

## PRACTICE DIRECTION 14C

# REPORTS BY THE ADOPTION AGENCY OR LOCAL AUTHORITY

**This Practice Direction supplements Part 14, rule 14.11(3) of the Family Procedure Rules 2010**

## **Matters to be contained in reports**

- 1.1** The matters to be covered in the report on the suitability of the applicant to adopt a child are set out in Annex A to this Practice Direction.
- 1.2** The matters to be covered in a report on the placement of the child for adoption are set out in Annex B to this Practice Direction.
- 1.3** Where a matter to be covered in the reports set out in Annex A and Annex B does not apply to the circumstances of a particular case, the reasons for not covering the matter should be given.

# Annex A

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## **Report to the Court where there has been an Application for an Adoption Order or an Application for a Section 84 Order**

### **SECTION A: THE REPORT AND MATTERS FOR THE PROCEEDINGS**

#### **PART 1 THE REPORT**

For each of the principal author/s of the report:

- (i) name;
- (ii) role in relation to this case;
- (iii) sections completed in this report;
- (iv) qualifications and experience;
- (v) name and address of the adoption agency; and
- (vi) adoption agency case reference number.

#### **PART 2 MATTERS FOR THE PROCEEDINGS**

- (a) Whether the adoption agency considers that any other person should be made a respondent or a party to the proceedings, including the child.
- (b) Whether any of the respondents is under the age of 18.
- (c) Whether a respondent is a person who, by reason of mental disorder within the meaning of the Mental Health Act 1983, is incapable of managing and administering his or her property and affairs. If so, medical evidence should be provided with particular regard to the effect on that person's ability to make decisions in the proceedings.

### **SECTION B: THE CHILD AND THE BIRTH FAMILY**

#### **PART 1 I – INFORMATION ABOUT THE CHILD**

- (a) Name, sex, date and place of birth and address including local authority area.
- (b) Photograph and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Religious persuasion (including details of baptism, confirmation or equivalent ceremonies).
- (f) Details of any siblings, half-siblings and step-siblings, including dates of birth.
- (g) Whether the child is looked after by a local authority.
- (h) Whether the child has been placed for adoption with the prospective adopter by a UK adoption agency.
- (i) Whether the child was being fostered by the prospective adopter.
- (j) Whether the child was brought into the UK for adoption, including date of entry and whether an adoption order was made in the child's country of origin.

- (k) Personality and social development, including emotional and behavioural development and any related needs.
- (l) Details of interests, likes and dislikes.
- (m) A summary, written by the agency's medical adviser, of the child's health history, his current state of health and any need for health care which is anticipated, and date of the most recent medical examination.
- (n) Any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications.
- (o) Names, addresses and types of nurseries or schools attended, with dates.
- (p) Educational attainments.
- (q) Any special needs in relation to the child (whether physical, learning, behavioural or any other) and his emotional and behavioural development.
- (r) Whether the child is subject to a statement under the Education Act 1996.
- (s) Previous orders concerning the child:
  - (i) the name of the court;
  - (ii) the order made; and
  - (iii) the date of the order.
- (t) Inheritance rights and any claim to damages under the Fatal Accidents Act 1976 the child stands to retain or lose if adopted.
- (u) Any other relevant information which might assist the court.

## **ii – Information about each Parent of the Child**

- (a) Name, date and place of birth and address (date on which last address was confirmed current) including local authority area.
- (b) Photograph, if available, and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Whether the mother and father were married to each other at the time of the child's birth or have subsequently married.
- (f) Where the parent has been previously married or entered into a civil partnership, dates of those marriages or civil partnerships.
- (g) Where the mother and father are not married, whether the father has parental responsibility and, if so, how it was acquired.
- (h) If the identity or whereabouts of the father are not known, the information about him that has been ascertained and from whom, and the steps that have been taken to establish paternity.
- (i) Past and present relationship with the other parent.
- (j) Other information about the parent, where available:
  - (i) health, including any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications;
  - (ii) religious persuasion;
  - (iii) educational history;
  - (iv) employment history; and
  - (v) personality and interests.
- (k) Any other relevant information which might assist the court.

