



Assessment &  
Approval of  
Prospective  
adopters

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# About this document

**Title:** Assessment & Approval of Prospective adopters

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## RELEVANT GUIDANCE

For additional guidance see [Adoption Statutory Guidance \(revised 1 July 2013\)](#)

## NOTE

There is a shortened process for prospective adopters who have already been approved as foster carers/adopters - see **Section 6, Fast-Track Procedure for Approved Foster Carers and Previous Adopters Who Wish to Adopt.**

## AMENDMENT

This chapter was reviewed, and minor amendments were made in November 2015 to provide additional emphasis in key areas for staff and to ensure equality of opportunity for applicants.

## Covid-19

**NOTE:** The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 came into force on 24 April 2020 and remained in force until 25 September 2020. The Regulations made temporary amendments to various requirements and timescales.

They were then replaced by the Adoption and Children (Coronavirus) (Amendment) (No. 2) Regulations 2020, which will continue in force until 31 March 2021.

These Regulation amendments can be found in the relevant manual types below.

The amended regulations will continue to allow for medical reports on prospective foster carers and adopters to be approved at a later date and permit visits between social workers and children to take place virtually when local lockdowns or self-isolation make in-person visits impossible.

The extension will also see Ofsted's return to full inspections of children's social care settings, including children's homes and private foster care agencies, pushed back until March 2021.

On 9 February 2021, the Government launched a consultation seeking views on their proposal to extend or amend a limited number of flexibilities within the [Adoption and Children \(Coronavirus\) \(Amendment\) \(No.2\) Regulations 2020](#), in relation to Medical Reports, Virtual Visits and Ofsted Inspections. The Consultation closes on 28 February.

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## 1. Recruitment and Responding to Initial Enquiries

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The Adoption agency aims to recruit and assess prospective adopters who can meet most of the needs of children for whom adoption is the plan.

**Adoption in Merseyside is committed to consider applicants from all backgrounds.**

Potential applicants may approach the National Gateway for Adoption or the adoption agency for general information about adoption. This can include, for example, information on the legal implications of adoption, eligibility criteria (see [Section 15, Criteria for Prospective Adopters](#)), the types of children awaiting adoption and the approval process.

Where a potential applicant decides, after receiving general information, that he or she would like to pursue an adoption further, he or she may approach the adoption agency for more detailed information about adoption.

This information should be provided within ten working days through an information session, a visit, pre-planned telephone call or similar arrangement with the potential adopter. This may need to take place in the evening or at the weekend to fit around the potential adopters' life style and working patterns. This is the minimum response at this stage; further information sessions may be provided if applicable.

Detailed information should enable potential adopters to consider better whether they want to proceed with the approval process and to reflect on the parenting needs of the children awaiting adoption. Detailed information should also enable them to consider their expectations of adoption, and the consequences for them and their family of caring for an adopted child who may have a range of complex needs.

Where an enquiry is about inter-country adoption, it should be established whether the potential adopter has considered adopting a Looked After child. Many people believe that they would not be able to adopt a child in this country but would be able to adopt a child from abroad. Where prospective applicants are likely to be considered unsuitable to adopt a Looked After child in England, they should not be advised to apply to adopt a child from overseas.

Adoption in Merseyside do not offer a service to potential adopters who wish to adopt from abroad but will be referred to an appropriate adoption agency who are able to provide this service. Applicants can be signposted to the [Intercountry Adoption Centre](#).

The Adoption Agency has a duty to provide information on adoption support services to anyone contacting the authority to request information about adopting.

Basic information about [Fostering For Adoption](#) should be available in the general information made available to prospective adopters and then in more detail if they engage more fully in the preparation and assessment process. This information should outline:

- What the objectives of Fostering for Adoption are;
- In what circumstances it might apply;
- What the process is for becoming approved as Fostering for Adoption
- What the benefits and risks might be.

There is a shortened process for prospective adopters who have already been approved as foster carers/adopters - see [Section 6, Fast-Track Procedure For Approved Foster Carers And Previous Adopters Who Wish To Adopt](#).

## 2. Registration of Interest in Adoption

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Once a potential adopter has received information about adoption they will either decide that adoption is not right for them at that point in time or will wish to move to the next stage of the process. Should they wish to move to the next stage, they will need to formally register their interest to enter Stage One of the approval process - the Pre-Assessment Stage (see [Section 3, Stage 1 - the Pre-Assessment Process](#)). From this point they are referred to as 'prospective adopters'. Prospective adopters will register their interest via a form which will include as a minimum:

- Name and address of the potential adopters;
- Authority to commence Stage One checks;
- Confirmation that the potential adopters have not registered their approval with another agency;
- A reminder that the potential adopters should be contactable in the week following their registration of interest, and a request for times for contact during that period;
- Questions to ensure the potential adopters meet the eligibility criteria ([Section 15, Criteria for Prospective Adopters](#)).

A decision should be reached within five working days from receipt of a registration of interest whether or not to accept this, unless there are exceptional circumstances which mean that longer is needed. To help the agency make this decision, it may be necessary to arrange a visit, have a meeting or a pre-planned telephone call (whichever is considered most appropriate in each individual case) with the prospective adopter. There may be circumstances where it would not be appropriate for the agency to accept a registration of interest, such as where there is lack of capacity to take on more prospective adopters. In cases like this, the agency should redirect the prospective adopter to the National Gateway for Adoption or another agency which is currently recruiting.

The agency cannot refuse to accept registrations of interest on the grounds of, for example, a prospective adopter's ethnicity, age, health, sexual orientation, religious beliefs or because they do not share the same ethnicity, culture or religious beliefs with the children waiting for an adoptive family. Prospective adopters may only be excluded if they do not meet the eligibility criteria.

Where the agency declines a registration of interest it should provide the prospective adopter with a clear written explanation of the reasons why, and offer them the choice of going directly to another agency or to the National Gateway for Adoption for signposting to another agency.

Where the agency accepts a registration of interest it must set up a prospective adopter's case record in respect of the prospective adopter - see [Section 7, Prospective Adopter's Case Record](#).

