



Guidance

Introduction to adoption support agencies

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This guide defines what an adoption support agency is and what you must do if you intend to open one.

This guide is specific to adoption support agencies and provides information that only applies to them. However, you must also read our [main guide to registration](#), which applies to all children's social care services.

About adoption support agencies

Adoption is a way of providing a new family for children who cannot be brought up by their own parents. It is a legal procedure in which all the parental responsibility is transferred to the adopters. Adoption support agencies provide assistance to adopted children and adults, such as counselling and finding out the details of their adoption. They also help adopted children and adults and their relatives if they want to know more about, or want to trace, their birth relatives. Most people who use adoption support agencies are adults.

About registration

Apart from some individuals, you cannot operate an adoption support agency without being registered by Ofsted. Registration helps to prevent unsuitable people owning, operating, managing or working within adoption support agencies.

If you are an individual contractor for a registered adoption or adoption support agency or a local authority adoption agency, you do not need to register.

However, you must register if you are an individual who:

- is part of a partnership, even where you only provide services to a local authority or registered adoption support agency
- operates privately

An adoption support agency must register if it carries out one or more of the following activities:

- assisting an adoption agency in preparing and training adoptive parents
- supporting any child or adult who has been adopted, or their birth relatives
- supporting and helping adoptive parents to enable them to provide stable and permanent homes for children placed with them for adoption and when they are formally adopted
- assisting people who have been adopted to have contact with their relatives, including assisting people to trace adopted relatives

You must demonstrate how you will [meet regulations](#) and how you will take account of the [national minimum standards](#).

You must also follow the [statutory guidance on adoption](#).

Providing services in England and Wales

If you intend to provide services in both England and Wales, you may also need to register with [Care Inspectorate Wales \(CIW\)](#), regardless of where the office or branches are located. You may need to follow the regulatory framework under both the Regulation and Inspection of Social Care (Wales) Act 2016 (RISCA) and the Care Standards Act 2000.

Registering branches of agencies

Branches of adoption support agencies must each register in their own right to operate. A separate application and fee must be paid each time a new branch is opened and each must have a registered manager.

Counsellors

The law says you cannot provide counselling on adoption matters without registering or being an individual contractor for a registered adoption or adoption support agency or for a local authority adoption agency.

If you are a counsellor, you will need to register as an adoption support agency if you intend to provide a service to adults, children or families who need counselling around adoption issues. This can include counselling about adoption issues for someone who was adopted as a child or who had their child adopted.

You do not have to register if an adoption-related issue only emerges after counselling begins and is not the primary concern or focus.

If during counselling it becomes clear that a matter related to adoption is the client's main focus, you should make their right to access adoption support services clear and consider referring them to a registered adoption support agency.

You may wish to seek legal advice and/or advice from someone registered to provide adoption support services.

Before you apply

For your adoption support agency, you will need:

- to appoint a manager
- a statement of purpose that sets out the overall aims and objectives for the children's home

If you are an organisation, such as a company, you will also need to appoint a person known as a 'responsible individual' who represents the organisation to Ofsted. You do not need to appoint a responsible individual if you are a sole trader or partnership.

What to provide when you apply

You must submit an [SC1 application](#). As part of this, you must include:

- SC1 forms for any branches, if applicable
- your details as the registered provider and, if you are an organisation such as a company, the responsible individual
- details of the manager(s)
- your statement of purpose
- your safeguarding policy
- your complaints procedure
- your equalities policy
- a copy of a certificate of insurance or written confirmation that insurance will be provided (for example, a letter of intention and an insurance quote)
- your children's guide
- a copy of planning permission granted, a certificate of lawfulness, a copy of a planning application or evidence that planning permission is not required
- [a financial reference](#)
- your business plan
- your cash-flow forecast
- your last 2 annual reports, including reports for any holding company and any subsidiaries
- your last 2 annual accounts
- your [charitable objects](#)

There is more information on registration in the [guide to registration for children's social care services](#).

Fees

You will need to pay an [application fee](#) for each registration.

Registration timescales

Once we have received everything necessary for your application to register, we usually make a decision within 47 days. We recommend that you allow at least 16 weeks from the start of your application before you intend to open. You cannot operate before you're registered.

After registration

You will receive a certificate of registration.

You need to pay an annual fee for each registration. We will contact you when any fees are due.

What you need to tell us

You must [use the SC3 form](#) to tell us about any changes to registered managers.

You can find further information about [changes to registered children's social care services](#).

Conditions of registration

Conditions of registration describe the services that the adoption support agency is registered to provide, for example:

- birth records counselling only
- intermediary services only
- both birth records counselling and intermediary services

They will also set out who you can provide services for, for example children, adults or both.

After registration, you will receive a certificate that details the conditions of your registration. It is an offence not to follow these. The [social care compliance handbook](#) sets out information about actions we may take if you do not follow your conditions.

If we grant registration with conditions that you have not agreed, you may object by making a 'written representation' to us. For information on this, see the [social care compliance handbook](#).

Once registered, you will need to apply for a [variation to your conditions of registration](#) if you intend to provide other services.

Inspections

We inspect adoption support agencies as set out in the [social care common inspection framework](#).

We normally inspect all adoption support agencies for the first time between 7 and 12 months from the date of registration. After this, your inspections will take place within a 3-year window.

Complaints and concerns

We may receive complaints or concerns about an adoption support agency. We will take these seriously and we may take actions as a result, as set out in our [guidance about social care concerns](#).

There is also guidance on how we respond to concerns in our [social care compliance handbook](#).

Compliance and enforcement

Our [social care compliance handbook](#) provides more information about what will happen if you do not meet the [relevant regulations](#).

List of regulations

General legislation

- [Care Standards Act 2000: legal definitions of all agencies and establishments we register](#)
- [The Care Standards Act 2000 \(Registration\) \(England\) Regulations 2010](#)
- [The Her Majesty's Chief Inspector of Education, Children's Services and Skills \(Fees and Frequency of Inspections\) \(Children's Homes etc.\) Regulations 2015 as amended](#)
- [The Care Standards Act 2000 \(Establishments and Agencies\) \(Miscellaneous Amendments\) Regulations 2002](#)

Adoption legislation

- [The Adoption Agencies \(England\) and Adoption Agencies \(Miscellaneous Amendments\) Regulations 2005](#)
- [Adoption and Children Act 2002](#)
- [The Adoption Support Agencies \(England\) \(Amendment\) Regulations 2010](#)
- [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020](#)

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