## PART 2 RELATIONSHIPS, CONTACT ARRANGEMENTS AND VIEWS

### The Child

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- (a) If the child is in the care of a local authority or voluntary organisation, or has been, details (including dates) of any placements with foster parents, or other arrangements in respect of the care of the child, including particulars of the persons with whom the child has had his home and observations on the care provided.
- (b) The child's wishes and feelings (if appropriate, having regard to the child's age and understanding) about adoption, the application and its consequences, including any wishes in respect of religious and cultural upbringing.
- (c) The child's wishes and feelings in relation to contact (if appropriate, having regard to the child's age and understanding).
- (d) The child's wishes and feelings recorded in any other proceedings.
- (e) Date when the child's views were last ascertained.

### The Child's Parents (or guardian) and relatives

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- (a) The parents' wishes and feelings before the placement, about the placement and about adoption, the application and its consequences, including any wishes in respect of the child's religious and cultural upbringing.
- (b) Each parent's (or guardian's) wishes and feelings in relation to contact.
- (c) Date/s when the views of each parent or guardian were last ascertained.
- (d) Arrangements concerning any siblings, including half-siblings and step-siblings, and whether any are the subject of a parallel application or have been the subject of any orders. If so, for each case give:
  - (i) the name of the court;
  - (ii) the order made, or (if proceedings are pending) the order applied for; and
  - (iii) the date of order, or date of next hearing if proceedings are pending.
- (e) Extent of contact with the child's mother and father and, in each case, the nature of the relationship enjoyed.
- (f) The relationship which the child has with relatives, and with any other person considered relevant, including:
  - (i) the likelihood of any such relationship continuing and the value to the child of its doing so; and
  - (ii) the ability and willingness of any of the child's relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child's needs.
- (g) The wishes and feelings of any of the child's relatives, or of any such person, regarding the child.
- (h) Whether the parents (or members of the child's family) have met or are likely to meet the prospective adopter and, if they have met, the effect on all involved of such meeting.
- (i) Dates when the views of members of the child's wider family and any other relevant person were last ascertained.

### **PART 3 A SUMMARY OF THE ACTIONS OF THE ADOPTION AGENCY**

- (a) Brief account of the agency's actions in the case, with particulars and dates of all written information and notices given to the child and his parents and any person with parental responsibility.
- (b) If consent has been given for the child to be placed for adoption, and also consent for the child to be adopted, the names of those who gave consent and the date such consents were given. If such consents were subsequently withdrawn, the dates of these withdrawals.
- (c) If any statement has been made under section 20(4)(a) of the Adoption and Children Act 2002 (the '2002 Act') that a parent or guardian does not wish to be informed of any application for an adoption order, the names of those who have made such statements and the dates the statements were made. If such statements were subsequently withdrawn, the dates of these withdrawals.
- (d) Whether an order has been made under section 21 of the 2002 Act, section 18 of the Adoption (Scotland) Act 1978 or Article 17(1) or 18(1) of the Northern Ireland Order 1987.
- (e) Details of the support and advice given to the parents and any services offered or taken up.
- (f) If the father does not have parental responsibility, details of the steps taken to inform him of the application for an adoption order.
- (g) Brief details and dates of assessments of the child's needs, including expert opinions.
- (h) Reasons for considering that adoption would be in the child's best interests (with date of relevant decision and reasons for any delay in implementing the decision).

