



**WOKINGHAM  
BOROUGH COUNCIL**

**Payment of Adoption, Special Guardianship  
and Child Arrangement Order Allowances**

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## Introduction

This guidance describes the arrangements for the payment of ongoing allowances to the carers of children who were Looked After by Wokingham Children's Services who have secured permanence through the granting of a legal order investing parental responsibility in the child's legal carer(s) (i.e. Adoption Allowances, Special Guardianship Allowances and Child Arrangement Order Allowances).

The rules that determine the payment of adoption and Special Guardianship Order allowances are enshrined in regulations:

- **The Adoption Support Services Regulations 2005**
- **The Special Guardianship Regulations 2005**

There are *no* regulations that apply to the payment of Child Arrangement Order allowances; however, Paragraph 15 of Schedule 1 of the Children Act 1989 provides that local authorities *can* offer financial support to assist carers to meet the needs of the children that they are looking after.

Local authorities are therefore able to set their own eligibility criteria for the payment of Child Arrangement Order allowances, but most (including Wokingham) follow the Special Guardianship Order allowance process.

Where a child has been a Looked After Child in the care of Wokingham Children's Services, the child's legal adopter(s) Special Guardian(s) or Child Arrangement Order Carer(s) may be eligible to receive financial support by way of one-off payments, or periodic or ongoing allowances, in order to support them in meeting the needs of the child.

Whether a child's carer(s) are eligible to receive payment of an ongoing allowance will depend on specific eligibility criteria being met and may also be dependent on means testing.

Adoption allowances are *not* payable in respect of any child who was not previously a Looked After Child. In certain circumstances, however, Wokingham Children's Services may become responsible for the payment of allowances in respect of adopted children who reside in the Wokingham area who were previously looked after by another local authority.

Special Guardianship or Child Arrangement Order Allowances *can* in certain circumstances be paid in respect of children who have *not* been Looked After (see section 3b below). Where this option is being considered, this *must* be agreed at the Access to Resources Panel.

Once an ongoing Adoption, Special Guardianship or Child Arrangement Order allowance is agreed, Wokingham Children's Services will remain responsible for paying the allowance for as long as the family qualifies for payments, irrespective of where the child and his/her carer(s) live.

This policy should be read in conjunction with:

- **ATV Statement of Purpose 2022-2023**
- **Practice Guidance for Viability Assessments, and assessments for SGO's and Connected Carers**

Latest copies of both of these documents can be accessed via Wokingham's Tri.X Guidance Library here:

[https://www.proceduresonline.com/wokingham/childcare/local\\_resources.html](https://www.proceduresonline.com/wokingham/childcare/local_resources.html)

## Definitions

### Adoption Orders

An Adoption Order invests full parental responsibility for the child who is the subject of the Order to the adoptive parent(s). An Adoption Order severs the legal relationship between the child and his/her birth parent(s), with the child's adoptive parent(s) then becoming the child's legal parent(s). An Adoption Order can only be granted before the child, who is to be the subject of the order, reaches the age of 18.

An Adoption Order is generally granted with the expectation that the child concerned will have his/her home with his/her adoptive parent(s) throughout childhood, however once an Adoption Order is granted it is ultimately the responsibility of the adoptive parent(s) to decide where and with whom the child will live.

Once granted, an Adoption Order is *a life-long order and does not end when the child turns 18*. Rather, the adoptee remains a legal member of his/her adoptive family through-out the remainder of his/her life.

### Special Guardianship Order:

A Special Guardianship Order invests parental responsibility for the child who is the subject of the Order in one or more adults who are not the child's parents (the Special Guardian[s]). A Special Guardianship Order *does not* remove the parental responsibility held by the child's legal parent(s) and/or by any other adult(s) who held parental responsibility for the child at the point that the Special Guardianship Order is/was made, however it does severely restrict the extent to which they can later exercise their parental responsibility for the child.

Once a Special Guardianship Order is granted, the Special Guardian(s) are able to exercise their parental responsibility for the child to the exclusion of *any other person* who holds parental responsibility for the child. Generally, a Special Guardianship Order is granted with the expectation that the child concerned will have his/her home with the Special Guardian(s); however, once a Special Guardianship Order is granted it is ultimately the responsibility of the Special Guardian(s) to decide where and with whom the child will live.

Special Guardianship Orders can be granted at any point prior to the child who is to be the subject of the Order achieving the age of 18, however, unlike Adoption Orders, Special Guardianship Orders cease to have effect as soon as the child achieves the age of 18.

### Child Arrangement Order:

A Child Arrangement Order stipulates who the child (who is subject to the Order) is to live with or spend time with, and can be granted to more than one person whether they live together or not. If a Child Arrangement Order states that the child will live with a person, that person will have parental responsibility for that child until the order ceases.

Child Arrangement Orders *do not* affect the legal relationship between the child who is the subject of the Order and his/her legal parent(s).

Child Arrangement Orders relating to a residence arrangement run until the young person reaches the age of 18 years; however, Child Arrangement Orders relating to contact arrangements only run until the young person reaches the age of 16 years (unless the Court finds exceptional circumstances). If a child has *already* reached the age of 16, the Court cannot grant a Child Arrangement Order unless the Court finds exceptional circumstances.

