
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 154

The Adoption Agencies (Scotland) Regulations 2009

PART III

ASSESSMENT OF PROSPECTIVE ADOPTERS

Approval of prospective adopters

8.—(1) Where an adoption agency receives a recommendation from the adoption panel under regulation 6(2)(c) or (d) it must make a decision on whether the prospective adopter is suitable to be an adoptive parent within 14 days of the date the recommendation was made.

(2) No member of the adoption panel which made the recommendation is to take part in the decision.

(3) Where an adoption agency makes a decision that a person is suitable to be an adoptive parent it must be satisfied that—

- (a) it has taken into account the recommendations made by the adoption panel; and
- (b) the prospective adopter is a suitable person with whom to place a child or children.

(4) Where the adoption agency makes a decision that is contrary to the recommendation of the adoption panel the agency must record in writing the reasons for that decision.

(5) Where the decision is that the prospective adopter is suitable to be an adoptive parent the adoption agency must notify in writing the prospective adopter of the decision within 14 days of making that decision.

(6) Where the decision is that the prospective adopter is not suitable to be an adoptive parent the adoption agency must—

- (a) notify the prospective adopter in writing of the decision within 7 days of making the decision;
- (b) send with the notification—
 - (i) its reasons for the decision; and
 - (ii) where the adoption panel's recommendation was that the prospective adopter was suitable to be an adoptive parent, a copy of that recommendation;
- (c) inform the prospective adopter in writing that they may require the decision to be reviewed within 28 days of the date of notification (the "28 day period"); and
- (d) invite the prospective adopter to submit to the adoption agency any representations regarding the decision within the 28 day period.