

**Adoption Support Policy**

**Newcastle City Council**

**This policy covers:**

* **Requests for Adoption Support**
* **Guidance with regards to Financial Assessment and Financial Adoption Support**

This document can be made available in large print, Braille, audio or in electronic format. Copies in alternative languages may also be obtained.

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# Introduction

Since 1 December 2018 Adoption Services for Newcastle, North Tyneside, Gateshead, Northumberland and South Tyneside Councils have been delivered by Adopt North East (ANE), the Regional Adoption Agency (RAA).

ANE aims to bring together the best practices from each local authority to provide excellent adoption services that transform children’s and families' lives for the better.

ANE delivers the following services across the five local authority areas:

* Recruitment and assessment of prospective adopters
* Matching and placement with regards to prospective adopters and children in need of adoption
* Post placement and post adoption order support
* Support and advice to all persons affected by adoption
* All forms of post adoption contact between adopted children and birth families
* Non-Agency adoption
* Inter-Country adoption

ANE provide a wide range of services to support families, children and young people and will signpost families to the right service at the right time. Adoptive parents are encouraged to seek available support as and when necessary. Most types of support are wholly delivered by ANE but the delivery of some types of support, including life story work and financial support, continue to be the responsibility of the local authority.

# Types of Adoption Support Life Story Work

Life story books are developed for children by Newcastle City Council in collaboration with foster carers and family members as part of the adoption process. Life story books will be shared with the child’s adopters so that children placed for adoption will have a child friendly record of their life in words, pictures, photos, and documents. Life story books will be one of the tools used by social workers, foster carers and adopters undertaking Life Story Work (LSW) with the child. Where possible, children will also receive a treasure or memory box including a collection of special and significant items which they can look at, touch, smell and listen to.

LSW helps children separated from their birth families to acknowledge and make sense of their past experiences from birth to adoption, building up their sense of identity. Additional support and advice are available from Social Workers and ANE on how and when to share the life story book with the child.

# Later life Letters

Later Life Letters are written by the child’s social worker and should be given to the adopters no later than 10 working days following the Adoption Celebration Hearing.

The purpose of a Later Life Letter is to provide the child with a first-hand account of events that led up to their adoption, detailing the reasons for their adoption and why decisions were made about their care.

The Later Life Letter can be viewed as a bridge between the child friendly Life Story Book and the more formal Child Permanence Report (CPR). The aim is to share the letter at an appropriate time for the child. Support is available from the child’s Social Workers and ANE for all adopters on how and when to share this letter.

# Contact

ANE operates a Post Box Service which coordinates and oversees the exchange of letters and cards from adopters to birth parents and vice versa. Support in writing letters is provided by ANE to adopters and birth family members. Addresses of each party will be kept confidential and the Post Box Worker will check all letters received from all parties, prior to sending them out, to ensure they maintain confidentiality where necessary and are in accordance with the agreed contact plan. Contact plans can be reviewed at the request of any party.

# Junior ISA

Junior ISA’s (Individual Savings Accounts) are long-term tax-free savings accounts for children. They are for building assets rather than day to day savings. The Share Foundation, a registered charity, has been authorised by the Government to set up and manage the Junior ISA. The Government has contributed £200 for each eligible child.

The money in the Junior ISA belongs to the child however they cannot withdraw the money until they are 18 years old. If the child chooses not to withdraw the money, the Junior ISA will automatically become an adult ISA.

Once the adoption order in respect of the child has been granted, the Local Authority notifies the Share Foundation and responsibility for managing the account transfers to the adopters.

# Education

**Free Education for 2-year-olds**

Good quality childcare and education can reduce the gap for some children who have had a less advantageous start in life.

Children who are adopted or who are placed for adoption are eligible, from the age of two years, for free early education and care places (up to 15 hours a week) during school term time. Some early education providers offer free hours in the school holidays, for example children could access 11 hours each week for 51 weeks of the year. ANE will support adopters access to childcare in line with their free entitlement.

# Virtual School

We view education as a high priority to enable children to reach their full educational potential. Education is the key enabler for children to improve their life chances, and this is very important for children who have been in care.