### The Criteria for Eligibility: the circumstances in which an allowance may be payable

#### Adoption Order Allowances:

Financial support can only be paid to an adoptive parent (i.e. not the adopted child).

Adoption allowances are not paid in respect of children who are subject to non-agency adoptions if they are not and have not previously been in the care of a local authority.

Adoption allowances are *only* payable where *one or more* of the following circumstances exists;

- a) Where it is necessary to ensure that the prospective or actual adoptive parent(s) can look after the child;
- b) Where Wokingham Children's Services considers that the child needs special care which requires a greater expenditure of resources than would otherwise be the case because of his/her illness, disability, emotional or behavioural difficulties, or the consequences of past abuse or neglect.
  - I. Payment of financial support under criteria will be dependent on the child's condition being serious, long-term and necessitating a higher rate of expenditure on the part of the adoptive parent(s) than would otherwise be the case with a child of similar age who was unaffected by the particular condition.
  - II. Additionally, where a child has an identified physical or learning disability, payment of an adoption allowance *cannot* duplicate any payments to either the child or his/her adoptive parent(s) which they are entitled to receive through disability and/or mobility related benefits and/or tax credits.

Where it is necessary, the local authority will make special arrangements to facilitate the placement or the adoption by reason of:

- a) the age or ethnic origin of the child;  
or
- b) the desirability of the child being placed with the same adoptive parent(s) as his/her brother(s) and/or sister(s) (whether full-blood or half-blood) or with a child(ren) with whom he/she previously shared a home.

Adoption allowances are generally means tested.<sup>1</sup> If the criteria for eligibility are met, whether or not an allowance is triggered will generally depend on the financial means of the prospective or legal adopter(s) (see section 6 below).

Where the criteria for eligibility are met *and* means testing of the adoptive parent(s) confirms that they meet the financial threshold for an allowance to be payable, Wokingham Children's Services will pay adoption allowances to:

- a) Those who are intending to adopt a child(ren) as a result of arrangements made by the Agency
  - I. *Note:* Financial support will usually commence at the point of placement, but it can commence at any point after the local authority reaches the decision that a child should be matched with a particular set of prospective adopters.  
  
In the case of non-agency placements, financial support may commence at any point after notification of intention to adopt is received by the local authority.
- b) Adoptive parents who previously adopted a child as a result of arrangements made by the Agency, where the criteria for eligibility were met at the time of placement (and continue to be met) but means testing of the adopter(s) at the time of placement precluded an allowance being paid (at that time);
- c) Adoptive parents who previously adopted a child placed by Wokingham Children's Services, provided that the child was legally adopted *within the three years* (36 months) *prior to* the request for financial support being received;
- d) Adoptive parents who are living in the Wokingham Borough Council area, who have an adopted child who was placed by another local authority and who has been legally adopted *for three years or more*, if the circumstances of the placement are such as to justify the payment of an allowance (i.e. at least one of the criteria for

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<sup>1</sup> Where the care and parenting needs of the child concerned are exceptionally high due to the child having a severe disability or significant health issues which are expected to be on-going through-out childhood, it is possible for a non-means tested adoption allowance to be set up if this is required in order to facilitate the placement of the child; however, this can only be agreed by the Director of Children's Services.



payment of an allowance are met) and the placing authority *did not* agree ongoing financial support prior to the making of the adoption order, and is now not prepared to do so.

- e) Adoptive parents who live outside the Wokingham Borough Council area, who previously adopted a child placed by Wokingham Borough Council should apply to their local authority for provision of financial support, if an adoption allowance was not agreed in principle by Wokingham Borough Council at the time of matching or placement and the child has been legally adopted *for three years or more*.

However, in exceptional circumstances, consideration may be given to providing a level of financial support if the host authority is not prepared to do so.

Except in the exceptional circumstances detailed, *all* adoption allowances are payable on a combination of the needs of the child and the financial circumstances of the prospective or legal adopter(s). An allowance *cannot* be triggered purely due to a change in the financial circumstances of the adopter(s), unless at least one of the criteria for payment is met.

Where payment of an ongoing allowance is agreed, it may be agreed that it will continue throughout childhood (subject to annual means testing), or payment may be agreed for a finite period (e.g. until the child achieves a certain age).

Ongoing allowances are subject to annual review and may be suspended at any time if the financial criteria for payment are no longer met.<sup>2</sup> The authority also has the option of imposing conditions upon any payments made, (e.g. stipulating what the financial support has to be spent on).

#### Special Guardianship allowances:

Special Guardianship allowances are *only* payable where one or more of the following circumstances exists:

- a) Where it is necessary to ensure that the prospective or actual Special Guardian(s) can look after the child;
- b) Where Wokingham Children's Services considers that the child needs special care which requires a greater expenditure of resources than would otherwise be the case, because of his/her illness, disability, emotional or behavioural difficulties; or the consequences of past abuse or neglect.

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<sup>2</sup> Where the care and parenting needs of the child concerned are exceptionally high due to the child having a severe disability or significant health issues which are expected to be on-going through-out childhood, it is possible for a non-means tested adoption allowance to be set up if this is required to facilitate the placement of the child, with agreement that it will not be subject to annual means testing, however this can only be agreed by the Director of Children's Social Care or the Director of Children's Services.

