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| 7. | Step-parent and relative adoptions | See Practice Notes 4 |
| a) | An adoption order may be made on the application of one person if the court is satisfied that the person is a partner of the parent of the person to be adopted. The effect is that the step-parent becomes an adoptive parent, whilst the birth parent retains his or her status. | ACA 2002 s51[2] This removes the previous anomaly of the birth parent being required to make a joint application with the step-parent to adopt his own child. |
| b) | Following receipt of written notification of applicants, the authority will appoint a social worker from CYPS. The SW will: <ul style="list-style-type: none"> i. give advice and guidance as to the care of the child as appropriate; ii. advise the couple as to the need for the court to be satisfied that an adoption order is appropriate and to report on the couple's preference for adoption as opposed to a residence order; the applicants are required to lodge an application with the court at this stage; iii. undertake CRB checks in respect of the stepparent; iv. ensure the well-being of the child by visiting and seeing him/her with the applicants, at a frequency to be determined by the SW; v. prepare a report for the court in accordance with Annex A of the Family Procedure [Adoption] Rules 2005. | As a preliminary requirement the child must have had his/her home with the step-parent at all times in the 6 months preceding the application. ACA 2002 s44[2][3] The social worker must explore with the applicant that he or she has fully considered the alternatives to step adoption. It is not the role of the authority or the SW to give legal advice. If there are legal matters that require clarification, the applicant should be advised to seek independent legal advice. |
| c) | The SW must ascertain the wishes of all persons with parental responsibility and, if the child is of an age and understanding, to assess their views. | |
| d) | If those with parental responsibility are in agreement to the application the court will appoint a CAFCASS officer to witness the signing of the consent form. If such agreement does not occur or the whereabouts of any person with P.R. is | |

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| | not known, the court will appoint a children's guardian to investigate further and report. | |
| e) | SW must provide the court with three copies of a written report within six weeks of receiving notice of the hearing from the Court. This report must cover all matters set out in Annex A. | |