## **SECTION C: THE PROSPECTIVE ADOPTER OF THE CHILD**

### **PART 1 INFORMATION ABOUT THE PROSPECTIVE ADOPTER, INCLUDING SUITABILITY TO ADOPT**

- (a) Name, date and place of birth and address (date on which last address was confirmed current) including local authority area.
- (b) Photograph and physical description.
- (c) 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.
- (d) Racial origin and cultural and linguistic background.
- (e) Marital status or civil partnership status, date and place of most recent marriage (if any) or civil partnership (if any).
- (f) Details of any previous marriage, civil partnership, or relationship where the prospective adopter lived with another person as a partner in an enduring family relationship.
- (g) Relationship (if any) to the child.
- (h) Where adopters wish to adopt as a couple, the status of the relationship and an assessment of the stability and permanence of their relationship.
- (i) If a married person or a civil partner is applying alone, the reasons for this.
- (j) Description of how the prospective adopter relates to adults and children.
- (k) Previous experience of caring for children (including as a step-parent, foster parent, child-minder or prospective adopter) and assessment of ability in this respect, together where appropriate with assessment of ability in bringing up the prospective adopter's own children.
- (l) A summary, written by the agency's medical adviser, of the prospective adopter's health history, current state of health and any need for health care which is anticipated, and date of most recent medical examination.
- (m) Assessment of ability and suitability to bring up the child throughout his childhood.

- (n) Details of income and comments on the living standards of the household with particulars of the home and living conditions (and particulars of any home where the prospective adopter proposes to live with the child, if different).
- (o) Details of other members of the household, including any children of the prospective adopter even if not resident in the household.
- (p) Details of the parents and any siblings of the prospective adopter, with their ages or ages at death.
- (q) Other information about the prospective adopter:
  - (i) religious persuasion;
  - (ii) educational history;
  - (iii) employment history; and
  - (iv) personality and interests.
- (r) Confirmation that the applicants have not been convicted of, or cautioned for, a specified offence within the meaning of regulation 23(3) of the Adoption Agencies Regulations 2005 (S.I. 2005/389).
- (s) Confirmation that the prospective adopter is still approved.
- (t) Confirmation that any referees have been interviewed, with a report of their views and opinion of the weight to be placed thereon and whether they are still valid.
- (u) Details of any previous family court proceedings in which the prospective adopter has been involved (which have not been referred to elsewhere in this report.)

## **PART 2 WISHES, VIEWS AND CONTACT ARRANGEMENTS**

### **Prospective Adopter**

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- (a) Whether the prospective adopter is willing to follow any wishes of the child or his parents or guardian in respect of the child's religious and cultural upbringing.
- (b) The views of other members of the prospective adopter's household and wider family in relation to the proposed adoption.
- (c) Reasons for the prospective adopter wishing to adopt the child and extent of understanding of the nature and effect of adoption. Whether the prospective adopter has discussed adoption with the child.
- (d) Any hope and expectations the prospective adopter has for the child's future.
- (e) The prospective adopter's wishes and feelings in relation to contact.

## **PART 3 ACTIONS OF THE ADOPTION AGENCY**

- (a) Brief account of the Agency's actions in the case, with particulars and dates of all written information and notices given to the prospective adopter.
- (b) The Agency's proposals for contact, including options for facilitating or achieving any indirect contact or direct contact.
- (c) The Agency's opinion on the likely effect on the prospective adopter and on the security of the placement of any proposed contact.
- (d) Where the prospective adopter has been approved by an agency as suitable to be an adoptive parent, the agency's reasons for considering that the prospective adopter is suitable to be an adoptive parent for this child (with dates of relevant decisions).

## **SECTION D: THE PLACEMENT**

- (a) Where the child was placed for adoption by an adoption agency (section 18 of the 2002 Act), the date and circumstances of the child's placement with prospective adopter.
- (b) Where the child is living with persons who have applied for the adoption order to be made (section 44 of the 2002 Act), the date when notice of intention to adopt was given.
- (c) Where the placement is being provided with adoption support, this should be summarised and should include the plan and timescales for continuing the support beyond the making of the adoption order.
- (d) Where the placement is not being provided with adoption support, the reasons why.
- (e) A summary of the information obtained from the Agency's visits and reviews of the placement, including whether the child has been seen separately to the prospective adopter and whether there has been sufficient opportunity to see the family group and the child's interaction in the home environment.
- (f) An assessment of the child's integration within the family of the prospective adopter and the likelihood of the child's full integration into the family and community.
- (g) Any other relevant information that might assist the court.

