



CAFCASS FACTSHEET

A new family

Adoption



Adoption is a legal decision that permanently transfers parental responsibility for a child from one family to another. This factsheet gives you information on the different kinds of adoption cases Cafcass is involved in.

The following are the different kinds of adoption cases which Cafcass gets involved in:

1. When parents decide it may be best if their child is adopted.
2. When a child lives in a step-family and the birth parent's new partner wants to adopt the child.
2. When a local authority is concerned about the welfare of a child and supports a plan of adoption once the child has been taken into care. This could mean adoption by relatives, foster carers or a new family.



Our role will depend on the kind of adoption case. For most cases the court process takes between six and 12 months to complete.

1. When parents wish to have their child adopted

When parents wish to have their child adopted the local authority needs to be informed. It will discuss all of the options available to the parent and the child. The Cafcass worker's job is to make sure that the parent has received all the important information about the process, and that they have thought through all the issues including the possibility of any future contact with the child, for example, in person or through letters. If they believe that the parent genuinely agrees to the adoption and understands what it means, they will witness their signature on the court papers agreeing to the adoption.

The Cafcass worker (called a Reporting Officer in these cases) will send the signed court papers and a short report to the court as evidence that the parent has agreed to the adoption. If the court agrees to the adoption, a judge will make an 'adoption order' which will end all legal ties between parent and child.

2. Partner adoptions

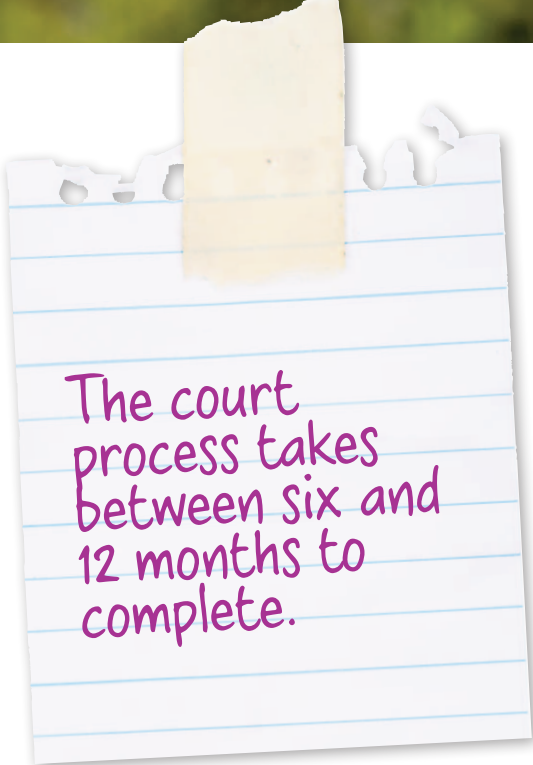
If a step-parent wants to adopt their partner's child, they must either be married to them, in a registered civil partnership, or be in a long-term relationship. Before going ahead, the other birth parent who does not live with the child and who has parental responsibility must be asked whether they agree to the adoption.

If everyone agrees to the adoption the Cafcass worker (also called a 'Reporting Officer' in these cases) will witness the adoption forms being signed, and inform the court. The Cafcass worker will talk to each party and make sure that they fully understand what the adoption means for them and the child, and that they really do agree to it.

If a parent who has parental responsibility does not agree to the adoption, the Cafcass worker (in this instance a 'Children's Guardian') will speak to all the adults involved in the case and, depending on their age and understanding, the child as well, to get their views. The Cafcass worker's report will include relevant information from the meetings with the adults in the case and will also tell the court about the child's wishes and feelings. The report will also cover other matters that the court needs to know about such as future contact arrangements with the other birth parent or other people who are important to the child. If the parent who does not live with the child cannot be found, following all reasonable attempts by the local authority to find them, then the Cafcass worker will accept consent from the parent who currently lives with the child.

The court will then decide whether an adoption order should be made based on what it believes is best for the child.





The court process takes between six and 12 months to complete.

3. Local authority adoption

If a local authority is seriously worried about the safety and welfare of a child, it may either make an application for the child to be taken into care or make an application for a 'placement order' for the child to be adopted. The local authority social worker will carry out some investigations into the child's welfare and suggest a 'care plan'. The plan will be given to the family court which will decide whether the child should be adopted. In these cases the Cafcass worker's most important role is to ensure that the children are safe. They will check the local authority's care plan and make sure that it is in the best interests of the child.



The Cafcass worker will:

- * Appoint a solicitor to represent your child
- * At the first court hearing, advise the court on what work needs to be done before it can make a decision about your children's future.
- * Write a report for the court on what they think is best for the children. This will include information on the children's wishes and feelings. The adults involved will be able to read this before the court hearing.



It normally takes about nine to 12 months to decide what is going to happen to your children, and sometimes even longer. The Cafcass worker will be trying to understand the reasons why your children might be at risk and what can be done to keep your children safe.

The court will decide what happens to your children, and the judge will listen to everyone involved in the case including you, your solicitor, the local authority social worker and the Cafcass worker before making a decision. We will recommend what we think is in the best interests of your children based on the assessment of your case. If the judge feels that it is safe to do so, children will go back home and many children do go home in the end.



For others, the local authority will find them a new home. That may be with other members of their family or with friends, or it may be with a new family.

Throughout the whole process the Cafcass worker will be able to answer any questions you may have.

However, you may also want to get specialist legal advice through a solicitor who is experienced in child law cases and who is a member of the Law Society Children Panel, or through the Citizens Advice Bureau.

Our factsheet, 'Keeping children safe' has some more information about these cases.



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