- I. *Note:* Payment of financial support under criteria b (above) will be dependent on the child's condition being serious and long-term and necessitating a higher rate of expenditure on the part of the Special Guardian(s) than would otherwise be the case with a child of similar age who was unaffected by the particular condition.

Additionally, where a child has an identified physical or learning disability payment of a Special Guardianship allowance *cannot* duplicate any payments to either the child or his/her guardian(s) which they are entitled to receive through disability and/or mobility related benefits and/or tax credits.

- c) Where it is necessary for the local authority to make special arrangements to facilitate the placement of the child by reason of:

- I. the age or ethnic origin of the child;

or:

- II. the desirability of the child being placed with the same family as his/her brother(s) and/or sister(s) (whether full-blood or half-blood);

or:

- III. the desirability of the child's previous foster carer(s) assuming parental responsibility for the child under the auspices of a Special Guardianship Order.

Wokingham Children's Services wants to ensure that the issue of future financial support is not a deterrent to foster carers (including Connected Person's Carer[s]) taking on parental responsibility for children in the care of Wokingham Children's Services, through offering permanence outside the Looked After System under the auspices of Special Guardianship.

To this end, where there is a difference between the allowance rate that the carer(s) receive whilst acting as foster carer(s) for a child in our care, and the rate of Special Guardianship Order allowance that Wokingham Children's Services would ordinarily pay, Wokingham *has the discretion* to agree to the payment of a Special Guardianship allowance that 'matches' the allowance that the carer(s) previously received under the Fostering Regulations.

Discretionary payments need to be presented to the Access to Resources Panel.

In all other cases Special Guardianship allowances are means tested, and if the criteria for eligibility are met, whether or not an allowance is triggered will depend on the financial means of the Special Guardian(s).

Where the criteria for eligibility are met *and* means testing of the Special Guardian(s) confirms that they meet the financial threshold for an allowance to be payable, or an exemption to the usual means testing has been agreed, Wokingham Children's Services will pay Special Guardianship allowances to:

- a) Special Guardians who take on the care of a child who immediately prior to the granting of the Order was Wokingham Children's Services;
- b) Special Guardians who take on the care of a child who was at risk of becoming Looked After by Wokingham Children's Services but for the intervention of the Special Guardian(s);
- c) Special Guardians who previously took on the care of a child, where the criteria for eligibility were met at the time of placement (and continue to be met) but means testing of the Special Guardian(s) at the time that the Order was granted prevented an allowance being paid (at that time);
- d) Special Guardians living in the Wokingham Borough Council area who are caring for a child previously in the care of another local authority, and who has been subject to a Special Guardianship Order *for three years or more*,  
and:
  - I. the circumstances of the placement justify the payment of an allowance (i.e. at least one of the criteria for payment of an allowance are met)and:
  - II. the previous local authority *did not* agree ongoing financial support prior to the making of the Special Guardianship order and is now unable to do so.

Any retrospective claim to Wokingham Borough Council for financial support can *only* be backdated to the date of the initial request for assessment or a subsequent review date; a claim will *only* be considered if the conditions detailed above are met.

If the Special Guardian(s) live outside of the Wokingham area, an application for financial support will *only* be considered if the child to whom the application relates is, or has *within the previous three years*, been a Looked After Child to Wokingham Children's Services.

If the above is not the case, Special Guardian(s) should request an assessment for financial support from the local authority in whose area they live.

As detailed above, payment of a Special Guardianship allowance is dependent on the needs of the child and, depending on the circumstances surrounding the making of the placement, a financial assessment of the carer(s); an allowance *cannot* be triggered purely due to a change in the financial circumstances of the Special Guardian(s) unless at least one of the criteria for payment is met.

Ongoing allowances are generally subject to annual review and may be suspended if the required criteria for payment are no longer met. Where payment of an ongoing allowance is agreed it may be agreed that it will continue throughout childhood (subject to any agreed means testing) or payment may be agreed for a finite period (e.g. until the child achieves a certain age).

### Child Arrangement Order allowances:

Child Arrangement Order allowances are *not* paid in respect of any child who was not previously in the care of Wokingham Children's Services *immediately* prior to the Child Arrangement Order being granted. *Unless* the child would have become Looked After by Wokingham Children's Services at that time but for the intervention of the Child Arrangement Order carer(s).

## The Duration of Ongoing Allowances

### Adoption Order allowances:

If payment of an ongoing adoption allowance is agreed in respect of a previous Wokingham Children's Services for Children Looked After Child payments will usually cease the day before the young person's 18<sup>th</sup> birthday,<sup>3</sup>

### Special Guardianship allowances:

If payment of an ongoing Special Guardianship allowance is agreed in respect of a previous Wokingham Children's Services Looked After Child, *or* a child who was at risk of becoming Looked After by Wokingham Children's Services but for the intervention of the Special Guardian(s), payments will usually cease as of the young person's 18<sup>th</sup> birthday (thus coinciding with the expiry date of the Special Guardianship Order).

However, if the young person remains in full-time education as of his/her 18<sup>th</sup> birthday, agreement may be given for the allowance to continue while the young person is completing the full-time course of education that he/she was *already* completing as of that date (subject to successful application by his/her Special Guardians[s]).

