

Kinship Care (Family and Friends) Practice Guidance

Assessment, planning and support for Kinship Carers in Rotherham

Rotherham Metropolitan Borough Council

Working with Rotherham's children, young people,
and families to be resilient, successful and safe.

About this document

Title: RMBC Kinship Care Practice Guidance

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1 Introduction

Kinship Care is a term used to describe placements of children living with family, friends or connected persons. Within this Practice Guidance carers will be referred to as 'Kinship Carers'.

There are different types of kinship care, often referred to as formal and informal. Formal kinship arrangements are placements which the Local Authority has had involvement in creating. Informal arrangements are led by family members when there are no restrictions as to where the child can live.

When children cannot live with their birth parents, Rotherham Metropolitan Borough Council (RMBC) are committed to ensuring that children can remain with wider family members, or connected networks, wherever this is a possibility. This offers children and young people the best chance of permanence and stability and enables them to maintain strong links with their birth parents. It is important that family and connected networks continue to be explored for Children in Care throughout their childhood.

This Practice Guidance sets out how RMBC, in collaboration with local partners, will meet the needs of children living with Kinship Carers in any of the following circumstances:

- In informal arrangements with a relative or connected person.
- As a Private Fostering or Supported Lodgings arrangement.
- Under a Child Arrangement Order or Special Guardianship Order.
- As a looked after child with Kinship Foster Carers.

Children may live with members of their extended families, friends or others who are connected to them for a range of different reasons and in various circumstances. RMBC recognise the importance of Kinship Carers for children, who can offer them temporary and permanent placements when they have to move from the care of their parents.

RMBC will become involved if there are welfare issues, or child protection issues and where a family requires support; if the arrangement falls within the definition of private fostering or if a child is or becomes looked after by the Local Authority.

RMBC recognise that in order to support Kinship Carers to offer appropriate care to children, who cannot live with their parents, they need access to a range of high-quality support services, at universal, targeted and specialist levels. These should be aimed at improving outcomes for children who cannot live with their birth parents.

This Practice Guidance should be read alongside the statutory guidance for local authorities: [Kinship care: statutory guidance for local authorities](#) (DFE, 2024).

Purpose

This Practice Guidance outlines the core commitments, standards and requirements for how RMBC assesses and supports Kinship Carers, with the principal aim of ensuring the stability and continuity of positive and caring homes for children in Rotherham. This document provides information for Practitioners, Kinship Carers and prospective Kinship Carers.

2 Values and Principles

It is an underlying principle of the Children Act (1989) that children should be enabled to live within their family unless this is not consistent with their welfare. The following principles apply to any work with children and families:

- The child's welfare is paramount.
- The child's wishes and feelings are sought, heard, and responded to.
- RMBC works in partnership with whole families.
- children are raised by their families, within their family networks, or in family environments wherever possible.
- RMBC will work with other agencies to effectively identify and meet the needs of children, young people, and families.
- RMBC will consider the economic and social circumstances which may impact children, young people and families.

RMBC recognise the valuable contribution kinship care has as a permanence option for children and young people. RMBC's Looked after Children and Care Leavers Sufficiency Strategy 2023-2028 ([Sufficiency Strategy 2023-2028](#)) and [RMBC's Corporate Parenting Strategy 2024-2027](#), set out the Council's vision and commitment for children in Rotherham, to have a safe, stable and caring place to live.

Every child has the right to a safe, stable and loving home (DFE, 2024). Permanency Planning is based on this philosophy and RMBC is committed to supporting children to remain within their families and networks.

Kinship care arrangements enable children to have the opportunity, where they cannot live with their birth parents, to live with existing family, friends and community networks, without needing to be in the care of the Local Authority. Where it is in a child's best interests to live with Kinship Carers, facilitating and supporting this aligns with RMBC's vision and strategy. RMBC will offer support to Kinship Carers to prevent a child from needing to become looked after and to prevent them from coming into the care of the Local Authority.

To support RMBC's vision of ensuring that all children in Rotherham have a safe, stable and caring place to live, this Practice Guidance is underpinned by the Rotherham Family Approach, which sets out the following methodology:

- Signs of Safety: We utilise a range of tools for evidence-based assessment, planning, direct work and decision making to make sure that children are at the heart of everything we do.
- Restorative Practice: We believe that strong, meaningful and trusting relationships are the key to achieving positive, transformative and lasting change in people's lives. We work proactively 'with' families, rather than 'doing for' or 'doing to'.
- Social Pedagogy: We work with children and their families, with a holistic and relationship centred approach.

Children will always be viewed as active participants in planning and their wishes and feelings will be sought and considered when making decisions about their future.

3 Legal Framework

There are a number of ways in which children can live with Kinship Carers and a range of differing legal options, which are set out below.

Informal Arrangement

An informal arrangement is one which has been made by birth parents, for the full-time care of their child to be with other family or friends. Parents may delegate day to day decision making to the Kinship Carer, though retain parental responsibility. The Kinship Carer does not have parental responsibility under this arrangement, unless one of the Orders outlined below is pursued.

A number of Kinship Carers act informally, through agreement with those who hold parental responsibility for the child. RMBC do not always need to become involved in this arrangement if the following applies;

- Where Kinship Carers are close relatives of the child, as defined by Section 105 of the Children Act 1989 and are caring for the child with parents' agreement, and where applicable, with the support of the Local Authority.
- Young people aged 16+ who have chosen to live with a relative.
- Where Kinship Carers are friends or 'non close relatives', as defined by Children Act 1989 and this is agreed by parents, for no more than 28 days in total.

Some children living in informal arrangements with family members may have eligible needs under Section 17 of the Children Act 1989. RMBC will ensure in these circumstances that relevant support is provided.

Section 17 of the Children Act 1989 imposes a general duty on the local authority to safeguard and promote the welfare of children within their area who are in need. So far as is consistent with that duty, they must also promote the upbringing of such children by their families, in particular by providing a range and level of services appropriate to those children's needs ("family support services"). "Family" in relation

to such a child means not only a person who has parental responsibility for the child but also any other person with whom the child has been living.

The definition of a child in need in section 17(10) is broad. A child in need is a child whose vulnerability is such that they are unlikely to reach or maintain a reasonable level of health, or development or their health or development would be significantly impaired, without the provision of services by the local authority, or they are disabled (DFE, 2024).

Private Fostering

A privately fostered child is a child under the age of 16, or 18 if disabled, who lives with and is cared for by an adult, who is not a parent or close relative, for more than 28 days. This includes any adult who is not a grandparent, sibling, aunt, uncle or stepparent (whether a blood relative, half-blood relative or relative by marriage and civil partnership).

