

***Cafcass, Local Authority Adoption Agency and
Voluntary Adoption Agency's Joint Protocol***

**PROTOCOL FOR CHILDREN
RELINQUISHED FOR
ADOPTION**

This protocol sets out the agreed procedures between Cafcass and ADCS for obtaining section 19 consent to placement for adoption and section 20 advance consent to adoption from birth parents with parental responsibility and legal guardians (including special guardians) when relinquishing their child.

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1.0 INTRODUCTION

1.1 The protocol sets out the following:

- The legal obligations of Adoption Agencies (AA's) and Cafcass practitioners.
- The agreed protocol for achieving section 19 consent to placement for adoption for relinquished children.
- The agreed protocol for achieving section 20 advance consent to adoption, by birth parents with parental responsibility and legal guardians (including special guardians).

1.2 This protocol will be subject to a joint review in 2008 any suggested changes and amendments should be forwarded to:

Jean Simmons at jean.simmons@cafcass.gov.uk

AND

Eileen Bower at e.bower@adoption22.co.uk

2.0 GLOSSARY OF LEGAL REFERENCES AND ABBREVIATIONS

2.1 Throughout the document the following abbreviations are used:

- Adoption Agency (AA) refers to Local Authority Adoption Agency and Voluntary Adoption Agencies
- Parent refers to birth parent or birth parents, guardian to legal guardian or guardians
- The term 'Sections' – refers to sections of the Adoption and Children Act 2002
- AAR – refers to Adoption Agencies Regulations 2005
- Statutory and practice guidance – refers to Adoption Guidance 2005 (Department for Children Schools & Families)

3.0 THE FORMS TO USE

Section 19 consent to placement for adoption

3.1 Consent under section 19 is given in writing on the prescribed form and must be formally witnessed by a Cafcass practitioner appointed at the request of the AA who must ensure consent is given with full understanding and unconditionally. One of the following forms must be used:

- **A100** Consent to placement for adoption with any prospective adopters chosen by the Adoption Agency
- **A 101** Consent to the placement for adoption with identified prospective adopters
- **A 102** Consent to the placement for adoption with identified prospective adopter(s) and, if the placement breaks down, with any prospective adopter(s) chosen by the adoption agency.

Section 20 advance consent to the making of an adoption order

3.2 The birth parent/guardian may also give advance consent under section 20 to the making of an adoption order. This consent must also be formally witnessed by a

Cafcass practitioner appointed at the request of the AA. The form which must be used for this is:

- **A103 Advance Consent to Adoption**

Statement with section 20 consent

3.3 At any time after giving consent under section 20 (including when interviewed by the Cafcass practitioner), the parent/guardian can make a statement that they do not wish to be notified of the application for an adoption order under section 20 (4).

3.4 If this statement is made to the Cafcass practitioner it should be recorded in writing and forwarded to the AA. A proforma for this is provided at Appendix 5 of this guidance.

4.0 THE PROTOCOL

To see a flowchart demonstrating the processes described in this protocol refer to the chart in annex 1.

- **STAGE 1 - Actions for Adoption Agencies (AA's)**

4.1 On receiving a request from parent (s) that their child be placed for adoption, send an advanced notice [*annex 2 letter 1*] to the Cafcass office that is nearest to the home of the relinquishing parent(s) and/or guardians. The advanced notification will give an expected date of the adoption panel and a date when the Schedule 2 information for Cafcass will be completed. It would be helpful if the AA could inform Cafcass of any special circumstances relating to contacting the relinquishing parent/guardian.

4.2 The Cafcass office addresses can be obtained from the Cafcass Website:
<http://www.cafcass.gov.uk>

- **STAGE 2 - Actions for Cafcass**

4.3 On receipt of this Cafcass will plan for provisional allocation to a practitioner for this date.

- **STAGE 3 - Subsequent actions for AA's**

4.4 During the counselling period (prior to the request to Cafcass to witness consent) the adoption agency worker must ensure that:

- Counselling and information has been given or offered (if refused refer to section 4.5 – 4.11 below) to parents with parental responsibility (PR) and guardians. This can include fathers without PR if the agency knows their identity and decides it is appropriate (see section 4.12 –4.16 below).
- Issues of competency have been considered (refer to section 4.18 – 4.21)
- Written information about the legal consequences of giving section 19 and 20 consent has been given to the birth parent(s) with PR and guardians.