Any such applications will be considered on a case by case basis, taking into account the young person's living arrangements and recognising that the Special Guardianship Order, and therefore the parental responsibility invested in the Special Guardian(s), will have expired on his/her 18<sup>th</sup> birthday.

Young people who were previously (prior to 1<sup>st</sup> December 2018) in the care of Wokingham Borough Council, or who have subsequently been in the care of Wokingham Children's Services, *prior to* becoming subject to a Special Guardianship Order, may also be entitled to receive advice and assistance as a "qualifying child" under section 24 of the Leaving Care Act up until he/she reaches the age of 25 – please see Wokingham Children's Services [Leaving Care Procedures](#).

### Child Arrangement Order Allowances:

If payment of an ongoing Child Arrangement Order allowance is agreed in respect of a previous Wokingham Children's Services Looked After Child, *or* a child who was at risk of

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<sup>3</sup> **Note:** This is designed to support young people who have been held back in terms of their compulsory education so are not due to complete Year 13 of their education by the August following their 18<sup>th</sup> birthday. Wokingham Children's Services is *not* in a position to support adopted young people who are attending university or studying for equivalent higher education qualifications.

becoming Looked After by Wokingham Children's Services but for the intervention of the Child Arrangement Order Carer(s).

Payments will cease either when the young person reaches the age of 16 or 18 years, depending on the arrangement made, and this will coincide with the expiry date of the Child Arrangement Order.

## The process for setting up an allowance

### Children in the care of Wokingham Children's Services:

When considering placing a child who is in the care of the authority for adoption, or advocating the placement of a child under a Special Guardianship or Child Arrangement Order, Wokingham Children's Services will carry out an assessment of the child's need for Support Services. This will determine whether the child meets the criteria for an adoption, Special Guardianship or Child Arrangement Order allowance to be payable in respect of his/her future care.

When an adoption match is being considered and a child has been assessed to meet the allowance criteria, an assessment of the prospective carer(s) financial circumstances will be undertaken *if* payment is dependent on means testing. This will determine whether financial support can be provided if the placement proceeds, and if so, at what rate.

Financial support can be provided if the authority decides that the proposed placement is in the child's best interests *and* if financial assessment has indicated that placement would not be practicable without the provision of financial support.

Where payment of an allowance is subject to means testing, and the financial assessment indicates the prospective carer(s) do not qualify for an allowance, it must be recorded that the eligibility criteria were met. This is so the decision can be reviewed at a future date if the carer(s)' financial circumstances change.

### All Other Cases:

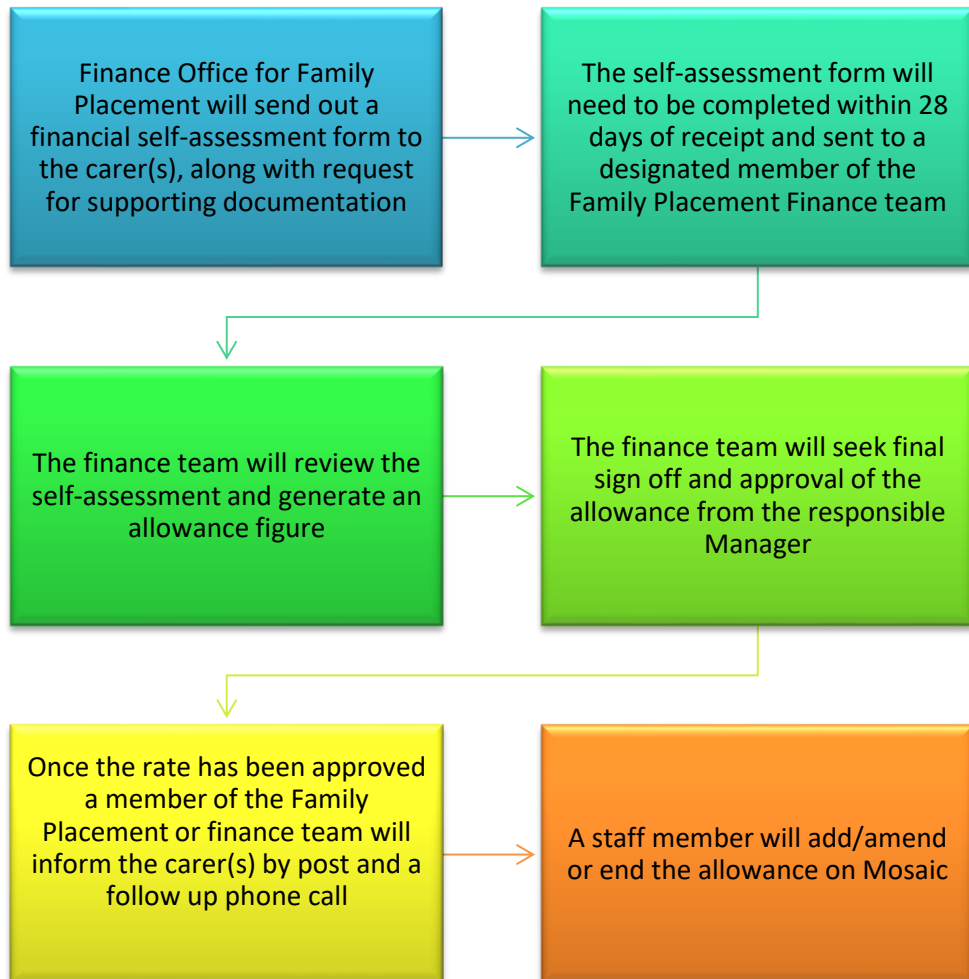
In all other cases (including those of children placed by another local authority) *any* carer(s) seeking payment of an ongoing allowance in respect of a child will need to request an Assessment of Need for the provision of financial support.

