

# Application for a Placement Order (Form A50)

## Notes on completing the form

### Important

If you are attaching any order of the High Court, county court or family court to your application, it must be a sealed copy of the order (that is, a copy that has been stamped with the seal of the court). If you are attaching an order made by a magistrates' court, it must be a certified copy (a copy certified by the court officer to be a true copy of the original order), or a copy that bears the stamp of the originating court. An order issued by any other authority must be properly authenticated by that authority. If you are in any doubt about what is needed, please contact the court for assistance.

Take or send the completed application form, **and three copies**, to the court, together with the court fee and any documents you are attaching in support of your application. If you are attaching a statement of facts (see note 11 below), please supply two additional copies of the statement.

### Notes on the application form

#### Note 1

Enter the child's first names(s) and last name exactly as they are shown on the certified copy of the full entry in the Register of Live Births (or, if the child has previously been adopted, the register of Adopted Children) you are sending with your application, otherwise enter the first name(s) and last name by which the child is known.

#### Note 2

If you do not want the child's address to be disclosed to any other party, **do not enter the details on this application form**. Instead you should give the details on Form A65, which you must file at the court with your application. The details will not then be disclosed to any person, except by order of the court.

#### Note 3

State the grounds on which the local authority is basing its application for a placement order. Note that a local authority **must** apply for a placement order if:

- the authority have placed the child for adoption, or are providing the child with accommodation; and
- no adoption agency is authorised to place the child for adoption; and
- the child has no parent or guardian, or the authority consider that the conditions in section 31(2) of the Children Act 1989 (conditions for making a care order) are met; and
- the authority are satisfied that the child ought to be placed for adoption; (Section 22(1) of the Adoption and Children Act 2002)

**or**

- the child is subject to a care order and the authority is not authorised to place the child for adoption, or an application for a care order has been made (and has not been disposed of), and
- the authority are satisfied that the child ought to be placed for adoption (section 22(2) of the Adoption and Children Act 2002)

The local authority **may** apply for a placement order if the child is subject to a care order and the authority are authorised to place the child for adoption under section 19 of the 2002 Act. (Section 22(3) of the Adoption and Children Act 2002)

The court cannot make a placement order in respect of a child unless –

- the child is subject to a care order; or
- the court is satisfied that the conditions in section 31(2) of the Children Act 1989 (conditions for making a care order) are met, or
- the child has no parent or guardian. (Section 21(2) of the Adoption and Children Act 2002)

**Note 4**

If the child has previously been adopted, a certified copy of the entry in the Adopted Children Register should be attached and not a certified copy of the entry in the Register of Live Births. Where you are unable to attach a certificate, enter the place (including the country) of birth, if known.

**Note 5**

This section should be completed where some person is liable to pay maintenance for the child under a court order or agreement, or child support maintenance awarded under the Child Support Act 1991. If possible, a copy of the court order or a copy of the maintenance agreement or maintenance award should be attached to the application.

**Note 6**

Enter details of any other earlier and concurrent court proceedings relating to the child. (Do not repeat the details of any concurrent/ongoing care proceedings or maintenance order/agreement you have entered at paragraphs 13 or 14.) In each case, give the name of the court, the nature of the proceedings and the date and effect of any order made. Please ensure that you include details of any final care order, and any contact order or other order under the Children Act 1989 that is currently in force in respect of the child. If the authority was a party to the proceedings, a copy of the final order should be attached to the application.

**Note 7**

If the child has previously been adopted, give the names of his/her adoptive parents and not those of his/her natural parents.

**Note 8**

If the child's parents were not married at the time of his/her birth, the child's father may have acquired parental responsibility

- by subsequent marriage to the child's mother;
- because he has a parental responsibility agreement with the mother, or has been granted a parental responsibility order, or
- because he registered the child's birth jointly with the child's mother (on or after 1 December 2003).

Give details of any court order or agreement in respect of parental responsibility in paragraph 15 (About other orders or proceedings that affect the child).

**Note 9**

If the child has no guardian, enter 'not applicable'. Otherwise, enter the details of any person appointed to be the child's guardian by deed or will or otherwise in writing in accordance with section 5(5) of the Children Act 1989, or by an order made under section 5(1) or 14A of that Act. If the child has more than one guardian, please give the name and address of any other guardian(s) on a separate sheet, putting the child's full name, the number of the Part and the paragraph reference at the head of the sheet.

**Note 10**

If any parent/guardian has given consent to the child being placed for adoption, please attach a copy of the signed and witnessed consent form(s). If any parent/guardian has given consent and has subsequently withdrawn that consent, please also attach a copy of the notice of withdrawal and any documentation attached to the notice of withdrawal.

**Note 11**

The court cannot dispense with the consent of any parent or guardian to the making of the placement order unless it is satisfied that:

- he or she cannot be found
- he or she lacks capacity (within the meaning of the Mental Capacity Act 2005) to give consent, or
- the welfare of the child requires his or her consent to be dispensed with.

If you are asking the court to dispense with the agreement of a parent or guardian, please state which of these three grounds applies. The court will also require from you a brief statement of facts setting out a summary of the history of the case and any other facts to satisfy the court that the grounds for your request apply. If a parent cannot be found, your statement of facts should give details of the steps taken to trace him/her.

You should attach your statement of facts, and two copies, to your application form. You should also attach any documents you are submitting in support of your statement of facts.

**Note 12**

Give the full name(s) of the parents, relatives and any significant others who currently have contact with the child. In each case, state their relationship to the child, whether contact is under a court order or by agreement, or pursuant to the duty of the local authority under the Children Act 1989 to promote contact. You should also give the nature, duration and frequency of contact (eg. whether supervised, by letter, monthly, weekly etc). For each contact order, the name of the court, date and case number should be entered at paragraph 15 (About other orders or proceedings that affect the child).

**Note:** A copy of your application will be sent to each parent or guardian of the child. If you do not want details of contact to be disclosed, you should apply to the court for directions.

**Note 13**

Give the name of each person who it is proposed will have contact with the child, their relationship to the child, and the nature, duration and frequency of the proposed contact. State in each case whether the proposed arrangements will apply both before and after the child is placed with any prospective adopters. If they will change when the child is placed, state what the differences will be.

**Note:** A copy of your application will be sent to each parent or guardian of the child. If you do not want details of contact to be disclosed, you should apply to the court for directions.

**Special assistance or facilities for disability if you attend court****Note 14**

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements you may have on the day of the hearing, such as wheelchair access, a hearing loop, or a sign language interpreter.

The court staff will get in touch with you about your requirements. It is important that you make the court aware of all your needs. If you do not, the result may be that the hearing has to be adjourned.