Our Virtual School is the champion of good education outcomes for Newcastle Children's Services children in care and care leavers. The workforce which includes the Headteacher, a team of education achievement Workers, and Designated Teachers for children in care and care leavers in all our schools and academies. The Virtual School is a service that offers advice and guidance to local schools and parents to support the educational needs of children in the care of the Local Authority. Where necessary, the team can liaise with the adopter’s choice of school to advise with any admission difficulties.

Whilst children are placed for adoption (but not yet adopted) ESLAC can also work in partnership with a designated teacher to develop a Personal Education Plan (PEP). This will ensure that the child’s needs are managed effectively and that the transition to a new school is supported appropriately.

**Pupil Premium Plus**

Following the granting of an Adoption Order, a child who has been previously in care receives Pupil Premium Plus which is paid directly to school; the Virtual School ceases to be party to conversations of how it is used. Pupil Premium plus is additional funding for publicly funded schools in England to raise the attainment of disadvantaged pupils. Pupil Premium Plus is attached to all children adopted from care and supports closing the gap between them and their peers.

Although the virtual school will no longer be involved directly with the child, they can still provide advice and guidance to parents and schools.

# Health

All children in care have regular health and dental checks and this includes children with an adoption plan or who have been placed for adoption. The Newcastle Medical Advisor has an overview of the children with plans for adoption’s health. Once a suitable adoptive link has been found, prospective adopters can meet with the Medical Advisor to discuss any health issues or possible implications relating to the care of the child.

The Health Visiting Service provide good support to adopters and can arrange access to additional support, for example health routines, weaning, bedtime routines, play etc.

# Adoption Support Assessments and Plans

ANE offer a wide variety of adoption support including advice, training, group work, individual work and family fun days which are open to all adopters. In addition to the above, a bespoke adoption support assessment may be needed to assess the child or family’s specific needs.

Children who are placed for adoption may have had difficult early life experiences which could make their future care more demanding than is usual for children of comparable age. At the point of match and placement, the family’s adoption needs will be assessed, and a support plan put in place. This support plan should contain a package of social work and professional support where needed. The adoption support plan is kept under review until the adoption order is granted to ensure it continues to be robust enough to meet the family’s needs. Once the Adoption Order has been granted, statutory reviews of the support plan will cease.

If there are support services in place which need to continue following the making of an Adoption Order, the plan will be kept under review by ANE’s post adoption service. If services are to be ceased, the family can ask for an assessment of need at any time after the Adoption Order has been granted. ANE, acting on behalf of the local authority have a duty to carry out that assessment of need however, there is no obligation on either ANE or the local authority to provide services. If services are felt to be unnecessary, the family should be given the opportunity to appeal against this decision.

Adoptive families living outside the Newcastle City Council boundaries can request advice, guidance, services, and support, from ANE acting on behalf of the Council for up to 3 years after the adoption order is made, providing the child was in the care of Newcastle City Council at the time they were placed for adoption. After this date, responsibility for support falls to the Local Authority and/or RAA for the area in which the adoptive family now lives.

# Therapeutic Support

In some cases children require specialist support to help them manage issues arising from their early experiences and to support their transition into a forever family. All adopters have access to universal services including the Children and Young People’s Service (CYPS) who have specially trained professionals who can undertake the relevant work.

Where CYPS identify specific therapeutic support from other professionals, ANE will commission this service using financial support available from the Adoption Support Fund (ASF). The need for a commissioned service is established via the completion of an assessment of the child’s needs. ANE will be responsible for completing this assessment of need following consultation with the adopters and professionals involved with the child.

# Assessments for Financial Support

# Packages of robust adoption support including social work, education, health and therapeutic support are often required for children with complex needs and large sibling groups. Typical adoption support plans do not usually include the payment of financial support to adoptive parents, however, the Adoption Support Services Regulations 2005 (referred to in this document as “the Regulations”) stipulate that financial support can be paid to an adoptive parent for the purpose of “*supporting a placement or the continuation of adoption arrangements after an adoption is made*”. The service may therefore also agree to provide financial support or pay for a specialist service. (Please see Appendix A for further guidance).

