



Children's Change of Name

This page explains Her Majesty's Passport Office requirements when changing a child's name, who can provide consent, what documents must be supplied and when a change of name must be refused.

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Policy

Documentary evidence of a change to a child's name and evidence of use for all purposes must be provided. The same documents that are acceptable for adult cases will also be acceptable for child cases providing there is evidence that all those with parental responsibility have consented to a change of name. Please also see the [Names Policy](#).

All other rules and guidance in relation to adult changes of name apply to child changes of name, except where specifically exempted in child change of name guidance. Please also see the [Names Policy](#).

All those with parental responsibility must consent to a change of name for anyone under 16. Please also see the [Children's Policy](#).

A passport for a child will not be issued in a name that they are either not already using for all official purposes or are not planning to use (i.e. immediately following formal change of name) for all official purposes except where required consent or a court order dispensing with the need for this can be supplied. Please see: A name for all official purposes in child's cases [below](#). Please also see the One Name For All Official Purposes guidance in the [Names Policy](#).

Parents' names must be added to section 4 of the application form to allow automatic stop files checks to be conducted. Manual stop file checks must be conducted on any person with parental responsibility who consents to a child change of name or where a court order is provided to dispense with their consent.

This policy applies to all child changes of name, irrespective of the child's place of birth or residence.

Types of child change of name

All the following types of child change of name require the consent of all those with parental responsibility. The concept of 'minor changes of name' does not exist for child applications.

- Dropping a forename or middle name
- Change of spelling of a forename or surname
- Adding a forename, middle name or surname
- Changing a forename or middle name
- Changing the order of forename/middle names
- Change of surname
- Complete change of name (any combination of the above)

General Guidance

When considering a child's change of name, in addition to the standard Names process staff should consider:

- Who has parental responsibility?
- Have they all consented?
- Are there any court orders?

For information on different types of court orders for children, please see the Children's policy.

Parental consent requirement for child changes of name

The consent of everyone with parental responsibility is required for child changes of name. This is normally both parents (if they hold parental responsibility) and anyone else who may have gained parental responsibility through a court order or similar. For information on parental responsibility, please see [Children– Parental Responsibility](#).

Where consent cannot be supplied, a court order must be submitted allowing the applicant to change the child's name without the consent of everyone with parental responsibility alongside the change of name and use of name evidence. HM Passport Office will not issue a passport without this, except where those with parental responsibility have died.

We will **not** accept a statutory declaration stating that the other person(s) with parental responsibility are aware of the change of name or have previously consented to it.

Some change of name deeds may be signed by both parents. Where there is no evidence that there is anyone else with parental responsibility, these can be accepted.

Letters of consent (or deeds showing consent as described above) must be scanned onto the application and case noted.

If those with parental responsibility obtain a change of name document for a child and then another person is subsequently granted parental responsibility, the original change of name document will be valid to change the name without the new party's consent as long as the change of name is made within 1 year of the change of name document being issued

Legal basis

When considering a change of name for a child, HM Passport Office are guided by the legal position on parental responsibility and the policy is defined through case law and the judgement on the Court of Appeal case Re P (1997) 2 FLR 730.

The case Re P concerned the issue of whether a County Council was obliged to recognise a change of surname for three children when presented with a signed deed poll evidencing the change, but where someone who also had parental responsibility for the children (in this case, the father) had not consented to the change. The conclusion of the court was that the change of a child's surname is fundamental and in any situation of dispute, where both parents have parental responsibility, either the consent of both parents or a court order is necessary.

For consistency and in line with further legal advice and requirements of different parts of the UK, this approach has been applied to all changes of name for children.

Where the other parent has died or loco parentis applies

Where the other parent or person with parental responsibility has died, in addition to the change of name evidence, a written statement setting out the facts of the situation, any court orders (or confirmation that there are none), the birth certificate and the parent's death certificate are required.

Where loco parentis applies, the evidence listed on the Children policy in addition to the change of name evidence and a court order allowing the change of name without

the consent of those with parental responsibility must be supplied. Please see [Children – Loco Parentis](#) for more information.

A name for all official purposes in child cases

Where suitable consent to a change of name is supplied, evidence will be required to show the name being used for all official purposes. Please see the [Change of Name - Names Policy](#) for details of the relevant documents.

Where a new name appears to be used for all official purposes, but the consent of all those with parental responsibility or a court order dispensing with this is not provided, then the change of name is deemed not to have been accepted. For example the new name is in use with the NHS, for child benefits etc. but consent cannot be supplied. In these cases, the person applying should be strongly advised to obtain a court order to allow the change of name as this disparity could cause issues for the child, however we cannot enforce this. Where a court order is not forthcoming, a passport will need to be issued in the original name and the person applying advised that HMPO will not accept any responsibility for difficulties encountered.

The remainder of the Name For All Official Purposes as outlined in the [Names Policy](#) applies, including alignment with foreign passports for dual nationals.

