

Adopting a child

What is adoption

When you adopt a child, a **court order** (called an adoption order) is granted making you the child's legal parent. All legal rights of the birth family end. The adoption order is permanent and cannot be reversed. The child will usually take your surname.

Adoption is different to fostering which also places a child to live somewhere other than with their birth parents. However, fostering does not involve granting a court order and is not always intended as a permanent arrangement.

Who arranges adoption

Adoptions must normally be arranged by approved **adoption agencies**. These are usually local authorities but can also be a voluntary organisation. Adoption agencies select people to adopt children. They must make sure that people who want to adopt meet certain legal requirements. They also have their own policies which they use to try and match people wanting to adopt with the children available.

Who can adopt a child

Age limits

If you want to adopt a child, you must normally be at least 21.

There is no legal upper age limit. However, adoption agencies must be confident that you will have the energy needed to bring up demanding children and that your health is good enough to be able to offer a stable home.

Couples

Any couple who live together may apply to adopt a child. This includes heterosexual and same-sex partners who live together, as well as people who are married or in a civil partnership.

Most agencies expect people to have been living together for several years before applying for adoption. If you've been married or living together for a long time, the agency may want to discuss the reasons why you have now decided to adopt.

Single people

You're allowed to adopt if you're a single person. However, adoption agencies rarely accept a single applicant for babies or very young children. If you are a single person, whether you're a man or a woman, lesbian, gay or heterosexual, you are more likely to be considered for a child with special needs. This may include an older or disabled child.

Divorced people

You can apply to adopt a child if you are divorced.

If you have other children

You can apply to adopt if you already have a child of your own. Agencies usually prefer to match older children and those with emotional or behavioural difficulties with people who already have children of their own.

Past convictions

You will not be allowed to adopt if you have been convicted of, or cautioned about an offence involving children (unless, in England, you were under 18 at the time). This also applies to any member of your household aged 18 or over. If you've been convicted of, or cautioned about any other type of offence, legally this will not prevent you from being able to adopt a child.

Employment status

You do not have to be employed, or have a certain level of income to adopt a child. However, an adoption agency will want to find out if you can manage on your income. You must have what the agency considers is a sufficient income to provide for the child's requirements, although adoption allowances may be available.

Health

When you apply to adopt a child, you are required by law to undergo a medical examination. You may have to pay for this. It is unlikely that you will be accepted for adoption of a baby if you have serious ill health, but you may be considered for adoption of an older child. Agencies will want to ensure as far as possible that you will survive at least until the child reaches adulthood.

Placement with same race parents

There is no legal requirement that children be placed with parents of the same race as themselves, although this is recommended as best practice. Most agencies have a policy of trying first to place children with families of the same ethnic origin as the child.

How to apply to adopt a child

If you're thinking about adopting a child, you can choose to go through either a voluntary agency or the adoption service provided by a local authority. This does not have to be the local authority where you live, although all agencies do have some geographical restrictions. You can make enquiries to more than one agency, but you will only be able to make your application to one of them.

You should make your enquiry in writing, giving age, ethnic origin, occupation, and, where relevant, religion, length of marriage and details of any other children. You should state the kind of child you would like to adopt, for example, a baby or an older child. The broader the range of children you are prepared to consider, the more likely you are to be accepted as an **'adoptive parent'**. You can also apply to adopt a particular child, for example, one which has been advertised by an adoption agency. In this case, you will only be considered for adoption of this child.

The adoption process

Once you have applied to an adoption agency, the agency will consider whether or not you are suitable to be an adoptive parent.

Your application is rejected

If your application is rejected, you can ask the adoption agency to reconsider its decision. You should write and ask them to do this, giving your reasons why. Alternatively, you can apply to the Independent Review Mechanism for an independent review. You could also try applying to another agency.

Your application is approved

Once your application has been approved, unless you have applied for a particular child, it may take a long time before a suitable child is found.

Once the agency has found a suitable child, you will meet the social worker to learn about the child. The social worker will decide whether to match you with the child.

You can apply to the court for an adoption order as soon as the child starts to live with you, but your application will not be heard for at least ten weeks. A child from overseas (see below) must have lived with you for at least six months. You usually have to pay a small fee to apply for an adoption order.

An adoption order can't usually be made unless the people with legal responsibility, for example, the child's mother, agree that the child should be adopted. If they are old enough, the child's views must also be taken into account.

Once the adoption order is granted, the child becomes your legal responsibility and the legal rights of the birth family end. Exceptionally the court can make another order at the same time as the adoption order which would give members of the birth family the right to contact with the child.

Adoption by relatives, step-parents or private foster parents

There are some circumstances in which you may adopt without going through an adoption agency:

- if you are a relative of the child and the child has been living with you for at least three years during the five years immediately before the adoption order
- if the child is being adopted by a step-parent and the step-parent has been living with the child for at least six months (a 'step-parent' includes a civil partner)
- if you are a private foster parent with whom the child has been living for at least three years during the five years immediately before the adoption order.

Adopting a child from overseas

If you want to adopt a child from another country, you should contact your local authority or an approved voluntary adoption agency. You should also find out if the country from which you want to adopt allows inter-country adoptions, by contacting the country's embassy.

www.adviceguide.org.uk

You can get more information and advice from the Intercountry Adoption Centre Helpline on Helpline: 08705 168 742. Website: www.icacentre.org.uk.

Further help

Adoption UK

Adoption UK is a voluntary self-help organisation offering advice, support and information to families who want to adopt, or who have already adopted:

Tel: 01295 752240

Helpline: 0844 848 7900 (Mon - Fri, 10.00 - 4.00)

Website: www.adoption.org.uk

Adoption information line

The Adoption Information Line provides information and advice on all aspects of fostering and adoption:

Tel: 0800 783 4086 (freephone)

Website: www.adoption.org.uk

Be my Parent

Be My Parent is a family-finding service from the British Association for Adoption & Fostering (BAAF). It is aimed at prospective adopters and foster carers and includes profiles, photographs and videos of UK children waiting for new families, as well as general information on becoming an adoptive or foster parent.

Tel: 020 7421 2666

Fax: 020 7421 2660

Website: www.bemyparent.org.uk

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