Any requests for financial support or additional resources that sit outside of ANE provision or the Adoption Support Fund, should be submitted to the Service Manager for Corporate Parenting for a decision prior to the match is presented to the adoption panel.

If during the adoption process it becomes clear that additional financial support may be needed to support the adoption, potential adopters will be asked by the local authority to complete an Adoption Support Financial Assessment form. Please note that completing the form will not automatically entitle adopters to financial support. Adopters will be notified of the outcome of any assessment and the reasons why any decisions have been made.

when completing an Adoption Support Financial Assessment form, it is important that adopters read and understand the information provided in this Policy. An ongoing adoption allowance can only be considered where the child has an exceptional need as defined in Appendix A.

Where financial support for an adoption allowance has been agreed by another local authority or the Adoption Order was supported by another local authority, Newcastle City Council will not assume responsibility for the allowance after 3 years should that child move into the Newcastle area. Such support will remain the responsibility of the originating authority and subject to the originating authority’s financial assessment. Likewise, where Newcastle City Council has agreed an ongoing, as opposed to time limited adoption allowance to a family, and that family moves to another local authority, Newcastle City Council will continue to pay the allowance subject to the thresholds being met with regards the assessment of the child’s needs, the financial assessment of the adopter’s circumstances and the annual review process.

If a request for financial support is made after the matching, placement or post Adoption Order stages, Newcastle City Council will require ANE to undertake an assessment of the child’s need. At the same time, the council will complete a financial assessment with regards the adoptive parent’s financial situation. If an assessment of the child’s need has been completed previously, ANE will provide a revised assessment to help inform the decision. This is because other factors need to be considered, including family functioning and how financial issues impact on the ability to care for a child. The assessment of need may identify additional supports services other than finance which would benefit the family or help address the need.

# Responsibility

Newcastle City Council has responsibility for the maintenance of this policy, which will be reviewed on an annual basis.

*Next review date: April 2023*

**Appendix A**

**Adoption Financial Support Guidance**

**Criteria for the payment of an Adoption Allowance**

The circumstances in which provision of financial support may be paid are as follows:

1. Where it is necessary to ensure that adoptive parents can look after a child
2. Where the child needs special care which requires a greater expenditure of resource by reason of illness, disability, emotional or behavioural difficulties or the continuing consequences of neglect - and the child’s condition is serious and long term
3. Where it is necessary for the local authority to make any special arrangements to facilitate the placement or the adoption by reason of the age or ethnic origin of the child or the desirability of the child being placed with siblings or a child whom he/she has previously shared a home
4. Where such support is to meet the reoccurring costs of travel for visits for the child to members of the birth family/significant others
5. Where the local authority considers it appropriate to contribute towards expenditure on legal costs, including court fees (in cases where the adoption is supported by the local authority), or expenses associated with the child’s introduction to adoptive parents or expenditure on accommodating the child (e.g., adaptations to the home, furniture, clothing or transport).

Factors considered when deciding whether financial support is appropriate will include:

* + The nature of any identified needs and whether these are currently being met by existing health or other local authority provision
  + The additional costs incurred re providing for the child’s assessed needs
  + The resources (including financial resources) available to the parents
  + The financial needs and resources of the child

Financial support can take the form of:

* A single one-off payment to meet a specific assessed need
* A series of lump sum payments to meet a specific assessed need
* The commissioning of a specialist therapeutic service to meet an assessed need or,
* A time-limited, periodic or ongoing regular payment payable by the local authority to meet specific assessed temporary or ongoing needs (often referred to as an adoption allowance).

Examples of when one off type payments made be payable or as follows:

1. For costs associated with introductions to a child (payable by ANE).
2. Assistance to adopters for the Adoption Order Application fee (payable by ANE). Where there is a challenge from a birth parent at the point of application for the Adoption Order, the local authority may provide financial assistance for legal fees up to the limit of £500.
3. A one off settling in payment (payable by the local authority), to help with the cost of children’s clothes and equipment needed to accommodate a child. In most cases, this payment will not exceed £500 (means tested).

Examples of other financial support (payable by the local authority) may include:

1. A series of ongoing costs to meet a specific assessed need for example, recurring travel costs relating to contact between child and a related person
2. Targeted financial support for a time limited period to meet a specific assessed need such as the adopters need to take additional time off work to meet the child’s needs.
3. An adoption allowance.