In these circumstances a parent retains parental responsibility and may delegate some day-to-day decisions to the Kinship Carer. The parent is responsible for any financial payments to support the placement, though the private foster carer can claim benefits for the child.

RMBC has a duty to assess these arrangements and monitor the welfare of all children who are privately fostered, as set out in the Children (Private Arrangements for Fostering) Regulations 2005. RMBC will provide services which meet the assessed needs of the child, under Section 17 Children Act 1989.

The young person will cease to be privately fostered at the age of 16 (or 18 if disabled) but if the living arrangements continue then this will revert to an arrangement under informal kinship care.

Supported Lodgings

Kinship Carers caring for looked after children aged 17 or over, may be re-assessed and approved as supported lodgings providers for that young person and will be supported by RMBC, so that the young person can remain in placement once they reach 18 years old. In these cases, the young person's Pathway Plan will indicate whether this arrangement will best meet their needs and that the criteria for such arrangements are met.

Child Arrangement Orders

Children may live with Kinship Carers, subject to a Child Arrangement Order. Child Arrangements Orders are governed by Section 8 Children Act 1989 and provide a formal agreement about where a child will live and when and when and how a child has family time with parents or other family members. A Child Arrangement Order enables a carer to hold parental responsibility for a child, though with less weighting than a Special Guardianship Order, meaning that the carers must consult with anyone else who holds parental responsibility for the child about major decisions. A

person named in the order as a person with whom the child is to live, will have parental responsibility for the child while the order remains in force.

Special Guardianship

A review of adoption, published in 2000, found that, while the long-term security of adoption was a positive for many children, there was a need for a separate legal status which provided this security whilst maintaining legal ties with a child's birth family. Following the review, Government legislated for the creation of an alternative legal option, through the Adoption and Children Act 2002, which amended the Children Act 1989. This option sought, for the first time, to provide a comparable level of permanence for children, as an alternative option to adoption. This is known as Special Guardianship.

A Special Guardianship Order is a private law order, which grants a person parental responsibility for a child. The Special Guardianship Regulations 2005, as amended 2016, provide the legal framework for Special Guardianship and the Department for Education published [statutory guidance](#) in January 2017. Special Guardianship does not remove parental responsibility from any other person, as such it differs from an Adoption Order.

Special Guardianship is more secure than a Child Arrangement Order, though does not end the legal relationship between a child and their birth parents, which better enables a child to retain important links with their birth parents. Special Guardianship Orders are designed for children who cannot live with their birth parents, though require legal security in a different living arrangement, without severing ties with birth parents.

A Special Guardian is usually related to the child or is connected to them in some way. Special Guardians are legally able to make almost any decision about the child's life, without requiring permission from the child's parents although they should consult with them if they have parental responsibility.

RMBC have a duty to provide advice, guidance and support services to prospective and current special guardians. If a child was looked after immediately prior to the making of a special guardianship order, the child, special guardian or parent has a right to receive an assessment by RMBC for support services, which may include financial support. Children who would have become looked after, if not for the intervention of a Special Guardian, will also be considered for an assessment and support services.

Regulation 24 Temporary Foster Carers

In some circumstances there will be an urgent need for a placement for a child who is looked after, with a Kinship Carer. In these situations, it is not always possible to undertake a full assessment of the Kinship carer to enable them to become approved kinship foster carers. Regulations 24 and 25 of the 2010 Regulations make provisions for placing children in care with a Kinship carer in an emergency.

Kinship carers would need to be temporarily approved as foster carers under Regulation 24. This is because the carers would not already be approved Foster Carers. As with any placement, RMBC must be satisfied that the placement is the most suitable means to safeguard and promote the child's welfare and that it is necessary for the child to be placed there before the full approval process is completed.

A Regulation 24 placement can be approved for a maximum of 16 weeks. This period of time should be adequate to enable sufficient time for the Foster Carer approval process to be undertaken, including any criminal record checks.

This placement can then be extended under Regulation 25 for a further 8 weeks if temporary approval is likely to expire before the assessment is complete, or pending an independent review if the assessment does not approve a Kinship carer.

If these time periods expire and the Kinship Carer has not been approved as a foster carer, an alternative placement should be found, and the child moved.

Temporary approval should only be used in circumstances where the placement could not have been foreseen and where it has not been possible to undertake a full assessment prior to a child being placed.

Kinship Foster Carers

When a child is looked after and it is in their best interests to be placed with family or friends, RMBC will give preference to this placement choice. Where this is a planned placement, a Kinship Fostering assessment will determine if the Kinship carers can become foster carers for the child. This will be heard at Fostering Panel and a decision made by the Fostering ADM about approval.

If a child moved immediately to their placement, which has been approved under Regulation 24 and the plan is for them to remain with Kinship carers beyond 16 weeks, subject to a Care Order, Kinship Carers must be approved as Foster Carers following a full assessment and a decision at Fostering Panel. In this scenario, a child will remain 'looked after' by the Local Authority and will continue to have an allocated Social Worker.

The assessment will consider the prospective Kinship Foster Carer's ability to meet the needs of a specific child or children. The needs, wishes and feelings of the child will be key to decision making. The placement must be deemed to be in the child's best interests and as such the carers' capacity to meet the needs of a child for the duration of the placement, whether short or long term, must be determined.

Kinship Carers, who are approved as Foster Carers must adhere to the Fostering Regulations and meet training and development requirements. There will be an expectation that the carer contributes to children in care reviews and planning for children. Carers will also be subject to an annual fostering review, as with any other foster carers, for continued fostering approval.

Decisions about approving Kinship Foster Carers should not be negative solely on the basis that the carers have not met National Minimum Fostering Standards. As outlined in MBC & Ors [2018] EWFC 4214, the deciding question should be: 'Is the proposed placement in the child's welfare interests?' If the placement is in the child's best interests, then the prospective kinship foster carer should still be considered for approval to foster the child, and then they should be supported by the fostering service to meet the standards. Where support is needed for the Kinship Carer to meet standards, this should be identified within the assessment.

RMBC will, at any stage of the journey, support Kinship Foster Carers to seek a plan of permanence for children and young people, such as a Child Arrangement Order, Special Guardianship Order, or where appropriate an Adoption Order.

4 Assessment of Kinship Placements

Assessments of need often identify integral support services which can help to sustain and maintain Kinship Placements for children and young people. All Kinship Placements, when known to the Local Authority, will be offered a Family Group Conference, or Family Network Meeting, at the beginning of the process and again at the end. This will support families to find their own solutions and build on the strength of the network, which makes practical and emotional support more sustainable in the future. This will also contribute to the assessment and planning for children where a Kinship Placement is being considered.