### 3. Stage 1 - the Pre-Assessment Process

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#### 3.1 Purpose and Process

Stage One begins when the agency accepts the registration of interest in adoption and should normally take no more than two months to complete. It is during this stage that the prospective adopter will be exploring the extent of their interest in and capacity for adoption, prior to a firmer decision on whether to proceed to [Stage Two - the Assessment Process](#). Stage One will focus on initial training and preparation, and on ascertaining, through prescribed checks and references, whether there is any absolute reason why the prospective adopter should not proceed further. The expectation is that the prospective adopter will be closely involved in the Stage One process and agencies are expected to take into account fully the prospective adopter's wishes on how they wish to work through Stage One. All prescribed checks and references must be carried out during Stage One in parallel with initial training and preparation.

The agency will explain in detail the Stage One process and what will be required of the prospective adopter, and will draw up the [Prospective Adopter Stage One Plan](#) which will set out the responsibilities and expectations of both the prospective adopter and the agency during Stage One. This Plan must include:

- Information about the counselling, information and preparation for adoption to be provided;
- The procedure for carrying out police checks and other statutory checks;
- Details of any training that the prospective adopter has agreed to undertake;
- Information about the role of the prospective adopter in the stage one process;
- Any applicable timescales;
- Information about the process for making representations (including a complaint); and
- Any other information that the agency considers relevant.

Whilst the importance of openness and honesty must be stressed to the prospective adopter, it should not be assumed that a failure to disclose information automatically implies that the prospective adopter is unsuitable. It will be necessary to discuss the matter and the reasons for non-disclosure.

Prospective adopters should be encouraged to use any other materials that offer them the opportunity to explore and reach an informed view about aspects of parenting and their parenting capacity and help them to identify their own training needs. A visit, meeting or pre-planned telephone call with the prospective adopter (whatever works best for them and best meets their preferences) should be undertaken to ensure that they have the opportunity to ask for more information or training based on their particular needs.

Stage One ends with the [Pre-Assessment Decision](#).

### 3.2 Pre-Assessment Information

The following information must be gathered during Stage One:

#### Information about the prospective adopter

- Name, sex, date and place of birth and address including the local authority area;
- If the prospective adopter is married or has formed a civil partnership and is applying alone for an assessment of their suitability to adopt, the reasons for this;
- Details of any previous family court proceedings in which the prospective adopter has been involved;
- Names and addresses of referees who will give personal references on the prospective adopter, not more than one of whom may be a relative.
- Name and address of the prospective adopter's registered medical practitioner;
- If the prospective adopter:
  - Is married, the date and place of the marriage;
  - Has formed a civil partnership, the date and place of registration of that partnership; or
  - Has a partner, details of that relationship;

- Details of any previous marriage, civil partnership or relationship;
- Whether the prospective adopter is domiciled or habitually resident in a part of the British Islands and if habitually resident for how long they have been habitually resident;
- Where the prospective adopter lives in another local authority area, it should be ascertained whether that local authority has any information about the prospective adopter which may be relevant to the assessment of the prospective adopter's suitability to adopt and, if so, a written report should be obtained from that authority setting out that information;
- The adoption agency may ask the prospective adopter to provide any further information the agency may reasonably require.

#### **Information about the home etc. of the prospective adopter**

- Details of other members of the prospective adopter's household (including any children of the prospective adopter whether or not resident in the household).

### **3.3 Police Checks**

Criminal record checks with the [Disclosure and Barring Service](#) must be carried out on the prospective adopter and any adult members of their household.

Prior to Stage One, prospective adopters should be given an explanation of the statutory duty on the agency to conduct checks into their background and into the background of any other adult members of their household. It should be made clear that the prospective adopters will not be able to proceed to Stage Two where criminal record checks identify them or an adult member of their household as having been convicted of a specified offence or police caution in respect of a specified offence.

A 'specified offence' means:

- An offence against a child/ any offence involving bodily injury to a child, other than an offence of common assault or battery;
- An offence relating to indecent images of children under the age of 16;
- Sexual offences of rape; assault by penetration; causing a person to engage in sexual activity without consent; sexual activity/causing or inciting sexual activity/inducement, threat or deception to procure sexual activity with a person with a mental disorder impeding choice.

Where the prospective adopter's full history cannot be ascertained by conducting a criminal record check and other background checks (for example, where they have lived abroad for an extended period a certificate of Good Conduct should be sought), a decision should be taken as to whether to carry out any other checks or take up additional references. The agency should ensure it has sufficient information to justify continuing with Stage One but not delay the approval process. If it decides not to proceed, it should provide the prospective adopter with a clear written explanation of the reasons why.

The agency may not consider a prospective adopter suitable to adopt a child if they or any adult member of their household has been convicted of a specified offence committed at 18 or over, or has received a police caution in respect of a specified offence which they admitted at the time the caution was given. In such circumstances the agency must notify the prospective adopter in writing, with reasons, without delay.



Information obtained from the Disclosure and Barring Service (DBS) should be retained on the prospective adopter's case record for a limited time only. This information should be destroyed when it is decided that the prospective adopter is suitable to adopt a child. It should be noted on the prospective adopter's case record that the DBS information has been destroyed, and that this information had led the agency to form a particular view, without citing the information itself.

Where the criminal record checks disclose previous convictions or cautions for non-specified offences, the agency may consider that the prospective adopter is not suitable to adopt. In such circumstances, the agency must exercise its discretion and decide whether to continue with Stage One. If it decides not to proceed, it must notify the prospective adopter in writing, with reasons, without delay.

In circumstances where the application is a joint application, the agency must only inform the prospective adopter who is the convicted or cautioned individual of the specific reason for terminating Stage One. The social worker should explain to that person that the agency will not inform the other person of the specific conviction or caution but will inform them that because of information obtained from the checks the joint application cannot proceed.

Likewise, where the checks reveal information about an adult member of the household that indicates that the agency must terminate Stage One, the agency is restricted from disclosing information about that conviction or caution which prevents the application from proceeding. It must inform that individual and suggest that they inform the prospective adopter but it may not do so itself. In such a case, the agency should counsel the prospective adopter that its checks indicate that the agency must not continue with Stage One and that its checks indicate that the agency should not proceed with the application.

