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STATUTORY INSTRUMENTS

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**2005 No. 2720**

**The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005**

**PART 5**

**FEEES, FREQUENCY OF INSPECTIONS AND REGISTRATION**

**Amendment of the National Care Standards Commission (Registration) Regulations 2001**

**31.**—(1) The National Care Standards Commission (Registration) Regulations 2001(1) are amended as follows.

(2) In regulation 2 (interpretation), after sub-paragraph (cf) in the definition of “statement of purpose” in paragraph (1) insert—

“(cg) in relation to an adoption support agency, the written statement required to be compiled in relation to the adoption support agency in accordance with regulation 5(1) of the Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005(2);”.

(3) In Schedule 7 (particulars to be recorded in the registers kept by the Commission)—

(a) in paragraph 9—

(i) in the heading, for the words “fostering agencies and adult placement schemes” substitute “fostering agencies, adult placement schemes and adoption support agencies”; and

(ii) after paragraph (e) add—

“(f) adoption support agencies, the code ASA”;

(b) in paragraph 10—

(i) at the end of sub-paragraph (1) add—

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“domestic adoption services and adoption support services DA&AS

intercountry adoption services and adoption support services ICA&AS

domestic and intercountry adoption services and adoption support services DICA&AS”;

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(ii) in sub-paragraph (2), before the definition of “domestic adoption services” insert—

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(1) S.I. 2001/3969; amended by S.I. 2002/865, 2002/2469, 2003/369, 2003/1845, 2003/2323, 2004/664, 2004/696, 2004/1771, 2004/2071 and 2005/2114.

(2) S.I. 2005/2720.

““adoption support services” has the same meaning as in section 2(6) of the Adoption and Children Act 2002(3);”.

### **Amendment of the National Care Standards Commission (Fees and Frequency of Inspections) (Adoption Agencies) Regulations 2003**

**32.**—(1) The National Care Standards Commission (Fees and Frequency of Inspections) (Adoption Agencies) Regulations 2003(4) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) for the definition of “registered provider” substitute—

““registered provider” means, in relation to a voluntary adoption agency or an adoption support agency, a person who is registered under Part 2 of the Act as the person carrying on the agency;”;

(b) for the definition of “relevant number of staff” substitute—

““relevant number of staff” means—

(a) in the case of a voluntary adoption agency, seven full-time staff or the equivalent, but does not include the manager or, as the case may be, branch manager, appointed in accordance with the Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003(5);

(b) in the case of an adoption support agency, two full-time staff or the equivalent, but does not include the manager appointed in accordance with the Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005(6) or anyone employed solely as a receptionist or administrator;

“small adoption support agency” means an adoption support agency where no more than the relevant number of staff are employed at any one time;”.

(3) After regulation 3 (registration fees) insert—

“**3A.**—(1) For the purposes of section 12(2) of the Act, the fee to accompany an application by a person seeking to be registered under Part 2 of the Act as the person who carries on an adoption support agency shall, subject to paragraph (2), be £1,320.

(2) Where the adoption support agency is a small adoption support agency the fee shall be £360.

(3) For the purposes of section 12(2) of the Act, the fee to accompany an application by a person seeking to be registered under Part 2 of the Act as the person who manages an adoption support agency other than a small adoption support agency shall be £360.”.

(4) In regulation 4(1) (variation fees), after “registered provider” insert “in relation to a voluntary adoption agency”.

(5) After regulation 4 insert—

“**4A.**—(1) For the purposes of section 15(3) of the Act, the fee to accompany an application by the registered provider in relation to an adoption support agency under

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(3) [2002 c. 38](#). See also the services prescribed in regulation 3 of the Adoption Support Services Regulations 2005, [S.I. 2005/691](#), regulation 3(3) of the Adoption Information and Intermediary Services (Pre-Commencement Adoptions) Regulations 2005, [S.I. 2005/890](#) and the [Adoption Support Agencies \(England\) and Adoption Agencies \(Miscellaneous Amendments\) Regulations 2005](#), [S.I. 2005/2720](#).

(4) [S.I. 2003/368](#), amended by [S.I. 2004/664](#) and [S.I. 2005/640](#).

(5) [S.I. 2003/367](#), amended by [S.I. 2004/664](#).

(6) [S.I. 2005/2720](#).

section 15(1)(a) of the Act (“the variation fee”) shall, subject to paragraphs (2) and (3), be £660.

(2) Where the adoption support agency is a small adoption support agency the fee shall be £360.

(3) In the case of an application for the variation of a condition for the time being in force where the variation of the condition is a minor variation, the variation fee shall be £60, and “minor variation” has the same meaning as in regulation 4(4).”.

(6) In regulation 5 (annual fees – voluntary adoption agencies), after “registered provider” insert “in relation to a voluntary adoption agency”.

(7) After regulation 5 insert—

**“Annual fees – adoption support agencies**

**5A.**—(1) The registered provider in relation to an adoption support agency shall pay an annual fee and the amount of the annual fee shall, subject to paragraph (2), be £600.

(2) Where the adoption support agency is a small adoption support agency the amount of the annual fee shall be £300.

(3) The annual fee shall first be payable (“the first date”) on the date on which the certificate of registration is issued, and thereafter shall be payable on the anniversary of the first date.”.

(8) In regulation 7 (frequency of inspections – voluntary adoption agencies), for “for the purposes of an agency” substitute “for the purposes of a voluntary adoption agency”.

(9) After regulation 7 insert—

**“Frequency of inspections – adoption support agencies**

**7A.**—(1) The Commission shall arrange for premises which are used for the purposes of an adoption support agency to be inspected a minimum of once in every 3 year period.

(2) Any inspection referred to in paragraph (1) may be unannounced.

(3) The first 3 year period shall commence on the date on which the certificate of registration is issued.”.

**Amendment of the Commission for Social Care Inspection (Fees and Frequency of Inspections) Regulations 2004**

**33.** In regulation 2(2)(a) of the Commission for Social Care Inspection (Fees and Frequency of Inspections) Regulations 2004(7) (interpretation), after “voluntary adoption agency” insert “, an adoption support agency”.

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(7) [S.I. 2004/662](#), to which there are amendments not relevant to these Regulations.