Placements with wider family are usually more successful than placements in local authority care. This is primarily due to the child having an existing relationship with the carer and there is some evidence that family members are more likely to persevere through difficulties than mainstream foster carers (DFE, 2024). However, all Kinship Carers must be robustly assessed and any support needs should be identified early.

Informal and Private Fostering or Supported Lodgings Arrangements

RMBC will not assess informal family arrangements, unless there is a support need, safeguarding or welfare issue, which meets threshold for an assessment under Section 17 Children Act or a Section 47 investigation. Child and Family assessments will identify any support requirements or safeguarding measures which are needed for children in these arrangements.

Private Fostering assessments will be completed on LCS, in conjunction with the Fostering Service, to assess the suitability of Private Fostering, where children have lived with friends or non-close relatives for more than 28 days.

Supported Lodgings Arrangements will be assessed in the same way for children who are looked after aged 17 and over.

There will be circumstances where RMBC will participate in arrangements where the

parents arrange for relatives or friends to care for a child in order to prevent the child from becoming looked after. This may be in response to a crisis in the parental home which makes it unsafe for the child to remain with his/her parents. The suitability of these arrangements will need to be agreed by the social worker's team manager following appropriate assessment. In circumstances where the Local Authority are involved in planning for Kinship Placements, it is good practice for a Viability Assessment to be completed.

Viability and Regulation 24 Assessments

Viability Assessments are undertaken to assure RMBC that Kinship Carers are a viable option to care for the child and that a more in-depth assessment is likely to be positive. Viability Assessments are completed by the Social Worker for the child, though should be conducted in collaboration with the Kinship Service, who can offer specialist advice.

A Viability Assessment may be completed in the early stages of planning for a child for either a Special Guardianship Order or Child Arrangement Order and can also be used as a template for a Regulation 24 assessment if a child who is looked after requires an immediate placement with a Kinship carer. Non-viable Kinship carer options will not be supported or progressed. This also prevents carers from engaging in protracted and unnecessary assessment processes.

A Viability Assessment with the intention of progressing a Special Guardianship Assessment, or Regulation 24 Assessment, will cover the intentions, background and circumstances of the prospective Special Guardians, as well as the needs and wishes of the child and the living environment. Criminal background checks are also conducted as part of the Viability Assessment. In order to prevent future delay in any further assessment, information in relation to the background checks will be obtained from the prospective carers at this stage. A visit must be undertaken to the home of prospective Kinship Carers as part of the assessment.

It is important that viability assessments are undertaken openly, honestly and in partnership with the prospective Kinship Carers. They should also be conducted with an understanding of the dynamics of the child's immediate and extended family and friends' network, considering any known concerns that would impact on the carers ability to care for the child and promote their best interests. Underpinning all Viability Assessments is an approach which views the arrangement as potentially positive for the child and it is the role of RMBC to explore ways in which this can be safely and sustainably supported.

Special Guardianship Order (SGO) Assessments

RMBC must be given three months' written notice by any person(s) wishing to apply for an SGO, unless leave of Court has been granted and the notice period is waived. The three-month period allows for the required Special Guardianship assessment to take place and a support plan to be developed, prior to the making of any SGO.

Where RMBC believes a prospective Special Guardianship arrangement to be viable for the child following an initial assessment, a full SGO Assessment commences. SGO assessments build on the Viability Assessment and ultimately support the Court's decision making on the issuing of any SGO.

SGO Assessments are conducted in line with Regulation 21 of [The Special Guardianship Regulations 2005](#) and must therefore be completed within a timescale of three months, subject to all checks and references being returned in time by the applicant(s).

When conducting SGO Assessments, the local authority must consider the needs of the child and the ability of the prospective Special Guardians to meet the child's needs. The local authority will take up additional checks when deemed necessary and relevant, including interviews with significant others; particularly those that live or spend significant time within the prospective Special Guardian's household.

Throughout this process, applicants will be given advice by the Kinship Service Assessing Social Worker who is allocated to undertake the assessment. Information, advice and guidance can also be found on the [Kinship Charity's website](#), [Family Rights Group](#) and prospective Special Guardians may seek independent legal advice.

Kinship Fostering Assessments

The assessment for temporary and full approval of family and friends as foster carers includes the requirement that the wishes and views of the child or young person, the birth family and the carer's immediate and extended family, where relevant, are sought as part of the planning process and that they are taken into account when making the final recommendations.

Many children benefit from placements with family and friends, however not all relatives are able to safeguard and promote a child's welfare and their parenting capacity will be rigorously assessed before approval as a local authority foster carer.

Where children already have a good relationship with the prospective carer and those carers have time to offer the child, they are likely to be more suitable candidates. This is in comparison with those who have no pre-existing relationship and or who have commitments such as long work hours or other caring commitments.

The assessment and approval process for family and friends who apply to be kinship foster carers for a specific child in care will be the same as for any other foster carer except that the timescales for the assessment are different where a child is already in the placement. In all other respects the requirements are the same as for any other potential foster carers and the National Minimum Standards for Fostering ([Fostering legislation, regulation and inspection | The Fostering Network](#)) apply, in particular Standard 30 refers directly to Kinship Foster Carers.

Considerations

Where it is safe and appropriate, children should always be placed with family or connected people. This provides them with continuity and a sense of belonging in their wider family or friend's network. Most Kinship Carers will have a pre-existing relationship with the child.

Kinship Carers may face challenges which mainstream foster carers would not. This can include a change in the dynamic of their relationship with the child, their parents and wider family members. This can be difficult when Kinship Carers are asked to safeguard a child from a parent or implement boundaries around family time, which can be more of a challenge when they have a relationship with the child's parent.

Kinship Carers may be more likely to accept a child in an emergency, which gives them little time to prepare practically and emotionally. Kinship carers are usually motivated by loyalty and family commitment. They can often be impacted by the reasons why the child needed to live away from their parents.

Where Fostering Regulations cannot immediately be met, it should be considered how prospective Kinship Foster Carers can be supported to meet these. As an example, if the space in the home is not adequate to accommodate the child, the assessment should consider what support would be needed to rectify this barrier.

Where a Kinship Carer lives out of the Local Authority area, a decision to place the child should be balanced with placing a child close to home or placing with a Kinship Carer. It is possible for children to be placed with Kinship Carers abroad, though this must be deemed in the best interests of the child and specialist legal advice is often needed.

Health and lifestyle factors should be considered in any assessment of a prospective Kinship Carer and any contingency plans, in the event that the carer was unable to continue caring for the child in the future.

