

CHAPTER SEVEN

Adoption Allowances

Adoption allowances form part of the possible adoption support package for adopted children, under the Adoption Support Services Regulations (2005).

Adoption allowances should form one part of the adoption support plan, but will not be the only part of that support plan.

The regulations provide for the opportunity for an adoption allowance to be paid to adoptive parents in specific circumstances:

8.—(1) Financial support is payable under this Part to an adoptive parent for the purpose of supporting the placement of the adoptive child or the continuation of adoption arrangements after an adoption order is made.

(2) Such support is payable only in the following circumstances—

- (a) where it is necessary to ensure that the adoptive parent can look after the child;
- (b) where the child needs special care which requires greater expenditure of resources by reason of illness, disability, emotional or behavioural difficulties or the continuing consequences of past abuse or neglect;
- (c) where it is necessary for the local authority to make any special arrangements to facilitate the placement or the adoption by reason of—
 - (i) the age or ethnic origin of the child; or
 - (ii) the desirability of the child being placed with the same adoptive parent as his brother or sister (whether of full or half-blood) or with a child with whom he previously shared a home;
- (d) where such support is to meet recurring costs in respect of travel for the purpose of visits between the child and a related person;
- (e) where the local authority consider it appropriate to make a contribution to meet the following kinds of expenditure—
 - (i) expenditure on legal costs, including fees payable to a court in relation to an adoption;
 - (ii) expenditure for the purpose of introducing an adoptive child to his adoptive parent;
 - (iii) expenditure necessary for the purpose of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport and provision of clothing, toys and other items necessary for the purpose of looking after the child.

Within the 5 Local Authorities of Adoption Tees Valley there are different arrangements for the requests for allowances, and for the decision making about what allowances will be paid, and for how long.

The purpose of this paper is to set out the proposals for a regional approach to assessment of the need for an adoption allowance; what information will be gathered; who will complete the assessment; management oversight; circumstances that would usually be considered to be reasonable for an adoption allowance. It is important that the procedure and policy doesn't exclude prospective adopters from consideration for an allowance to enable them to care for a child but that there is a consensus about circumstances in which it is reasonable to make that consideration.

Additionally, it is important to recognise that there are many low income families who have excellent parenting capacity, and could be suitable adoptive parents, but may be put off by the cost of adopting a child. ATV is seeking to ensure that adoption can be a consideration for all families, and that financial burden is not an undue barrier for adults with excellent potential as adoptive parents.

Needs of Children

The circumstances under which the needs of a child may mean the Local Authority is willing to agree an additional allowance are set out above.

Allowances should only be applied for where it is assessed by the child's social worker, and the adoption social worker that the proposed placement of the child with the adopters would meet the criteria in section 8 (2) (a-c) above.

This may in reality mean:

- The child has additional emotional needs associated with attachment, and may require a longer period of bonding with the main carer.
- The child has health and or physical needs which mean they will need additional care, justifying an allowance payable to the adopter to meet these needs.
- There are siblings who can be placed together, but for whom care needs will be higher as a result of being a sibling placement, and may require a longer period of parental care, to promote bonding.
- The child, or children are likely to wait longer for a suitable permanent adoptive family, unless a financial allowance is considered.

Assessment of prospective adopters

The assessment, and PAR should set out an assessment of the financial position of the adopter(s), providing an understanding of what financial circumstances they have, and how they have planned for adopting a child(ren). The PAR should set out what financial preparation the prospective adopter has made to plan for adopting a child, and their future lifestyle expectations. The PAR should detail income and outgoings to enable the Panel, Agency Decision Maker, and ultimately the Local Authority to understand what the financial position of the family is, pending deciding on approval, matching considerations, and allowances.

Families may require an allowance to help with looking after a child, through adoption, for example, to supplement adoption leave, or to help with ongoing costs, for a period of time. Where they already have a child, or are going to consider siblings, it is important to fully explore and understand the family's planning for costs, and what this may mean for allowances that will be required.

Values

There are some values which the Tees Valley will seek to agree on for financial allowances and support:

- It is reasonable to expect that families will make financial preparation for adopting a child, as families would for any other form of parenting.
- The degree of savings/preparations will vary dependent on the financial circumstances of each family, and part of the assessment will be to gather and explore this.
- Having debt should not preclude adoption: what is important is to understand repayments, and the impact on finances for the short and medium term future.
- Allowances should not be requested to cover other family expenditure, for example existing debts, loans, holidays etc...
- All adoptive families will be eligible for a settling in allowance for each child, to cover initial costs. Some families may require an additional element, based on the needs of the child, and their capacity to finance these.
- As allowances are paid from public funds, principles associated with best value and responsible stewardship are relevant to consider.

