

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(1) 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(2) or disqualified or prohibited under section 68 or 69 of the Children Act 1989(3) 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(4); 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(5) or an offence under Schedule 1 to the Children and Young Persons Act 1933(6);
- (g) been convicted of an offence under section 11 of the Protection of Children (Scotland) Act 2003(7) 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(8) or had one or more of such children made subject to care orders under section 31 of the Children Act 1989(9);

(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.

(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(11).
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.

(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.

SCHEDULE 2

Regulation 16(2)(a)

MEMORANDUM

ADOPTION OF CHILDREN

This memorandum is addressed to the parent or guardian of a child for whom an adoption application is to be made. This includes the father and mother of a child even though they do not have parental responsibilities or rights in relation to the child. If any part of this memorandum is not clear to you, you should consult the adoption agency (which may be a local authority social work department or a registered adoption service). You may seek advice from the adoption agency on any matter connected with the adoption of your child, and may also wish to consult your solicitors. This memorandum is intended for guidance only and is not to be regarded as an authoritative interpretation of the law.

1. If the court makes an adoption order, your responsibilities and rights (including financial obligations) as a parent or guardian will be transferred to the adopters and they will become in law your child's parents. You will then have no further right to see your child, unless voluntary contact is agreed by the adopters. You may however apply to the court for a contact order although leave of the court to make the application must be granted. You will cease to be the child's parent and will have no right to have your child returned to you.

2. If you wish your child to be brought up in a particular religious faith or have any other views on the upbringing of your child which you wish to be taken into account you should inform the adoption

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agency. The adoption agency is obliged, however, to make the welfare of the child its paramount consideration.

3. The adoption agency needs to know whether each of the child's parents or guardian agrees with its decision that the child should be adopted. You are asked to complete a certificate (which is enclosed) indicating whether you agree or disagree with the adoption agency's decision. Agreement is sought in relation to the adoption agency's decision, and is quite separate from the agreement required by a court (see paragraph 6) in any subsequent application. You should read the certificate carefully, complete Part A or Part B and return it to the adoption agency within 28 days of receipt. This should provide you with sufficient time to take legal advice should you wish to do so. If you agree with the adoption agency's decision, then the adoption agency will make arrangements to have your child adopted. If you do not agree with the adoption agency's decision or do not reply within the 28 days then the agency, if it decides to proceed, will make an application to the court to have the matter resolved – the timescales depend on your child's circumstances, and the adoption agency or your solicitor will be able to advise you of how long this will take. In the event of an adoption application not being possible or appropriate within the timescale required for an application to be made, the adoption agency will apply to the court for a permanence order with authority for your child to be adopted without any further parental involvement. The adoption agency can provide you with further information on this order.

4. If you sign the form of agreement to the agency's decision and your child is subsequently placed with a person wishing to adopt them, then you will not be entitled to have your child returned to you if you change your mind, unless you obtain the permission of the court or the adoption agency. If you do change your mind you should inform the adoption agency at once.

5. Once your child is placed with adopters, they then have to apply to a court for an adoption order. Before making an order, the court will require to know whether you (except where you are a father or mother of the child who does not have parental responsibilities and rights unless these have been removed by a permanence order which does not grant authority for your child to be adopted) and any other parent or guardian of the child freely and in full understanding of what is involved, agree unconditionally to your child being adopted. The court will also have enquiries made to check that it will be in the best interests of your child that they should be adopted by the proposed adopters.

6. After the adoption application is made to the court, you will be asked to sign a form of agreement which can be shown to the court as evidence of your agreement. The proposed adopters will either be referred to on this form by a number or they will be named. If they are referred to by a number it will not be possible to tell you who they are. The adoption agency arranging the adoption will explain the reasons for this and will be glad to give you information about the personal circumstances and interests of the proposed adopters and to answer your questions about them as far as possible. Do not sign the form of agreement unless you are willing that your child should be adopted.