Where Kinship Carers have been cautioned or convicted of specified criminal offences, which might otherwise prevent them from meeting Fostering Regulations, the placement may still be considered if it is the most appropriate placement to safeguard and promote a child's welfare.

5 Non-Financial Support

Following an assessment, to meet any identified support needs of the child and/or Special Guardians alike, a support plan will be developed by the child's Social Worker, alongside the Kinship Service Social Worker. The plan should set out all provision of support, including financial, which will be provided by the local authority and by universal services. The child's Social Worker is responsible for ensuring the views, needs and interests of the child are represented and addressed in the plan.

RMBC Offer to Kinship Placements

RMBC currently provides support for Kinship Carers through its Kinship Service. A number of kinship placements work well without intervention from the Local Authority and with the provision of universal services, such as Health, Education and Housing. RMBC recognise that early intervention is needed when any difficulties arise and have a range of innovative support services which can assist throughout the assessment process and beyond.

Prospective carers may need support and advice around consideration of caring for a relative or friends' child. They will need to understand the offer of support from the Local Authority and of how to access this. Children and young people living with Kinship Carers should be prioritised for support services to prevent placement breakdown, regardless of the status of the placement. In any arrangement where a child is not looked after, an assessment for support may be required under Child in Need. Early intervention may prevent the challenges escalating to the stage of requiring specialist intervention.

Kinship carers can approach the Local Authority for support and advice at any time. They will be able to access services and intervention, where this is deemed to be an assessed need. RMBC are committed to supporting family placements for all children, regardless of the status of these.

The non-financial support currently available through RMBC to Kinship carers includes the following:

- Information, advice and guidance for prospective, and current Kinship carers.
- Viability and Kinship assessments and assessments of any support needs.
- Ongoing practical and therapeutic support for Kinship Carers to support the stability and continuity of arrangements in the interest of the child.
- Regular and/or one-off financial support, where applicable.
- Access to parenting courses, support and face to face or online activities available through the [Rotherham Family Hubs](#).
- Early Help services and an assessment of need, where threshold is met for support services.
- Children's Social Care service and assessment of need, where threshold is met for Child in Need or where there are safeguarding concerns.
- Access to our intensive support services, where there is a worry about placement stability.
- Access to Evolve, where there are worries about a child being vulnerable to exploitation.
- Access to the short breaks service, where children have additional and complex needs.

For Kinship carers who hold an SGO for the child or for those assessed as Regulation 24 or Connected Foster Carers, the following support may also be available.

- Access to the Kinship service, who can review support needs and assist with referrals or signposting to relevant services.

- Access to training courses and workshops on themes such as therapeutic parenting, life-story work and nurturing attachments.
- Where a child has previously been in care, RMBC can assist with applications to the Adoption and Special Guardianship Support Fund (subject to government funding) to assist in meeting specific needs.
- Access to our therapeutic services aimed at children in kinship arrangements, where there is an assessed need for therapeutic input or for input around placement stability.
- Access to an assessing social worker for support, advice and guidance.
- Access to a buddying system with other family carers as appropriate
- Access to support from the therapeutic team (child's needs dependent)
- Access to the Kinship Care Coffee morning
- Access to monthly support groups post approval (Full Approval)
- Access to the Special Guardianship support group.
- Outreach support from the fostering support worker as appropriate or we will complete Fostering Support Person assessments to help you and your family meet the day-to-day care needs of children placed.
- Access to the Family Group Conferencing to support with care commitments to children placed.
- Access to information, advice and guidance from Coram BAAF, Fostering Network, Kinship, Family Rights Group.
- Safety and support plans to help you as a Kinship Carer.
- Following the completion of a support needs assessment, where required, the provision of a Family Practitioner to offer support and advice to Special Guardians.
- A regular newsletter detailing important information relevant to being a Special Guardian and the support offered.

Support for Family Time

Continuing to see birth families regularly is often crucial for a child living with Kinship Carers to understand their life-story, build their resilience and develop their own sense of identity during childhood and adolescence. However, for some children, seeing their birth families can also be a potentially traumatic experience. Relationships between birth families, children and special guardians can often be complex and challenging. In this context, maintaining a positive balance between understanding and re-enforcing the importance of birth family contact, and navigating its complexities, is vital.

Family time arrangements should be set out as part of the any kinship assessment and support plan. For some children, informal arrangements will be agreed between the special guardians and the birth parents. However, where there are complexities, arrangements may be made more explicit as part of the assessment and plan.

On a case-by-case basis, depending on the needs and circumstances of the Kinship Carers and the child, the following support may be provided by RMBC in order to facilitate family time for children:

- Practical, therapeutic and/or financial support to ensure contact arrangements are put in place and sustained. This is provided for a transitional period, and

it is expected that Kinship Carers will continue to support contact for the child in the long-term.

- Family Network Meetings or Family Group Conferencing to assist Kinship Carers with facilitation of family time from within their support network.
- Advice, guidance and where appropriate training to be offered to the Kinship Carers or parents.

Where there may be potential conflict involved in contact with birth families, Kinship Carers encouraged to seek advice from the Kinship Service in the first place. At all times, the level and nature of contact should be in the best interests of the child.

6 Financial support

General principles

While the local authority does not usually have parental responsibility for a child who is subject to a kinship arrangement, it is recognised that additional financial support may be required to support the continuity of kinship arrangements for the child. Local authorities have a general duty to ensure financial reasons are not the sole barrier to the viability and sustainability of formal kinship arrangements. In this context, except where indefinite ongoing financial support is agreed, any support will be subject to routine means-testing.

Financial support is either payable as a regular allowance, based on the premise of meeting recurring costs relating to the care of the child, or as a single payment for meeting any one-off costs. Financial support for Kinship carers should not be considered as a means of salary or payment for the care of the child. Rather, it is to maintain the viability of the arrangement in the best interests of the child.

Assessing and reviewing financial support needs

A Financial Needs Assessment can be undertaken when the Local Authority considers it necessary for Kinship Carers to look after a child. A regular financial allowance can be provided to Kinship Carers who have a Special Guardianship or Child Arrangements Order, where this has been agreed as part of a care plan and subject to an annual assessment. Regular allowances for other kinship arrangements would be discretionary and would need to be presented at Resource Panel for approval.

A Financial Needs Assessment can be requested by Kinship Carers who are already caring for or are proposing to care for a child.

Financial Needs Assessments will consider the following:

- The child's individual needs.
- The circumstances of their prospective Kinship Carer, including financial circumstances and their access to any benefits or financial support from other agencies.

- Whether the council has any other duties towards the child (for example if they are a child in need).

Kinship Carers are expected to apply to known sources of applicable financial support for the care of the child. Information, advice and guidance on claiming financial support can be found via [Citizens Advice](#).