Counselling checklist

4.5 Understand the parent's/guardian's specific needs, for example:

- Communication requirements
- literacy skills
- cultural issues
- disabilities
- Immigration concerns

4.6 Understand the reasons for requesting the child be placed for adoption and, if reasons are not available from both parents, information about the father¹. Explain other options to the parent(s)/ guardian(s) and advise if there are any other support services that could be offered to allow the child to remain with the parent/guardian.

4.7 Discuss the birth father, if not known or not part of the relinquishing process, in relation to his:

- Identity
- address
- wishes and feelings
- whether he has parental responsibility or intends to acquire it
- His role and potential rights in the process if he has or acquires PR

Note that the birth father without parental responsibility is not required or entitled to consent to placement for adoption or advanced consent to adoption.

4.8 If the identity of the birth father without parental responsibility is known to the AA, and if the AA decides it is appropriate, and so far as it is reasonably practicable, the AA must counsel and advise him. (AAR14).

4.9 Be aware that the birth father could challenge the AA's decisions, and therefore the reasons for the judgement that it is not appropriate or reasonably practical, should be carefully discussed and recorded.

4.10 As part of this judgement Practice Guidance (issued by DfES²) suggests that the AA should consider whether the father has established 'family life' with the mother and child. However, the principle of holding the child's welfare as paramount, the mother's wishes for her child and her right to confidentiality, the avoidance of unnecessary delay in placing the child for adoption are other factors to be weighed up in this judgement. Statutory guidance (issued by DfES) requires that where a parent has requested that a child aged less than 6 months be placed for adoption, a proposed placement should be identified and approved by the panel within **three months** of the agency deciding that the child should be placed for adoption.

¹ *N.B there is no law which can force a birth mother to reveal the identity or whereabouts of the birth father, and her choice not to do so, after counselling, must be respected*

² Former name of the Department for Children, Schools & Families

4.11 At the time a child is relinquished for adoption there are no court proceedings. The Family Procedure (Adoption) Rules 2005 provides³ *'Where no proceedings have started an adoption agency or local authority **may** ask the High Court for directions on the need to give a father without parental responsibility notice of the intention to place a child for adoption'*. However, applications to the High Court could add very considerable delay to the child's placement. Such applications should not be routine, given the entitlement of the AA to make this judgement.

The birth father that subsequently acquires PR

4.12 A father who acquires PR after section 19 consent has been given by the mother to his child's placement for adoption, he is also deemed to have given his consent to placement. He may withdraw this consent, and if he and/or the mother requests the child's return, but the AA wishes to continue the adoptive placement, it must apply for a Placement Order. Whilst the application is before the court the local authority is not obliged to return the child to the parents.

4.13 The legal position of the extended birth family is similar to that of the birth father without parental responsibility - it is a matter for judgement by the AA as to whether contacting them is appropriate. In forming this judgement it is essential to discuss the knowledge and views of the extended family i.e. siblings, grandparents, and any consequences of them not knowing about the child's birth, or the plans for adoption.

4.14 Although, there is no mandatory and absolute requirement in adoption law that relatives should be informed of the child's birth and the proposed adoption.

4.15 The test to be applied in deciding whether relatives should be informed is whether there are good reasons in all the circumstances of the case, the child's welfare being paramount. (Judgment of the High Court in Hampshire County Council – 2006).

4.16 The Cafcass practitioner will be assisted in understanding the circumstances of the consenting parents if full information is available in the schedule 2 report. However, it is not part of the Cafcass practitioner's duties in witnessing section 19 and 20 to challenge the AA's decisions in respect of birth fathers without PR or extended family, nor to challenge a parent's decision to relinquish his/her child for adoption if they are competent and willing to do so.

