
STATUTORY INSTRUMENTS

2005 No. 389

The Adoption Agencies Regulations 2005

PART 4

**DUTIES OF ADOPTION AGENCY IN
RESPECT OF A PROSPECTIVE ADOPTER**

Prospective adopter's report

25.—(1) This regulation applies where the adoption agency, following the procedures referred to in regulations 23 and 24, consider the prospective adopter may be suitable to adopt a child.

(2) The adoption agency must obtain the information about the prospective adopter which is specified in Part 1 of Schedule 4.

(3) The adoption agency must obtain—

- (a) a written report from a registered medical practitioner about the health of the prospective adopter following a full examination which must include matters specified in Part 2 of Schedule 4 unless the agency has received advice from its medical adviser that such an examination and report is unnecessary; and
- (b) a written report of each of the interviews with the persons nominated by the prospective adopter to provide personal references for him.

(4) The adoption agency must ascertain whether the local authority in whose area the prospective adopter has his home have any information about the prospective adopter which may be relevant to the assessment and if so obtain from that authority a written report setting out that information.

(5) The adoption agency must prepare a written report (“the prospective adopter’s report”) which shall include—

- (a) the information about the prospective adopter and his family which is specified in Part 1 of Schedule 4;
 - (b) a summary, written by the agency’s medical adviser, of the state of health of the prospective adopter;
 - (c) any relevant information the agency obtains under paragraph (4);
 - (d) any observations of the agency on the matters referred to in regulations 21, 23 and 24;
 - (e) the agency’s assessment of the prospective adopter’s suitability to adopt a child; and
 - (f) any other information which the agency considers to be relevant.
- (6) In a section 83 case, the prospective adopter’s report shall also include—
- (a) the name of the country from which the prospective adopter wishes to adopt (“country of origin”);
 - (b) confirmation that the prospective adopter meets the eligibility requirements to adopt from the country of origin;

(c) additional information obtained as a consequence of the requirements of the country of origin; and

(d) the agency's assessment of the prospective adopter's suitability to adopt a child who is habitually resident outside the British Islands.

(7) Where the adoption agency receives information under paragraph (2), (3) or (4) or other information in relation to the assessment of the prospective adopter and is of the opinion that a prospective adopter is unlikely to be considered suitable to adopt a child, it may make the prospective adopter's report under paragraph (5) notwithstanding that the agency may not have obtained all the information about the prospective adopter which may be required by this regulation.

(8) The adoption agency must notify the prospective adopter that his application is to be referred to the adoption panel and give him a copy of the prospective adopter's report, inviting him to send any observations in writing to the agency within 10 working days, beginning with the date on which the notification is sent.

(9) At the end of the period of 10 working days referred to in paragraph (8) (or earlier if any observations made by the prospective adopter are received before that period has expired) the adoption agency must send—

(a) the prospective adopter's report and the prospective adopter's observations;

(b) the written reports referred to in paragraphs (3) and (4); and

(c) any other relevant information obtained by the agency,

to the adoption panel.

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