

## Factsheet

For single parents in England and Wales January 2017

Freephone

0808 802 0925

Gingerbread Single Parent Helpline

## Changing a child's name or birth certificate

A parent can usually change the name of a child under 16, but you may need the agreement of other people who also have parental responsibility for that child. A child's first name or surname can be changed or names added. There are different rules for each type of name change, and some changes are easier to make than others.

For more information on who has parental responsibility see the Gingerbread factsheet [Parental responsibility](#). The information in this factsheet is correct as of January 2017.

### Before changing your child's name

Before changing your child's name it's best to think carefully about the reasons why you want to change their name and the consequences. It's also a good idea to talk to your child about the change and consider their opinion.

- Will the name change affect the relationship your child has with their other parent or relatives?
- Will the change make your child feel more or less secure?
- How will your child explain the name change to others?
- If you are considering changing your child's surname to that of your new partner, is the relationship stable enough to consider changing your child's surname? How would your child feel if the relationship ended?

### How do I change a child's name?

There are four ways to change a child's name:

- 1 Informally changing the name
- 2 Formally changing the child's name by statutory declaration
- 3 Formally changing the child's name by deed poll
- 4 Changing the child's birth certificate.

If you simply want to call your child by their middle name or use a nickname then an informal change may be sufficient. A formal change is needed if you want the new name to appear on official documents, and it would need to be by deed poll for a passport. A child's birth certificate can only be changed in limited circumstances.

### Informally changing the name

You can change your child's name by simply starting to use the new name without changing any official paperwork. You do not have to formally change the name, although you may find it useful to do so. Your child's name can be changed at any time, as long as it is not to deceive or defraud another person.

#### Do I need consent?

You can choose to call your child by a different name on a day to day basis, but if you need to make the change formal in the future you may need the agreement of your child's other parent or anyone else with parental responsibility.

Schools and other organisations might not agree to use your child's new name unless it has been formally changed, with the agreement of anyone else with parental responsibility.

Whether the change of name is formal or informal, your child's other parent could take legal action if they disagree. It is therefore usually best to try to agree the name change with your child's other parent if possible, especially if your child has regular contact with them. It can be confusing and upsetting for a child to be known by different names.

## **Formally changing the name**

### **Changing the name by statutory declaration**

A statutory declaration is a formal statement showing a person's intention to give up a name and take a new one. A statutory declaration provides evidence of a name change but does not change the name on a birth certificate. If you need to prove your child's identity you will need to provide their birth certificate and the statutory declaration of name change. Birth certificates can only be changed in certain circumstances; see page three.

If you change your child's name by statutory declaration, the name can be changed again in future if necessary.

Most organisations will accept a statutory declaration as formal evidence of a name change and should amend their records to show your child's new name. There are some occasions where a statutory declaration is not sufficient to change details; on official documents like a passport or driving licence a deed poll is required.

#### **How do I get a statutory declaration?**

You can write your own statutory declaration or a solicitor can draft one for you. The document has to be signed under oath in front of a solicitor or in a magistrates' court. Solicitors usually charge for drafting and signing statutory declarations and courts charge a fee. It's advisable to find out and agree the fees in advance.

### **Changing the name by deed poll**

Deed poll is a legal way of getting evidence of a name change but it does not change the name on a birth certificate. If your child's name is changed by deed poll you will need to show this document as well as their birth certificate to prove their identity. Birth certificates can only be changed in certain circumstances, see page three.

Many people may not need to change their name by deed poll and can manage on a day to day basis by simply requesting that others call them by their new name or getting a statutory declaration.

There are circumstances where a deed poll is needed, for example if you want to change your child's name on official documents.

You should check with the passport agency to find out what evidence and documents they need in order to make any changes to your child's details on their passport, as they may not accept a deed poll.

If a name is changed by deed poll it can be changed again at a later date, if necessary, by getting another deed poll.

#### **How do I get a deed poll?**

You can write the deed poll yourself but you should take care to include all the necessary information. Ready-made forms are available from some stationers or a solicitor can prepare a deed poll for a fee. The document should be signed by two witnesses, stating their names and occupations.

An application for a deed poll to change a child's name must be supported by a statement saying that the change of name is for the benefit of the child. The statement must be signed by all those who have parental responsibility for the child, and by a witness.

Solicitors usually charge for drafting deed polls and the court charges a fee if you decide to enrol the deed. If you are on a low income contact Civil Legal Advice to find out if you are eligible for help with solicitor's fees and ask the court for a fee exemption form. Contact details are on page five.