Explaining the meaning of adoption

4.17 When discussing the meaning of adoption it is important to make sure that each of the consenting parents have been made aware of:

- The life long implications;
- The legal consequences of consenting to placement for adoption s19 and the advanced consent to the making of an adoption order s20 of Adoption and Children Act 2002 and the legal effects of adoption;

³ Rule 108

- Contact issues, for example: including the parents/guardians wishes about possible future involvement in the child's life, and wishes and views of the child (if of sufficient understanding);
- The need for information for the later life for the child;
- Whether the relinquishing parent/guardian wishes to be involved in selecting the new parents for the child and/or give their consent to placement with particular adopters;
- The availability of adoption support services and intermediary services for help in searching for the child when they become 18 years of age;
- Support available to the birth parents and family beyond the child's adoption;
- The rights of the child to obtain information about his or her birth parent(s) once they reach the age of 18;
- The role of Cafcass in ensuring that consent is given unconditionally and with full understanding i.e. without any conditions attached, including contact;
- Giving the written information (see Annex 4).

Competency

4.18 If, during the counselling sessions, (prior to referral to Cafcass under this protocol) the AA officer considers that the parent is not capable of understanding the giving of consent and the local authority decides that the child should be placed for adoption without consent, the local authority must initiate care and /or placement proceedings.

4.19 Care will need to be taken if the parent seems to have characteristics which may impede their level of understanding of giving consent to adoption, for example:

- Moderate learning disabilities
- Mental health issues (not severe)
- Cultural, ethnic or faith issues
- Consent not being given unconditionally (parents only willing to consent with conditions attached e.g. contact)

(N.B. If consent is to be given in respect of a particular placement, this not a conditional consent.)

4.20 Further information about the parent's understanding may need to be sought from another professional person, preferably someone who knows the parent such as:

- adult learning disabilities social worker
- approved mental health worker
- mid-wife, health visitor
- general practitioner
- psychiatrist/ psychologist

4.21 If the AA officer is aware at an early stage that issues of competency may require further considerations they should not request a Cafcass officer to witness consent until full enquiries have been completed and the AA is sure that the parent or guardian has competence to consent with full understanding within their capabilities and is willing to do so unconditionally.

▪ **STAGE 4 - Completion of Schedule 2 (AAR 2005) Information & Documents by the AA**

4.22 Usually Cafcass will not be contacted until the AA has decided, after panel recommendation and agency decision that the child should be placed for adoption as any other plan does not require section 19 or section 20 consent.

4.23 However, the law permits consent to be given before the adoption panel has met and the AA decision has been made. This would be in circumstances, for example where a parent is anxious to sign section 19 consent as soon as her child reaches 6 weeks of age, and/or there is a risk she will no longer be available to sign thereafter. If the AA is satisfied that as much effort as possible has been made to counsel and advise the parent in these circumstances an urgent request for a Cafcass practitioner to witness consent should be made and acted upon by the Cafcass before the panel meeting and agency decision.

4.24 This urgency is necessary because the AA must apply for a Placement Order if the mother does not sign to consent and a very considerable delay to the child's placement for adoption may ensue.

4.25 A schedule of information (Schedule 2, AAR 2005) must be provided to Cafcass (see proforma at annex 3). The information must contain the following:

- A certified copy of the child's birth certificate;
- Name and address or contact address of the parents/guardians whose consent is to be witnessed (Note: if parent is outside UK Cafcass is not required to witness consent);
- A chronology of actions and decisions by the agency;
- If the child is accommodated⁴ and in foster care;
- If the child has been placed for adoption under six weeks of age after parental agreement;
- The date on which the AA decided that the child should be placed for adoption, or the projected date for the adoption panel meeting and AA decision;
- Confirmation by the AA that it has counselled and explained the legal implications of both consent to placement under s19 of the Act and s20 and provided the parent/guardian with written information about this together with a copy of the written information provided to him/ her/ them;
- Such other information about the parent/guardian or other information as the adoption agency considers the Cafcass practitioner may need to know. For example, another professional's views were sought about competency, and confirmation that they considered the parent/guardian to be competent;
- Information about the lack of awareness of relatives about the child's birth or adoption plans, for example, if the birth of the child or the plan for adoption is not known to the birth father or relatives – what steps should be taken by the Cafcass practitioner in arranging to meet the consenting parent / guardian to preserve their confidentiality.