### **3.4 Health Checks**

The applicants will also be asked to arrange for an adoption medical examination and report from their G.P. (if this has not been done at an earlier stage), unless the Medical Adviser does not consider such a medical examination is necessary, for example where the applicant is a foster carer and a health report is already available.

The social worker will provide the applicants with the relevant CoramBAAF medical forms for completion by the GP.

The completed Medical Form should then be sent to the Medical Adviser, together with a covering letter providing a pen picture of the family, their life-style and the sort of child they are considering.

The GP's report should have been written within the 6 months prior to the Adoption Panel meeting which considers the application.

The agency's medical adviser will need to provide a summary of the prospective adopter's state of health as part of the prospective adopter's report. The adviser will need to form a view as to the adequacy of the medical reports received and to advise whether additional specialist opinion should be obtained. The prospective adopter's current GP may not have a full health history of the prospective adopter, particularly if they have received private medical care outside the NHS. Prospective adopters should be helped to understand the importance of making their full health history available to the agency's medical adviser.

Agencies have a duty to satisfy themselves that prospective adopters have a reasonable expectation of continuing to enjoy good health. The medical adviser should explain and interpret health information from the prospective adopter, their GP, and consultants to facilitate adoption panel discussion. The opinion of the agency's medical adviser needs to be given sufficient weight by adoption panels and the [Agency Decision-Maker](#).

More severe health conditions may raise a question about the suitability of the prospective adopter, but each case will have to be considered on its own facts and with appropriate advice.

### 3.5 References

Applicants will be asked to provide the names of personal referees, who are adults, have known the applicant for at least three years and are not related to the applicant. A written report must be prepared of the interviews held with each of the referees. Personal referees are a combination of family and friends.

Referees should be people who know the applicants well in a personal capacity, and it is desirable that the referees have direct experience of caring for children, either in a personal or professional capacity.

Where there is a joint application, referees should know both applicants, or additional referees will be required. A written reference may also be obtained from each applicant's last/current employer where they work or have worked with children or Adults at Risk. Further references from previous employers may need to be considered.

Where the prospective applicant has made a previous application to foster or adopt, the relevant agency must be asked to confirm in writing the outcome of the application and provide a written reference.

The allocated adoption social worker will send requests for written references.

The referees should be asked to comment on the following:

- a. The length of time the referee has known the applicant, in what circumstances, how they met and how regularly they are in contact;
- b. Where there is a joint application, the couple's relationship including its **stability and quality**, the couple's strengths and ways of coping with stress and how mutually supportive the couple is;
- c. The applicants' general physical and emotional well-being;
- d. How the applicants relate to children, with examples, and what experience the applicants have of caring for children;
- e. How the applicants have adjusted to childlessness if this is the case, how they have prepared to become adoptive parents, how much they have shared with the referees and how open they are in talking about the issues surrounding adoption;
- f. If the applicants have children of their own, how the referee thinks a child from a different ethnic background will impact on the other children in the family;
- g. Any reservations the referee has and whether the referee wholeheartedly supports the application.

At the start of the interview, the referee should be informed that the written report of the interview will not be shared with the applicants unless they provide written consent but that any issues arising during the interview may be discussed with them.

Issues for discussion include the following:

- The applicant as a personality;
- The stability of the couple's relationship (if a joint application);

- The referee's impression of the applicant's general physical and emotional well-being;
- The referee's opinion on the applicant's ability to relate to children, and the basis of the opinion;
- The referee's opinion on whether adoption is appropriate for the applicant;
- Any reservations the referee may have to express about any aspect of the application;
- Whether the referee wholeheartedly supports the application;
- What support the referee is able to offer the prospective adopters;
- Whether the referee has any reason to believe the applicant would harm the children in their care.

Notes of the interview will be sent to the referee to sign confirmation of their accuracy.

The assessing social worker must also contact all previous significant partners of the applicants and seek references from them. Where there were any children of the relationship or where children were cared for jointly, the social worker will arrange to interview them face-to-face wherever practicable. Previous significant ex partners where no children were involved may also be interviewed subject to information they share. Children of the applicant(s) living away from home may also be contacted, and references sought from them where considered appropriate.

In addition, as part of the assessment, where the applicant has school age children, the relevant school(s) will be contacted, with the permission of the applicant, for information regarding the applicant's ability to promote the child's education.

Where applicable, the agency must ascertain whether the local authority in whose area the prospective adopter has their home has any information about them that may be relevant to the assessment. If so, the agency must obtain from that authority a written report setting out the information. Local authorities asked for this information should comply promptly with these requests and provide this information within 15 working days wherever possible. In requesting information from a local authority, the agency should seek to ascertain whether records held by social services and education departments hold relevant information about the prospective adopter.

There is no reason in principle why information held by one part of the local authority should not be shared with another. Protocols operated by children's services may, however, restrict access to cases where there is concern for the safety of a child. This means that an adoption check may not automatically involve a check to see whether a child of the family has been the subject of a [Child Protection Plan](#) unless such a **check is specifically requested**. The prospective adopter may have lived for only a short period in the area of their local authority. In such cases, the agency should obtain information from the prospective adopter's former local authorities.

### **3.6 Counselling, Information and Preparation for Adoption**

All prospective adopters will need some form of adoption preparation. The agency will need to decide what format this will take, arranging preparation that takes into account the prospective adopter's circumstances. Preparation should be designed to help prospective adopters make an informed decision about pursuing adoption based on an understanding of the qualities they have to offer a child. The agency should build on these strengths when working with the prospective adopter. Adoption preparation may be provided by the agency itself or with another agency or adoption support agency.

### **3.7 Pre-Assessment Decision**

The adoption agency must gather Stage One information and make a [Pre-Assessment Decision](#) as to whether the prospective

adopter may be suitable to adopt a child, within a period of eight weeks from the date on which the prospective adopter registered their interest in adopting a child (unless there are good reasons to extend that time period). If the time period is extended, the reasons must be recorded on the prospective adopter's case record, along with supporting evidence.