In the majority of the above scenarios, the Local authority will undertake a financial assessment of the adoptive parent’s financial circumstances. For situations requiring a financial assessment, the means test threshold will need to be met before any financial support can be paid.

# Adoption Allowances

The Regulations stipulate that ongoing financial support, otherwise known as an adoption allowance, may be paid where necessary to support an adoptive placement. This will usually be considered in situations where:

1. Due to illness, disability, significant emotional or behavioural difficulties, additional long-term costs are regularly incurred associated with caring for the child which differs to what might otherwise be expected for a child of similar age.
2. It is to facilitate a timely placement for a child where specific factors are proving to be a barrier to placement such as age or being part of a large sibling group.

Further details of the eligibility criteria needed to qualify for an adoption allowance are set out above. In all cases, the primary consideration in determining any payments will be the needs of the child. Financial support will typically not include any element of remuneration (reward) for adoptive parents unless the adoptive parents were previously the child’s foster carers (see below).

The Regulations permit local authorities to impose conditions on what allowance payments can be used for and how long they can be paid. We also reserve the right to require adoptive parent(s) to provide receipts as proof that any financial support has been used for the approved purpose.

# Needs of the Child

As Newcastle City Council’s approach is based on the needs of the child, it is essential that the reasoning behind any recommendations for support are clearly set out alongside what any financial support would be used for.

It should be noted that financial support is not a benefit parents are automatically entitled to and that typically financial support is not paid to remunerate parents for caring for children, however, in exceptional circumstances, the Service Manager for Corporate Parenting may consider financial support for a time limited period in order to ease any strains on a household and prevent hardship.

For example, we expect families to take advantage of statutory adoption leave alongside any support available from their employer when a child is placed. However, in some cases, a child may benefit if a parent takes a period of additional leave from employment to help them settle in. If the taking of additional leave would cause financial hardship which cannot be covered by child benefits, tax credits and other funds available to the family, then the Service Manager for Corporate Parenting may consider offering an allowance for a temporary period. Each case will be assessed on its own merits and a ‘blanket’ approach cannot be assumed.

Please note that requests for financial support based on a child’s health or behavioural needs, must involve regular additional or extraordinary costs for example, spending incurred on health issues, special diets, replacement bedding & clothing, transport costs for medical visits that cannot be met through an application for Disability Living Allowance.

# Adopters Income

All income must be declared, and documentation provided to support financial figures disclosed. As part of the financial assessment, the council asks that adopters submit bank statements or other documentation to support any costs listed. Applicants must therefore provide evidence of the following:

* + - Gross annual salary and Net figures (for both partners in the case of couples) must be disclosed, figures should include overtime and other earnings, for example, bonuses, dividends etc.
    - When providing Net figures, an average based on the last 3 payments should be used and the 3 most recent pay slips should be provided.
    - Those self-employed must provide an Inland Revenue Approved Statement of Earnings for the previous tax year alongside their application. A statement of expected earnings for the current year may also requested. This will allow the assessment of income for the year ensuring that it is not expected to be substantially different from the previous year. The statement can also be used if a full year’s Inland Revenue statement is not available, i.e., in the case of a new business

# Benefits, Allowances & Pensions

Applicants must declare:

* + - All benefits and allowances including Income Support (IS), Job Seekers Allowance (JSA), Universal Credit, Disability Living Allowance (DLA), Personal Independence Payment (PIP), Housing Benefit, Sickness Benefit and any Adoption or Fostering Allowances already in payment.
    - All state and private pensions (including those paid for disabilities)

Adoptive parents on low incomes are expected to apply for Child Tax Credits and Child Benefits when a new placement commences, and these must be included as income.

Where an application for Child Tax Credits is pending, the family will be assessed without this income in place, however, if the Service Manager for Corporate Parenting subsequently agrees an allowance is appropriate, it will initially be awarded for a 3-month period, after which a further assessment will be carried out and any child tax credit in place at this time will be considered when determining an agreed adoption allowance payment.