⁴ section 20 Children Act 1989

STAGE 5. AA Notification to Cafcass

4.26 The AA sends letter 2 in this protocol, enclosing the Schedule 2 Information and documents requesting Cafcass to appoint a practitioner.

STAGE 6. Actions for Cafcass

4.27 There are 3 possible outcomes from interviewing the parent/guardian:

i. Countersigning Section 19 Form

On satisfaction that consent to placing the child for adoption has been properly given and the parent/guardian fully understands its implications then letter 3 in the in the protocol appendices is completed and this is returned along with the original signed form to the AA officer by recorded delivery.

ii. Countersigning Section 19 & Section 20 Forms

On satisfaction that consent to placing the child for adoption and advanced consent to the making of an Adoption Order is given with full understanding and unconditionally then letter 3 is completed and this is returned along with the original signed forms to the AA officer by recorded delivery.

iii. Inability to Countersign the Form(s)

If there are issues about the parent(s) competency to give consent with full understanding and unconditionally that prevent the Cafcass practitioner from countersigning the form(s) then letter 4 should be completed giving a full explanation of the reasons as to why the form(s) cannot be countersigned and sent to the AA officer by recorded delivery.

(N.B. All letters, Reports, Schedule 2, birth certificate etc. should be sent by recorded delivery. Cafcass should send the original signed consent forms to the AA by recorded delivery).

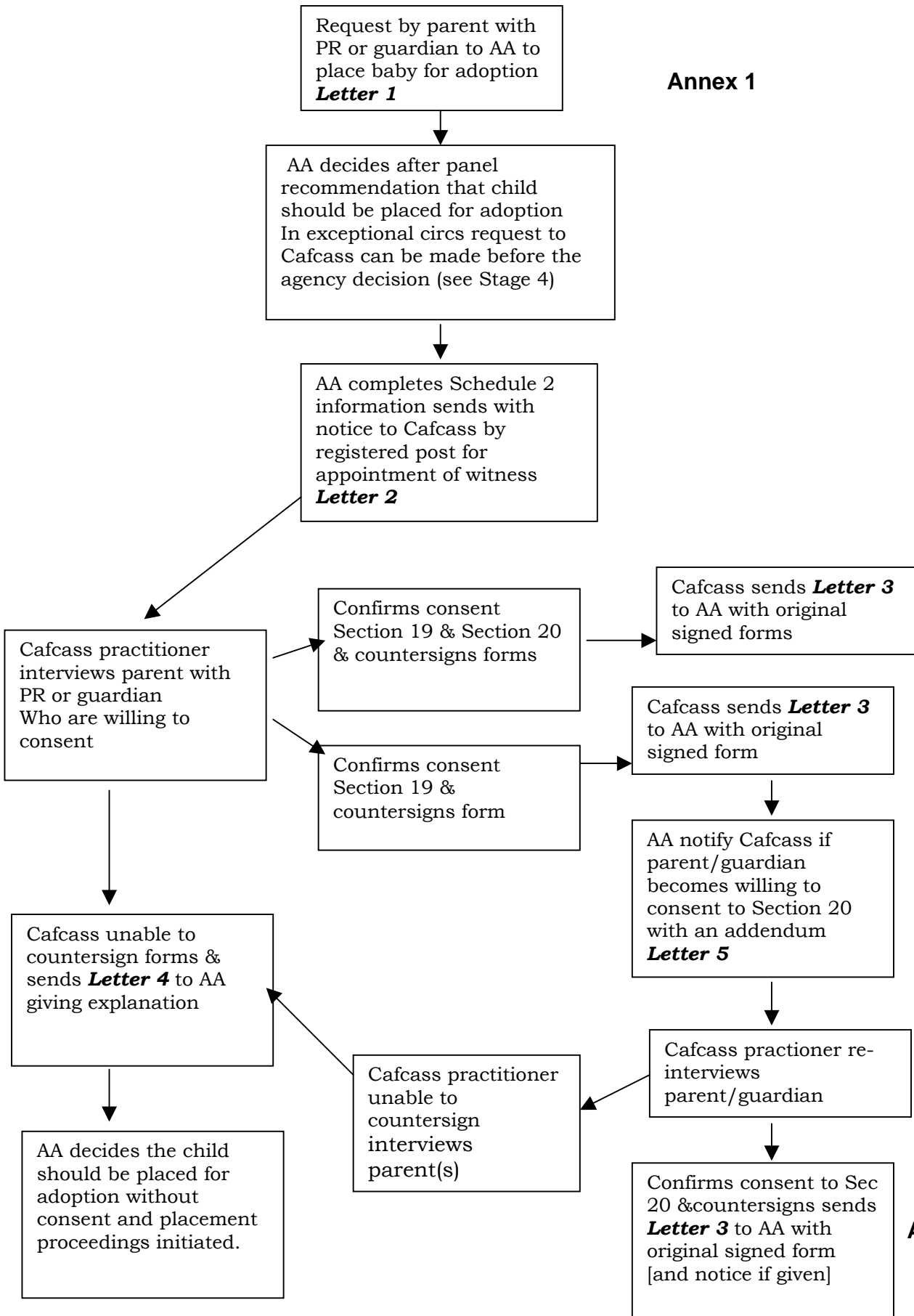
STAGE 7 - Later Consent under Section 20

