



LONDON BOROUGH OF TOWER HAMLETS

Guidance on the payment of Special Guardian/Adoption/Arrangement Order Allowances

April 2015

About this Document

<i>Title:</i>	Guidance on the payments of allowances in the borough
<i>Purpose:</i>	This guidance relates to payments to Special Guardians, Adopters and Carers with a Residence Order. This guidance is effective from 1 st April 2015 and replaces all previous guidance in this area.
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Guidance on the payment of allowances in the London Borough of Tower Hamlets

Introduction

This guidance relates to payments to Special Guardians, Adopters and Carers with an Arrangement Order (previously called Residence Orders) and replaces all previous guidance in this area. The guidance is intended to supplement the statutory framework and guidance by offering further assistance to officers and others about how the Council expects the relevant schemes to be operated. The guidance should be read in conjunction with the Council's current Special Guardian, Adoption, and Arrangement procedures which are available on the intranet.

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Key Principles

1. The relevant statutory framework may permit the Council to decide whether or not to carry out a financial assessment to determine whether an allowance is payable. There will be circumstances in which the Council will refuse to carry out a financial assessment, having regard to its area of responsibility, its limited resources and any other relevant circumstances.
2. There is a presumption that special guardians, adopters and connected persons who hold child arrangement orders will look first to any personal resources, tax credit or benefit available by way of financial support for the child.
3. It is recognised that in circumstances where the Local Authority has issued care proceedings, it is important that the availability of an allowance does not prejudice the parties or court in respect of what type of order it should make at the conclusion of such proceedings, rather than making the order which is in the best interest of the child. Consequently, where the child has been looked after by LBTH immediately prior to the conclusion of care proceedings, the Local Authority will exercise its discretion to pay an allowance in accordance with the council's allowance policy and the outcome of the financial assessment of the proposed carer.
4. Where the Local Authority has asked a connected person to make an application for an SGO, adoption or child arrangement order to avoid the need to issue care proceedings, there being a public interest in avoiding the expense of such proceedings, the Local Authority will use its discretion in accordance with (2) above.
5. The Local Authority will use its discretion in respect of payment of an allowance in accordance with a financial assessment of special guardians and adopters in circumstances where it appears to the Local Authority that unless financial support is provided, a special guardianship or adoption order could not be made due to a financial obstacle.
6. Payment of a special guardianship allowance on the basis of a financial assessment will be made in circumstances where the council considers that the child has special needs requiring expenditure greater than would otherwise be available (having regard to any disability benefits available to meet the child's needs). Additionally, consideration will be given to payment of an enhancement to the allowance, to reflect the additional demands of caring for a child with special needs. Subject to the financial assessment, where a child is in receipt of Disability Living Allowance, the allowance may be enhanced by up to fifty per cent of the Disability Living Allowance rate.
7. Special Guardian, Adoption and Arrangement allowances are aligned to the National Minimum Fostering Allowance rates.
8. Where the Council carries out a financial assessment, this will be under the model means test referred to in this guidance. The model means test indicates the amount of allowance that should be payable. Carers who rely solely on state benefits for income will usually be eligible for the maximum weekly allowance generally payable by the Council less child benefit and child tax credit.
9. Approved Foster Carers who apply to become an adopter or a special guardian for a child they foster for the borough will, on the granting of the adoption order or the special guardianship order, have their weekly allowance, less child benefit and child tax credit, protected for a period of 2 years following the date of the order. If the Foster Carer is an agency carer the weekly rate will be the equivalent Tower Hamlets rate.
10. Special Guardian, Adoption and Arrangement allowances are not authorised until they have been agreed in writing by both the Group Manager for Resources and the Service Manager for Resources.
11. All weekly allowances are subject to a review on at least an annual basis.

Special guardianship allowances

1. Framework

1.1. The statutory framework and guidance are as follows -

- Children Act 1989, sections 14A to 14F.
- Special Guardianship Regulations 2005 (“SGR”).
- Special Guardianship Guidance, issued under section 7 of the Social Services Act 1970, to which the Council is required to have regard.

