



Name Change for Children who are being Adopted

Policy and Procedure

‘Communication is important, so information should be accessible to everyone. People with sensory communication disabilities may need documents in easy read, large print, audio or Braille formats for example. Others may need face to face communication support through a British Sign Language Interpreter, deafblind interpreter, lip speaker or note taker (as recommended by the NHS Accessible Information Standard). If someone speaks (or reads) a language that is not English, they will need to have the appropriate language-spoken language interpreter and / or text translator’.



1. Purpose:

- 1.1 This policy relates to children within the Together4Children Partnership, where their permanency plan is adoption.
- 1.2 It sets out the position of Together4Children in relation to the value and importance of children's names, and the exceptional circumstances where it may be appropriate for a change of name to be considered.

2. Underpinning Legislation and Guidance:

- 2.1 The following legislation and statutory guidance also underpin this policy:
- 2.2
 - Section 28 Adoption and Children Act 2002;
 - Article 7 United Nations Conventions on the Rights of the Child.

3. Key Principles:

- 3.1 Every child has the right to a/their name, and this is enshrined within the United Nations Conventions on the Rights of the Child which states:

“The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.” (Article 7)

- 3.2 Section 28 Adoption and Children Act 2002 states that whilst a child is subject to a Placement Order, a child's name should not be changed;

“...unless the court gives leave, or each parent or guardian gives written consent”.

- 3.3 Together4Children is clear in its position that a child's name is an absolutely core component of their identity. Birth parents have a right and a duty to give their child a name. It is very likely that birth parents will have put a great deal of thought into naming their child and; regardless of the circumstances around the child's entry into care, this name will have value to the child and future adopted adult.
- 3.4 It is of importance that the Social Worker checks the child's name against their birth certificate to ensure accuracy of the full name and spelling and for this to be checked at stages during case transfer between teams to avoid errors and mistakes.

4. Circumstances where a change of name should be considered:

- 4.1 There will always be exceptions and in those circumstances careful consideration should be given to the issues by the professionals involved.



Exceptional reasons for the agency to consider a name change are:

- If the name given causes ridicule or potential emotional harm. A professional discussion would need to take place between the Child's team and Adoption team, with a clear management decision recorded with the reasons.
- If there is a known, identified and significant risk to the child which cannot be mitigated by the child being placed outside the local geographical area.
- If there is a known, identified and significant risk to the child and it is not appropriate to place outside the geographical area e.g. the child is being placed with a sibling already in an adopted placement.
- The name is more identifiable due to its non-traditional spelling, which would increase a **known risk and/or threat** to the child. In these instances, the name may be changed to the correct spelling.
- The identified prospective adopter has a child already at home with the same name **and** they are the only prospective adopters who can adopt the child. The reasons for this must be identified in the matching criteria.

5. Relinquished baby:

- 5.1 In circumstances where a child has been relinquished, a name change will still not be agreed unless any reasons outlined in section 2 apply.
- 5.2 In circumstances where a child has been relinquished or abandoned and has not been named, it will be the responsibility of the Child's Social Worker and Manager to name the child. Consideration should be given to a name that is linked with birth family, if known.
- 5.3 In circumstances where a child has been relinquished, has not been named and is placed with a concurrency carer or foster for adoption (FFA) carer from birth, consideration will be given to the involvement of those carers in naming the child.
- 5.4 To be clear that the Child's Social Worker should make every effort to seek the views of the birth parent(s) in relation to the naming of their child before the actions in 5.2 and 5.3 are considered.

6. Foster Carers:

- 6.1 Foster carers are to refer to the child by their given name and not to use 'nicknames' or other names of endearment. The reason for this is to not confuse the child regarding their own identity when moving on to an adopted placement from their foster placement. However, the foster carer may call the child a different name if there is a justification that relates to section 2 of the policy and again for this to be agreed at management level.

- 6.2 The above content in 6.1 also applies to (FFA) and concurrent carers in relation to referring to the child by their given name and not to use 'nicknames' or other names of endearment.

7. Key Factors for Consideration:

- 7.1 Children from a very young age will know their name and it will be a core component of their identity at that stage. To introduce a new name at a time when they will be moving to new surroundings and new carers would create significant confusion for the child. Children younger than two will also respond to their name and begin to understand the name of others, including any siblings.
- 7.2 The impact of changing a child's name is significant and will have a bearing on the child's life story book, especially if this is already completed. It will also impact on the later in life letter and have an ongoing impact on any indirect contact with the child's birth family.
- 7.3 It could also impact on the child's identity and self-worth. When the child later discovers their name was changed, they may consider their new name unsuitable and not right for them, now understanding the reasons why.
- 7.4 The movement of names should not be encouraged, including moving a forename to a middle name, making the new forename the primary name and the child's original name becoming unused or unfavoured. This may be seen as a rejection of the original first name and remains, in practice, a significant change of name.
- 7.5 Prospective Adopters have every right and are encouraged to change the family name and add a middle name of the child to that which reflects their own, following the granting of the Adoption Order. Once the child is placed with prospective adopters, Pre-Adoption Order, permission can be sought for the child to be 'known as' the adoptive family name. However, this should not become the gateway to changing the child's forename too.

8. Procedures:

- 8.1 For transparency, if a name change is *necessary*, this agreement and decision will need to be made in accordance with each Local Authority's delegated authority's processes.
- 8.2 A decision to change the child's name should be recorded on the child's record as a significant event to evidence the reasons why the Local Authority made this decision, in order that the child may see this if they choose to look at their birth records later. The decision to agree to a name change should be made prior to the child being matched and before prospective adopters for that child are identified.
- 8.3 Where prospective adopters change the child's name against Local Authority advice, post order, they will be advised that it would be in the child's best interest for the birth parents to be notified.

9. Practice Considerations:

- 9.1 It would be inappropriate for Social Workers to 'plant the seeds of change' in their discussions with prospective adopters, giving encouragement to change the child's name.
- 9.2 It is understood and appreciated that prospective adopters may want the opportunity to change the child's name; however, this should be balanced with the child's right to retain the name that has been given to them at birth, the right to have consistency regarding their primary name and respect given to who they are. Aside from their physical characteristics, once given, their name is the only thing that they own.
- 9.3 This is most important with regards to FFA and concurrency placements, as the child is still within the court arena and the law is clear that changing a child's name at this time is not permitted.

10. Roles and Responsibilities:

- 10.1
- All staff are responsible for following the guidance within this policy.
 - Managers are responsible for enforcing this policy.