

Guide to adoption

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Information for relatives
of adopted children



Improving life for local people

Derbyshire Adoption Service





Guide to adoption for children's relatives

For many children who cannot live with their parents, adoption is the best way for them to grow up in a loving, secure family home. A child is only adopted once an Adoption Order has been made by the court. The order passes on all responsibility for the child from their birth parents to an adoptive family. It is a permanent arrangement and, once made, an adopter will have same rights towards their adoptive child, as if the child had been born to them.

The Adoption and Children Act 2002, ensures that the needs of the child comes before anything else. This means that what is best for the child must be considered ahead of the wishes of any adults involved in the adoption process, whether they are prospective adopters or the child's birth family.

This guide is for the birth family, but not the birth parents, of a child who has been or may be adopted. It gives you advice and information about your rights, contact, support and where you can find help.

Are there other alternatives to adoption?

Adoption is perhaps the most significant event in a child's life and is only considered when there is no other way to ensure the child's future well being.

In order for a court to make an Adoption Order, it is the responsibility of Derbyshire County Council to present to the court a wide range of information. This covers not only the child's circumstances and needs, but also details about the birth parents and family. The court also examines the skills and abilities of prospective adopters and how they can meet that child's needs.



Where it is felt that adoption is the best solution for a child, the child's views but also those of their parents and other adults who have some responsibility for them, like foster carers or relatives, must be considered.

Whilst adoption may well be the best solution, to guarantee a child a safe and secure future, there are other options which are available to you as a relative. One is to consider undertaking adoption yourself. The other is to become a Special Guardian. This gives you full responsibility for the child and you provide them with a permanent home but they still maintain legal links with their birth parent. If you want to consider this please talk to the child's social worker, the Citizen's Advice Bureau or a solicitor.

How will adoption affect our relationship with the child?

Derbyshire County Council is always willing to look at arrangements for contact between a child and their birth family. This can be in the form of letters and cards and, in some cases, actual meetings. However, in line with Adoption and Children Act 2002, we must put the welfare of the child above the needs and demands of any adults in the adoption process. This means that we reserve the right to withdraw contact should it be felt that it would not be in the best interests of the child.

If you would like the contact plan to be different, speak to the child's social worker first. If you cannot reach an agreement, you can speak to a solicitor about applying to the court for a contact order.

If we have had to obtain an 'authority to place' through the courts, you might not be legally able to maintain contact. Instead, the courts will make a new contact order, to decide who is allowed to communicate with the child – you are able, as a relative and through a solicitor, to apply for a contact order. If you decide to do this, we would be happy to advise you.

How is an adoption arranged?

In order for a child to be adopted, there are a number of steps that we, as an authority have to go through, to ensure that whatever decision is made is the right decision. The first step will be taken at a child's Looked After Review

We then collect background information about the child, in a Child's Permanence Report, to present to the Adoption Panel. The Adoption Panel is made of people with a professional or personal interest in, or experience of, adoption and fostering. Using skills and experience, it is their job to decide what would be the best outcome for that child. Whatever they decide, the child's birth parents will be informed within two working days, with written confirmation being sent to them within five working days.

Please remember Derbyshire County Council can only place a child for adoption, once we have received signed consent from that child's birth parents or if a family court has made a Placement Order. A Placement order means that a judge has agreed that the child should be placed for adoption and that we should be looking for an adoptive family for them. At this stage, we as an authority can take on the full responsibility for the child. When this happens, the birth parent's responsibility for the child, and their and their families contact with the child, can be limited. However we will keep the birth parents fully informed about what is happening.

If it is considered that the adoption should proceed and the child has been matched with prospective adopters, then we can begin a placement. This, initially, will consist of short visits, but will gradually increase until the child is living there on a permanent basis. After ten weeks, the adopters can apply for an 'adoption order' which, once granted, gives them all the rights and responsibilities of a birth parent.



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