1.2. The Council's procedure for special guardianship is number 17A of the social care procedures.

2. Area of responsibility

2.1. The Council is required to make arrangements for the provision of special guardianship support services within Tower Hamlets.

2.2. Financial support is one type of special guardianship support services. The regulations set out limitations on the types of financial support that the Council may be obliged to pay and when financial support is payable.

2.3. The statutory framework specifies the circumstances in which the Council may carry out an assessment of a person's need for services and in which the Council must do so. If the Council carries out an assessment and finds a need for services, the Council must decide whether or not to provide those services.

2.4. The regulations specify a limited range of circumstances in which the Council's obligations may extend to persons outside of Tower Hamlets. This covers relevant children who are looked after by the Council, or who were looked after by the Council immediately before the making of a special guardianship order, and specified related persons.

2.5. The Council will usually only pay special guardianship allowances in respect of children for who it has responsibility under the statutory framework and, to the extent that the Council has discretion to make such payments in respect of other children, it should generally exercise its discretion against such payments. This reflects the limited resources available to the Council and takes into account the responsibilities of other authorities.

3. Timing of first payment

3.1. The date from which the Council will pay special guardianship allowance should be determined having regard to the date of any application for an assessment of a person's need for services and the outcome of that assessment. The Council may not, however, pay special guardianship allowance until special guardian or prospective special guardian agrees to the conditions specified in SGR 10.

3.2. The statutory framework permits a person to apply for an assessment in advance of a special guardianship order being made. The Council will generally not pay special guardianship allowance in advance of the date of a special guardianship order being made. This is by reason of the limited resources available to the Council, the purposes for which such allowance is payable and the existence of alternative benefits and allowances payments prior to a person being appointed special guardian.

4. Financial assessment

4.1. As set out above, there are some people the Council must conduct a financial assessment for and some people the Council may assess. Where the Council is not under an obligation to carry out an assessment, it should decide whether or not to carry out a financial assessment to determine whether an allowance is payable. In circumstances where the Council has discretion whether or not to carry out a financial assessment, an officer should first obtain the opinion of the Council's Group Manager – Resources in Children's Social Care.

- 4.2. There will be circumstances in which the Council will refuse to carry out a financial assessment, having regard to its area of responsibility, its limited resources and any other relevant circumstances. This may occur where the Council has had no or limited previous involvement with the child. If the Council determines not to carry out a financial assessment, then the Council will notify the prospective Special Guardian in writing of its decision and comply with the requirements of the statutory framework.
- 4.3. Where a financial assessment is carried out, it will be according to the model means test set out in this guidance. The Children's Placement Team will send the model means test spreadsheet out to the special guardian or prospective special guardian to complete. This information will generally be essential to completion of the financial assessment and delay in providing the information may delay the Council's assessment of needs and its decision whether to pay special guardianship allowance.
- 4.4. If the special guardian or prospective special guardian provides documentary evidence that he or she relies solely on state benefits, then the model means test need not be undertaken. The starting point in such cases will be that the person is entitled to the maximum weekly special guardianship allowance, subject to the matters in paragraphs 5.2 and 5.3 below.
- 4.5. Any officer carrying out a financial assessment should be mindful of the Council's obligations under SGR 15 to allow a person to make representations before it makes any decision about the person's need for special guardianship support services. The Council must first give the person a written notice of its proposed decision. The notice must specify the matters in SGR 15(3). If the Council is required to prepare a plan of the special guardianship support services (which it must do if the services are to be provided on more than one occasion and are not limited to the provision of advice or information), then a copy of the draft plan must be provided with the notice. The Council must then give the person an opportunity to make representations about the proposed decision and the draft plan. The Council should not make a final decision until the time for representations has expired. If representations are made, then the Council should consider those before making a final decision.