7. The court cannot make an adoption order without your agreement unless it dispenses with your agreement on certain grounds or if you are a parent who does not have parental rights and responsibilities unless these were removed by virtue of a permanence order which does not grant authority for the child to be adopted. The grounds on which a court can dispense with a parent's agreement are that:–

- (a) the parent or guardian is dead;
- (b) the parent or guardian cannot be found, or is incapable of giving agreement;
- (c) the court is of the opinion that the parent or guardian is unable satisfactorily to discharge parental rights and responsibilities in relation to the child (except the responsibility and the right to maintain personal relations and direct contact with the child on a regular basis) and is likely to continue to be able to do so;

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- (d) where a permanence order (which does not include authority for adoption) has been made which removes the parental rights and responsibilities from the parents or guardian and it is unlikely that such responsibilities will be imposed on, or rights given to the parent or guardian;
- (e) if sub-paragraphs (c) and (d) do not apply the welfare of the child requires the consent to be dispensed with.

8. You are not allowed to receive any money for giving your agreement.

9. When an adoption order is made, the Registrar General for Scotland makes an entry in the Adopted Children Register showing the adopters as the parents of your child. A full extract and an abbreviated certificate of the entry in that Register (which takes the place of your child’s original birth certificate) can be obtained by the adopters from General Register Office, New Register House, Edinburgh on payment of a fee. When your child reaches the age of 16, they will be entitled to see the original entry in the birth register and to purchase a certificate of entry if they so wish. This means that when your child is 16 they will be able to find out their original name as well as your name and your address when you registered the birth. Should you wish, the adoption agency will discuss with you the implications this may have for you in the future.

SCHEDULE 3

Regulation 16(2)(b)

CERTIFICATE

ADOPTION OF CHILDREN

To: (name of Adoption Agency)

I hereby certify that I have received from you a memorandum headed “Adoption of Children” from which I have detached this certificate of acknowledgement and that I have read the memorandum and understood it.

Signature

Name

Address

.....

Date

SCHEDULE 4

Regulation 16(2)(c), 19(a)

PARENT'S AGREEMENT

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IN RESPECT OF
PLACEMENT OF CHILD FOR ADOPTION

I

living at

am the mother/father of

who was born on

- _____
- *A. Agree to my child being placed for adoption and I understand that:
 - (a) my child will go to live with adopters as that is in my child’s best interests;
 - (b) as a consequence of giving any agreement, I will not be entitled to remove my child from the adopters without the permission of the adoption agency or the court; and
 - (c) when the court considers an adoption application, it will seek my agreement to the making of an adoption order but only where I am a parent who has parental responsibilities and parental rights or where such responsibilities and rights have been removed from me by virtue of the making of a permanence order which does not grant authority for my child to be adopted**;
 - *B. Do not agree to my child being placed for adoption and I understand that:
 - (a) should the adoption agency wish to continue with their plan to have my child adopted, they must make an application to the court for a permanence order with authority for my child to be adopted within set timescales (unless an adoption application has already been made) to have the matter determined;
 - (b) in the event of an application for an adoption or a permanence order with authority for my child to be adopted being made, the court will seek my agreement to the making of the order but only where I am a parent who has parental responsibilities and parental rights or where such responsibilities and rights have been removed by virtue of the making of a permanence order which does not grant authority for my child to be adopted**.

Signature:

Date:

*Delete as appropriate.

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NOTE:

You should delete either A or B and sign both copies of this form. You should keep one of them yourself in a safe place, and the other one will be kept by the agency. If you change your mind and decide against adoption, you should tell your social worker and your solicitor immediately. Once your child has gone to live with adopters the length of time she or he lives with them may influence the court's decision as to whether it is in your child's best interests to stay there. If you have not already consulted a solicitor you are advised to do so. You should show this document to your solicitor and anyone else advising you.

** You may wish to seek independent advice from a solicitor if you are unsure as to your status as a parent with parental rights and responsibilities.

SCHEDULE 5

Regulation 17(2)(a)

MEMORANDUM

APPLICATION FOR PERMANENCE ORDER WITH
AUTHORITY FOR A CHILD TO BE ADOPTED

This memorandum is addressed to the parent or guardian of a child where an application is to be made to the court for a permanence order seeking authority for the child to be adopted. If any part of this memorandum is not clear to you, you should consult the adoption agency. You may seek advice from the adoption agency on any matter connected with the adoption of your child, and you may also wish to consult your solicitor. This memorandum is intended for guidance only and is not to be regarded as an authoritative interpretation of the law.