For financial support to be considered after the child has been made subject to an adoption, Special Guardianship or Child Arrangement Order (except in the case of previously agreed allowances) the assessment *must* indicate that at least one of the criteria for payment of an allowance are met and financial support is necessary to ensure that the adoptive parent(s), Special Guardian(s), or Child Arrangement Order carer(s) can continue to look after the child. If this is the case, then an assessment of the carer(s)' financial circumstances will be undertaken to determine at what rate any allowance may be payable.

In **all** cases where consideration of payment of an ongoing allowance is requested, the final decision as to whether one will be paid will rest with the WBC Service Manager for Corporate Parenting.

## Assessing the rate of allowance that is payable

### Process flowchart



### The process of assessment

Where payment of an allowance is dependent on means testing, the potential or actual adoptive parent(s)/carer(s) will be required to complete a financial self-assessment form and to provide evidence of their income and outgoings.

In dealing with any applicant in respect of the completion of a financial assessment it must be remembered that not all applicants who are eligible to receive financial support are literate. A telephone contact and/or practical support may therefore be required in order for Wokingham Children's Services to obtain the necessary financial information and documentary evidence. Where necessary, support should be provided by:

- The child's social worker (if the child concerned remains a Child in Care);

- Adopt Thames Valley Adoption Support Service (if the child concerned has been legally adopted);

Wokingham Children's Services model of financial assessment is based on the Standardised Means Test '**Model For Adoption and Special Guardianship Financial Support**'.

The model uses details of income and outgoings to calculate the weekly level of allowance that may be paid.

The financial assessment is worked out to calculate the weekly payment of ongoing allowance (if any) that will be paid. The model takes into account:

- Income and financial resources:
  - The income and financial resources of the proposed or actual adopter(s) or carer(s), including significant income from any investments, excluding their home.  
These include any tax credits or state benefits (including disability and/or mobility related benefits) which would be available to the adopter(s) or carer(s) if the child lived with them.<sup>4</sup>
- Outgoings:
  - The amount required by the proposed or actual adopter(s) or carer(s) in respect of their reasonable outgoings and commitments (e.g. housing and transport costs and daily living expenses, excluding outgoings in respect of the child).
- The Child:
  - Any financial demands over and above those usually applicable to the care of a child, arising due to the child's individual needs (e.g. because of a special diet or a regular need for replacement bedding) and, where applicable, the financial resources of the child (e.g. a Trust Fund or an award for criminal injuries compensation).

## Levels of Payment

### Allowance rates

The rate of adoption / Special Guardianship and Child Arrangement Order allowances paid by Wokingham Children's Services are linked to the level of the child related allowance paid Wokingham Children's Services approved foster carers.

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<sup>4</sup> This is consistent with the fact that financial support for Adoption/Special Guardianship/Child Arrangements Orders is disregarded for the purpose of calculating income related benefits and tax credits.

The rate at which an adoption allowance is paid *will usually* be dependent on both the age of the child concerned and the prospective or actual adopter(s)' financial circumstances; this will usually be determined by a financial assessment (means test) and reviewed annually.

The rate at which a Special Guardianship or Child Arrangement Order allowance is paid will also be dependent on the age of the child concerned and *may* be dependent on a financial assessment of the carer(s), depending on the circumstances of the placement.

It is expected that adopters, Special Guardians and Child Arrangements Order carers will claim any state benefits that they or the child are eligible to receive in respect of the child's care and maintenance.

Allowances paid to adopters, Special Guardians and Child Arrangement Order carers are usually subject to an annual review. However, where this is the case, agreement can be given for previous foster carers (including Connected Person Carers) to continue to receive their previous level of fostering allowance and remuneration *for an agreed period* from the date of the order *if* this is necessary in order to secure the placement; after this period reviews will usually be undertaken annually.

Wokingham Children's Services *does not* pay adoption allowances to foster carers who adopt their previous foster child *unless* the child's care needs are such that the child meets the agency's usual criteria for an allowance to be payable.

If an Adoptive Parent, Special Guardian or Child Arrangements Order carer is in receipt of Income Support or a means tested benefit, they will automatically be eligible to receive the maximum allowance payable for the child's age and legal status. Where the carer(s) are eligible to receive Child Benefit for the child, an equivalent sum will be deducted prior to the allowance being paid.

### Review and payment discretion

There are some circumstances where, in order to achieve the best possible placement for a child, Wokingham Children's Services may apply discretion regarding the requirement for a financial assessment of the potential or actual adopter(s) or carer(s), and/or ongoing financial review.

