

CHILDREN AND FAMILIES ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: ADOPTION AND CONTACT

Adoption

Section 2: Placement of looked after children with prospective adopters

53. This section amends section 22C of the Children Act 1989 as it applies in relation to England. New *subsection (9A)* imposes a duty on a local authority looking after a child, when they are considering adoption for the child, or are satisfied that the child ought to be placed for adoption but are not authorised to place that child for adoption, to consider placing the child in a “Fostering for Adoption” placement.
54. A “Fostering for Adoption” placement is a foster placement with foster parents who are also approved prospective adopters, in circumstances where the local authority are considering adoption as an option for the child’s long term care (whether it is the only option they are considering, or one of several) or are satisfied that the child ought to be placed for adoption but do not yet have authorisation to place the child for adoption. In these circumstances the local authority will be under a duty to consider a “Fostering for Adoption” placement. Section 22C(5) of the Act will apply, and requires the local authority to place the child in “the most appropriate placement available”, and section 22 of the Act will apply in relation to the decision about which placement is most appropriate, and will require the authority to act in the child’s best interests. The local authority must first have considered placing the child with relatives, friends or other connected persons and have ruled them out as not being the most appropriate potential carers for the child.