1. If the court makes an order called a "permanence order" granting authority for the child to be adopted:

- your responsibilities and rights as a parent or guardian to regulate the child's residence and to provide guidance appropriate to the child's stage of development will be transferred to the local authority;
- other rights and responsibilities may be transferred to the local authority or to specified persons;
- the adoption agency will then proceed to make arrangements for the child to be placed for adoption as quickly as possible;
- the court will grant authority for your child to be adopted which means that your consent to the adoption is not required before the making of an adoption order;
- the person wishing to adopt your child will apply to the court in due course and the court, if on investigation considers that this is in your child's best interests, will make an adoption order without being required to consult you first.

2. If you wish your child to be brought up in a particular religious faith or have any other views on the upbringing of your child which you wish to be taken into account you should inform the adoption agency and it will take your wishes into account in selecting new parents for them as far as possible. The adoption agency is obliged, however, to make the welfare of the child its paramount consideration.

3. The adoption agency needs to know whether each of the child's parents or guardian agrees with its decision that an application for a permanence order with authority for the child to be adopted

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should be made. You are asked to complete a certificate (enclosed) indicating whether you agree or disagree with the application being made. Agreement is sought solely in relation to the adoption agency's decision and is quite separate from the agreement required by the court (see paragraphs 4 and 5) in the subsequent application. You should read the certificate carefully, complete Part A or Part B and return it to the adoption agency within 28 days of receipt. If you do not indicate your agreement within 28 days, the adoption agency will be obliged to make the application for the permanence order seeking authority for the child to be adopted to the court within a set timescale determined by the circumstances of your child – the adoption agency or your solicitor will be able to advise you on how long this will take. If you do agree, and the adoption agency places your child with a person wishing to adopt them, then you will not be entitled to have your child returned to you without permission of the court or the adoption agency if you change your mind. If you change your mind, you should inform the agency at once.

4. The local authority has to apply to a court for a permanence order with authority for the child to be adopted. Before making an order, the court will require to know whether you (except where you are a father or mother of the child who does not have parental responsibilities and rights unless these have been removed by the making of a previous permanence order which does not grant authority for your child to be adopted) and any other parent with parental rights and responsibilities or guardian of the child freely and with full understanding of what is involved, agree unconditionally to your child being adopted. The court will also have enquiries made to check that it is in the best interests of the child for the permanence order with authority for adoption to be made.

5. After the application is made to the court, you will be asked to sign a form of agreement which can be shown to the court as evidence of your agreement. Do not sign the form of agreement unless you are willing that the child should be adopted and you are also willing to give up your right to be party to the court proceedings when application is made for your child to be formally adopted in due course.

6. The court cannot make the permanence order granting authority for adoption without your agreement unless it dispenses with your agreement on certain grounds of if you are a parent who does not have parental rights and responsibilities unless these were removed by virtue of a previous permanence order which does not grant authority for the child to be adopted. The grounds on which a court can dispense with a parent's agreement are that:–

- (a) the parent or guardian is dead;
- (b) the parent or guardian cannot be found, or is incapable of giving agreement;
- (c) the court is of the opinion that the parent or guardian is unable satisfactorily to discharge parental rights and responsibilities in relation to the child (except the responsibility and the right to maintain personal relations and direct contact with the child on a regular basis) and is likely to continue to be able to do so;
- (d) where a permanence order (which does not include authority for adoption) has been made which removes the parental rights and responsibilities from the parents or guardian and it is unlikely that such responsibilities will be imposed on, or given to the parent or guardian;
- (e) if sub-paragraphs (c) and (d) do not apply the welfare of the child requires the consent to be dispensed with.

7. You are not allowed to receive any money for giving your agreement.

Right to apply for a variation of the permanence order

8. Any person who had parental rights and responsibilities in respect of the child immediately before the permanence order was made which were removed by the making of that permanence order may apply to the court for leave to make an application for a variation of certain provisions in the permanence order. The right also applies to any person who claims an interest, the local authority

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which made the application, the child (if they are over 12 or are capable of understanding the effect of the order) and any person who has had parental rights and responsibilities conferred on them by virtue of the permanence order.

9. An application to have the permanence order revoked may also be made by any person who is affected by the order but only where the leave of the court has been granted.

