

## **Written Ministerial statement**

### **DEPARTMENT FOR EDUCATION**

#### **DRAFT LEGISLATION ON ADOPTION**

#### **Parliamentary Under-Secretary of State for Children and Families, (Edward Timpson MP):**

Following a review of adoption undertaken with an expert working group of local authorities, voluntary adoption agencies and adoptive parents, the Secretary of State for Education informed the House in March 2012 that the Government had accepted in principle its recommendations and was publishing *An Action Plan for Adoption: Tackling Delay*. I am today laying draft legislation before the House for pre-legislative scrutiny that fulfils commitments made in that document.

The Government aims to reform the adoption system to remove barriers and reduce delay so that all children for whom adoption is in their best interests can be placed with adoptive families without unnecessary delay. In particular, the Government is committed to requiring local authorities to place children for adoption as early as possible where adoption is in their best interests. The Government aims to reduce the time children have to wait for an adoptive placement, and to enable more children to be placed in stable, loving homes with less delay and disruption. This will improve children's chances of leading full and happy lives.

The draft legislation laid before the House today would encourage early permanence practice in placing children. It would place a duty on local authorities to give preference to a "Fostering for Adoption" placement if they are satisfied that such a placement is in the child's best interests and is the most appropriate placement available for that child. Local authorities would be under this duty where they have decided that a child they are looking after ought to be placed for adoption, and have matched the child with particular prospective adopters but the local authority does not have authority to place the child for adoption. The prospective adopters would have to be approved as local authority foster parents before the child could be placed with them. New regulations made under existing legislation and currently subject to consultation will make this a quicker and easier process in appropriate cases.

The draft legislation would also remove the express duty in the current primary legislation which requires adoption agencies to give due consideration to religious persuasion, racial origin and cultural and linguistic background, when matching children with prospective adopters. We are proposing to remove this because of the concern that the express provision has caused local authorities to have undue regard to that factor. This change would reinforce the existing legislative emphasis on the welfare of the child and the impact of any delay.

This draft legislation would meet the commitments made by the Government in the Queen's Speech to stop damaging delays by local authorities in matching parents to children for whom adoption is the right decision. These provisions would apply in relation to England only. Copies of the draft legislation will be placed in the House libraries.