents and any siblings of the child's parents.
6. Physical description of the child's parents and guardian.
7. Details of the personality of the child's parents and guardian.
8. Religious persuasion of the child's parents, guardian and other relatives including any wishes they have expressed as to the child's religious upbringing.
9. The educational background of the child's parents and guardian.
10. The past and present occupations of the child's parents and guardian.
11. Whether the child's mother, if she has parental responsibilities and parental rights other than those mentioned in sections 1(1)(c) and 2(1)(c) of the 1995 Act agrees to the child being adopted and, if not, her reasons for not agreeing.
12. Whether the child's father, if he has parental responsibilities and parental rights other than those mentioned in sections 1(1)(c) and 2(1)(c) of the 1995 Act agrees to the child being adopted and, if not, his reasons for not agreeing.
13. Whether there is any history of genetically transmissible or other significant disease in the family history of either the father's or mother's family.
14. A comprehensive medical report prepared and signed by a registered medical practitioner including such details as the medical adviser to the adoption agency considers necessary in regard to each parent and guardian.
15. Any other relevant information about the child's parents and guardian which the adoption agency considers may assist the adoption panel in discharging its functions.