Preparing for a placement of a child C with Adoptive family A

1. Where a placement is being considered, in the linking stage, of a child C, or siblings, C1-C2.... With a family A, consideration should be given at the matching and selection meeting to the needs of the child, and how the family A will plan to meet these needs.
2. Where 2 families have equal capacity to meet the needs of the child, and either would be a good and suitable family, consideration will need to be given to the financial needs, and capacity, weighed against other factors, in selecting a family.
3. At the matching and selection point in the process, the child's social worker; the adoption social worker; the adoption manager responsible for overseeing the match; and the child's team manager should ensure that there is full consideration to whether an allowance should be requested. This should be referenced against the relevant regulations as above, and there should be full and open discussion planned with prospective adopters around any allowances they will need to enable them to care for the child.
4. The matching and selection meeting should make an action to make application for an allowance where applicable. This may be for an initial allowance to support a period of bonding and attachment, beyond that provided for through adoption leave, and/or an allowance for a specified period ongoing, to ensure the adoptive parent can look after the child. The rationale should be clearly agreed, and should be outlined in relation to the child's needs, and the financial circumstances of the prospective adopters set out in the PAR.
5. Responsibility for making the adoption allowance request lies with the child's social worker, but should be done in full consultation with the adoption social worker. For each request, there should be management oversight by the adoption team manager, and the child's social work team manager. Ultimately,

the adoption allowance request must be authorised by the child's social work team manager.

6. The adoption allowance request must go to the relevant Local Authority decision maker/financial panel, **prior to the Matching Panel**, and with enough time to ensure that the matching documentation and adoption support plan details what financial allowances will be paid. Adoption allowances will in many cases be critical to whether an adoptive family A can go ahead with a placement. The request should be made on the relevant Local Authority documentation, appended to this procedure. Local Authorities should make arrangements to ensure that such requests can be acted on, and decided on in a timely way, to avoid any unnecessary delay in progressing to a match. However, the award of an allowance forms an essential part of the Adoption Support Plan, and must be presented to the matching panel.
7. The allowance award should detail the amount, how long it is agreed for, how it will be reviewed, and who will review. It is the responsibility of the Local Authority to set up measures to review adoption allowances, and to confirm how this will be communicated to the adoptive family A.

Allowances to Former Foster Carers adopting a child they have previously cared for as a looked after child

The regulations provide for former foster parents (proceeding to adopt the child) to receive an allowance for the child, for a period of 2 years following the making of an adoption order:

9.—(1) Financial support under this Part may include an element of remuneration but only where the decision to include it is taken before the adoption order is made and the local authority consider it to be necessary to facilitate the adoption in a case where—

(a) the adoptive parent has been a local authority foster parent in respect of the child; and

(b) an element of remuneration was included in the payments made by the local authority to the adoptive parent in relation to his fostering the child.

(2) But that element of remuneration ceases to be payable at the end of the period of two years from the adoption order unless the local authority consider its continuation to be necessary having regard to the exceptional needs of the child or any other exceptional circumstances.

Where plans are being progressed for the foster carer to adopt the child they have been looking after, it will be the case across the 5 Tees valley Local Authorities that the foster carer will continue to receive the full fostering allowance and any reward element, at the same rate, up to the making of the adoption order, and for a period of 2 years from the making of the adoption order.

Where there is any request for an additional allowance, this should be applied for in the same way as detailed in section (1) above.

It will be the responsibility of the Local Authority to review the allowance paid, and to ensure that the former foster carer, now adoptive parent (A), is notified in good time of the date of ending of that allowance.

Deciding to agree an allowance before a family is identified- enabling family finding for children who have more complex circumstances and needs

In some cases, the Local Authority will wish to recognise that a particular child C, or sibling group of children, C1, C2... have significant needs, which will require an allowance to support them, for reasons that meet the criteria set out in s8 of the Adoption Support Services Regulations (2005).

Where a Local Authority anticipates that a child, or children will require additional financial support, this should be identified at the point of ADM (Best Interests Decision) in order that family finding can be supported by information that an allowance will be available.

This practice will enable family finding to:

- Achieve the widest possible reach of families available, regardless of financial circumstances
- Achieve more timely matching, through clear information about allowances.

Payment of a single “one off” sum

The Local Authority may determine that a single payment is necessary to enable prospective adopters to meet the needs of a particular child, C, or siblings C1, C2...

An example may be to provide financial assistance with equipment, or a vehicle, specifically required to enable adopters to meet the needs of the child, for example.

Any one off payment should be considered within the terms of this procedure, and consideration should be given to whether the sum will be a single payment, or paid in installments.

Where this is proposed as part of the financial support required by prospective adopters, once they have been linked, this should be requested by the procedure in section (1) above.

Adopters of children placed through Adoption Tees Valley will be entitled to a settling in allowance for each child placed, as a single payment. This will be paid by Adoption Tees Valley.

