

Adoption Financial Support

Reviewed Feb 2023

SCOPE OF THIS CHAPTER

This chapter details the principles and criteria for financial support to be provided to prospective adopters and adopters, including former foster carers who have adopted their former foster child.

RELEVANT LEGISLATION AND GUIDANCE

- Adoption and Children Act 2002;
- Adoption Support Services Regulations 2005;
- Adoption and Children Act 2002 Guidance 2011, Chapter 9;
- Adoption National Minimum Standards 2011, Standard 15;
- Practice Guidance on Assessing the Support Needs of Adoptive Families (2008).

Introduction

- The Adoption and Children Act 2002 (s.3 and s.4) requires Local Authorities to assess the support needs of a range of people affected by adoption. Adoptive parents are the only persons who have an entitlement to an assessment for financial support;
- The Adoption Support Services Regulations 2005 detail requirements in relation to eligibility, assessment, payment and review of financial support (Regulations 8-20);
- Further information can be found in statutory Adoption Guidance Chapter 9 - Adoption Support Services.

Principles of Financial Support

- The scheme exists to tackle financial barriers in order to make a placement possible, as well as to prevent the disruption of an existing placement;
- The scheme should allow us to attract a diverse range of families. Financial issues should not preclude a family from adopting;
- Financial support is to cover the additional costs associated with adopting a child from care and is not a payment for maintenance and accommodation;
- It is based on a need to be fair and transparent in decision making;
- Tax and benefit claims must be explored first, and any financial support will take this into account after three months from placement;
- Access to financial support is based on both a child's eligibility (see criteria listed below) and a means test of the adopters. The only exception to this is for foster carer transitional arrangements;
- The scheme is based on the principle of "shared costs" with adopters;

- An assessment of the child's needs and the needs of the family must take place if a request for financial support is made at any stage. This assessment will result in an adoption support plan being prepared, of which financial support may be a part.

Eligibility Criteria

To be eligible for Adoption Allowances, a child must meet at least one of the criteria below:

- Children aged 5 years and over;
- Sibling groups of three or more children, where the original adoption plan is for the siblings to be placed together;
- Children under 5 years who have a diagnosed disability which will make significant extra demands on carers.
- Children of the global majority.

Types of Financial Support

Regular Financial Support

This may be available only for eligible children (as above) and is means tested:

- Adopters who wish to be assessed must complete an application form and provide proof of all income and expenditure. Failure to do so will result in a delay in processing the application and could affect the start date of any financial support;
- All income available to the household will be taken into account. Foster children (and any associated payments) are not regarded as part of the family for the purposes of the means test;
- Expenditure for the family and the adoptive child will be taken into account. This is worked out through a combination of "standard allowances" and the family's specific commitments;
- All adopters are advised to explore employee rights to leave and pay;
- All available benefits must be claimed for example child benefit and tax credits;
- If adopters do not claim available benefits, their financial support may be reduced;
- All payments will be made weekly by BACS. Payments are usually made into bank accounts on a Friday.
- All cases will be reviewed annually. An application form will be sent out a few weeks before the review date, and must be returned with all proofs of income and expenditure by the deadline date. Financial support will be reassessed with effect from the receipt of the completed review form. If the form is not returned by the deadline, financial support may cease and may not be backdated;
- Where a significant change of circumstances occurs at any time that may affect the level of financial support, the adopters may request to be re-assessed accordingly. This applies in cases where their income has increased as well as decreased. It must be impressed on adopters that

continuing to claim a level of financial support to which they are no longer entitled may result in recovery of overpayment of allowances. All over-payments will be recovered, informally or formally.

Additional one off or time limited payments

In exceptional circumstances, enhanced payments may be available for eligible children and are means tested. All additional financial support for adopters must be requested through the assessment process and authorised by the Service Manager (Fostering & Adoption). The criteria for these requests are as follows:

- A case is clearly made that the proposed provision is essential to making the placement possible or to prevent its breakdown, for example to support a child with disabilities.
- One off costs to directly benefit the child as part of the adoption placement;
- Alternatives for funding and support should be considered alongside requests (e.g. health or education funding, voluntary support groups, disabled facilities or other grants etc). Reasons must be given for why these provisions are not accessible;
- The adopters' contribution calculated as part of the means test will be considered to be available to pay for additional needs;
- All payments may be time limited and the identified need must be reassessed regularly. If the need no longer exists, the payment must stop.

Any financial support will be confirmed by the adoption social worker and identified in the Adoption Support Plan.

Expenses During Introductions

Travelling expenses for adopters during the period of introductions may be paid using public transport rates or mileage paid at a rate identified by HMRC. If it is necessary for adopters to incur accommodation costs to facilitate the process, consideration will be given to reimbursing these at the equivalent of Travel Lodge rates. Accommodation and mileage must be agreed in advance with the Adoption social worker. Where mileage is claimed a completed form must be submitted, including mileometer readings. In most cases, hotel accommodation will be booked by the Adoption team.

Foster Carer Adopters

Special transitional arrangements are in place for in-house foster carers who become adoptive parents. This is to allow for a period of adjustment to their financial situation. Financial support is dependent on the child's eligibility.

- Initial placement grants are not payable to foster carer adopters as the child is already in placement with them;
- Foster carers transfer from fostering allowances to adoption financial support from the date of the agency decision to approve them as adopters to the child/ren in question;

- From that date for 12 months, the (foster carer) adopters will receive a payment which is equivalent to the fostering allowance. If the (foster carer) adopters would be better off receiving the assessed adoption financial support from the outset, they will go straight onto this system rather than be paid under transitional arrangements;
- 12 months after the Placement become adoption, their payment for the next 12 months will be half of their previous payment
- Thereafter it will be zero unless the child is eligible for adoption allowances.
- The following year, they will complete a financial assessment review form and the payment will be based on this assessment. They will be reviewed annually thereafter unless they have a change in circumstances. At this point, foster carer adopters fall within the same process as all adopters.

Payments Will Cease in the Following Circumstances

- If the adopters' income rises above the level at which they qualify. Adopters can ask at any time for a review if this changes;
- If the child ceases to have a regular home with the adopters;
- When the child reaches the age of 18, unless continuing in full time education. In this situation, financial support will be adjusted to take into account any income or benefits the child receives;
- When the child starts work, qualifies for a place on a Government Training Scheme, apprenticeship or qualifies for benefits in their own right.
- If the adopter or child is deceased.

Children Living Outside Nottingham City

Where a child is placed or subsequently moves out of the Nottingham City Boundary, any existing financial commitments will continue to be funded. Any new request for adoption support which is made more than 3 years after the making of the adoption order is the responsibility of the receiving Local Authority.

Requesting Assessments

All requests for assessments and payments must be made through the Post Order team or directly at childcare.payments@nottinghamcity.gov.uk

Payments must be authorised by Service Manager (Fostering & Adoption), depending on the nature of the payment.

Requests for payment should include:

- The child's birth name and date of birth;
- The reason for the assessment;