#### **Is there a record of deed polls?**

There is no central register of name changes in the UK but you can choose to log a record of your deed poll with the Royal Courts of Justice, which keeps public records. This is called enrolling your deed poll. Enrolling keeps a safe record of the change and allows you to request copies if needed. There is a charge for the service.

Further information on deed polls is available on the gov.uk website at <https://www.gov.uk/change-name-deed-poll/change-a-childs-name> or you can contact the Royal Court of Justice for more information. See further help and information on page five.

## **Changing a child's birth certificate**

### **Amending a birth certificate**

If you change a child's name by statutory declaration or deed poll, this does not change their birth certificate. This is because a birth certificate is seen as a historic record of the facts at the time of the birth. A birth certificate can only be amended in the circumstances listed below.

### **Amending a child's first name**

You can change a child's first name on their birth certificate in the following circumstances:

- If your child was baptised within 12 months of the birth being registered and given a baptismal name. If your child was baptised in a Christian church the vicar or minister of the church needs to complete a certificate of name given in baptism form. They may charge you for this.
- If a different first name was given and regularly used within 12 months of the birth being registered. You will need to complete a certificate of name not given in baptism form.

Forms are available from your local register office or [www.gov.uk](http://www.gov.uk). Completed forms should be sent to the original registry office. You must be the mother, father or legal guardian of the child to make the change. You can only make changes to a child's first name once; any further changes cannot be recorded on the birth certificate.

### **Correcting a spelling error**

If an error has been made in the birth registration you should contact the registry office where the birth was registered to add or amend details. You will need evidence to show that a mistake was made at the time, for example your child's passport or baptismal certificate.

### **Changing a child's surname**

You can only amend a child's surname on the original birth certificate to correct a spelling mistake, or if you are re-registering the birth to include the biological father.

### **Re-registering the birth**

However, you can re-register a birth and create a new birth certificate in one of the following circumstances at any time:

- To record the biological father's details on the birth record
- To record the female partner of the child's mother on the birth record, if she is the legal parent and was not recorded originally

- Following the marriage of the parents, if they were not married at the time of the birth
- Following the civil partnership of the legal parents, if they were not civil partners at the time of the birth
- After a court has issued a declaration of parentage.

### **What if the wrong man was named as the father?**

If at the original registration of birth, the wrong man was recorded as the father, the birth can be re-registered and the biological father registered. A court order or DNA test showing your child's paternity must be provided. This can be by agreement with the mother, or the biological father can re-register the birth without the mother's agreement by getting a declaration of parentage from the court.

Although the biological father's name can be added to the birth certificate, the child's name can only be changed by agreement with the mother.

To make this type of change you must apply to the General Register Office. See page five for their contact details.

### **What if no father was named?**

If no father was named at the original registration of the birth, the birth can be re-registered to include the name of the biological father if both parents agree. If the mother agrees then the father will get parental responsibility when the birth is re-registered. The child's surname can be changed to that of the biological father but only if the mother agrees.

If the mother does not agree to the re-registration, the father needs to get a declaration of parentage to change the birth certificate. The father could not change the child's name without the mother's agreement.

### **What is a declaration of parentage?**

A declaration of parentage is where the court makes a decision on whether someone is, or is not, the parent of a child. To get a declaration of parentage there needs to be sufficient evidence that the person in question is the child's parent. Anyone with a significant connection to the child can apply to court for a declaration of parentage, including the child's mother or grandparent. If the court makes a declaration of parentage, it will inform the Registrar-General and will change the child's birth certificate to show the parent's name.

## **Consent to formally change your child's name**

### **Do I need consent?**

Whether or not you need consent to formally change your child's name depends on whether anyone else has parental responsibility for your child.

For more information on parental responsibility see the Gingerbread factsheet [Parental responsibility](#).

### **If you're the only person with parental responsibility**

If you are the only person with parental responsibility you do not need anyone else's consent to change your child's name. However, it is useful to agree the name change with your child's other parent if possible because they could apply to court to stop or reverse the change even if they do not have parental responsibility. In this situation the court will consider what is in the best interests of the child. For example, if your child has regular contact with their other parent the court may order that the child keeps that parent's surname so that a link is maintained between parent and child.

### **If there's someone else with parental responsibility**

If there is someone else with parental responsibility, you will need their agreement to change your child's name formally, either by statutory declaration or deed poll. This agreement does not necessarily need to be in writing unless there is a child arrangements order for the child.