Parents whose circumstances appear to meet the criteria for child tax credits, but who fail to declare the receipt of any benefits risk having the adoption allowance suspended until appropriate evidence of non-entitlement is provided from DWP.

# Equity, savings and investments

If applicants have assets, savings or investments (including property) these must be declared alongside any income associated with the investment. This will include second homes, income from lodgers, tenants, sub-tenants or rental income.

# Financial resources associated with the adopted child

Parents of children with a disability are expected to apply for a DLA/PIP and where appropriate to also approach their Local Authority for help and assistance with social issues such as personal care, respite and help with leisure activities. Any financial help offered by Newcastle City Council will compliment and not duplicate wider support available to parents, consequently whilst any funding or support families receive in meeting a child’s ‘social care needs’ including any Direct Payment or Personal Budget will not be counted as a source of general income, the support package in place will be taken into consideration when determining whether the child's needs warrant any additional financial support from the local authority.

Money received under a Maintenance or Separation Order, or from the Child Support Agency is also classed as income under the assessment and will be included in our calculations.

Finally, any lump sum payment or Trust Fund held in the child’s name must be declared, along with any other regular payment received in respect of the child, however this will not affect allowance payments.

# Household Expenses

All regular payments and monies paid out to support the household should be declared, this will include the following:

* + - Monthly Mortgage / Rental costs
    - Council Tax – most Councils charge monthly for ten months only, so if a monthly figure is given, it will be multiplied by ten to give an annual figure. If a rebate is given, the net figure must be declared.
    - Gas, electricity and other utility costs
    - TV telephone and Internet bills Food and clothing
    - Travel expenses
    - Any commitments under a Court Order include such things as payments made under a Separation or Maintenance Order.

If there are any additional expenses not covered in the above classifications but to which applicants are already committed to prior to the adoption being made, or which are related to the placement, they can also be declared.

Please note that each case will be considered on its own merits and some discretion may be applied.

# Duration of Payments

All adoption allowances will be reviewed on at least an annual basis, but if a family’s personal or financial circumstances change, for example, if the child leaves home or if the household finances change because of a new job, the adopters must immediately notify Newcastle City Council of the change. Failure to promptly notify the Council of any change will result in any overpaid allowances being reclaimed.

Families receiving an Adoption Allowance will be contacted annually and requested to complete a new Financial Assessment Form. The Council may approach families for receipts or documentation to ensure funds are being used in accordance with any defined conditions.

Payment of the allowance will be suspended or may cease if:

* 1. requested documents aren’t returned
  2. the assessed needs of the child have changed significantly
  3. changes in adopters’ financial situation means that they no longer meet the criteria for payment of an allowance.

As previously stated, adopters are free to request a new Assessment of Need at any point but generally entitlement to an adoption allowance will cease once a child reaches 18 years of age.

# What adoption allowance rates are payable?

It should be noted that the allowance payable may change over time according to the adopter’s financial situation, the needs of the child and in line with any revisions to Newcastle City Council’s agreed adoption allowance rates.

**The Adoption Allowance rates for 2022/23 are set out below:**

|  |  |
| --- | --- |
| **Age** | **Fostering allowance rates per week\*** |
| 0-4 | 140.33 |
| 5-10 | 159.85 |
| 11-15 | 204.75 |
| 16+ | 242.08 |

**\*NB Child Benefit will be deducted from the above figures prior to the adoption allowance being paid.**

Adoption Allowance rates are based on Newcastle City Council’s Fostering Allowance rates minus the current child benefit rate. This is to reflect the fact that Adopters can claim child benefit whereas foster carers cannot. The rates represent the maximum allowance a household will receive under the standard adoption allowance scheme.

The payment will not automatically increase, and the actual amount paid will be calculated following an assessment of the factors as set out within this policy. Payments will be assessed as part of the annual review process to establish whether the payments need to increase or decrease due to the needs and age of the child at that time and the financial circumstances of the adopter.

The amounts paid will be subject to the outcome of the means test. Even if an adopter qualifies for an allowance, not all adopters will qualify for the full amount, and some may only qualify for a proportion of the allowance.