Where the Pre-Assessment Decision is that the prospective adopter is not suitable to adopt a child, the prospective adopter must be provided with a clear written explanation of the reasons why they will not be able to proceed to Stage Two. Prospective adopters who wish to complain about this decision may make a complaint using the agency's local complaints procedure. They will also be able to raise general concerns about the process with the National Gateway for Adoption. The [Independent Review Mechanism](#) is not available for decisions made during Stage One.

Where the Pre-Assessment Decision is that the prospective adopter might be suitable to adopt a child, the prospective adopter must be advised of the decision and that they have six months in which to notify the agency if they wish to proceed to Stage Two - the Assessment Stage. If the prospective adopters provide notification of their wish to proceed outside this six-month time limit, they will need to restart Stage One. They should be contacted within five working days of their notification and offered a re-entry interview. The Stage One Plan should take into account activities undertaken previously.

## 4. Sharing Information for the Purposes of Prospective Adopter Assessments

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### 4.1 Information-sharing

Sharing information about a person that is held in their existing foster carer or adopter records is permitted for the purposes of informing a new assessment of a person's suitability to foster or adopt. For instance, if previous partners have been interviewed in the past to verify facts, and the current assessing social worker is satisfied with the records in respect of these interviews, it should not be necessary to repeat the interviews if no further information is required. The assessing social worker should, however, satisfy themselves as to the quality and continuing relevance of the information before using it to inform the current assessment.

Information that should be shared, upon request, in order to inform a new assessment of a person's suitability to foster or adopt includes:

- The report of the original assessment of the person's suitability to foster or adopt (if it is considered by the body requesting the information to be recent enough to be relevant);
- A copy of the report of the last review of the individual's continuing suitability to foster or adopt and any other review report considered useful to understanding the person's current suitability to foster or adopt;
- Details of any concerns about standards of practice and what if anything is being done/has been done to address them;
- Details of allegations made against the foster carer/adopter or their household members; and
- Any other information considered to be relevant to the assessment of the person's suitability to foster/adopt.

### 4.2 Consent

Information should only be shared with the informed, explicit consent of all parties referred to in the information, including young people where they have sufficient understanding to consent to the sharing of their information (if they do not have sufficient

understanding, the consent of a person with Parental Responsibility would need to be obtained). This means that the person giving consent needs to understand why their information is to be shared, what will be shared, who will see their information, the purpose to which it will be put and the implications of sharing that information.

If consent is refused, the current fostering service or adoption agency should consider whether there is any information in the records that is a cause for concern. Any information about an applicant's conduct or suitability to foster/adopt that has caused concern should be shared even if the individual has refused consent. If there are no such concerns, and the individual has refused consent, information should not be shared. This may require documents to be redacted to remove information relating to individuals who have refused consent.

Requests for access to information should be accompanied by the written consent of the applicant to the sharing of their information.

### **4.3 Timescales**

The receiving service should acknowledge the request within two working days, seek consent from all others referred to in the information within five working days and the information, redacted where necessary, should be provided within 15 working days.

## **5. Stage 2 - the Assessment Process**

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### **5.1 Purpose and Process**

Where the Pre-Assessment Decision is that the prospective adopter might be suitable to adopt a child, and they have notified the agency that they wish to proceed, the application then proceeds to Stage Two of the process - the assessment process.

Stage Two is about intensive training and assessment. Intensive training should be provided as necessary and, in parallel, an assessment carried out of the prospective adopter's suitability to adopt and a report produced of that assessment.

This stage should begin with a meeting or pre-planned 'phone call between the prospective adopter and the allocated social worker. The social worker should explain how Stage Two will operate and what will be required of the prospective adopter. The social worker should explain the decision-making process and the role of the Adoption Panel and the Independent Review Mechanism.

A decision must be reached as to whether the prospective adopter is suitable to adopt a child within four months of the date on which the agency received the prospective adopter's notification that they wish to proceed with the assessment process (six months if there are exceptional circumstances). Reasons for any extensions should be recorded on the prospective adopter's case file

Stage Two will end with the Agency Decision Maker's decision about the suitability of the prospective adopter to adopt a child.

### **5.2 Prospective Adopter Assessment Agreement**

A written agreement must be entered into with the prospective adopter ('the prospective adopter assessment agreement') which must include the following:

- The procedure for assessing the prospective adopter's suitability to adopt a child;

- Any applicable timescales;
- The arrangements for the prospective adopter to receive any additional counselling or preparation for adoption;
- Details of any training that the prospective adopter has agreed to undertake; and
- Any other matters which the agency considers relevant.

### 5.3 Assessment

In conducting the assessment, the social worker should analyse and consider the information they ascertain from and about the prospective adopter, including any issues identified during the adoption preparation. The approach should be objective and inquiring, with information evaluated and its accuracy and consistency checked.

The assessment will be carried out by a qualified social worker with suitable experience (see [Adoption Panel Policy](#)).

In consultation with their manager/supervisor, the allocated adoption social worker will book an Adoption Panel date with the Panel Administrator.

The assessment will comprise a series of interviews, the majority of which must take place in the applicants' home. Applicants should be interviewed at least once both individually and with their partner, and all other members of the household will also be interviewed, including the children.

The areas covered in interviews will follow the subject areas:

- Individual profiles of all members of the household, including a photograph and physical description, cultural and linguistic background, personality and interests, relationship (if any) to the child, racial origin and religious persuasion;
- Information about the home, the local community and the neighbourhood;
- Details of education and employment - past and present;
- Income and expenditure;
- Details of past and present relationships;
- Motivation to adopt/childlessness;
- Parenting capacity, experience of being parented and experience with children;
- Support network, including wider family network;
- Attitudes to birth families and approach to openness in adoption and contact;
- Views and feelings about adoption and its significance;
- Views about parental responsibility and what it means;
- Views about a suitable home environment for the child;
- Views about the importance and value of education;

- Views and feelings about the importance of a child's religious and cultural upbringing;
- Any other information which indicates how the prospective adopter and anybody else living in the household is likely to relate to a child placed for adoption;
- Any other relevant information which might assist the adoption panel or the adoption agency.