Any decision to agree payment of an ongoing allowance outside of financial assessment and review process *must* be agreed at the Access to Resources Panel. Such decisions will be made on a case-by-case basis; however, examples of situations where such an exception may be made include:

- a) Where a sibling group of three or more are to be placed together;
- b) Where a child has exceptionally complex health needs or a serious (life-limiting) illness;
- c) Where a child has profound disabilities;



- d) Where, as a consequence of previous abuse or neglect, a child is presenting very significant emotional and/or behavioural difficulties that are likely to be ongoing in the longer term;
- e) Where it is deemed to be in the best interests for the child(ren) to be adopted by their previous foster carer(s).  
Or;
- f) Where the previous foster carer(s) offer permanence to the child(ren) under the auspices of a Special Guardianship Order; but the carer(s) would be significantly disadvantaged by taking on legal responsibility for the child(ren) in this way, if payment of the previous non means-tested allowance is replaced by payment of a means tested adoption or Special Guardianship allowance.

While payment of *any* allowance is ongoing, regardless of whether or not a child's adopter(s) or carer(s) are required to complete an annual financial review, the child's adopter(s) or carer(s) will on an annual basis be required to confirm in writing:

- a) Their home address and the address where the child for whom the allowance is paid is living;
- b) That the child still has his/her home with them (or one of them);
- c) That there have been no significant changes in the child's care and parenting needs since these were initially assessed.

A member of Wokingham Children's Services staff will send out a reminder for the information required and the carer(s) will have 28 days to send back the required details.

### Notice of the outcome of the financial assessment and the decision regarding payment of an ongoing allowance

The prospective or actual adopter(s) or carer(s) will be notified in writing of the outcome of any financial assessment completed by Wokingham Children's Services.

The written notification will detail:

- a) The basis upon which the financial assessment was made and its outcome;
- b) Whether Wokingham Children's Services proposes to make, or to continue to make, an ongoing payment and details of the arrangements for payment, specifically:
  - I. The amount of financial support to be paid;
  - II. The frequency with which payments will be made;
  - III. The period for which payments will be made;
  - IV. When the first payment of financial support is to be made;
- c) The arrangements and procedure for reviewing, varying and/or terminating the financial support.

## Terms and Conditions

The prospective or actual carer(s) must agree *in writing* to Wokingham Children's Services terms and conditions for payment *before* an ongoing financial allowance can begin to be paid. These are that they must promptly inform Wokingham Children's Services if:

- a) They change their home address;
- b) The child (for any reason) no longer has his or her home with them (or in the case of a couple one of them);
- c) The child dies;
- d) There is any significant change to their financial circumstances or the care needs or financial resources of the child.

Where the information is given orally the prospective or actual carers are required to confirm it in writing within seven days.

## Commencement of Payment

The Family Placement Finance Team will commence payment on receipt of instruction from the relevant manager.

Where payment of a new allowance has been agreed, the date from which payment starts will depend on the nature of the placement to which it relates:

- For placements for adoption, payments will usually be made from the date that the placement is made;
- For Special Guardianship Order or Child Arrangement Order placements, payment will usually be made from the date that the Order was granted.

Where payments relate to an ongoing placement, payment will usually be backdated to the date that the application was received by Wokingham Children's Services.

Payments are made on a fortnightly basis, in arrears, via Mosaic. A remittance advice slip is sent shortly before the payment date.

## Reviewing payments

Unless it has previously been agreed that the payment of an ongoing allowance will not be subject to review, Wokingham Children's Services is required to review *all* ongoing financial payments when:

- a) There is a significant change in the circumstances of the recipient;
- b) There is a significant change in the financial circumstances or care needs of the child;

or:

- c) On at least an annual basis.

All adopters, Special Guardians and Child Arrangement Order carers who receive payment of a means tested ongoing allowance are therefore required to co-operate with an annual allowance review.

Adopters and carers who are receiving *any* ongoing allowance are expected to promptly inform Wokingham Children's Services of any significant changes to their own or the child's situation. Where payment of the allowance is subject to means testing, Wokingham Children's Services will then conduct a review if it considers that the change is sufficient for a change in the amount of allowance payable.

The review process is the same as the initial financial assessment and notification process. In cases where the recipient gives notice of a change of circumstances that is *not* deemed sufficient for the level of allowance payable to change, there is discretion for Children's Services to accept documentary evidence *without* a self-assessment form being completed.

In all other cases, recipients are required to complete a new financial assessment form and to supply copies of any required documentation.

Significant changes are considered to include (but may not be restricted to):

- a) The recipient(s) changing their home address;
- b) The child (for any reason) no longer having his/her home with the adopter(s) or carer(s) (or in the case of a couple with at least one of them);
- c) The death of the child;
- d) Any significant change to the recipient(s)' financial circumstances or the financial needs or resources of the child;
- e) Any significant change in terms of the child's care needs.

A member of Wokingham Children's Services staff may write to carers on an annual basis requesting that they:

- a) Complete and return an updated financial assessment form;
- b) Confirm their current address;
- c) Confirm in writing whether the child remains in their care;
- d) Confirm whether, if the child is aged 18 or over, he/she remains in full-time education or training and if so when the current course of study is due to end;
- e) Confirm whether the payment is still needed by them in order for them to be able to continue to meet the care and parenting needs of the child.

When dealing with any adopter(s) or carer(s) relating to the completion of an allowance review, it *must* be remembered that not all adopters and carers who are eligible to receive financial support are literate.

