

Practice Guidance for Social Workers relating to changing the given name/s of children with plans of adoption

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1. Introduction

Adopt North East and the five partner Local Authorities will follow **evidence-informed best practice** when it is proposed by any party that the given name or names of a child should be changed.

2. Things for Practitioners and Managers to Consider

Whenever it is proposed that a given name/s is changed – any change, including change to a different name or spelling or hyphenation, Social Work practitioners and managers must always reflect on the proposal from the perspective of the child, asking the question ***'Whose needs are we really meeting if we changed the child's [given] name?'*** (Morris, 1995). Where the answer is not unambiguously 'the child's', it is likely that the proposal is adopter-centred and the practitioner and manager may need to offer reflective scrutiny and challenge to the proposal being made.

It is worth reflecting on the **motivation behind the proposal**. It is likely to be based on a genuine desire by adopters to 'claim' the child and attempt to form the strongest possible attachment:

- The adopters may want to achieve this through the use of a much-loved name connected to positive associations;

- The adopters may want to use the name that they would have used had they had a much-wanted birth child;
- The adopters may want to exercise the same right as a birth parent to choose the name/s of their child.

To some practitioners, even challenging a laudable and reasonable attempt by adopters to maximise the chances of forming a strong attachment to a child seems odd. However, all the above examples are **adopter-centred and not child-centred**. Sadly, adopters may be unaware that behind their genuine desire to claim the child there may be an underlying motivation to suppress or even deny a child's birth origins and the rights first exercised by the child's birth parents.

In *Re. DL and LA (Care: Change of Forenames; 2003)* Judge Butler-Sloss noted:

"To change a child's name is to take a significant step in a child's life. Forename or surname, it seems to me the principles are the same. A child has roots. A child has names given to him or her by parent. The child has a right to those names and retains the right, as indeed, the parents have rights to retention of the name of the child which they chose. Those rights should not be set to one side, other than from good reason"

This established in case law the importance of a children's birth first names for their identity and that the children's birth first names should only be changed in exceptional circumstances and on grounds of their welfare.

This case is also a strong reminder that the right to choose the name/s for a birth child is exercised by every birth parent. It is a requirement that a child is identified by a first name as well as a surname when the birth is registered. It is a key identifier and whether or not the name is used, retained, shortened or changed, it remains a part of person's identity and story – it was what they were 'called' at birth – their birthname – and to change it should only be done with very good

reason. Arguably, **name changing should be exceptional and rarely done.**

One reason often cited as a 'good' reason for supporting a proposed change in birth name is to reduce the potential **risk of identification** and location of the child by birth family in the future. This may be the case but it should be noted that such a concern should be evidence-based. In reality there are very few situations in which there are clear significant security risks in birth parents using the first names of a child to trace the child. The practitioner and manager may need to challenge the robustness of evidence of the perceived risk and ensure that such changes are absolutely necessary to safeguard the child for the future.

Another reason cited as a 'good' reason is the **unusual or less common nature of the name, or its spelling**. This may be the case but again it should be noted that such a concern should be evidence-based. A practitioner and manager should question the motivation behind this reasoning. **Are adopters imposing value judgments onto their request?** Would the name, if maintained, really be detrimental to the child's development and wellbeing in a modern, globally connected and multi-ethnic country with increasing diversity of names? Could the name be shortened or the spelling altered rather than the name changed? Again, the key question for the practitioner is 'Whose needs are we really meeting if we changed the child's name?'

Finally, a Practitioner may wish to consider whether the 'need' behind the proposal for a name change could, more appropriately, be met through the addition of a middle name. Fahlberg (1994) notes:

There are some major advantages, and few disadvantages, in the child taking on an additional name or substituting a middle name that has special significance to the adoptive family. Since most children are not strongly identified with their middle name, this change does not usually carry the same potential for harm to the core identity that changing the first name may. In addition it serves as part of the 'claiming process'. This sort of name change implies that the adoptive parent modifies, but does

not deny, the child's identity at the time of the adoptive placement. This is exactly what we are trying to achieve.

3. Meeting a Child's Needs

Adopt North East and the five partner Local Authorities are committed to following evidence-informed best practice at all times. Accordingly, in relation to changing the name of a child, this must only be supported in exceptional circumstances and with very good reason. It should be rare. Practitioners and Managers should reflectively ask 'Whose needs are we really meeting if we changed the child's name?' and **only if the answer is 'the child's' – for the safety and security of the adoption or wellbeing of the child – should the proposal be supported.**

4. Where a change to the given name is determined as necessary

Any proposed **change to the given name** of a child in care – rather than the addition of a middle or additional name – is significant. Accordingly, **the Agency Decision Maker for the Local Authority acting as Corporate Parent must give written approval of the change.** This will act as an important element of the child's life-story as the decision and decision-maker is clearly recorded. It also communicates to all involved parties the seriousness of a change and its implications upon the child's understanding of their identity.

Where it is not proposed that there is a change to the given name of the child but an **additional name, it is not a requirement that the Agency Decision Maker for the Local Authority acting as Corporate Parent give written approval of the change.**

5. Additional Resources

www.adoptionstories.org.uk