### **If there is a child arrangements order in place stating who the child lives with**

Everyone with parental responsibility must give written consent before the child's name can be changed.

### **What if I don't know where my child's other parent is?**

You may be able to change a child's name without the agreement of anyone else with parental responsibility if you do not know where they are.

You will need to explain the steps you have taken to contact the other person, for example writing to their last known address and contacting their friends and relatives. You could also explain why you do not know where they are, how long it is since you or your child has seen them and signs of their absence, such as not sending the child birthday cards. If you are applying for a deed poll you should include this information in your supporting statement.

The most effective way to deal with this situation may be to apply to the court for a specific issue order. The court can make an order granting you permission to change your child's name and this will ensure that organisations such as the passport office accept the change of name. The form to do this is called C100 and you can find it at <http://hmctsformfinder.justice.gov.uk>

### **My child's other parent won't agree to change their name**

If someone with parental responsibility doesn't want your child's name to be changed, you can apply to the court for a specific issue order. The court would consider what was in your child's best interests, and if your child is old enough their opinion can be taken into account. Your child's other parent can also apply to court to stop a name change – and the court will decide what's best for the child.

You would have to persuade the court that a change of name would be in your child's best interests. Courts can be reluctant to agree to a child's name being changed, as keeping a parent's surname maintains a link between the child and that parent, unless there are exceptional circumstances.

### **My child doesn't want their name changed**

A parent can usually change the name of a child under 16 without the child's consent. If a court considers a child to be mature enough and able to fully understand the situation then they may allow them to apply for a court order to stop the change. If your child is aged 16 or 17 you can't change their name without their consent.

## Further help and information

### Gingerbread Single Parent Helpline

Freephone 0808 802 0925

[www.gingerbread.org.uk](http://www.gingerbread.org.uk)

Provides free, confidential advice for single parents. No matter the challenge – around your finances, contact arrangements or help you could receive – our trained advisers are here with tailored advice that works for you.

### One Parent Families Scotland Lone Parent Helpline

Freephone 0808 801 0323

[www.opfs.org.uk](http://www.opfs.org.uk)

Run by our partner organisation, One Parent Families Scotland, the Lone Parent Helpline provides free, confidential advice and information for single parents in Scotland.

### Citizens Advice

England: 03444 111 444

Wales: 03444 77 20 20

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Provides free, independent and confidential advice on issues including benefits, debt, housing and consumer rights.

### Civil Legal Advice

0345 345 4 345

[www.gov.uk/civil-legal-advice](http://www.gov.uk/civil-legal-advice)

Can advise on eligibility for legal aid, and signpost to local sources of help.

### General Register Office

0300 123 1837

<http://www.gro.gov.uk/gro/content>

Can provide the 'certificate of name not given in baptism' and 'certificate of name given in baptism' forms needed to change details on a birth certificate. You can also get forms from your local registry office.

### Law Society

0207 320 5650

[www.lawsociety.org.uk](http://www.lawsociety.org.uk)

Use the website to find a solicitor in your area.

### Ministry of Justice

[www.gov.uk/change-name-deed-poll](http://www.gov.uk/change-name-deed-poll)

Website contains information on the deed poll process.

### Royal Courts of Justice

020 7947 7772

Queen's Bench Division, Action Department, The Royal Courts of Justice, London WC2A 2LL  
Enrols deed polls and keeps public records.

### More from Gingerbread

The following related Gingerbread factsheets for single parents are also available:

- > [Parental responsibility](#)
- > [Making arrangements for your children](#)
- > [Help when you can't agree](#)

Download them from our [website](#) or call 0207 428 5791 to request them.

### Become a Gingerbread member

Membership is available to single parents in England and Wales. Join a community of thousands of single parents who benefit from mutual support, free advice and information. You can also meet other single parents at our local support groups.

Visit our [website](#), call 0800 018 4318 or email [membership@gingerbread.org.uk](mailto:membership@gingerbread.org.uk)

**Gingerbread**  
Single parents, equal families

Gingerbread, the charity for single parent families, is registered in England and Wales as a company limited by guarantee, no. 402748, and a registered charity, no. 230750. The Gingerbread Single Parent Helpline is supported by the Department for Education, HMRC, The Big Lottery and other funders and is accredited by the Helplines Partnership.



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[www.gingerbread.org.uk](http://www.gingerbread.org.uk)

520 Highgate Studios, 53-79 Highgate Road, London NW5 1TL

Tel 020 7428 5400 Fax 020 7482 4851