Telephone contact and/or practical support may therefore be required in order for Children's Services to obtain the financial information and documentary evidence required for the review to be completed. Where necessary, support should be provided by:

- The child's social worker (if the child concerned remains a Child in Care);
- Adopt Thames Valley Adoption Support Service (if the child concerned has been legally adopted);

Continuation of the allowance is dependent on a satisfactory response being received from the recipient, including:

- a) The return of a completed financial assessment form;
- b) Receipt of documentation that evidences that the child continues to reside with the adopter(s) or carer(s), e.g. child benefit notification;
- c) In the case of a young person aged 18 years or over who is in full-time education or training, documentation that evidences the young person's school or college attendance.

The completed **financial assessment form** and associated documents need to be returned to the Family Placement Finance Team within 28 days, via email or post.

Where the recipient has a query, this should first be raised with the child's social worker (if the child is still in local authority care), or with the staff member who sent out the review request. If a query cannot be resolved at this level, it will be escalated internally to the appropriate Service Manager within Wokingham Children's Services.

Once the financial assessment has been completed, a member of Children's Services staff will deal directly with the recipient and will inform the applicant/s of the outcome.

In cases where it has been agreed that payment of an ongoing allowance is not dependent on an annual means test, or that an annual means test is not required during the first two years of payments being made, it is still necessary for the adopter(s) or carer(s) to confirm in writing (on an annual basis) that the address held on file is still current.

It is also necessary for that the child in respect of whom the allowance is paid continues to have his/her home with them (or in the case of a couple, lives with at least one of them).

## Roles and responsibilities

The Wokingham Children's Services Business Support Officer for Corporate Parenting is responsible for overseeing the sending out of financial self-assessment forms for adoption, Special Guardianship and Child Arrangement Order allowances, as well as all associated correspondence. This includes all following up with adopters and carers when financial forms and associated documentation are not received back within timescale.

The Wokingham Children's Services is responsible for completing the initial financial assessments and the financial assessments associated with ongoing allowance reviews once an adopter or carer has returned a completed self-assessment form.

The Service Manager for Corporate Parenting will be responsible for the sign off and approval of the self-assessment at the Access to Resources Panel, once processed by finance.

The Service Manager for Corporate Parenting will be notified by the Children's Services finance team when the assessment process indicates that:

- a) There has been an overpayment or underpayment that exceeds £250 over a period of a month or £500 in total;
- b) The recipient has failed to notify Wokingham Children's Services of a significant change of circumstances;
- c) The recipient has not responded to a request for information as part of the review.

The Service Manager for Corporate Parenting, in consultation with the finance team, will then determine what action should be taken.

### Underpayments, Overpayment and Recovery of an Ongoing Payment

In usual scenarios, it is possible that underpayments and overpayment will sometimes occur as a result of the time delay between a change in the circumstances of the adoptive parent(s), Special Guardian(s), or Child Arrangements Order carer(s) and a review being completed.

Where these amount to less than £250 over a period of a month, Wokingham Children's Services has the discretion to make a reimbursement or to negotiate a repayment arrangement (usually by way of a deduction from future ongoing payments).

The Finance Team should be contacted if the underpayment or overpayment exceeds £250 over a period of a month, or a total of £500. Negotiations will take place with the adoptive parent(s), Special Guardian(s) or Child Arrangement Order carer(s) to agree a means that allows for recovery of the overpayment that does not cause financial hardship to the family. Where it is not possible to reach such an agreement, the Service Manager will decide whether formal debt recovery procedures should be initiated.

### Suspension of an Ongoing Payment

Payments may be suspended when:

- a) The recipient has failed to notify Wokingham Children's Services of any of the changes of circumstances specified in the Terms and Conditions above;

or;

- b) The recipient has not responded within a reasonable timescale to a request for information required as part of the annual review.

In either situation, the service manager for Corporate Parenting will determine what action should be taken. There may be circumstances where it appears that fraud has taken place, and in any such situation consultations should take place with other senior managers as to whether the police should be involved.

Any request for information to enable the completion of an annual review will include a notice that the payment will be suspended 28 days from the date of posting unless the recipient makes contact. The Service Manager for Corporate Parenting *must* be informed of any proposed suspension *before* it comes into effect.

The recipient will be informed in writing when the ongoing payment is suspended. He/she may then make representations to the Service Manager. The recipient(s) will have 15 days from the date of the letter informing them of the suspension to make representation(s). The response to any representation(s) will be the authority's final decision.

Where a decision is made to reinstate an ongoing payment, the recipient will be notified in writing by the Service Manager for Corporate Parenting, "Back payments" to cover the period of suspension will *not* be made unless it can be shown that Wokingham Children's Services acted in error when suspending payment of the allowance.

## Ending an Ongoing Payment

Ongoing payments will always cease when the child ceases to live with his/her adoptive parent(s), Special Guardian(s) or Child Arrangements Order carer(s) and this is regarded as a permanent arrangement.

Temporary absences such as the child attending boarding school, hospital admissions, and/or respite care do not apply.

### Adopted Children:

Payments will usually cease on the last Friday in the August after the young person's 18<sup>th</sup> birthday, although in exceptional circumstances agreement can be given for the allowance to continue while the young person is completing a full-time course of education that he/she was *already* completing as of his/her 18<sup>th</sup> birthday (subject to successful application by his/her adopter[s]).

