

## Practice guidance regarding Adoption Allowance Payments

The Adoption Support Regulations 2005 set out the circumstances in which financial support may be paid to an adoptive family. Financial support is payable for the purpose of supporting the placement of an adoptive child or the continuation of adoption arrangements after an Adoption Order is made.

In West Yorkshire, One Adoption West Yorkshire (OAWY) recruit adopters and family find for children who have a plan of adoption and matching is undertaken with the local authority social worker. However, Bradford Local Authority is responsible for decisions regarding the payment of adoption allowances (other than financial support at the introductions phase). OAWY also have Adoption Support Teams to provide support to adopters and adopted children once they are adopted, but these teams do not provide financial support.

This Practice guidance should be read in conjunction with relevant policies and procedures

<https://www.proceduresonline.com/oneadoption/oneadoption/index.html>

### Legal Framework

Payment of periodic or ongoing Financial Support for Adopters is not automatic. The conditions for considering whether financial support should be paid or not, are laid out in the Adoption Support Regulations (Local Authorities) (England) Regulations 2005, Regulation 8.

<https://www.legislation.gov.uk/ukxi/2005/691/part/3/made>

### Criteria

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 resources 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
  - o age or ethnic origin of the child
  - o or the desirability of the child being placed with siblings or a child with whom he/she has previously shared a home
4. Where such support is to meet the recurring 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).

### When should the issue of an Adoption Allowance be considered?

There are different stages when an Adoption Allowance should be considered.

- When considering if a child Should Be Placed for Adoption (SHOBPA) the Agency Decision Maker should consider if the child meets the criteria for an adoption allowance alongside the

other issues in agreeing a plan of adoption. In particular sections 2 and 3 above should be considered.

- When preparing the match of a child to adopters, the decision will need to be made by the ADM as part of the approval process.
- Once a child is adopted, the adoptive parents can request an adoption allowance.

### **Types of Adoption Allowance that can be considered**

- An adoption allowance (means tested) for a temporary period to support the plans for the child in the criteria as above.
- An ongoing adoption allowance (means tested) based on the criteria above.
- A temporary or ongoing allowance that is not means tested based on the criteria above – this would be in exceptional circumstances.

### **Roles and responsibilities**

The **child's social worker** and **team manager**, in conjunction with their **Service Manager** should complete the AD1 (appendix 1) after SHOPBA has made a decision that a child meets the criteria for an adoption allowance.

If a request needs to be made for financial support once a child is matched / placed with adopters, the decision regarding the payment of the match lies with the Agency Decision Maker. The child's social worker and team manager in conjunction with their service manager should complete the AD1. This will also need to be agreed by the Head of Service before being sent to the ADM.

If a request for additional support is being made after the Adoption Order has been granted, the AD1 form will be completed by One Adoption West Yorkshire. The decision will need to be made by the ADM. This will include requests for any new financial support for any child placed by another Local Authority three years after the making of the Adoption Order.

When this form has been completed by the ADM, it should be sent to the Head of Service with responsibility for the child's care plan and the Council's Central Payments Team (Susan Hall).

The Head of Service will arrange for the request to be sent to the child's social worker for inclusion on their LCS file (where the child is open to Bradford CSC) and to One Adoption West Yorkshire.

Once the decision has been approved a financial assessment form must be completed AD2 and sent through to the Council's Central Payments Team (Susan Hall). This must be signed by the Head of Service.

### **Adoption allowances and former foster carers**

Part of the viability discussions with foster carers who have expressed a wish to adopt will be around the financial support that may be available to them (see guidance for *Foster Carers Wishing to Adopt*).

In Bradford all foster carers who are wishing to adopt a child will receive financial support for a maximum of two years. This is a transitional payment that will step down over the two years.

Additional financial support can be considered for the following –

- a child is over 5 years of age OR
- Part of a sibling group: the 2nd and subsequent child/ren placed together will be considered eligible for financial support OR

- If the child is likely to wait longer for adoption and deemed “harder to place” due to ethnicity or religious needs or due to disability or complex physical/emotional problems and/or complex health issues.

In addition, if the child has not secured an adoption placement within an agreed timescale and adoption is the best outcome for the child with the existing foster carer, the agreement is that the ongoing child based allowance and the equivalent of the foster carer’s fee is payable until the end of August following a child’s 18<sup>th</sup> birthday. In all these cases the financial assessment will be waived and adjustments for child benefit and the element of child tax credit will be made at source, therefore not duplicating state benefits.

The social worker needs to complete the AD1 and can access support from family finders.

All financial support to Foster Carers must be agreed by the ADM prior to the full assessment process.

Foster Carers are not entitled to a settling in grant or introduction costs as the child is already living with them.

### **Review of adoption allowances**

Adoption allowances are means tested, unless agreement has been made in exceptional circumstances.

For all Adoption Allowances the **Allowances Team** will send an annual review letter to the adoptive family in March. As part of this review the family are asked to

- Confirm the child is still living with the family
- Information regarding income and expenditure is requested.

(Even where the agreement is that the Adoption Allowance is long term and not means tested, an annual review letter is sent to confirm that the child remains with the adoptive family.)