As part of the assessment:

- A family tree and chronology of key events in the applicant's life from birth must be compiled, showing his or her educational, employment, marital and/or relationship history and addresses for the previous 10 years; any gaps and/or unusual patterns should be explored;
- All information provided by the applicant must be independently verified wherever possible by checking it against other sources such as referees;
- Where an applicant has been divorced or separated, factors contributing to the breakdown of the relationship should be verified. This applies equally to significant relationships between couples who are not married;
- A Health and Safety Checklist must be completed.

The assessment will consider the likely need for adoption support services of the prospective adopters and any member of their family - see [Adoption Support Procedure](#). As part of this, the family's finances and the criteria for financial support should also be discussed and a financial assessment completed.

Where the prospective adopters live outside the borough, the social worker should ascertain the extent of any support services identified as necessary in their local area.

The assessment must also cover the applicants' willingness to notify the adoption agency if the adopted child dies during childhood or soon afterwards, their views on post-placement and post-adoption contact and their willingness to pass on information to birth parents about the progress of the adopted child. These issues should be specifically reported on to the Adoption Panel.

## 5.4 Fostering for Adoption

Discussion should take place with the prospective adopter about whether they may be interested in fostering a child for whom adoption is thought to be a likely outcome. This can be where, although the child's plan is likely to become adoption, other options have not yet been ruled out for that child. There is no need for the agency to assess and approve the prospective adopter as a temporary foster carer at the same time as they are carrying out the adopter approval process although they can do so if they and the prospective adopter wish to do so. The child's local authority can arrange for the foster care assessment and approval of an approved adopter.

The agency should indicate on the Prospective Adopter's Report if the prospective adopter is interested in [Fostering for Adoption](#). This will allow prospective adopters to be matched with a child requiring a Fostering for Adoption placement.

## 6. Fast-Track Procedure for Approved Foster Carers and Previous Adopters Who Wish to Adopt

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The requirements are modified for applicants who are approved foster carers or previous adopters. (This does not apply to [Connected Persons](#) or to prospective adopters given temporary approval as foster carers, under the Care Planning, Placement and Case Review (England) Regulations 2010 (as amended).

There is no requirement to carry out police checks or to gather the specified information in relation to the prospective adopter and their household, unless it is considered to be necessary. The need for such checks and references should be assessed in each individual case. This may depend on the time since approval and, in the case of foster carers, the time since a child was placed with them.

There is no requirement to provide counselling, information and preparation for adoption.

The preliminary Pre-Assessment Decision stage is not necessary, and the assessment process progresses straight to preparation of the Prospective Adopter's Report.

Any necessary additional training should be provided, such as where the prospective adopters are seeking to adopt a child with needs which are very different to those of the child they have fostered/adopted.

The decision as to whether the prospective adopter is suitable to adopt a child must be made within four months of the date on which the prospective adopter registered their interest in adopting a child. This includes the time taken to access information from adoption agencies and fostering services which have 15 working days to provide such information.

## 7. Prospective Adopter's Report

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The information gathered during Stage One (the pre-assessment stage) and Stage Two (the assessment stage), including the checks and personal references, will form the basis of the Prospective Adopter's Report, together with any other relevant information.

The social worker who assesses the prospective adopter should draft the Prospective Adopter's Report highlighting any issues of concern and submit it to their team manager. Where there are any issues of significant concern or where clarification is needed, the manager may arrange for a second person to visit the prospective adopter to discuss these but must remain mindful of the timeframe for Stage Two. The second person could be a team manager or another adoption social worker. A visit by another person provides a second opinion where necessary before the report to the panel is finalised in cases where clarification is needed but should not be routinely carried out. The author of the report and the countersigning officer should both sign and date the report, state their qualifications and experience, and confirm that they are suitably qualified to prepare the report.

Where information received during the assessment leads the agency to consider that the prospective adopter is unlikely to be considered suitable to adopt a child, a 'brief Prospective Adopter's Report' may be prepared regardless of whether or not all the required assessment information has been obtained. A decision not to complete the full assessment is a serious step to take and advice should first be sought from the social work team leader or line manager. Depending on the nature of the information, advice may also need to be sought from the agency's medical adviser or legal adviser, or both. The concerns should be explained to the prospective adopter, and they should be offered counselling, involving other professionals as appropriate. As a result of the counselling and advice, the prospective adopter may decide to withdraw their application. If they decide not to withdraw their application, the brief prospective adopter's report should be prepared.

The report will also include a summary by the Medical Advice of the health report obtained on the applicant/s.



The report will include the agency's assessment of the prospective adopter's suitability to adopt.

Reports should address anti-discriminatory practice issues. It should contain a summary of the assessed strengths and weaknesses of the applicants, together with an opinion of the type of placement likely to be provided successfully. Potential risk factors should be highlighted.

When the Prospective Adopter's Report is finalised, a copy should be sent to the applicants, and they must be notified that the application is to be referred to the Adoption Panel. The applicants should be invited to send any observations in writing within 5 working days, beginning with the date on which the notification was sent. (This timescale may be extended in exceptional circumstances) At the end of the 5 working days (or, where that timescale is extended by the adoption agency, as soon as possible after the prospective adopter's observations are received) the following must be sent to the Adoption Panel:

- The Prospective Adopter's Report and the prospective adopter's observations thereon;
- Where the Agency Medical Adviser so advises, the medical report on the prospective adopter;
- References;
- Where applicable, relevant information received from the prospective adopter's home local authority; and
- Any other relevant information obtained by the agency.

The date of the Adoption Panel meeting will be communicated to the applicants as soon as possible, together with an invitation to attend the Panel during consideration of the report.

The applicants should also be advised of their right to attend the meeting of the Adoption Panel, which considers their application. They should be provided with written information about the Panel process, its membership, who will attend and their respective roles. If the applicants know a particular Panel member, the applicants may request that the Panel member stand down. (Panel members are in any event expected to declare an interest in these circumstances - see [Adoption Panel Policy](#)).