Where Kinship Carers are eligible for alternative sources of financial support, deductions will be made accordingly to any regular allowance payable. Any deductions will be equal to the amount received in alternative financial support. For Kinship Carers (SGO or CAO) who access Universal Credit or another form of Income Support we pay the Kinship Maintenance Allowance without removing Child Benefit.

The Financial Needs Assessment will be based on national policy and give regard to any judicial/ombudsman findings or local complaint recommendations. The Financial Needs Assessment will assess whether alternative financial support may be available.

In the case of a Special Guardian, who was previously the child's foster carer, financial support may include not only an allowance but also an element in lieu of a fostering fee for up to two years, or longer if the authority considers this to be appropriate. In its calculation of any ongoing special guardianship financial support, the local authority should have regard to the fostering allowance that would have been paid if the child was fostered. This will form part of the Special Guardianship Assessment and support plan and will require approval at Resource Panel.

In any instance where it is decided that a financial assessment will not take place, notice will be given of this decision in writing, with the reasons set out. From this date, 28 days are allowed to make representations in relation to the decision. Any representations are considered at Resource Panel.

Regular allowances

Regular allowances for Kinship Carers are summarised as follows:

Name	Description	Eligibility	Review
Regular allowance <i>Non means tested</i>	The DfES Standardised Means Testing Model is used to calculate allowance for SGO and CAO allowance.	Special Guardians who, at the time of the SGO being made, were the foster carers of the child in their care. Where the child would otherwise come into the care of RMBC, and non-means tested financial support is needed initially to ensure the continuity of a Special Guardianship Arrangement. Determined by	Guaranteed for 2-year transitional period. Means-tested at annual review thereafter.

		assessments and agreed at resource panel.	
Regular Allowance. <i>Subject to financial needs assessment.</i>	The DfES Standardised Means Testing Model is used to calculate allowance for SGO and CAO allowance.	Where the child would otherwise come into the care of RMBC, and regular financial support is needed to ensure the continuity of a Special Guardianship Arrangement (determined by assessments). To be approved at Resource Panel.	Means-tested annual review.
Continuation of additional Fostering Rotherham's Skills Payments.	Fostering Rotherham's Skills Payments.	Special Guardians who, at the time of the SGO being made, were the foster carers of the child in their care, and an additional Skills Payment was paid to the foster carers immediately before the SGO was granted. To be approved at Resource Panel.	Guaranteed for 2-year transitional period. Means-tested annual review thereafter.
Continuation of needs related fostering rates.	Fostering Rotherham Enhanced Rates.	Special Guardians who, at the time of the SGO being made, were the foster carers of the child in their care. Fostering allowance, at time of the SGO being made, was paid an Enhanced rate. Any former foster carers, who were previously caring for the child through an IFA, will receive a continuation of their allowance up to a maximum of the Enhanced rate. To be approved at Resource Panel.	Guaranteed for 2-year transitional period. Means-tested annual review thereafter.

Discretionary regular allowance.	As agreed at resource panel.	<p>Where the eligibility criteria above do not apply, but RMBC supports the arrangement, and it is assessed that ongoing financial assistance would support the viability and sustainability of the Kinship arrangement, which is in the interests of the child.</p> <p>Or the child has complex additional needs, where financial assistance will support the viability and sustainability of the Kinship arrangement, which is in the best interests of the child.</p> <p><i>This must be agreed at Resource Panel.</i></p>	Means-tested annual review.
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Eligibility for a Regular Allowance

Subject to a financial needs assessment and annual review, the provision of a regular allowance is premised on the basis of ensuring the continuation of support and care for the child.

Where Foster Carers for children apply for a Special Guardianship Order to secure that child's permanence, their regular allowance will be guaranteed for the first two years or longer and means tested thereafter.

Prospective Special Guardians, who are foster carers for the child with an Independent Fostering Agency at the time of application, will also receive the same regular allowance as they received as foster carers for the first two years. However, this must not exceed the maximum Fostering Rotherham rate. This will then be means tested thereafter.

Where the prospective Kinship Carers are not foster carers for the child, but it is assessed that the child would otherwise come into the care of RMBC were it not for the care and support provided by the prospective Kinship Carers, a financial needs assessment will be conducted, and a regular allowance may be provided.

For all regular allowances, the DfE's Standardised Means Testing Model will be applied, and any financial assistance received by the Kinship carer will be automatically deducted from the payable amount by RMBC, in line with the model guidance. Special Guardians are expected to apply separately for child benefit. Kinship Carers must inform RMBC if they are in receipt of any child element.

Financial contract

Details of any financial support provided by RMBC will be set out in the Kinship Support Plan. This includes the payment amounts, frequency of payments, method of payments and review schedule.

Means-tested review of regular allowances

Regular financial allowances for Kinship Placements will be reviewed on an annual means tested basis.

Before an annual review of regular allowances, requests will be made by RMBC at month 10 of that year for details on the current financial circumstances of Kinship Carers. Where financial circumstances have changed, a new financial needs assessment will be conducted. It remains the legal responsibility of kinship carers, who receive regular financial support, to inform RMBC of any change in financial circumstances at any point in the year. Failure to do so may result in the requirement to return overpayments to RMBC.

With parental responsibility, Kinship Carers should be prepared to meet the long-term costs of caring for the child. In this context, any financial support that is provided by RMBC is primarily for the purpose of securing a kinship arrangement, where it would otherwise not be possible due to financial barriers. The Department for Work and Pensions (DWP) remains the body with primary responsibility for providing financial support to anyone with parental responsibility in order to meet the welfare needs of their children.

Where regular allowances are no longer payable

Any financial payments will cease should any of the following conditions apply:

- The child ceases to have a home with the Special Guardians for any reason.
- The child ceases to be in full time education or training and commences employment.
- The child qualifies for work-related benefits in their own right.
- The child reaches the age of 18, unless in full time education or training. Where the child is in full-time education or training, the allowance may last until the end of the education or training course, if this is assessed as being necessary to maintain the placement until the young person's statutory education has concluded.

Single payments

Where, at the time of the kinship arrangement being made, the child is a Child in Need, single one-off payments may be made where they are required to meet one-off costs in relation to supporting the kinship arrangement of a child. The premise of these payments is solely to meet one-off costs which would help meet the child's needs and support the viability of the kinship arrangement on a non-recurring basis. Financial

support to meet any recurring costs related to ongoing needs, will be covered by any regular allowance received by Kinship Carers.

Single payments may include the following:

- Some legal costs associated with securing a legal order for the child, including for the application and/or initial legal advice, where RMBC supports the application.
- Equipment and home adaptations.
- Any other items required for the purpose of looking after the child, including toys, furniture and clothing.
- Means of transport.

