



SERVICE
GUIDE

Adopting
a child



A bright yellow background with a cloudy sky. The clouds are dark and silhouetted against the bright yellow light. In the center of the image, there is a large, white, serif capital letter 'S'.

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Welcome to Stowe Family Law

Our specialist adoption team supports clients with legal advice to ensure they have the information they need to make key decisions, and that the necessary documentation is in place, and legal formalities complied with.

We can also advise on cases where people want to adopt a child within the family, such as stepchildren.

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Can I adopt a child in England and Wales?

To adopt a child you must be over 21 and happy to make space in your life and home for a child.

You **CAN** adopt if,

- You are married, living together, in a civil partnership, opposite-sex couple, same-sex couple or single
- Employed or on benefits
- Any ethnic or religious background
- Have children or not
- Own your home or live in rented
- Already adopted a child
- If you are disabled
- You are not a British citizen (although you must have a fixed and permanent home here and lived here for at least a year before you begin the application process)

The process of adopting a child

To adopt a child, you must go through an agency, either one that is part of your local council, or a voluntary adoption agency. (See links at the end of the article).

The agency will supply information, meet with you to assess your suitability, explain the process and provide the application form.

Once you have applied, there will be a full assessment of you (and partner if involved) including:

- Social worker visits on a number of occasions to assess your suitability to become adoptive parents
- Police checks (You will not be allowed to adopt if you, or an adult member of your family, have been convicted of a serious offence, for example against a child.)
- A full medical examination
- Three personal references. One can be a relative.

You will also need to attend a series of preparation classes, often held locally.



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The adoption panel

Your social worker will prepare and send the assessment report to an independent panel who are experienced in adoption. They will make a recommendation based on your assessment.

This recommendation will be sent to your chosen agency and they will decide if you are suitable to adopt or not.

If approved, the agency will work with the local authority to start the process of finding a child.

Matching with a child

After matching potential adoptive parents with a child, the suitability of the situation for the child and parents will be discussed between the agencies involved. A matching panel will make the final decision.

Moving in

Once a child has been matched with an adoptive parent/s, the process of moving in is taken, understandably, very slowly. There are a series of visits and stays, supported by your social worker to make the transition as comfortable as possible before moving in permanently.

How is adopting a child made legal?

Before a child moves in, Social Services need to obtain a Placement Order (unless the biological parents have consented). This order gives Social Services the power as an adoption agency to place a child with a chosen adopter (you).

Once everyone is happy that the relationship is working under the Placement Order and the child has been living with you for at least 10 continuous weeks, steps are taken to get an Adoption Order.

An Adoption Order

The effect of an Adoption Order is to make the adopters the legal parents of the child. The biological parents lose their parental status as a result of this Order, so it is an important step that requires careful thought.

If the child has been placed with you under a Placement Order, then their biological parents are not allowed to oppose an Adoption Order without permission from the Court.

In some cases, the biological parents may try to prevent the Adoption Order from happening, but you would know well in advance if that was going to be a risk. The biological parents will be told about a hearing for an Adoption Order even if they are not allowed to challenge it, and so you can be anonymous on your application.

In most cases, the adopters do not attend the first hearing in case there are any problems with the biological parents, and instead, attend the celebratory event when the order is granted.

Once the Court is satisfied that adoption is the best option for the child, an Adoption Order is granted and there is a celebratory event at Court where it is confirmed that you are the parents of your adopted child.

Next steps:

If you would like to find out more about adopting a child or the legal process you can get in touch with our adoption team here.

Useful links:

Voluntary adoption agency finder:

www.cvaa.org.uk/thinking-about-adoption/find-your-nearest-agency

Apply through a local authority agency:

www.gov.uk/apply-to-adopt-child-through-council

The charity Adoption UK runs a helpline:

www.adoptionuk.org/helpline



For more information on Adoption please call our
Client Care Team on **0330 404 2168**
to speak with one of our specialist family lawyers.
or visit **www.stowefamilylaw.co.uk**