## 8. The Panel Recommendation

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The assessing social worker will attend the Panel meeting (and his or her manager where appropriate), together with the applicants if they so wish. The decision to attend rests with the applicants and a wish not to attend will not prejudice consideration of their application.

Applicants who decide they wish to attend should be fully prepared as to the procedure prior to their attendance (see [Section 7, Prospective Adopter's Report](#)).

The Panel will consider the Prospective Adopter's Report together with all the supporting documentation (see [Section 7, Prospective Adopter's Report](#)) and make a recommendation to the Agency Decision Maker regarding the suitability of the applicant to adopt a child. The Panel may request the agency to obtain any other relevant information which it considers necessary and may obtain legal advice as it considers necessary in relation to the case.

Where, during the Stage Two Assessment stage, the agency was of the opinion that the prospective adopter is unlikely to be suitable to adopt and prepared a brief Prospective Adopter's Report without having obtained all the assessment information, then the Adoption Panel must **either** request the preparation of a full Prospective Adopter's Report having obtained all the assessment information or recommend that the prospective adopter is not suitable to adopt.

The recommendation will be recorded in writing and, where approval is recommended, the record will include any advice given about the number of children the prospective adopter may be suitable to adopt, their age range, sex, likely needs and background.

Reasons for the recommendations and any advice as set out above will also be recorded in the Panel's minutes.

The adoption worker undertaking the assessment must advise the applicant of the Panel recommendation within 24 hours of the Panel meeting. This will be verbally, by telephone or, where appropriate, a home visit.

## 9. After the Panel Recommendation

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The decision as to whether the prospective adopter is suitable to adopt a child must be made within four months of the date on which the agency received the prospective adopter's notification that they wished to proceed with the assessment process.

The decision may be delayed:

- Where there are exceptional circumstances which mean that the decision cannot be made within that time; or
- Upon the request of the prospective adopter.

If the decision is delayed, the reasons must be recorded on the prospective adopter's case record, along with supporting evidence.

The Agency Decision Maker will make a decision as to the suitability of the applicant, and express a view on any Panel advice given, based on the reports presented to the Adoption Panel and the minutes detailing the Panel's recommendation and advice.

Where the Agency Decision Maker is minded to disagree with the Panel recommendation, he/she must first discuss the case with another senior officer with relevant experience, who must not be a Panel member, before arriving at a final decision. This discussion must be recorded and placed on the child's and the prospective adopter's Adoption Case Record.

The decision must be made within 7 working days of the receipt of the minutes of the Adoption Panel meeting and must be recorded, together with reasons.

The Panel Administrator will arrange for the applicants to be sent oral notification of the decision within 2 working days and written notice of the decision, signed by the Agency Decision Maker, within 5 working days of the decision

Where the decision differs from the recommendation of the Adoption Panel, a copy of the Panel recommendation will be sent to the applicant/s with the written notification of the decision.

All successful applicants assessing social workers then take on the task is to support the adopters through the period of waiting for a placement, identify any further training needs, arrange updated medical examinations as requested by the Medical Adviser, consider any potential matches and discuss any such matches with the approved adopters before a match is presented to the Adoption Panel. This role continues up until Adoption Order but any support from the Adoption Support side of the AiM Service can continue for as long as required and can be accessed as when required.

Approved adopters will be asked to be available for children from the Merseyside area in need of an adoptive placement but if specific matching criteria may access link maker, activity days and/or exchange days

They will also be informed of AiM support groups/training and social events and be advised of their responsibility to maintain links with the adoption social worker and keep him or her informed of any significant changes in their situation.

Support and advice will continue to be provided. Two unannounced visits will be undertaken by the adoption social worker during the period a child is placed for adoption

## 10. Representations/Independent Review Procedure

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If a decision is made to refuse an application, the applicant will be advised that if he or she wishes to challenge the decision, representations should be submitted within 40 working days either directly to the agency or they may request a referral to the [Independent Review Mechanism](#). N.B. Applicants can decide which representation procedure to choose - they cannot choose both. The prospective adopter will also be able to raise general concerns about the process with the National Gateway for Adoption.

After the 40 working day period has expired, the Agency Decision Maker must proceed to make a decision on the suitability of the prospective adopter to adopt.

Where the agency receives representations from the prospective adopter within 40 working days, the Agency Decision Maker may consider the representations and may invite the prospective adopter to meet to discuss their case. The Agency Decision Maker may, instead, refer the case to the adoption panel for further consideration. Where the case is referred to the panel, the panel must consider the case again and make a fresh recommendation as to the suitability of the prospective adopter to adopt a child. The prospective adopter must be invited to attend the panel meeting to answer any questions the adoption panel may have.

The Panel Administrator will advise the applicant within 7 days of the date of the Panel meeting when they can attend, or their written representations will be considered.

In these circumstances, applicants who wish to attend the meeting of the Adoption Panel can arrange for a friend or supporter to accompany them for support.

After considering the representations, the Panel will make further recommendations either confirming or amending their previous views, which the Agency Decision Maker will consider before a final decision is made.

Written notice of the final decision, together with reasons, must be sent to the applicant as soon as possible after the decision and, in any event, within 7 working days of the Panel meeting. A copy of the Adoption Panel's further recommendation must also be sent, if different from the decision.

Where the decision is still to refuse the application, a copy of the report to the Panel, the Panel's recommendation and the decision, with reasons, must be retained on the applicant's Adoption Case Record.

If the applicant decides to refer the matter to an Independent Review, the relevant Panel reports, any new information obtained since the Panel meeting, a record of the decision made and reasons, a copy of the written notification of the decision and a copy of the Panel minute, if different, will be sent to the Independent Review within 10 working days of their written request.

The procedure for the Independent Review is carried out by CoramBAAF; the applicant and a representative of the adoption

agency will be invited to attend the Independent Review.

After considering the representations, the Independent Review may make a recommendation, which the Agency Decision Maker will consider before a final decision is made.

Written notice of the final decision, together with reasons, must be sent to the applicant as soon as possible after the decision and, in any event, within 7 working days of the receipt of the Independent Review recommendation.