# Sibling Groups

Sibling groups do not automatically qualify for an adoption allowance. If an adoption allowance is agreed in respect of a sibling group, the Council will need to be satisfied when undertaking the annual review of financial support, that a financial payment remains necessary to support each of the children in the placement in order for that payment to continue.

# Transitional arrangements for Foster Carers

Adoption brings significant changes to the circumstances of Foster Carers, whose status changes from ‘Foster Carer’ to Adoptive Parent’ for the child. These changes will include the cessation of payments paid to the former foster carers under Fostering Regulations.

This being said, foster carers adopting a Child in Care may be eligible for a transitional allowance, payable under Adoption Regulations (ASR 9).

This applies to Agency Adoptions only however and Foster Carers who have opted to take the non-Agency route would not qualify for a financial assessment.

If agreed, the former foster carer will be paid transitional financial support equivalent to the payment they received when they fostered the child from the date of the Agency (matching) Decision for a period of two years.

This is because the regulations states that any transitional This section has no associated Explanatory Memorandum

financial support (under ASR 9) paid to former foster carers may include an element of remuneration i.e. the fostering fee, 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:

1. the adoptive parent has been a local authority foster parent in respect of the child; and
2. A fee element was included in the payments made by the local authority to the adoptive parent in relation to his fostering the child.

This payment can be made in acknowledgement of the need for a period of adjustment or transition in the former foster carer’s financial situation and family life.

The foster carer may need to take a break from fostering to allow the child they are adopting to settle into their new identity within the family. The purpose of these transitional arrangements is to allow the family to make the necessary adjustments.

Any transitional allowance agreed will only be in relation to the child that is being adopted. Settling in grants, payable under Adoption Regulation, will not apply to former foster carers as the child will already be settled in placement.

Foster carer adopters are expected to apply for all benefits to which they or the child may be entitled.

To assess eligibility for the transitional payment, a means tested financial assessment will be completed by Newcastle City Council. This assessment will be considered by the Service Manager for Corporate Parenting who will make the decision about whether the eligibility criteria has been met. It should be noted that as the transitionary allowance is being considered in recognition of financial changes in circumstance, this assessment will not be subject to an assessment of the needs of the child.

However, in cases where the child has been diagnosed with a disability and presents with significant and highly complex needs, the Service Manager may decide to waive the means test eligibility requirement with regards the transitional allowance. Any decisions made in such cases will be on a case-by-case basis with the best interests of the child at the forefront of the decision making.

If progression of the match is dependent on a transitional allowance being paid, Adopt North East should always confirm that agreement to the transitional allowance has been given before the match is presented to the Adoption Panel.

Once the transitionary 2-year period has ended, any requests for additional support (including financial support) from former foster carers will be treated the same as requests from all other adopters and will be subject to an Assessment of Need undertaken by Adopt North East.

Former foster carers cannot retrospectively seek remuneration payments.

# Notification and Payment

Any proposed payment involving an adoption allowance will need the approval of the Service Manager for Corporate Parenting. However, the Service Manager may, in exceptional circumstances, agree to a payment other than provided for in this policy, where this is necessary in order to meet the needs of the adopted child.

Adoptive parents will be formally notified of the outcome of all assessments.

If it is agreed that an adoption allowance is appropriate, details of the proposed payments, along with any conditions, will be sent out to the adopter in writing. A formal ***Financial Support Agreement*** will accompany the outcome of the decision and adopters will be required to sign and return a copy of this agreement to the council before payments can be made.

# Appeals

If an adoptive parent disputes the decision of the Council regarding the provision of adoption financial support, they may request that the matter be formally reviewed by the Service Manager for Corporate Parenting. Families must make appeal requests in writing within 28 days of being notified of the decision. The appeal must clearly set out the reasoning behind the appeal i.e., which elements of decision that the family disagrees with. Appeals will be considered within 28 days of receipt; families will be formally notified of outcomes and the basis behind the final decision-making process.

To ensure families are not unduly penalised, where an appeal results in a decision being overturned, payments to adopters will be backdated to the date of the original decision.

# Responsibility

Newcastle City Council has responsibility for the maintenance of this guidance, which will be reviewed on an annual basis.

*Next review date: April 2023.*