Leave/permission to change a child's name

Court orders will usually grant leave or permission to change a child's name rather than formally change it. Because of this we will also require standard change of name evidence. Where the passport application is made more than a year after the issue of an order granting leave/permission to change the child's name, alongside the change of name evidence, it is even more important that full proof that the name is being used for all official purposes must be submitted (please see [Change of Name - Names Policy](#) for a list of acceptable documents). This is because we have reasonable doubt that the leave or permission has been exercised and have to be sure of the name being used. The evidence of change of name, must be scanned to the application, and the details (including place and date of issue, name and profession of witness, name changed from and to etc.) must be case noted.

If a court order specifically directs that a child will now be known by a specific name, we should issue in the name as directed by the court without a request for change of name evidence or use of name evidence.

If a court order simply describes a child (usually under 'Child' or 'Full Name of Child' at the top of the order and sometimes in the body of the order) in a different name, this does constitute a change of name for the child and the relevant change of name documentation and consent will still be required.

Like for like issues where middle names have been omitted

If a child's renewal or replacement application is missing a middle name in the Personal Details section, but there is no change of name evidence supplied and no

written explanation for the omission, the passport should be issued like for like, including the missing middle name. This action must be case noted.

Change of name for children in care

Court orders for children in care usually include a statement explaining that while the court order is in force, the child's name cannot be changed without the consent of the court. Some orders do not include this and where they do not, the standard policy will apply and everyone with parental responsibility will be required to consent.

Some court orders grant parental responsibility even when this is not made immediately clear on the order. Please see the [Children's Policy](#) for details.

Children changing their own name

Applicants aged 16 and over are able to change their name without parental consent unless there is a court order still in force that prevents this. Parental objection will not be considered for changes of name for 16/17 year olds unless there is a court order in force. Please note that Child Arrangement Orders, Special Guardianship Orders and Care Order under section 31 Children Act and some other types of court orders for children extend until the minor's 18th birthday and usually include a statement that nobody can cause the child to be known by another name without the authority of the court. A copy of any court orders in relation to the applicant must be supplied to check for this statement or other instruction, even when they are otherwise not to do with the change of name.

Change of name documents made by children under 16 should be considered as long as everyone with parental responsibility has consented to the application in that name. This is because while technically unable to affect a change of name document until they are 16, the parents have accepted the change of name by consenting to the passport application.

Change of name documents made by parents for applicants over 16

Change of name deeds, deed polls, statutory declarations and affidavits made on behalf of anyone over 16 are not acceptable without the consent of the applicant, except where the applicant is unable to consent due to severe disability or where a court order made on behalf of the minor is continued until their 18th birthday. Cases of this type must be referred to the Operational Guidance Team to consider the details of the case, court orders and determine whether the change of name can be accepted.

Change of name documents made by someone with parental responsibility before an applicant turns 16 but submitted by the applicant between the ages of 16 and 18 are not acceptable without consent from everyone with parental responsibility. A new change of name document made by the applicant will be required if consent cannot be provided. If submitted after the applicant has turned 18, the document can be accepted. In both cases evidence showing the new name is being used for all official purposes should be carefully checked to ensure the name has in fact been adopted.

Enrolled Deed Polls

If a deed poll for a child's change of name has been enrolled by the Supreme Court, it can be accepted without the need to request further consent. This is because the Enrolment of Deeds (change of name) Regulations 1994 require the application to be supported either by the consent of every person with parental responsibility, or if not, require reasons to be given why the consents cannot be obtained. The Judge has to take into account any lack of parental consent in making a decision to proceed with the change of name.

False Declarations

Where it is found that a false declaration has previously been made in order to change the name of a child's passport under previous policy, these will be investigated and reported to the police for a decision on whether to take legal action.

Errors

Where an error has been made in examination and a passport issued without the proper consent, the process set out below must be followed.

Process for obtaining the passport and resolving the change of name:

- Write to the passport holder setting out the situation, requesting return of the passport for cancellation within 2 weeks and advising that a new passport in the previous name, valid until the expiry date of the original, will be issued unless there is a court order authorising the change of name. A new application form must be enclosed and in the case of an HMPO error, a pre-paid label should together with confirmation that we will reimburse the costs of additional photographs. Evidence of use for all purposes will not be required.
- A maximum of three letters should be sent. The final letter must explain that the passport will be cancelled if the letter is ignored and must be sent by registered post (guaranteed delivery). In areas where Secure Delivery signatures are mandatory, the final letter can be sent by Secure Delivery. If the case is for an overseas customer, the final letter must be sent by DHL.
- In the case of a false declaration, if the passport cannot be retrieved the Operational Guidance Team should be consulted who will consider the next action based on all the available facts. This will involve considering whether the passport should be cancelled, what notes should be added to the system and whether a stop file should be added to prevent further issue of a passport for the child to the person who made the false declaration.
- In the case of an error, if the passport is still not forthcoming we should advise the complainant that we have done all that we can to retrieve the passport but that we are not an enforcement agency and cannot compel the return of the passport. They should be advised to raise the matter with the

police should they wish to take matters further with the party holding the passport. The child's name should be entered on our Stop File browse so that we can resolve the matter if the passport is eventually returned for renewal or a new application is made. At this stage the passport must be cancelled on main index and not renewed until the name issue is resolved. Both parents should be advised of our action.