

**Your guide to adopting a child -
new changes in the law**

Adoption



department for
education and skills



All children deserve to grow up as part of a loving family who can help them flourish during childhood and beyond. Every child needs to feel secure and settled in a family that loves and values them. And that means being cared for by adults who are committed to them long-term, who support their development and who guide them through childhood to adulthood.

Adoption

For children who can't live with their parents, adoption can give them the opportunity to live in and be a part of a permanent loving family. A child becomes adopted when an adoption order is made by a court, passing full parental responsibility for the child to the adopter.

The new Adoption and Children Act 2002, in force from 30 December 2005, brings the law on adoption up to date. It puts the needs of the child above everything else. The changes in the law will help improve the adoption service and help more people consider adoption - unmarried couples may now apply to adopt jointly, for example, making sure that any child they adopt will have two full legal parents. And there will be more consistency across the country when it comes to access to information held in adoption agency records.

What will the Act mean for adoptive parents?

From the point of view of adoptive parents, the main changes in adoption law mean that:

- **The child comes first**

For the first time **the welfare of the child always comes above everything else** when the adoption agency or courts are making any decisions about them. So decisions on matters such as placement for adoption, contact and adoption support will be driven by the child's needs.

- **No 'blanket bans'**

Adoption agencies can't have **'blanket bans'** on particular groups of prospective adopters, such as smokers. Agencies need to consider medical advice about the dangers of passive smoking for children. But instead of just turning you away if you smoke, they will have to discuss your individual personal circumstances with you. Where the agency provides you with its application form, you will then be able to make a formal application. If it does not, then you could approach another agency. If an adoption agency later decided not to approve you as suitable to adopt, their decision would then be based on an adoption agency assessment and medical advice.

- **Consistency wherever you live**

There's now a more **consistent assessment process** for prospective adopters across the country. You'll also be offered **preparation for adoption** if you're hoping to adopt a child. And you'll be able to **attend the adoption panel** discussing your case if you want to – so you'll know what to expect whichever agency is dealing with your case and wherever you live.

- **Matching children with prospective adoptive parents**

There's now a clearer and less restrictive '**matching process**'. So both you and the agency can concentrate on matching your skills and strengths with what the child needs - rather than relying on narrow categories which bear little relation to a real child's needs.

- **A right to information**

Prospective adopters now have a right to **detailed information** – set out in the **child's permanence report** – about a child they are being matched with. So you can make an informed decision about whether or not you'd like to have a particular child placed with you.

- **Planning the placement**

As prospective adopters you also have a **clearer role in planning** the child's placement. And the extent of your **parental responsibility** should be defined by the adoption agency – so you'll know exactly what's expected of you and what decisions you can make about a child placed with you.

- **Adoption support**

There'll now be better assessment of the **support you need** as adoptive parents and a clearer scheme of **adoption support** available. So you'll know what to expect and what you're entitled to if you take on a particular child. And you'll know that help will continue to be available from the relevant agencies for as long as you need it.



Who can adopt?

All sorts of people adopt children. You don't have to be rich, have a big house, or a job - or be married. You do need to have the commitment, energy and capacity to care long-term for a child who may have been abused or neglected.

What happens next?

1. After your initial inquiry, you should be:

- Sent written information about the adoption process within five working days of your enquiry.
- Invited to a public information meeting within two months of your enquiry.
- Given counselling to help you decide if adoption is right for you.

2. If the adoption agency accepts a written application from you on a form it provides, the agency will:

- Invite you to preparation classes.
- Follow up checks and references.
- Do a detailed assessment of you as a person and your capacity to become an adoptive parent.



3. The adoption agency will then write a report – called the **prospective adopter's report** – setting out:
 - a. Your background, history and relationships.
 - b. Your strengths and capacity as a prospective adopter.
4. This report will be considered by the adoption agency's adoption panel – a group of adoption specialists and people experienced in adoption – and you can attend part of the meeting of the panel that discusses your case. The agency may prepare a brief prospective adopter's report if it forms the view during the assessment that the prospective adopter is not suitable to adopt. A brief report allows the matter to be resolved sooner as it can be sent to the adoption panel without a full assessment being completed.
5. Within eight months of the agency receiving your written application, the adoption panel should recommend whether or not you should be approved as suitable to adopt. The agency's decision maker should then make a decision on the panel's recommendation within seven working days. You should be told of the agency's decision within two working days and written confirmation should be sent to you within five working days.
6. If the agency doesn't think you should be approved, you may ask for your case to be reconsidered by the adoption panel or for it to be considered by an independent review panel.
7. If you are approved, then you and the agency will talk together about possible 'matches' with children who need homes and what support might be available. If the agency decides to place a child with you, the placement will be carefully planned and you will meet with the child before the placement goes ahead. Your social worker and the child's social worker will visit and there will be reviews to see how you and the child are getting on.

The Adoption and Children Act 2002 is in force from 30 December 2005.

If you'd like to find out more about adoption, you can contact your local council's adoption department or a local voluntary adoption agency. Their contact numbers are in the Phone Book under 'Adoption' - and they all have a website with information and contact details.

For further information please visit
www.direct.gov.uk/Parents/AdoptionAndFostering
www.adoptionuk.org.uk
www.baaf.org.uk

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