Where specific costs are payable by another agency, for example home adaptations for a disabled child, these should be applied for separately by the Kinship Carers. However, other than where specified, financial means will not be taken into account when considering the financial support payable to assist with one-off costs associated with the kinship arrangement.

Any financial support payable as a one-off single payment should have the agreement of the child's social worker and will be approved by the Service Manager, Head of Service or Resource Panel, depending on the amount requested.

Other financial support

Other financial support needs may be identified during the needs assessment or subsequent reviews. For example, for the purpose of facilitating family time with the child's birth family and/or significant others.

Where the home environment is not deemed suitable due to overcrowding, adaptations and extensions to properties may be considered by the Pathways to Care process. In these circumstances, the kinship worker supporting the Kinship Carers will complete a needs assessment including whether the kinship arrangement continues to be viable should additional support not be provided. If the home is not deemed suitable to meet the needs of the child, the Pathways to Care Panel can consider on a need led basis what support may be offered.

In exceptional circumstances, where it is identified that there is a need for financial support that is not included in the regular allowance and cannot be met by a single payment, this should be presented to Resource Panel. The meeting should be called as soon as is reasonably possible and all information must be provided ahead of the meeting in order for a fully informed decision to be made.

For Special Guardians where the child was subject to care proceedings or was looked after prior to the making of the SGO, RMBC will fund up to £175 contribution for the making of a testamentary guardianship arrangement for the children. For prospective Special Guardians where the child is subject to care proceedings or was looked after and RMBC have completed a Special Guardianship assessment recommending them as Special Guardians, RMBC will fund up to 3 hours legal advice at legal aid agency

hourly rates. This is available only where the prospective Special Guardian is not in receipt of legal aid funded legal representation already.

Correspondence with Special Guardians

Where RMBC decides that financial support is to be provided, they must notify the Special Guardian in writing of:

- The basis upon which financial support has been determined.
- The amount of financial support; including any deductions as is set out above.
- When the first payment of financial support is to be made, both for single and ongoing payments.
- The frequency with which the payment will be made.
- When the payment/s will cease.
- The arrangements and procedure for review, variation, and termination of financial support.
- Any conditions attached to the payment.

The basis for the decision should be briefly set out in the correspondence sent to the carer(s) and further detail, where required, set out in the updated Special Guardianship or Child Arrangements Order Support Plan.

7 Care Leavers

The Children Act 1989 requires local authorities to provide leaving care support to certain young people (i.e. those who have been in care for a minimum of 13 weeks, some of which was after they reached age 16) when they cease to be looked after and are making the transition to adulthood. This applies to children placed by the local authority with kinship foster carers in the same way as it does to all other care leavers. This includes support from a Personal Adviser up to the age of 25, and support to engage in education, employment or training (including a £2,000 bursary if they attend higher education). The responsibilities are set out in the Care Leavers (England) Regulations 2010, the Children Act 1989 (Higher Education Bursary) (England) Regulations 2009 and the relevant statutory guidance. Further information about RMBC's Leaving Care Offer can be found at [Homepage – Rotherham Leaving Care Local Offer](#).

8 Adoption

Where a child is already living with a kinship carer it may also be possible for them to apply for an Adoption Order. This would end the parental responsibility of the birth parents. Local authorities are required to make a range of adoption support services available in their area to meet the needs of people affected by adoption. Adopted children and adopters have the right to be assessed for certain support services, the details of which are set out in the relevant regulations and statutory guidance. These

are now normally delivered through Regional Adoption Agencies. Kinship carers should have sufficient information about the consequences of obtaining an adoption order, including their right and entitlements under such arrangements (DFE, 2024).

9 RMBC Kinship Local Offer

RMBC will identify a Senior Manager, who will be responsible for producing and publishing a Kinship Local Offer, which will outline information about services in the local area for children in Kinship Care and their families. This offer will be developed in collaboration with partner agencies. The following principles will apply to the Kinship Local Offer:

- Support will be based on the needs of the child and not their legal status.
- The Kinship Local Offer will consider any child living with Kinship Carers, regardless of whether they are looked after.
- Children will be active participants in their support package and their wishes and feelings will be considered.
- The Kinship Local Offer will promote equal opportunities and mitigate barriers to accessing services.
- The Kinship Local Offer will be evidence based, drawing on best practice.
- Kinship carers will have good access to information and know what is available to them.
- The Kinship Local Offer will be kept up to date.

The following information will be included in the Kinship Local Offer:

- Relevant data, such as the number of carers being supported by RMBC.
- Training available to the workforce supporting Kinship Placements.
- The Legal Framework and obligations of RMBC.
- Support Groups and training for Kinship Carers.
- Financial Support.
- Support to enable carers to remain in work.
- Support with accommodation.
- Support with education.
- Supporting family time.
- Family Network Meetings and Family Group Conferencing.
- Legal support
- Therapeutic support.
- Signposting to the SEND Local Offer.
- Information about transitions for young people with additional needs.

10 Appendix One

Helpful Information and contacts.

Coram Children's Legal Centre (CCLC)

- Coram Children's Legal Centre provides free independent legal advice and factsheets to children, parents, carers and professionals.
- Website: www.childlawadvice.org.uk Telephone number: 0300 330 5480.

Family Lives and Gingerbread

- Family Lives, in consortium with Gingerbread, offer free online and phone support for parents and carers on various topics, such as mental health, behaviour, bullying, divorce, finances, welfare rights and more.
- Website: www.familylives.org.uk Telephone number: 0808 800 2222.
- Website: www.gingerbread.org.uk. Telephone number: 0808 802 0925.