4.28 If the parent/guardian is not willing to consent to section 20 when signing section 19 consent, but later change their minds, the AA officer sends letter 5 to the original Cafcass practitioner with any additional information required.

4.29 The Cafcass practitioner will re-interview the parent/guardian and, if satisfied, that consent is given with full understanding and unconditionally, will send the countersigned section 20 Form and letter 3 to the AA officer. The letter will need to be annotated according to whether the parent/ guardian has given notice to the Cafcass practitioner that they do not wish to be notified when the application for an Adoption Order is made (see Annexe 5).

4.30 If the Cafcass practitioner is unable to countersign the consent form, than they should proceed as per point iii.

Annex 1



**Annex 2
letter 1**

AA logo & address

Service Manager
Cafcass
Office nearest to parent/guardian

case reference no

Dear

**Re: Advanced Notification of child to be relinquished for adoption
Sections 19 & 20 Adoption & Children Act 2002**

I am writing to inform you that the following person[s] has requested their child be placed for adoption:

Name of mother: _____

Name of father [If he has PR]: _____

Name of guardian[s] if any: _____

Addresses for correspondence _____

Home addresses _____

Date of birth *[including expected date]*: _____

Name of child *[if known]* _____

This agency believes that the father with PR /guardian[s] are competent to give consent unconditionally and with full understanding. The mother is expected to be competent 6 weeks after the birth

The projected date for the 'should be placed for adoption' panel recommendation and agency decision and for completion of the Schedule 2 Information for Cafcass is *[insert date]*.

Yours sincerely

Name of officer

AA logo & address

Service Manager
Cafcass
Office nearest to parent/guardian

case reference no

Dear

Re: Notification of child to be relinquished for adoption

I enclose the completed Schedule 2 Information and request the appointment of an officer to witness the consent to placement for adoption *[delete as appropriate]*

A] with specific adopters

B] with any adopters chosen by the agency

And

C] advanced consent to the making of an adoption order

Name of mother: [if willing to consent]

Name of father [if he has PR and is willing to consent]

Name of guardians [if willing to consent]

Addresses for correspondence

Mother

Father

Guardian(s)

Home addresses

Mother

Father

Guardian(s)

Name and date of birth of child

Continued...

I have enclosed the Schedule 2 Information, which contains the following:

- certified copy of the child's birth certificate
- names and addresses or preferred contact addresses of the child's parents/guardians who are willing to give consent
- Chronology of actions and decisions taken by the agency, including the date or projected date when the agency decided or will decide, that the child should be placed for adoption.
- Confirmation by the agency that it has counselled and explained to the parents or guardians the legal implications of both consent to placement under sec 19 of the Act and to the making of an adoption order under sec 20 of the Act, and provided written information about this.
- A copy of the written information provided to the parents/ guardians
- Such other additional information as the AA considers the officer of the service needs to know. For example, discretion is required because birth parent(s) do not wish contact at their home address or because of diversity information e.g., hearing disability