5. Allowance amounts

- 5.1. The statutory guidance provides that in determining the amount of any ongoing financial support, the Council should have regard to the amount of fostering allowance that would have been payable if the child were fostered. With this in mind, the maximum weekly special guardianship allowance paid by the Council will generally be an amount that is in line with the national minimum fostering allowance. A grid indicating what allowances may be paid, having regard to the national minimum fostering allowance, is set out in Annex A.
- 5.2. One of the matters that the Council must take into account as part of a financial assessment is the person's financial resources, including any tax credit or benefit, which would be available if the child lived with the person. For carers who are eligible for the maximum allowance, child benefit and child tax credit should be deducted from the weekly allowance. Generally, however, the model means test will calculate the amount of allowance, taking into account relevant deductions.
- 5.3. Additionally, consideration will be given to payment of an enhancement to the allowance, to reflect the additional demands of caring for a child with special needs. Subject to the financial assessment, where a child is in receipt of Disability Living Allowance, the allowance may be enhanced by up to fifty per cent of the Disability Living Allowance rate.

6. Review

- 6.1. All special guardianship allowances should be reviewed on an annual basis by the relevant finance and administration officer in the Children's Placement Team. Reviews may also be conducted at any other stage that the Council considers appropriate, or if any change in a person's circumstances comes to the Council's notice.
- 6.2. Officers carrying out reviews should be mindful of the procedural requirements specified in SGR 17. If it is proposed to vary or terminate the provision of special guardianship allowance following a review, then notice of the proposed decision should be given and time allowed for the affected person to make representations. The notice must be in writing and include the information specified in SGR 15(3). If the proposal is to revise the plan for special guardianship

support services, then a copy of the draft revised plan should be provided with the notice. A final decision on whether to vary or terminate the provision of special guardianship allowance can only be made after time has been allowed for the person to make representations and any representations made have been taken into account.

- 6.3. Carers should be notified in writing of the outcome of any review and provided with reasons for any decision.

7. Settling in grants

- 7.1. A settling-in grant may be paid for children who move in with their special guardian on or after the date that a special guardianship order is made. Having regard to the sorts of expenses associated with settling-in, the amount of those expenses and the Council's resources, the amount of settling-in grant should generally not exceed £500. There would need to be evidence of some special need, or some other relevant matter, before it would be appropriate to pay a higher amount.
- 7.2. It will generally be inappropriate to pay a settling-in grant where a child is already living with a prospective special guardian at the time when a special guardianship order is made. This is because the child should already have settled-in. There may, however, be timing and other issues that alter the usual position and these should be considered on a case by case basis.

8. Contact

- 8.1. The requirement for services to support contact arrangements will need to be considered as part of the overall assessment of a person's needs for special guardianship support services. Financial support for contact should only be available if this is considered necessary for a special guardianship order to be made or continued, having regard to the best interests of the child.
- 8.2. Financial support for contact should be reviewed on an annual basis by the Permanency and Adoption Support Team in line with the annual review of special guardianship allowances. The overall aim should be for the special guardian and the birth family to be able to handle contact without financial support, unless this is contrary to the best interests of the child, particularly having regard to child protection and safety reasons.

9. Respite care

- 9.1. If a child subject to a special guardianship order has special needs the Council may provide for respite care to be available to the special guardian on a periodic basis.

10. Approved Foster carers who become special guardians

- 10.1. Approved Foster carers who become special guardians should be eligible to receive the equivalent weekly allowance that they would have received or are receiving as a Tower Hamlets foster carer for a period of two years following the date of the special guardianship order. This should be less child benefit and child tax credit. The continuation is to enable Approved Foster carers to have time to make the transition to being special guardians before their allowances change, whilst at the same time recognising the need for a consistent approach for special guardians, fairness and the constraints on the Council's resources. A two-year transition period should generally be sufficient for this purpose. At the end of the two-year period, a review should be conducted involving a financial assessment and the application of the model means test. At that time, the need for an enhancement can be considered if there are any special needs or other circumstances.
- 10.2. Birthday, festival and holiday grants are not be payable to Approved Foster carers who become special guardians.