A copy of the report to the Panel, the Panel's recommendation and the decision to refuse an application must be retained on the applicant's Adoption Case Record. See [Adoption Panel Policy](#).

In respect of a case referred to the independent review panel, the Secretary of State must also be given written notification of the decision.

See also: [Prepare for a review panel: adopters and foster carers \(GOV.UK\)](#)

## 11. Timescales

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- Where a potential applicant requests more **detailed information** about adoption, this information should be provided within **ten working days**;
- Where a potential adopter formally **registers an interest** in adopting a child, a decision should be reached within **five working days** from receipt of the registration of interest whether or not to accept this, unless there are exceptional circumstances which mean that longer is needed;
- The adoption agency must gather Stage One information and make a **pre-assessment decision** as to whether the prospective adopter may be, or is not, suitable to adopt a child, within a period of **eight weeks** from the date on which the prospective adopter registered their interest in adopting a child (unless there are good reasons to extend that time period.) If the time period is extended, the reasons must be recorded on the prospective adopter's case record, along with supporting evidence;
- Where the pre-assessment decision (Stage One) is that the prospective adopter might be suitable to adopt a child, the prospective adopter has **six months** in which to notify the agency if they wish to proceed to Stage Two - the Assessment Stage;
- The **decision** as to whether the prospective adopter is suitable to adopt a child must be made within **four months** of the date on which the agency received the prospective adopter's notification that they wish to proceed with the assessment process (six months if there are exceptional circumstances);
- Under the **fast-track procedure** for approved foster carers and previous adopters who wish to adopt, the decision as to whether the prospective adopter is suitable to adopt a child must be made within **four months** of the date on which the prospective adopter registered their interest in adopting a child.

## 12. Prospective Adopter Case Record

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A prospective adopter's case record must be set up as soon as the registration of interest is accepted. It must contain:

- The [Prospective Adopter Stage One Plan](#);
- The information and reports obtained by the agency;
- The prospective adopter assessment plan;
- The prospective adopter's report and the prospective adopter's observations on that report;
- The written record of the proceedings of the adoption panel, its recommendation, the reasons for the recommendation and any advice given by the panel to the agency;
- The record of the agency's decision;
- The recommendation of any independent review panel;
- Where applicable, the prospective adopter's review report and the prospective adopter's observations on that report;
- The prospective adopter matching plan; and
- Any other documents or information obtained by the agency which it considers should be included in the case record.

Information which has been obtained from the Disclosure and Barring Service (DBS) should be retained on the Prospective Adopter's Case Record for a limited time only. This information should be destroyed when the decision has been made as to whether the prospective adopter is suitable to adopt a child. It should be noted on the Prospective Adopter's Case Record that the DBS information has been destroyed and that this information had led the agency to form a particular view, without citing the information itself.

### **13. Prospective Adopter Matching Plan**

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Where a prospective adopter has been approved as suitable to adopt a child, a [Prospective Adopter Matching Plan](#), must be prepared, in consultation with the prospective adopter, which includes:

- Information about the duties of the adoption agency in respect of placements and reviews;
- Information about the role of the prospective adopter in identifying a child for whom they would be an appropriate adopter;
- Information about the process for making a representation (including a complaint); and
- Any other matters that the agency consider relevant.

### **14. Review of Prospective Adopters' Approval**

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The Adoption Manager will review the adopters' approval at least annually by means of a report from the adoption link worker, together with any comments on the report from the prospective adopters. Where the review identifies the need for a change of approval, the adoption link worker must prepare a Prospective Adopter's Review Report for this purpose. The prospective adopter should be given a copy and given 10 working days to comment before arrangements are made for the report to be presented to the Panel.

All approved adopters will be subject to Disclosure and Barring Service (DBS) checks every 2 years.

The procedure set out in **Section 7, The Panel Recommendation** and **Section 8, After the Panel Recommendation** above should then be followed.

If the approval is still considered suitable, the prospective adopters should be notified in writing and a copy of the reports, minutes, decision and notification placed on their Adoption Case Record.

If the prospective adopters are considered no longer suitable, the same procedure should be followed as set out in **Section 10, Representations/Independent Review Procedure**.

## 15. Criteria for Prospective Adopters

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An individual or couple cannot apply for an assessment of their suitability to adopt unless they meet, or would meet, the eligibility criteria to apply for an [Adoption Order](#). The criteria are that:

- The prospective adopter(s) is at least 21 years old;  
  
at least one of the couple or the single prospective adopter is domiciled in a part of the British Islands or both of the couple or the single prospective adopter have been habitually resident in a part of the British Islands for a period of not less than one year ending with the date of the application for an adoption order; and
- Neither prospective adopter(s) nor an adult member of their household has been convicted or cautioned in respect of a specified offence.

### 15.1 Individual and Joint

Applications will be considered from married couples, co-habiting couples or single people. In the case of married and unmarried couples, there is no minimum requirement on the length of the marriage/relationship, but the Panel will need to be satisfied about the stability of the relationship. The Agency will consider duration of relationship on a case by case basis

### 15.2 Religion

Applications will be considered from people of any or no religious persuasion.

### 15.3 Ethnicity / Culture / Religion

Applications will be considered from people of any ethnic, cultural or religious background.

The ability of a potential adopter to meet the needs of a child related to their religion, language and other characteristics associated with their and the potential adopter's "ethnicity" can be a relevant consideration in determining the appropriate match

for a child. In some rare cases, it may be an important consideration. A prospective adopter should be considered able to parent a child with whom they do not share the same ethnicity, provided they can meet the child's most important identified needs throughout the child's childhood. The agency must provide them with flexible and creative support. This applies equally whether a child is placed with a black or minority ethnic family, a white family, or a family which includes members of different ethnic origins. Matching a child with prospective adopters should not be delayed solely on the grounds that the available prospective adopters cannot meet all the child's needs arising from their racial or cultural background.

#### **15.4 Age**

The minimum age for adopters is 21 years. There is no specific upper age limit.