There are no unresolved concerns about the parent's or guardian's competency to give consent unconditionally and with full understanding

Name of officer

Cafcass & address

Name of officer [AA]
address

case reference no

Dear

Relinquished child

Re: Countersigning Consent Forms

With reference to your request for the appointment of an officer to witness consent to placement for adoption *[delete if not appropriate]* and advanced consent to the making of an adoption order, I am writing to inform you that I have witnessed and countersigned the following:

Section 19 consent Form *[delete if not appropriate]*

Section 20 consent Form *[delete if not appropriate]*

The parent/guardian gave me notice that they do not wish to be notified of the adoption order application in respect of their child.

The original signed consent forms and notice are enclosed and relate to

Name of mother: _____

Name of father : _____

Name of guardian[s] _____

Name of child _____

Yours sincerely

Name of officer

N.B. Please return the original consent forms to AA by recorded delivery

Cafcass & address

Name of officer [AA]
address

case reference no

Dear

Relinquished child

Re: Inability to Countersign Consent Forms - Section 19 and 20

With reference to your request for the appointment of an officer to witness consent to placement for adoption and *[delete if not appropriate]* advanced consent to the making of an adoption order, I write to inform you that I have not been able to countersign the following:

Section 19 consent Form *[delete if not appropriate]*

Section 20 consent Form *[delete if not appropriate]*

in relation to:

Name of mother: _____

Name of father

Name of guardian[s] _____

Name of child _____

The reasons that I do not consider that the parent(s) / guardian(s) are able/willing to give consent unconditionally and with full understanding are:-

Yours sincerely

Name of officer

AA logo & address

case reference no

Service Manager
Cafcass
Office nearest to parent/guardian

Dear

Relinquished child

Re: Countersigning of Advanced Consent for Adoption

With reference to your correspondence *[insert date]* witnessing the signing of a Section 19 consent Form in relation to:

Name of mother: [if appropriate]:

Name of father

[if appropriate]:

Name of guardian(s)

If appropriate _____

Addresses for correspondence

I am writing to request that you witness the signing of a Section 20 advanced consent to the making of an adoption order and , if it is given to you by the parent(s) / guardian(s), receive from them notice that they do not wish to be informed about the adoption order application in respect of their child.

I have enclosed an addendum to the Schedule 2 Information previously sent to you on *[insert date]*.

Yours sincerely

Name of officer

Schedule 2 proforma

Section 19 or Sec 20 consent

Adoption Agencies Regulations (England), 2005,

Name of Agency	
Address	
Telephone Number	
Fax Number	
Date form completed	

Name of Social Worker completing this form	
Telephone Number	
E-mail address	

Name of Team Manager	
Telephone Number	E- mail
Signature and date	

<p>Date [or projected date] of Panel recommendation that the child should be placed for adoption</p> <p>.....</p> <p>Date [or projected date] of agency decision that the child should be placed for adoption</p> <p>.....</p>
--

N.B A certified copy of the child's birth certificate MUST be attached

The child

<p>Surname:</p> <p>First Names:</p> <p>Other names child is known by:</p> <p>Gender:</p>
--

Date of Birth:

--

Information about the parent(s) / guardian(s) whose consent is to be witnessed

<p>Mother</p> <p>Surname</p> <p>First Names</p> <p>Address for contact by Cafcass</p> <p>Tel no</p>
--

<p>Father (if he has PR)</p> <p>Surname</p> <p>First names</p> <p>Address for contact by Cafcass</p> <p>Tel No</p>

Guardian(s)

Surname

First names

Address for contact by Cafcass

Tel No.

Is the child accommodated [section 20 Children Act 1989] Yes/No

Is the child in foster care? Yes/No

Is the child placed for adoption? Yes/No

Confirmation by AA that it has counselled or attempted to counsel the consenting parents/guardians and explained the legal implications of consent to placement under section 19 and section 20, and provided the parent(s) / guardian(s) with the information in writing . A copy of the information must be attached to this document

Chronology of actions and decisions taken by agency. This should include actions and decisions taken in relation to extended family and birth fathers without PR.