Birth records

10. When an adoption order is made, the Registrar General for Scotland makes an entry in the Adopted Children Register showing the adopters as the parents of the child. A full extract and an abbreviated certificate of the entry in that Register (which takes the place of the child’s original birth certificate) can be obtained by the adopters from General Register Office, New Register House, Edinburgh on payment of a fee. Where the child reaches the age of 16, they will be entitled to see the original entry in the birth register and to purchase a certificate of that entry if they so wish. This means that when the child is 16 they will be able to find out their original names as well as your name and your address when you registered their birth. Should you wish, the adoption agency will discuss with you the possible implications this may have for you in the future.

SCHEDULE 6

Regulation 17(2)(b)

CERTIFICATE

APPLICATION FOR PERMANENCE ORDER WITH AUTHORITY
FOR A CHILD TO BE ADOPTED

To: (name of Adoption Agency)

I hereby certify that I have received from you a memorandum headed “Application for permanence order with authority for a child to be adopted” from which I have detached this certificate of acknowledgement and that I have read the memorandum and understood it.

Signature

Name

Address

.....

Date

SCHEDULE 7

Regulation 17(2)(c), 19(a)

PARENT'S AGREEMENT

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IN RESPECT OF AN
APPLICATION FOR A PERMANENCE ORDER WITH AUTHORITY
FOR A CHILD TO BE ADOPTED

I

living at

am the mother/father of

who was born on

*A. Agree to my child being the subject of an application under section 80 of the Adoption and Children (Scotland) Act 2007 for a permanence order with authority for my child to be adopted and for their placement with adopters. I understand that:

- (a) my child will go to live with adopters before the permanence order application is made if that is in my child's best interests;
- (b) as a consequence of giving any agreement, I will not be entitled to remove my child from the adopters without the permission of the adoption agency or the court; and
- (c) when the court considers the permanence order application, it will seek my agreement to the making of the permanence order but only where I am a parent who has parental responsibilities and parental rights or where such responsibilities and rights have been removed from me by virtue of the making of a permanence order which does not grant authority for my child to be adopted**.

*B. Do not agree to my child being the subject of an application under section 80 of the Adoption and Children (Scotland) Act 2007 for a permanence order granting authority for my child to be adopted. I understand that:

- (a) should the adoption agency wish to continue with their plan to have my child adopted, they must make an application for a permanence order to the court within set timescales (unless an adoption application has already been made) to have the matter determined;

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(b) in the event of an application for an adoption or permanence order with authority for my child to be adopted being made, the court will seek my agreement to the making of the order but only where I am a parent who has parental responsibilities and parental rights or where such responsibilities and rights have been removed from me by virtue of the making of a permanence order which does not grant authority for my child to be adopted**.

Signature:

Date:

*Delete as appropriate.

NOTE:

You should delete either A or B and sign both copies of this form. You should keep one of them yourself in a safe place, and the other one will be kept by the agency. If you change your mind and decide against adoption, you should tell your social worker and your solicitor immediately. Once your child has gone to live with adopters the length of time she or he lives with them may influence the court's decision as to whether it is in your child's best interests to stay there. If you have not already consulted a solicitor you are advised to do so. You should show this document to your solicitor and anyone else advising you.

** You may wish to seek independent advice from a solicitor if you are unsure as to your status as a parent with parental rights and responsibilities.

SCHEDULE 8

Regulation 22(3)

FORM OF REFERENCE BY ADOPTION AGENCY TO PRINCIPAL REPORTER FOR ADVICE BY CHILDREN'S HEARING TO THE COURT

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To the Principal Reporter

(Name of adoption agency) as an adoption agency has considered the case of (name and address of child) who is subject to a supervision requirement dated [] by a children's hearing for (local authority area), and is satisfied for the reasons set out below that the best interests of (name of child) would be served by an application for a permanence order with authority for the child to be adopted under section 80 of the Adoption and Children (Scotland) Act 2007 [placing (name of child) for adoption]*; and the agency intends to [apply for such an order] [so place (name of child)]*.

The adoption agency has determined that the agreement of a parent to [adoption application for a permanence order granting authority for the child to be adopted under section 80]* of the Adoption and Children (Scotland) Act 2007 is [likely] [unlikely]* to be forthcoming.

REASONS REFERRED TO

(insert reasons)

.....
.....
.....

(officer of adoption agency)

(place and date)

*Delete as appropriate