Older and more experienced people could take on the care of older children, provided they will have the health and vigour to meet the child's varied demands in their growing years and to be there for them into adulthood. Age is also not necessarily linked to general health, fitness and emotional wellbeing. The agency's medical adviser should investigate and obtain relevant information about a prospective adopter's health in order to be satisfied that they are able to take on the task of adopting a child and have the expectation of caring for the child through childhood and into adulthood.

#### **15.5 Gender**

Applications will be considered from people irrespective of how they identify in terms of gender.

#### **15.6 Sexual Orientation**

Applications will be considered from people of any sexual orientation. Since 1st January 2009, the Equality (Sexual Orientation) Regulations made it unlawful for adoption agencies to treat any prospective adopter less favourably than another because of their sexual orientation. Further details of this requirement are explained in a [letter from the Government Equalities Office to Directors of Children's Services](#).

#### **15.7 Income**

Applicants may be in paid employment or not. Whatever the applicants' income, they will need to consider the financial implications of increasing their family.

#### **15.8 Health**

Applicants will be required to have a full medical and undergo any further tests/checks that may be required by the Adoption Panel's Medical Adviser. The Medical Adviser will advise on the applicants' ability, from a health point of view, to meet the needs of a child throughout his or her childhood.

#### **15.9 Criminal Convictions**

A person who is seeking approval as an adoptive parent will not be considered if s/he or any adult member of the household has been cautioned for or convicted of an offence against a child which involves violence or bodily injury (other than common assault or battery), cruelty (to a child under 16), indecency, abduction, the supply of Class A drugs or the importation/possession of indecent photographs of a child under 16 or a sexual offence against a child unless the offence was contrary to sections 6,12 or 13 of the Sexual offences Act 1956 and the person concerned was under 20 when the offence was committed.

Other convictions will not necessarily preclude an application, but this will depend on the seriousness of the offence and how long ago it was committed. In cases of doubt or dispute, the matter will be referred to the Group Manager, Adoption who may also consult the Panel Adviser and/or the Agency Decision Maker.

### **15.10 Accommodation**

Applicants may own their own home or live in rented accommodation. They will have to demonstrate that they have a secure home environment in which to bring up a child.

They will need accommodation appropriate to the number and ages of the children they are seeking to adopt.

### **15.11 Fertility Tests/Treatment**

Childless couples wishing to adopt will usually be required to have completed any fertility tests and treatment, and to have had a period of time, probably about 6 months, since completing the tests before an application can be accepted. This is because it is important for couples to have accepted their infertility and grieved before moving on to start the adoption process.

### **15.12 Applicants who have a Child or Children**

Applications will be accepted from people who already have a child, in which case any children should usually be at least two years older than the child placed for adoption. The Agency will consider the age of a birth child at the point of an adoption enquiry as it is important, they of an age to have some basic preparation for a child joining the family through adoption.

### **15.13 Domicile/Habitual Residence in the British Isles**

Applicants do not have to have British Citizenship, but should be [Domiciled](#) or have [Habitual Residence](#) in the British Isles. Where there is a joint application, only one of the applicants need to be domiciled in the British Isles or both should be habitually resident here. In all these cases it is essential to see all relevant documents in order to fully establish nationality and immigration status.

Where there is doubt, potential applicants should be asked to seek independent advice.

### **15.14 Location**

Applications are welcome from those who reside within the Merseyside area. Applications are also welcomed from outside the area but AiM will first ensure enquirers are aware of their local Regional Adoption Agency and explore reasons why they have opted for AiM. Also the agency will ensure full consideration is given if geography is a significant distance taking into account difficulties in home assessment visits but primarily how distance can impact on transitions, maintaining links with foster carers and adoption support.

### **15.15 Child Care Experience**

It is important that the applicants have some experience of children of the age group in which the applicants are interested. This maybe from family or friends or you may be asked to complete some volunteer work.



## 15.16 Support Network

Applicants will need to demonstrate that they have accessible and established support networks of family and friends who will be in a position to provide support with parenting.

## 15.17 Post Placement/Post Adoption Contact

All prospective adopters will be expected to participate in indirect contact arrangements; be prepared to support and maintain direct contact with members of the child's birth family and foster family, if it is in the child's best interests and recognise that children's contact needs change over time.

## Appendix A: Standard Decision Letter - Not Suitable to Adopt

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I am writing to tell you that having considered your application to become an adoptive parent and the recommendation of the adoption panel, this agency does not propose to approve you as suitable to be an adoptive parent. This is because [insert full and detailed reasons so that the prospective adopter understands fully why they are considered unsuitable to adopt a child. Include a copy of the adoption panel's recommendation if different - (this is referred to in this letter as "the determination").

I know this will be disappointing news for you but before this determination is implemented, you may:

- a. Accept the determination; or
- b. Make written representations to this agency; or
- c. Apply for the determination to be reviewed by an independent review panel.

### Option a - Accept the determination

It would be helpful if you could advise me, within 40 working days from the date of this letter, if this is your preferred option. The determination will be confirmed, and a formal decision will be sent to you.

### Option b - Representations to the agency

If you choose to make representations to this agency, these must be in writing and be received at this office within 40 working days from the date of this letter. On receipt, I may consider your case again or refer it and your written representations to the adoption panel to consider and to make a fresh recommendation to me. If I do refer your case to the adoption panel you will be invited to attend the panel meeting to answer any questions the adoption panel may have. If I reconsider your case, I may invite you to meet me to discuss your case. If I do refer your case to the adoption panel, I will take its recommendation into account when I make the final decision on your suitability to adopt.

### Option c - Application to an independent review panel for a review

If you wish to apply to the independent review panel to review the determination, your written application and your reasons for the application must be received by the administrator to the independent review panel within 40 working days from the date of this letter. You will be invited to attend the review panel's meeting. The function of the review panel is to consider your case anew and to make a fresh recommendation to the agency which will be taken into account alongside the original adoption panel's recommendation when I make the final decision on your suitability to adopt. [Click here for information on the](#)

**Independent Review Mechanism (IRM).**

If I have not heard from either you or the independent review panel's administrator after the period of 40 working days has expired, I will write to you confirming my decision on your suitability to adopt a child.