Other relevant information, this should include;

i) If another professional's views were sought about competency, confirmation that they considered the parent / guardian to be competent to make the request for adoption.

ii) Issues about the non- awareness of relatives about the child's birth. e.g. a concealed pregnancy.

If the birth of the child or plan for adoption is not known to the parent's / guardian's relatives- what steps should be taken by the Cafcass practitioner in arranging to meet parents / guardians giving consent to preserve their confidentiality?

Any other information about the parent(s) / guardian(s) or any information the adoption agency considers the officer of the service may need to know.

INFORMATION FOR BIRTH PARENTS

What exactly is adoption?

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.

Adoptions are arranged by adoption agencies but are made legally binding by the granting of adoption orders. Once granted an adoption order is final and cannot be over turned.

How do I find out about adoption?

It is a good idea to get advice as soon as possible. You can get this advice from:

- Social workers from the Social Services Department of your local authority.
- A voluntary adoption agency.
- Hospital social workers who work with maternity clinics.

How is an adoption arranged?

If you decide that adoption is right for your child or just want some help with considering it further, a social worker or other adoption worker will spend some time with you to help you with your decision.

You will, in due course, need to give some personal information about yourself, your family and your family's health, for the adopters to be able to share with the child as s/he grows up. Preparations for the adoption can begin before your child is born, however, nothing will be definitely arranged until after the birth. You will be free to change your mind up until the time when you sign consent to placement of your child for adoption

Must the father of the baby give his permission?

It is very important for children to grow up having information about both their parents therefore the adoption agency will ask you about the father of the child.

If the father of your child does not have parental responsibility his permission for your child to be placed for adoption is not necessary. The social worker will need to contact him, if considered appropriate, as the adoption agency will want some information about the father's health, family and medical history so they can pass it on to the adopters and the child.

If you are married but your husband isn't the father, the law will still consider your husband the legal father unless he has signed a declaration otherwise. In this case your husband's consent to placement for adoption is necessary. The adoption agency will also want, if possible, some information on the birth father so they can pass it on to the adopters and the child.

The baby's father may not agree with your adoption plan and may want to bring up the child himself or within his own family, if this is the case the adoption agency and the court will need to know about it.

If you and he are unable to agree the court will have to decide whether it thinks adoption or a life with the father is likely to be best for the child in the long term.

What sort of people will adopt my child?

The social worker will discuss with you the kind of family you want your child to grow up in. The greatest care will be taken to find a family who will give a safe and loving home to your child.

You should talk to the social worker about the possibility of meeting the family, if you want to, or about other sorts of contact such as exchanging letters and photographs.

What happens after my baby is born?

Before you leave the hospital you will be asked to sign a form to agree to your child going to foster carers (this is not a consent form for adoption). In most cases the baby will be looked after by a temporary foster carer until you sign consent to placement for adoption when your child is six weeks old. If you wish your baby to be placed for adoption under six weeks of age you can agree with your social worker that this should happen and you will be asked to sign a written agreement. Your social worker will make regular visits to the child to check everything is going well and offer support. You will be kept up to date with your child's progress.

When your baby is at least six weeks old.

The social worker will arrange for you to be interviewed by a Cafcass practitioner who will make sure that you understand what adoption involves, they will ask you to sign a formal document consenting to your child's placement for adoption and you may also give advance consent to an adoption order being made when the adopters apply for it.

You can, if you wish, be involved in the process of deciding what kind of family your child should grow up with and with putting together a record of your family for your child. This is really important for your child to have for the future.

Once the child has been placed with adopters and has lived with them for 10 weeks they can apply for an adoption order. If you wish to oppose the making of the adoption order you will need to ask the court for permission to do so. The agency will provide a report to the court about the child's circumstances, and if the court is satisfied that an adoption order is in the best interests of the child then an adoption order will be granted.

You will be notified about the adoption application and when and where it will be heard unless you request specifically not to be told.

Can I arrange the adoption myself?

No, unless you place your child with a close relative. To protect the child, all other adoptions must be arranged by an approved adoption agency, which can make full enquiries about the new parents. The courts must grant all adoptions orders.

What if I change my mind?