Family Rights Group (FRG)

- Family Rights Group provides specialist advice to parents, kinship carers, relatives and friends who are involved with children's services in England or need their help. Family Rights Group's advice service is free, independent and confidential. It supports families to understand the law and child welfare processes when social workers or courts are making decisions about their children. The service offers a website packed with useful advice resources, online forums, a free telephone advice line, a webchat service, and online enquiry form.
- Website: www.frg.org.uk/get-help-and-advice Advice line: 0808 801 0366 (open Monday to Friday 9.30am to 3pm, excluding bank holidays)

Kinship

- Kinship is a national charity for kinship care in England and Wales. It supports grandparents, siblings, aunts, uncles, and family friends who care for children when their parents cannot. The charity provides information, advice, training, and support, including peer support groups and training services. Website: www.kinship.org.uk. Advice line: Kinship carers can call during these hours for free on 0300 123 7015. The phone line is open Monday – Friday, 9:30am – 2pm. Kinship carers can also use the Kinship Compass to find out about local information and support: In your area – Kinship <https://kinship.org.uk/support-and-advice/kinship-compass/>.
- Kinship lead on the departmental contract for peer to peer support groups across England. You may wish to find a local group online here <https://compass.kinship.org.uk/about-the-kinship-peer-support-service/> or to get in touch directly with Kinship via their website here <https://kinship.org.uk/about-us/contact-us/>
- Kinship also lead on the departmental training and support programme for kinship carers across England. You can find more information about what training and support is available here: <https://kinship.org.uk/>
- Professionals working with kinship carers can access information about Kinship here: <https://kinship.org.uk/for-professionals/>



STANDARDISED MEANS TEST MODEL FOR ADOPTION AND SPECIAL GUARDIANSHIP FINANCIAL SUPPORT

Introduction

1. The Department for Education and Skills has developed a model means test for adoption and special guardianship financial support. The model has been tested with various local authorities and modifications made as a result.
2. **Please note that this test is a suggested model only.** It is not a statutory requirement for local authorities to use this model in place of their existing system. However, we do recommend its use by local authorities, as we believe that the model developed is fair and that adoptive or special guardian families would benefit from a consistent approach by local authorities.
3. The model proposed is intended to deliver a standard approach to arriving at adoption support or special guardianship support payments (if not always a standard payment), so that adopters and special guardians are treated equitably within the context of what is affordable within existing local authority budgets.
4. For any queries about the model, please contact the Adoption Team on adoption.team@dfes.gsi.gov.uk.

Guidance on using means test model

General

5. The model is based on disposable income, and so provides a thorough analysis of the family's financial situation. Key principles of the test are set out in this section.
6. The regulations on adoption and special guardianship support services¹ set out that there must be no reward element in financial payments other than as a transitional provision for foster carers adopting or becoming special guardians for a child for whom they are currently caring.

¹ The Adoption Support Services Regulations 2005 (SI 2005/691) and the Special Guardianship Regulations 2005 (SI 2005/1109) both available at www.opsi.gov.uk.

7. The overall approach used in the test is a 'snapshot' of the family's current circumstances. By this, we mean that if the adopted or special guardian child is already living with the prospective adopters or adoptive parents/special guardian, then the child should be included in the calculations. If the child is not yet placed with the prospective adopters/special guardian, then the child should not be included in the calculations.
8. If a family is in receipt of Income Support, we recommend that the local authority pay the family the applicable maximum payment without assessing their income/expenditure in this test. The figure paid to the family should not include any deductions for child benefit (as they are in receipt of Income Support).
9. Financial support paid to adoptive parents or special guardians under the regulations cannot duplicate (or be a substitute for) any payment to which adopters or special guardians would be entitled under the tax and benefit system. We recommend that local authorities only include benefits that are currently being paid to members of the household. If the local authority believe that there are other benefits to which the household would be entitled, this should be pointed out to the adopters or special guardian. A reassessment after 3 months could then be made which would capture all of the new benefits being received. This could be the case where, for example, a child has recently been placed with the prospective adopters or special guardian, and they have not yet claimed child tax credit.
10. The test is currently worked out on a monthly basis. If local authorities prefer to use weekly figures, the model can be adapted for this.

PROJECTED FAMILY INCOME

Section 1i - Pay

11. This section should include basic net monthly pay, before any deductions for savings schemes, social clubs, accommodation/food and loans. However, the income figure used should exclude any payments into pension funds.
12. Where one (or both) of the parents or special guardian is self employed, the only income which should be considered is 'drawings' as this is the equivalent of pay from an employer. Any profit from the business sitting in a bank account (and thereby not being reinvested) should be taken into account as capital under section 1iv: other sources of income.
13. If one (or both) of the parents or special guardian receives overtime, fees, bonus/commission and/or gratuities on a regular basis (for example annual bonuses) should be included as part of the monthly payment (i.e. if the payments are annual, these should be divided by 12 to give a monthly amount to be included in the 'basic net monthly

pay' section). If local authorities are using weekly figures, the extra income should be calculated on this basis.

Section 1ii – Benefits and pensions (parents)

14. Where the parents or special guardian receive individual benefits (i.e. those that are not calculated on a household basis) these should be included in this section. If the benefit payments are currently received weekly, please multiply by 52 and divide by 12 to give a monthly amount. Benefits to be entered in this section are:

Employer's sick pay (after compulsory deductions)

Incapacity benefit

Statutory maternity, paternity and/or adoption pay and/or maternity allowance

Bereavement benefit

Working tax credit (if paid directly and not as part of pay and excluding any childcare element received)

All pension payments received

Other benefits

15. In relation to working tax credit, our understanding is that an employed person currently receives working tax credit within pay from his employer. If this is the case, the amount will be included in the basic net monthly pay section. All those who receive working tax credit will receive an award notice which sets out how much they will receive. This award notice will provide the information needed for this section of the test.
16. Where a childcare element is paid as part of the working tax credit, this should be disregarded for the income section of the test. The existence of this type of credit needs to be considered when completing the expenditure section on childcare (see below).
17. Any other benefits received by the parents, for example help with costs associated with disability or mobility, should be recorded in the 'other benefits' section.

Section 1iii – Benefits (family/children)

18. Where benefits are received by the family or household, as opposed to being paid directly to the parents, they should be recorded in this section. This is primarily for benefits which are calculated on the basis of household composition. Benefits to be included in this section are:

Income Support

Jobseeker's Allowance

Child tax credit per household

Child benefit for each child, excluding the child/children who are the subject of this assessment application

19. If a member of the household receives Income Support or Jobseeker's Allowance, the amount per household should be recorded here. Also see paragraph 8 above, where it is recommended that where the only income families receive is Income Support, the applicable maximum payment should be made to the family.
20. Benefits which should be included in this section are child tax credit received for each child, at the time that the test is applied. All those who received child tax credit should receive an award notice setting out how much they will receive.
21. Child benefit should be included for each child living in the household, excluding the child/children who are the subject of this assessment application. Current rates for child benefit can be found by clicking [here](#).
22. Housing benefit should also be excluded from this section, as it is disregarded for the purposes of the expenditure section below.