### Children subject to Special Guardianship Orders:

Payments will usually cease as of the young person's 18<sup>th</sup> birthday (thus coinciding with the expiry date of the Special Guardianship Order). However, in certain circumstances, agreement can be given for the allowance to continue while the young person is completing a full-time course of education that he/she was *already* completing as of that date (subject to successful application by his/her Special Guardians).

### Children subject to Child Arrangement Orders:

Payments will cease when the young person reaches the age of either 16 or 18 years, depending on the arrangement made. This will coincide with the expiry date of the Child Arrangement Order.

## One-off or Periodic Payments

Wokingham Children's Services will occasionally agree the payment of one-off or periodic payments to adopters, Special Guardians or Child Arrangement Order carers. Such payments will usually be agreed when a placement is set up, but can also be agreed at a later stage if difficulties arise within a placement.

Payments can also be made when the adopter(s) or carer(s) experience financial demands relating to the care of the child that were not anticipated at the time of placement, but do not justify the payment of an ongoing allowance.

One off or periodic payments will usually reimburse the child's adopter(s) or carer(s) for additional expense(s) that are over and above the expenses that might usually be incurred in caring for or parenting a child.

They must also not be covered by any ongoing allowance. Examples include, but are not restricted to:

- a) One off payments to meet costs incurred by the prospective adopter(s) or carer(s) associated with setting up the placement.
  - *Note:* Wokingham Children's Services does not usually pay placement set up costs for children aged under 4 years who are being placed with agency adopters.

However, where a child has significant additional needs relating to a physical or learning disability, or ongoing health or medical issues that require the provision of specialist equipment within the home not available through the NHS, Wokingham Children's Services will assist with meeting the costs or involved in the purchase or hire of any equipment required in order to achieve a positive placement outcome for the child.

- b) One off payments to meet the costs associated with the prospective adopter(s) or carer(s) receiving independent legal advice in respect of their application;
- c) One off payments to reimburse prospective adopter(s) or carer(s) for court application fees;
- d) One off payments towards the prospective adopter(s)' or Special Guardian(s)' legal fees relating to the adoption or Special Guardianship application;
- e) One off or periodic payments of costs associated with the child maintaining direct contact with their significant birth family members;
  - For example, reimbursement of train fares to enable the child and their adopter(s) or carer(s) to travel to Wokingham to facilitate contact between the child and their parent(s) and/or sibling(s);
- f) One off payments towards any costs associated with providing care for the child in the event of a family emergency/crisis.

## Payment of costs for therapy

The adoption support fund (ASF) provides funds to local authorities and regional adoption agencies (RAAs) to pay for essential therapeutic services for eligible adoptive and special guardianship order (SGO) families.

## Maximum funding allocations for each child

Until the end of March 2025, the ASF will have 2 fair access limits:

- £2,500 per child per year for specialist assessment
- £5,000 per child per year for therapy

The majority of applications to the fund fall within these limits. In exceptional cases, where there is an urgent need for higher cost support, local authorities or RAAs are asked to match-fund applications

When it is anticipated or recognised that children placed in adoption or Special Guardianship arrangements require the provision of on-going therapeutic support to address emotional and/or behavioural issues, Wokingham Children's Services supports applications being made to the Adoption and Special Guardianship Support Fund in order to meet the associated costs.

In the case of adopted children, applications to the Fund will be managed by the Adopt Thames Valley Adoption Support Service and adoptive parents need to contact Adopt Thames Valley directly:

*The Adoption Support Service  
Adopt Thames Valley (Berkshire office)  
1st Floor, Woodley Community Centre  
Hurricane Way  
Woodley,  
Reading RG5 4UX*

[www.adoptthamesvalley.co.uk](http://www.adoptthamesvalley.co.uk)

Email: [ATV.PermanenceSupport@oxfordshire.gov.uk](mailto:ATV.PermanenceSupport@oxfordshire.gov.uk)

In the case of children who are subject to Special Guardianship arrangements, applications to the Fund will be made by the child's social worker if still involved, or Thames Valley Adoption Support Service using the address above.

Children's Services will *only* consider paying a one-off, periodic or ongoing allowance in order to meet therapy costs if an application has been made to the Adoption and Special Guardianship Support Fund, and Financial Support is *not* available through the Fund or has exceeded the amount.



In the above scenario, Children's Services will consider an application for payment if the following criteria are met:

- a) An Assessment of Need for Adoption / Special Guardianship Support has been completed and clearly identifies the need for therapy;
- b) A detailed draft Support Plan is available which identifies:
  - I. The purpose of therapy, the outcome required and the review process to be put in place during the period that therapy is being accessed;

And:

- II. The package of support proposed (i.e. proposed provider, duration of provision, frequency of sessions, associated costs).
- c) A minimum of two Adoption Support Agencies/therapists have been approached and asked to provide details of the service that they could offer and the associated costs.
- d) That there has been consultation with health to consider whether it meets their criteria to part fund for the therapy

The request will be submitted to the access to resource panel to consider the request subject to above be completed

The Access to resources panel will agree the outcome of any application (subject to the level of financial delegation).

## Appendix A: Financial Assessment Form

The financial assessment form is [available to download here](#).