Once you have signed your consent to your child's placement for adoption your right to change your mind will be limited and may be lost altogether. You will be able to withdraw your consent at any time until the people who want to adopt your child start an adoption application in the court. If you do withdraw your consent and want your child to be returned you will need to notify the adoption agency that you have changed your mind. However it will not be automatic that your child will be returned to you.

If the adoption agency has **not** placed your child with prospective adopters and agrees that your child should be returned to you they will return the child within seven days. If they have already placed the child with prospective adopters and they agree that your child should be returned to you they will return the child within fourteen days.

However if the adoption agency considers that your child ought still to be adopted they will have to apply for a placement order and the court will decide whether your child should be returned to you.

When the people who want to adopt your child have made an application to the court for an adoption order you will not be able to ask for your child to be returned. Unless you have said that you do not wish to be informed you will be told when they make their application but you will have to ask the court for permission to oppose the application. You will have to show the court that there has been a change of circumstances since you gave your consent to your child being placed for adoption and that permission to oppose is in your child's best interests

Will I see my child again?

Once you have given consent to the child being placed with prospective adopters it may be possible to have contact with your child through arrangement with the adoption agency or by getting a court order but you will not have an automatic right to contact. You will have a right to apply to the court for an order for contact with your child at any time until the adoption order is granted. Adoption can sometimes involve continuing contact between the birth parents and the adoptive family, either face to face or by letter.

The agency will usually try to find a family for your child who are happy with having the sort of contact that you would like, as long as this is also in your child's best interests, although it would not be usual for a very young child to have face to face contact with his/her birth parents on an on-going basis.

The contact you have with your child may change over time depending on the child's needs.

Can I keep it a secret?

Adoptive parents are advised to tell children from an early age that they are adopted. As they grow up, most adopted people are curious to know something about their background.

Adopted people can obtain their original birth certificate when they are 18 years old (16 in Scotland), and if you were registered as a parent, your name will be on the certificate.

Using that information the adopted person could try to trace you.

There are special post-adoption counsellors in local authorities and voluntary organisations who can discuss your particular situation with you.

There are adoption contact registers covering England and Wales, Scotland and Northern Ireland to facilitate contact between adult adopted people and their birth relatives.

Making the decision.

The decision you make about your baby's future is so important that you should not be tempted to rush into it. Get all the advice you can before you make up your mind.

You need to be sure that you are doing the best for your child so that you will feel comfortable that your decision was a responsible and caring one.

Will I get support?

You will be encouraged to see a counsellor to assist you in making your decision but there are also services available for birth parents after their child has been adopted.

Agencies such as 'After Adoption' provide support groups and workers who know a lot about adoption. You can ask the social worker for details about this and other support services available.

Local authorities also provide support to every-one involved in adoption throughout a child's childhood and beyond. They will be there to assist if any difficulties arise in relation to contact with your child or if you have any queries at all.

Can I contact my child again when they become an adult?

You can request an adoption support agency or a local authority or voluntary adoption agency to act as an intermediary for you once your child becomes an adult. They will have a responsibility to make an attempt to contact your child on your behalf. There may be circumstances which mean it is not appropriate to do this and contact would only be re-established if it is what the adopted adult wants.

ANNEX 5

Section 20 [4] Adoption and Children Act 2002

Before signing this statement you are advised to seek legal advice. Publicly funded legal advice may be available from the Community Legal Service. You can get information about this or find a solicitor through CLS Direct on www.clsdirect.org.uk or by telephoning 0845 345 4 345

STATEMENT THAT I DO NOT WISH TO BE NOTIFIED OF THE APPLICATION FOR AN ADOPTION ORDER FOR MY CHILD

CHILD'S NAME

CHILD'S DATE OF BIRTH.....

NAME AND ADDRESS OF ADOPTION AGENCY.....

I have given my consent in advance to the making of an adoption order for my child.

I understand that I must be informed by the court when the application for an adoption order is made unless I give this notice that I do not wish to be informed of the application.

I give notice that I do **not** wish to be informed of the application.

I also understand that I may withdraw this notice at any time by telling the Adoption Agency and that I will then be informed when the adoption order is applied for.

I understand that the court will notify me when the adoption order is made.

Name:

Signature:

Date: