



# Adoption following a placement order



Adoption is a way of providing a child with new legal parents. It ends the legal relationship between the child and the birth parents and establishes a new one with the adoptive parents. This factsheet provides information about adoption following a placement order.

## Placement order

If a local authority is seriously worried about the safety and welfare of a child and they want to make decisions about that child, they will need to apply to the court. These are called care or supervision proceedings. The local authority social worker will carry out some investigations into the child's welfare and suggest a 'care plan'.

If they feel adoption is the best option for the child, the local authority will apply for a 'placement order'. A 'placement order' allows the local authority to place a child with suitable adopters, even if the parents do not agree.

For more information about care proceedings, including what to do if you disagree with the care plan set out for your child, see our factsheet on keeping children safe on our website.

## What is Cafcass' role?

If there is an application for a placement order, the court will appoint a Cafcass worker, who is called the Children's Guardian, to represent the interest of the child during the court proceedings. If the placement application is made during care proceedings, the guardian already appointed will be the guardian in the placement application. The role is to ensure that decisions made about the child are in their best interests. The guardian will make a recommendation to the court based on their assessment of the child's needs.

The judge will make the final decision based on what they consider to be in the best interests of the child after listening to everyone involved in the case, including the parents and their solicitor, the local authority social worker, the guardian, and any experts who have been

appointed by the court to provide advice.

## Once a placement order is made

If the court makes a placement order, this means the local authority can place a child with a new family – the adoptive family. The final step is then for the prospective adopters to apply for an adoption order. They have to wait until the child has been living with them for at least ten weeks before they can apply.

Once an application is made, both the birth parents and the adoptive parents will be told the date of the adoption hearing, where the court will decide whether to make the adoption order.

The birth parents will not be able to oppose an adoption order being made at this stage unless the court gives them specific permission for this. The court will only give permission if it can be shown that there has been a change in circumstances since the making of the placement order and it is in the child's interests for the application to be opposed.

An adoption order cuts all legal ties between an adopted child and their birth parents, and creates a new legal relationship between the child and the adoptive parents. Once an adoption order has been made it cannot be reversed by the court.



## Contact with the child after adoption

The court will decide whether it is appropriate for the birth parents to receive any information about their child following the adoption order being made, or have any contact. The court can make an order specifically preventing any contact between the child and named individuals. The Children's Guardian may make a recommendation to the court, and any decision will be based on the best interests of the child.

## Legal advice

Adoption can be a complicated process and you should seek legal advice at the earliest stage possible.

You can find out more about legal aid, which will be merit and means tested, at:  
[www.gov.uk/legal-aid/overview](http://www.gov.uk/legal-aid/overview).

Citizens Advice also provides information on getting help with legal costs: [www.citizensadvice.org.uk/law-and-rights/legal-system/taking-legal-action/help-with-legal-costs-legal-aid](http://www.citizensadvice.org.uk/law-and-rights/legal-system/taking-legal-action/help-with-legal-costs-legal-aid).

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## Support and further information

If adoption is being considered for your child, you are entitled to receive information, counselling and support. Information about the support available should be provided by your social worker. They must also provide support and information to your child who is being adopted and their siblings, where appropriate.

There are also a range of independent organisations available, some of which you can approach directly yourself.

**After Adoption:** Helps anyone affected by adoption. They offer counselling, advice and information.

Website: [www.afteradoption.org.uk](http://www.afteradoption.org.uk)

Phone: 0800 056 8578

**Child Law Advice:** Operated by Coram Children's Legal Centre, provides specialist advice and information on child, family and education law.

Website: [www.childlawadvice.org.uk](http://www.childlawadvice.org.uk)

**Family Lives:** Provide help and support in all aspects of family life and have specific information for step families.

Website: [www.familylives.org.uk](http://www.familylives.org.uk)

Phone: 0808 800 2222

**Family Rights Group:** Provide a range of information for those concerned about adoption.

Website: [www.frg.org.uk](http://www.frg.org.uk)

Phone: 0808 801 0366



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