Requests for amendments to the allowance – post order, within 3 years

Where the child has been placed by one of the 5 Tees Valley Local Authorities, responsibility for financial support lies with the placing Tees Valley Local Authority, for a period of 3 years, post adoption order, or for as long as was set out in the adoption support plan.

The Adoption Support Services regulations set out that the Local Authority is responsible for an annual review of the financial support, (12 (b)), and that the adopter is required to provide information that the Local Authority requires, to enable that review.

In some instances adopters may encounter a change in circumstances which means that they wish to request a review of the adoption allowance that was agreed, prior to placement.

This procedure does not specify a right to an increase in financial support, but changes in circumstances may mean that the Local Authority will agree to an increase in allowance, in order to sustain the placement, and enable the family to meet the child's needs.

Where such a re-assessment is requested, this will be undertaken by the allocated Adoption Tees Valley adoption social worker, using the ATV Request for Review of Adoption Support Allowance Form.

The form will be authorised by the Team Manager for that case, before being provided to the ATV Service Manager who will oversee all changes being requested, and refer to the relevant Adoption Service Manager in the Local Authority for consideration. The Local Authority will refer the request and updated assessment to the relevant decision making forum for that Local Authority.

The decision will be provided directly to the adoption social worker, with the team manager and service manager in ATV copied in for information.

Requests to amendments to the allowance – post order, over 3 years, children living within the area of Tees Valley, or Tees Valley children living outside of the area.

For Tees Valley children, placed by one of the 5 Local Authorities within ATV, the same arrangements apply, where they remain within the area of ATV Regional Adoption Agency.

For the purposes of this policy, the allowance will be deemed to be the agreed allowance paid to the adopters of a Tees Valley child, according to the original terms, and any subsequent amendments. Under Regulation 7 (2) the Local Authority is responsible for ongoing support, if the arrangements for the adoption allowance were made prior to the making of the adoption order.

Amendments to the adoption allowance for any child, now living within Tees Valley, but placed by a Local Authority outside of the Tees Valley area, should be referred back to that Local Authority for consideration, in accordance with Regulation 7(2).

Amendments to the adoption allowance for any Tees Valley child, now living outside of the area, post 3 years, should be referred back to ATV, if the child was subject of an adoption allowance made prior to the making of an adoption order, and that allowance has continued.

Requests for new funding – post order, over 3 years

Any requests for financial support which are new (and are not linked to the original adoption allowance) and are in respect of any adopted child living within the Tees Valley area, should be considered by the relevant Local Authority in which that child lives.

Adoption Tees Valley would be responsible for the adoption support assessment, and for providing the information for the consideration of financial support to the relevant local Authority.

Changes which adopters must notify to the Local Authority

Where an adoptive parent is requesting or is in receipt of a financial allowance for a child, they are required to notify the Local Authority in the following circumstances:

- 12.—(1) Where financial support is to be paid periodically, it is not payable until the adoptive parent or, in the case of adoption by a couple, each adoptive parent, has agreed to the following conditions—
- (a) that he will inform the local authority immediately if—
 - (i) he changes his address;
 - (ii) the child dies;
 - (iii) any of the changes mentioned in regulation 11 (cessation of financial support) occurs; or
 - (iv) there is a change in his financial circumstances or the financial needs or resources of the child which may affect the amount of financial support payable to him,
 - and, where the information is given orally, that he will confirm it in writing within seven days;
 - (b) that he will complete and supply the local authority with an annual statement as to the following matters—
 - (i) his financial circumstances;
 - (ii) the financial needs and resources of the child;
 - (iii) his address and whether the child still has a home with him.
- (2) The local authority may provide financial support subject to any other conditions they consider appropriate, including the timescale within which and purposes for which any payment of financial support should be utilised.
- (3) Subject to paragraph (4), where any condition imposed in accordance with this regulation is not complied with, the local authority may—
- (a) suspend or terminate payment of financial support; and
 - (b) seek to recover all or part of the financial support they have paid.
- (4) Where the condition not complied with is a failure to provide an annual statement in accordance with an agreement referred to in paragraph (1), the local authority shall not take any steps under paragraph (3) until—
- (a) they have sent to the person who entered into the agreement a written reminder of the need to provide an annual statement; and
 - (b) 28 days have expired since the date on which that notice was sent.

Cessation of Financial Support

11. Financial support ceases to be payable to an adoptive parent if—
- (a) the child ceases to have a home with him;
 - (b) the child ceases full-time education or training and commences employment;
 - (c) the child qualifies for income support or jobseeker's allowance in his own right; or
 - (d) the child attains the age of 18 unless he continues in full-time education or training, when it may continue until the end of the course or training he is then undertaking.