## **SECTION E: RECOMMENDATIONS**

- (a) The relative merits of adoption and other orders with an assessment of whether the child's long term interests would be best met by an adoption order or by other orders (such as residence and special guardianship orders).
- (b) Recommendations as to whether or not the order sought should be made (and, if not, alternative proposals).
- (c) Recommendations as to whether there should be future contact arrangements (or not).

## **SECTION F: FURTHER INFORMATION FOR PROCEEDINGS**

### **RELATING TO CONVENTION ADOPTION ORDERS,**

### **CONVENTION ADOPTIONS, SECTION 84 ORDERS OR AN**

### **ADOPTION WHERE SECTION 83(1) OF THE 2002 ACT APPLIES**

- (a) The child's knowledge of their racial and cultural origin.
- (b) The likelihood of the child's adaptation to living in the country he/she is to be placed.
- (c) Where the UK is the State of origin, reasons for considering that, after possibilities for placement of the child within the UK have been given due consideration, intercountry adoption is in the child's best interests.
- (d) Confirmation that the requirements of regulations made under sections 83(4), (5), (6) and (7) and 84(3) and (6) of the 2002 Act have been complied with.
- (e) For a Convention adoption or a Convention Adoption Order where the United Kingdom is either the State of origin or the receiving State, confirmation that the Central Authorities of both States have agreed that the adoption may proceed.
- (f) Where the State of origin is not the United Kingdom, the documents supplied by the Central Authority of the State of origin should be attached to the report, together with translation if necessary.

- (g) Where a Convention adoption order is proposed, details of the arrangements which were made for the transfer of the child to the UK and that they were in accordance with the Adoptions with a Foreign Element Regulations 2005 (S.I.2005/392).

# Annex B

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## Report to the Court where there has been an Application for a Placement Order

### SECTION A: THE REPORT AND MATTERS FOR THE PROCEEDINGS

#### PART 1 THE REPORT

For each of the principal author/s of the report:

- (i) name;
- (ii) role in relation to this case;
- (iii) sections completed in this report;
- (iv) qualifications and experience;
- (v) name and address of the adoption agency; and
- (vi) adoption agency case reference number.

#### PART 2 MATTERS FOR THE PROCEEDINGS

- (a) Whether the adoption agency considers that any other person should be made a respondent or a party to the proceedings.
- (b) Whether any of the respondents is under the age of 18.
- (c) Whether a respondent is a person who, by reason of mental disorder within the meaning of the Mental Health Act 1983, is incapable of managing and administering his or her property and affairs. If so, medical evidence should be provided with particular regard to the effect on that person's ability to make decisions in the proceedings.

### SECTION B: THE CHILD AND THE BIRTH FAMILY

#### PART 1 I – INFORMATION ABOUT THE CHILD

- (a) Name, sex, date and place of birth and address including local authority area.
- (b) Photograph and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Religious persuasion (including details of baptism, confirmation or equivalent ceremonies).
- (f) Details of any siblings, half-siblings and step-siblings, including dates of birth.
- (g) Whether the child is looked after by a local authority.
- (h) Personality and social development, including emotional and behavioural development and any related needs.
- (i) Details of interests, likes and dislikes.
- (j) A summary, written by the agency's medical adviser, of the child's health history, his current state of health and any need for health care which is anticipated, and date of the most recent medical examination.

- (k) Any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications.
- (l) Names, addresses and types of nurseries or schools attended, with dates.
- (m) Educational attainments.
- (n) Any special needs in relation to the child (whether physical, learning, behavioural or any other) and his emotional and behavioural development.
- (o) Whether the child is subject to a statement under the Education Act 1996.
- (p) Previous orders concerning the child:
  - (i) the name of the court;
  - (ii) the order made; and
  - (iii) the date of the order.
- (q) Inheritance rights and any claim to damages under the Fatal Accidents Act 1976 the child stands to retain or lose if adopted.
- (r) Any other relevant information which might assist the court.