Section 1iv – Other sources of income

23. Where the family receive income from capital, savings and/or investments, this should be assessed in terms of net monthly interest only, as paid. This is the income that is routinely available to the family, and should be clearly shown on statements/similar. Any interest received from Government Child Trust Funds should not be included in this section.
24. If the family receive income from boarders/lodgers, this should be calculated on a weekly basis (then multiplied by 52 and divided by 12 to give a monthly amount if the test is being completed on a monthly basis). To calculate the weekly income, all weekly payments for board and lodging must be added together, a £20 disregard applied and then 50% of any excess over £20 for each person deducted. This is how income from boarders/lodgers is calculated for income support purposes.
25. Examples of the approach for income from boarders/lodgers are as follows:

Boarder/lodger 1

Weekly payment	£55
Deduct £20 (disregard)	-£20
	£35
Deduct 50% of remainder	-£17.50
Income from boarder/lodger 1	£17.50

Boarder/lodger 2

Weekly payment	£60
Deduct £20 (disregard)	-£20
	£40
Deduct 50%	-£20

Income from boarder/lodger 2 £20

26. Where the family receive income from rent on an unfurnished property, this should be calculated on the following basis: monthly income received in rent after the deduction of any costs. Deductions can be made for:
- Interest payments on the mortgage (but not mortgage capital payments);
 - Repairs;
 - Council tax (if paid by the family being assessed)
 - Agents' fees; and
 - Insurance (buildings)
27. If income is received from furnished properties, the same calculation applies as above for unfurnished property, but an extra 10% deduction from the monthly rent received can be made as a 'wear and tear allowance'.
28. The approach used in paragraphs 25 and 26 above is consistent with that used for calculating income from property for the purposes of income tax. If the person who is the subject of the assessment has completed a recent tax return, local authorities may ask to see a copy of this. The tax return should have the information needed for this section of the test.
29. Other income to take into consideration includes maintenance payments received for any child in the household and existing adoption or special guardian allowances (including enhancements for special needs) paid for any child. This latter may be paid where, for example, the family have adopted or become a special guardian for a child with a different local authority and therefore receive a separate allowance.

Section 1v – Income relating to the child/children being adopted or becoming a special guardian child

30. This section relates to the child/children being adopted or becoming a special guardian child only. Any regular interest on capital and/or income in which the child/children has a legal interest and entitlement should be included here. This could be, for example, a savings account, trust fund, property or other legacy.
31. Payments from Criminal Injuries Compensation Awards should not be included. Any interest received from Government Child Trust Funds should not be included in this section.
32. Please also consider any other income to which the child/children might be entitled. This section does not record child benefit for the adopted or special guardian child, which will be deducted from the final payment resulting from this means test.

Income calculation

33. The means test spreadsheet will automatically calculate the household monthly income, and will also apply a 20% disregard to this income figure.

PROJECTED FAMILY EXPENDITURE

Section 2i – Home expenditure

34. This section should include mortgage payments, made up of capital and interest, and also including any endowment payments linked to the mortgage. If the family pays rent, the monthly amount actually paid should be recorded here, after any deductions made for housing benefit. The only other outgoing which should be included in this section is council tax paid; this should be the amount paid after the deduction of any council tax benefit received by the household or discount for single adult households or second homes.

Section 2ii – Other outgoings

35. Where the family pay regular monthly repayments on loans for housing improvement (e.g. extensions/new kitchens) or transport costs (e.g. new car), we suggest that these are included in this section. Local authorities will need to decide in relation to the individual circumstances as to whether a loan repayment should be included here. Some loans may have been taken out by the adoptive or special guardian family to meet a new need incurred as a result of the adoption or special guardianship order (e.g. buying a larger car).
36. Other payments which can be included in this section include maintenance payments, payments relating to court orders, private pension contributions and national insurance if self-employed or not working.
37. The section for 'reasonable' child care costs will need to be determined by each local authority depending on (a) the circumstances of the family in question (e.g. how many hours the parents work); and (b) local costs for child care services. Costs recorded in this section should be those paid after any childcare element paid as part of the parents' working tax credit. All those who receive working tax credit will receive an award notice which sets out how much they will receive.

Section 2iii – Core regular family expenditure

38. General household expenditure on items such as food, transport, clothes, recreation should be calculated using the Income Support allowance rates, but increased by 25%. The latest rates can be found by clicking [here](#). The calculations below are based on the rates for 2005-6 as an indication:

Personal Allowance	Normal monthly rate	125% of normal monthly rate (for use in this means test)
Single adult aged 16-17	£146.68	£183.35
Single adult aged 18-24	£192.83	£241.04
Single adult aged 25 or over	£243.53	£304.41
Couples both aged 18 or over	£381.98	£477.48
Lone parent aged 16-17	£146.68	£183.35
Lone parent aged 18 or over	£243.53	£304.41
Dependent children	£190.15	£237.69

39. In completing the means test, local authorities will need to calculate the appropriate figure for the family being assessed. For example, for a household with a couple (parents) and 2 dependent children the core regular family expenditure should be recorded as £952.86 (made up of couple's allowance of £477.48 and 2 allowances for dependent children of £237.69 each).

CALCULATION

40. The spreadsheet will calculate the household's monthly disposable income.
41. Local authorities will need to enter the appropriate maximum payment for the household, depending on the number and age of the child/children being adopted or becoming special guardian children, and the circumstances of the child e.g. special needs.
42. We understand that most local authorities will have a payment structure for fostering allowances consisting of a core allowance paid for all children, plus enhancements linked to, for example, special needs. This payment structure will be linked to local variations in the cost of living and individual local authority budgets. We recommend that adoption and special guardianship maximum payments are tied to these allowances. This would result in a different maximum payment in individual cases, determined by the needs of the child, against which amount the test is run.
43. After the local authority maximum payment has been entered manually, the box marked 'amount of payment to adopters or special guardian' will show the payment that the test has calculated for adopters or the special guardian. This amount is calculated on the following basis:

Where the family's disposable income is less than £0, the spreadsheet will show the local authority's maximum payment.

This is because the adopters or special guardian have provided evidence via the disposable income calculation that shows they do not have the means to accommodate any further expenditure.

Where the family's disposable income is higher than £0, the spreadsheet will calculate a figure that is a percentage of the maximum payment. As the disposable income figure rises above zero, the percentage of the maximum payment that the adopters or special guardian be tapered at a set rate of 50%. This rate means that for every pound of monthly disposable income a family is found to have, they will have 50 pence deducted from the monthly maximum payment.

44. We understand that many local authorities determine payments to adopters or special guardians based on the allowances they pay foster carers, and then deduct child benefit from the final amount. This is to reflect that child benefit can be claimed by adopters and special guardians but not foster carers. The appropriate amount of child benefit for the child/children who are the subject of the test should be entered into the spreadsheet. Please note that the maximum payment used to calculate the payment to adopters should not take into account any child benefit the adopters might receive (i.e. should not deduct it) as the spreadsheet allows the child benefit to be deducted after the payment has been calculated.
45. The final payment shown will be the calculation of the means test minus child benefit entered by the local authority.