The Allowances Team will update the Adoption Allowance in light of any changes in financial circumstances.

Any requests for further financial assistance need to be made to the ADM via the AD1 form or the review form if the family is open to social care. see Appendix 3.

### **Cessation of financial support**

Financial support ceases to be payable to an adoptive parent if —

- The child ceases to have a home with the adopter
- The child ceases full-time education or training and commences employment
- The child qualifies for income support or jobseeker’s allowance in his own right
- 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



**AD1 Report for Approval of Financial Support - Adoption**

<b>Child's Name</b>	
<b>Date of Birth</b>	
<b>LCS Number</b>	
<b>Social Worker</b>	
<b>Team</b>	
<b>Family Finder</b>	
<b>Name of Carer (if known)</b>	

<p><b>Summary of the child's needs</b>                  Please explain how the child meets the criteria for an Adoption Allowance including a summary of the child's development and health needs. Please include an overview of the child's journey including any experience of trauma, neglect or abuse (including those in utero).</p>

<p><b>What difference will this additional financial support make to support the child to achieve permanence.</b></p>

<p><b>Type of Request</b>                  Please specify the details</p>	
<p><b>Means test payment</b></p>	<p>Is this an ongoing or time limited payment?</p>
<p><b>Non means tested payment</b></p>	<p>Is this time limited or on going payment?</p>
<p><b>Transitional Payment for foster carers adopting the child</b></p>	

<b>Payment for foster carers adopting the child until the age of 18</b>	
<b>Any other payment</b>	For example, payment for nursery fees or equipment

<b>Date payment to start (placement date or other)</b>	
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<b>Was an adoption allowance agreed at SHOPA by the ADM?</b>	<b>Yes / No</b>
<b>Date of SHOPA</b>	
<b>Summary of decision</b>	Add the notes from minutes

<b>Was an adoption allowance agreed at matching by the ADM?</b>	<b>Yes / No</b>
<b>Date of matching</b>	
<b>Summary of decision</b>	Add the notes from minutes

<b>Name of Social Worker</b>	
<b>Name of Team Manager</b>	
<b>Date completed</b>	

<b>Name of Head of Service</b>	
<b>Comments</b>	
<b>Date completed</b>	
<b>Date sent to ADM</b>	

<b>Name of ADM</b>					
<b>Comments</b>					
<b>Signature</b>					
<b>Approved</b>	<table border="1"> <tr> <td><b>Yes</b></td> <td></td> <td><b>No</b></td> <td></td> </tr> </table>	<b>Yes</b>		<b>No</b>	
<b>Yes</b>		<b>No</b>			

When this form has been completed it should be sent to the Head of Service with responsibility for the child's care plan and the Council's Central Payments Team (Susan Hall).

The Head of Service will arrange for the request to be sent to the child's social worker for inclusion on their LCS file (where the child is open to Bradford CSC) and to One Adoption West Yorkshire.

**AD2 REQUEST FOR ASSESSMENT OF ENTITLEMENT FOR  
FINANCIAL SUPPORT**

<b>Child's Name</b>	
<b>Date of Birth</b>	
<b>LCS Number</b>	
<b>Social Worker</b>	
<b>Team</b>	

**Type of assessment required (Please tick as appropriate)**

<b>Adoption</b>	
<b>Time Limited</b>	
<b>Ongoing</b>	
<b>Review</b>	

**Details of prospective adopter(s) / carers**

<b>Surname</b>		
<b>Name</b>		
<b>Address</b>		
<b>Telephone Number</b>		
<b>Email address</b>		

<b>Date payment to start</b>	
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<b>Date completed</b>	
<b>Name of Head of Service</b>	
<b>Signature</b>	

Appendix 3

Adoption Allowance Review Form

<b>Child's Name</b>	
<b>Date of Birth</b>	
<b>Name of Parents</b>	
<b>Address</b>	
<b>Telephone Number (mobile)</b>	
<b>Email Address</b>	

<b>Is the child/young person in full time education?</b> (Please state school/college and course)	
<b>Is the child young person living with you full time?</b> (If no, please state childcare arrangements)	

<b>Current allowance per week</b>	
<b>Start date of allowance</b>	
<b>End date of allowance</b>	
<b>Description of child/young person's additional needs that require ongoing financial support</b>	
<b>What difference will this additional financial support make?</b>	



<b>Any changes since the last review?</b>
<b>Please summarise why you feel the allowance should be extended and for what time period?</b>
<b>Views of the child / young person (if old enough) regarding the request for the additional support.</b>

<b>Date completed</b>	
<b>Form completed by</b>	
<b>Relationship to child / young person</b>	

<b>Name of ADM</b>				
<b>Comments</b>				
<b>Signature</b>				
<b>Approved</b>	<b>Yes</b>		<b>No</b>	

When this form has been completed it should be sent to the Council's Central Payments Team (Susan Hall).

## Appendix 4

### PROVISION OF FINANCIAL SUPPORT

Circumstances in which financial support is available –

Reg. 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.

Reg. 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.