## **ii – Information about each Parent of the Child**

- (a) Name, date and place of birth and address (date on which last address was confirmed current) including local authority area.
- (b) Photograph, if available, and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Whether the mother and father were married to each other at the time of the child's birth, or have subsequently married.
- (f) Where the parent has been previously married or entered into a civil partnership, dates of those marriages or civil partnerships.
- (g) Where the mother and father are not married, whether the father has parental responsibility and, if so, how it was acquired.
- (h) If the identity or whereabouts of the father are not known, the information about him that has been ascertained and from whom, and the steps that have been taken to establish paternity.
- (i) Past and present relationship with the other parent.
- (j) Other information about the parent, where available:
  - (i) health, including any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications;
  - (ii) religious persuasion;
  - (iii) educational history;
  - (iv) employment history; and
  - (v) personality and interests.
- (k) Any other relevant information which might assist the court.

## **PART 2 RELATIONSHIPS, CONTACT ARRANGEMENTS AND VIEWS**

### **The Child**

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- (a) If the child is in the care of a local authority or voluntary organisation, or has been, details (including dates) of any placements with foster parents, or other arrangements in respect of the care of the child, including particulars of the persons with whom the child has had his home and observations on the care provided.

- (b) The child's wishes and feelings (if appropriate, having regard to the child's age and understanding) about the application, its consequences, and adoption, including any wishes in respect of religious and cultural upbringing.
- (c) The child's wishes and feelings in relation to contact (if appropriate, having regard to the child's age and understanding).
- (d) The child's wishes and feelings recorded in any other proceedings.
- (e) Date when the child's views were last ascertained.

## The Child's Parents (or guardian) and relatives

---

- (a) The parents' wishes and feelings about the application, its consequences, and adoption, including any wishes in respect of the child's religious and cultural upbringing.
- (b) Each parent's (or guardian's) wishes and feelings in relation to contact.
- (c) Date/s when the views of each parent or guardian were last ascertained.
- (d) Arrangements concerning any siblings, including half-siblings and step-siblings, and whether any are the subject of a parallel application or have been the subject of any orders. If so, for each case give:
  - (i) the name of the court;
  - (ii) the order made, or (if proceedings are pending) the order applied for; and
  - (iii) the date of order, or date of next hearing if proceedings are pending.
- (e) Extent of contact with the child's mother and father and in each case the nature of the relationship enjoyed.
- (f) The relationship which the child has with relatives, and with any other person considered relevant, including:
  - (i) the likelihood of any such relationship continuing and the value to the child of its doing so; and
  - (ii) the ability and willingness of any of the child's relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child's needs.
- (g) The wishes and feelings of any of the child's relatives, or of any such person, regarding the child.
- (h) Dates when the views of members of the child's wider family and any other relevant person were last ascertained.

### **PART 3 SUMMARY OF THE ACTIONS OF THE ADOPTION AGENCY**

- (a) Brief account of the Agency's actions in the case, with particulars and dates of all written information and notices given to the child and his parents and any person with parental responsibility.
- (b) If consent has been given for the child to be placed for adoption, and also consent for the child to be adopted, the names of those who gave consent and the date such consents were given. If such consents were subsequently withdrawn, the dates of these withdrawals.
- (c) If any statement has been made under section 20(4)(a) of the 2002 Act that a parent or guardian does not wish to be informed of any application for an adoption order, the names of those who have made such statements and the dates the statements were made. If such statements were subsequently withdrawn, the dates of these withdrawals.
- (d) Details of the support and advice given to the parents and any services offered or taken up.

- (e) If the father does not have parental responsibility, details of the steps taken to inform him of the application for a placement order.
- (f) Brief details and dates of assessments of the child's needs, including expert opinions.
- (g) Reasons for considering that adoption would be in the child's best interests (with date of relevant decision and reasons for any delay in implementing the decision).

### **SECTION C: RECOMMENDATIONS**

- (a) The relative merits of a placement order and other orders (such as a residence or special guardianship order) with an assessment of why the child's long term interests are likely to be best met by a placement order rather than by any other order.
- (b) Recommendations as to whether there should be future contact arrangements (or not), including whether a contact order under section 26 of the 2002 Act should be made.