

**2014 No.**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**SOCIAL CARE, ENGLAND**

**The Adoption Support Services (Amendment) Regulations 2014**

<i>Made</i>	- - - -	2014
<i>Laid before Parliament</i>		2014
<i>Coming into force</i>	- -	2014

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 4B and 140(7) and (8) of the Adoption and Children Act 2002(a).

**Citation and commencement**

1. These Regulations may be cited as the Adoption Support Services (Amendment) Regulations 2014 and come into force on [x] 2014.

**Amendment of the Adoption Support Services Regulations 2005**

2. The Adoption Support Services Regulations 2005(b) are amended as follows.

3. In regulation 2 insert—

““looked after child” has the meaning given in section 22(1) of the Children Act 1989;”(c)

4. After regulation 2 insert—

**“Part 1A**

**Provision of Information**

**Provision of information**

**2A.**—(1) This regulation prescribes, for the purposes of section 4B(2)(d) of the Act, the information that a local authority must provide, and the persons to whom it must be provided.

(2) The following must be provided to any person mentioned in section 4B(1) of the Act—

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(a) 2002 c.38. Section 4B was inserted by [section 5] of the Children and Families Act 2014 (c.x). See section 144(1) for the definition of “regulations”.  
(b) S.I. 2005/691, amended by S.I. 2010/1172 and S.I. 2013/985.  
(c) 1989 c.41.

- (a) the address and phone number of the local authority's adoption support services adviser;
  - (b) the address and phone number of the web based information service supported and funded by the Department for Education to provide information to the public about adoption and the adoption process in England;
  - (c) information about the availability of assessments for adoption support services for persons outside the area of the local authority;
  - (d) where appropriate, information about priority in school admissions for looked after children (which includes those placed for adoption) and adopted children as set out in the School Admissions Code<sup>(a)</sup>;
  - (e) information about the right to make a representation (including a complaint) under the Children Act 1989 Representations Procedure (England) Regulations 2006<sup>(b)</sup>;
  - (f) information about making a complaint to the Local Government Ombudsman under Part III of the Local Government Act 1974<sup>(c)</sup>;
  - (g) information about any other relevant services provided by the local authority; and
  - (h) any other information that the local authority considers relevant.
- (3) The following must be provided to any person mentioned in sections 4B(1)(a) and (b) of the Act—
- (a) details of where to find information about statutory adoption pay and leave; and
  - (b) information about a prospective adopter's right to receive the child's permanence report, including a summary of the medical adviser's report on the health of the child, in accordance with regulation 31 of the Adoption Agencies Regulations 2005<sup>(d)</sup>.

**Circumstances in which information is not to be provided**

**2B.**—(1) A local authority is not required to provide the information specified in section 4B(2) of the Act and regulation 2A to any person—

- (a) who has been provided with the information within the preceding twelve months, and none of that information has changed substantively, or
- (b) who has informed the local authority that they do not want to be provided with such information,

unless the local authority is satisfied that there are valid reasons for providing the information.

(2) Where a local authority refuses a person's request for information under section 4B(1)(a) or (d) of the Act in the circumstances set out in paragraph (1) they must give that person reasons for their refusal.

(3) Where a person requests information about a particular adoption support service under section 4B(1)(d) of the Act the local authority must—

- (a) ask that person if they would like any of the other information specified in section 4B(2) of the Act and regulation 2A and provide that information if requested, and
- (b) if appropriate, only provide information about that particular service.

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(a) Issued under Section 84 of the School Standards and Framework Act 1998 (c. 31).

(b) S.I. 2006/1738 as amended by S.I. 2013/985.

(c) 1974 (c.7).

(d) S.I. 2005/389. Amended by S.I. 2005/3482, 2007/603, 2009/1892, 2101/1172, 2011/589, 2012/1410 and 2013/985.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make provision about the duty of a local authority to provide information about adoption support services and come into force on [x] 2014.

Regulation 4 inserts new regulations 2A and 2B into the Adoption Support Services Regulations 2005 ('the 2005 Regulations').

Regulation 2A provides for the purposes of section 4B(2)(d) of the Adoption and Children Act 2002 ('the Act') the information that a local authority must provide and the circumstances in which it must be provided. Regulation 2A(2) sets out the information that must be provided to any person mentioned in section 4B(1) of the Act and regulation 4A(3) to any person mentioned in sections 4B(1)(a) and (b) of the Act.

Regulation 2B sets out the circumstances in which a local authority is not required to provide information. Where a person requests information about a particular adoption support service the local authority may, after having ascertained whether that person would like any of the other information, only provide information about that particular service.

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