
STATUTORY INSTRUMENTS

2005 No. 691

The Adoption Support Services Regulations 2005

PART 2

PROVISION OF ADOPTION SUPPORT SERVICES

Prescribed services

3.—(1) For the purposes of section 2(6)(b) of the Act the following services are prescribed as adoption support services (in addition to counselling, advice and information)—

- (a) financial support payable under Part 3;
- (b) services to enable groups of adoptive children, adoptive parents and natural parents or former guardians of an adoptive child to discuss matters relating to adoption;
- (c) assistance, including mediation services, in relation to arrangements for contact between an adoptive child and a natural parent, natural sibling, former guardian or a related person of the adoptive child;
- (d) services in relation to the therapeutic needs of an adoptive child;
- (e) assistance for the purpose of ensuring the continuance of the relationship between an adoptive child and his adoptive parent, including—
 - (i) training for adoptive parents for the purpose of meeting any special needs of the child; and
 - (ii) subject to paragraph (4), respite care;
- (f) assistance where disruption of an adoptive placement, or of an adoption arrangement following the making of an adoption order, has occurred or is in danger of occurring, including—
 - (i) making arrangements for the provision of mediation services; and
 - (ii) organising and running meetings to discuss disruptions in such placements or arrangements.

(2) The services prescribed in paragraph (1) do not include any services that might be provided in the case of an adoption of a child by his natural parent or the partner of his natural parent.

(3) The services prescribed in paragraph (1)(b) to (f) may include giving assistance in cash.

(4) For the purposes of paragraph (1)(e)(ii) respite care that consists of the provision of accommodation must be accommodation provided by or on behalf of a local authority under section 23 of the Children Act 1989 (accommodation of looked after children) or by a voluntary organisation under section 59 of that Act.

Persons to whom adoption support services must be extended

4.—(1) This regulation prescribes, for the purposes of section 3(3)(a) of the Act, the description of persons to whom the provision of adoption support services must be extended.

- (2) Counselling, advice and information must extend to—
- (a) children who may be adopted, their parents and guardians;
 - (b) persons wishing to adopt a child;
 - (c) adopted persons, their parents, natural parents and former guardians;
 - (d) children of adoptive parents (whether or not adopted);
 - (e) children who are natural siblings (whether full or half-blood) of an adoptive child;
 - (f) related persons in relation to adoptive children.
- (3) Financial support under Part 3 must extend to an adoptive parent of an agency adoptive child.
- (4) The services mentioned in regulation 3(1)(b) (services to enable discussion) must extend to—
- (a) an adoptive parent of an agency adoptive child;
 - (b) an agency adoptive child;
 - (c) a natural parent or former guardian of an agency adoptive child.
- (5) The services mentioned in regulation 3(1)(c) (contact) must extend to—
- (a) an adoptive parent of an agency adoptive child;
 - (b) an agency adoptive child;
 - (c) a child who is the natural sibling (whether full or half-blood) of an adoptive child;
 - (d) a natural parent, former guardian or related person in relation to an agency adoptive child.
- (6) The services mentioned in regulation 3(1)(d) (therapeutic services) must extend to—
- (a) an agency adoptive child;
 - (b) an adoptive child in circumstances where the restrictions in section 83 of the Act (restrictions on bringing children in) apply;
 - (c) an adoptive child in the case of a Convention adoption⁽¹⁾.
- (7) The services mentioned in regulation 3(1)(e) to (f) (services to ensure continuation of a relationship and services to assist in cases of disruption) must extend to—
- (a) a child mentioned in paragraph (6);
 - (b) an adoptive parent of such a child;
 - (c) a child of such an adoptive parent (whether or not adopted).

Arrangement for securing provision of services

5.—(1) The following persons are prescribed for the purposes of section 3(4)(b) of the Act (persons other than registered adoption societies who may provide the requisite facilities) in relation to the provision of adoption support services—

- (a) another local authority;
- (b) a registered adoption support agency;
- (c) a Local Health Board or Primary Care Trust; and
- (d) a local education authority.

(2) In paragraph (1) “registered adoption support agency” means an adoption support agency in respect of which a person is registered under Part 2 of the Care Standards Act 2000⁽²⁾.

(1) See section 66(1)(c) of the Act for the meaning of “Convention adoption”.

(2) 2000 c. 14.

Adoption support services adviser

6.—(1) The local authority must appoint a person (an “adoption support services adviser”) to carry out the functions specified in paragraph (2).

(2) The functions of the adoption support services adviser are to—

- (a) give advice and information to persons who may be affected by the adoption or proposed adoption of a child, including as to—
 - (i) services that may be appropriate to those persons; and
 - (ii) how those services may be made available to them;
- (b) give advice, information and assistance to the local authority which appointed him, including as to—
 - (i) the assessment of needs for adoption support services in accordance with Part 4;
 - (ii) the availability of adoption support services;
 - (iii) the preparation of plans required under section 4(5) of the Act; and
- (c) consult with, and give advice, information and assistance to, another local authority where appropriate.

(3) The local authority must not appoint a person as an adoption support services adviser unless they are satisfied that his knowledge and experience of—

- (a) the process of adoption; and
- (b) the effect of the adoption of a child on persons likely to be affected by the adoption, is sufficient for the purposes of the work that he is to perform.

Services for persons outside the area

7.—(1) Section 4 of the Act applies to a local authority in respect of the following persons who are outside the authority’s area—

- (a) an agency adoptive child whom the authority has placed for adoption or who has been adopted after being placed for adoption by the authority;
- (b) an adoptive parent of such a child;
- (c) a child of such an adoptive parent (whether or not adopted).

(2) But section 4 ceases to apply at the end of the period of three years from the date of the adoption order except in relation to any financial support provided by the local authority where the decision to provide that support was made before the adoption.

(3) Nothing in this regulation prevents a local authority from providing adoption support services to persons outside their area where they consider it appropriate to do so.