11. Services for persons outside Tower Hamlets (the three year "rule")

- 11.1. SGR 5 specifies circumstances in which the Council is responsible for providing special guardianship support services to persons outside of Tower Hamlets. This extended obligation generally ceases to apply at the end of the period of three years from the date of the special guardianship order and responsible officers should take care to put in place arrangements for

the transfer of responsibility to a new local authority (assuming that special guardianship support services continue to be required).

- 11.2. The extended obligation will not cease three years from the date of the special guardianship order in relation to financial support being provided if the decision to provide the support was made before the making of the order.
- 11.3. Irrespective of whether the Council has an extended obligation to provide special guardianship support services to a person outside of Tower Hamlets, the Council may choose to provide such services to such a person. The Council should generally exercise its discretion against such payments for the reasons given in paragraph 2.5 above.

12. Payment of legal fees

- 12.1. SGR 6 provides that financial support may be payable by way of a contribution to the legal costs of a special guardian or prospective special guardian associated with: (i) the making of a special guardianship order or any application to vary or discharge such an order; (ii) an application for an order under section 8 of the Children Act 1989 (a contact order, a residence order, a prohibited steps order or a specific issues order); or (iii) an order for financial provision to be made to or for the benefit of the child. It is necessary for the Council to consider that such a payment is appropriate. It is difficult to predict when a payment will be appropriate, but it may be appropriate to consider whether legal assistance is necessary and whether this may be available without a contribution being made. It may be appropriate to seek input from the Council's legal services section in relation to this matter.
- 12.2. If a contribution to legal costs is to be made, then the reasonable allocation of the Council's resources will usually limit the contribution to an amount up to £500 (exclusive of VAT). Higher contributions may be made in appropriate cases.
- 12.3. In a typical case where a contribution is authorised, the terms specified for the payment should be as follows: "The Council will make a contribution to legal fees up to a maximum of £500. No additional amount will be paid towards the legal fees unless a higher figure is agreed in writing by the Council prior to the work being undertaken".

13. Allowances sign-off

- 13.1. The decision regarding what financial support will be paid, either following an initial financial assessment or a review, is the responsibility of the Service Manager for Resources. A decision sheet should be provided by the Recruitment and Assessment Team Manager, via the Group Manager for Resources.
- 13.2. The decision sheet should be provided to the Service Manager for Resources at a formal meeting. If the assessment is connected with a special guardianship order assessment, then the formal meeting should take place at least five working days before the assessment is due to be filed at court.

14. Appeal

- 14.1. If the carer disagrees with the Council's decision on financial support, then he or she may ask for a review. The request should be made in writing, setting out relevant concerns.
- 14.2. A review will be carried out by an officer more senior to the Service Manager for Resources, having regard to the material that was available at the time the decision was made, the carer's expressed concerns and any response to those concerns from the Service Manager for Resources.
- 14.3. The result of the review, including reasons, will be communicated to the carer in writing.

Adoption Support Services – Allowances

1. Framework

1.1. The statutory framework and guidance are as follows -

- Adoption and Children Act 2002, section 4.
- Adoption Support Services Regulations 2005 (“ASSR”).
- Adoption Statutory Guidance: The Adoption and Children Act 2002 (revised February 2011), particularly section 9, issued under section 7 of the Social Services Act 1970, to which the Council is required to have regard.

1.2. The Council's procedure for adoption support services is contained in its Adoption and Permanency Procedures.

2. Trigger and area of responsibility

2.1. ASSR 8(2) specifies the circumstances in which financial support may be paid to an adoptive parent for the purpose of supporting the placement of the adoptive child or the continuation of adoption arrangements after an adoption order is made.

2.2. The decision about whether financial support should be paid will typically be made at the point of the “should be placed for adoption” (“SHOPA”) recommendation by the Adoption Panel. The Adoption Panel may make a recommendation as to whether the criteria for payment of financial support have been met. The necessary financial assessment should be carried out prior to the Adoption Panel's consideration of its SHOPA decision, so as to enable the Panel to make a recommendation about financial support.

2.3. Regard should be had to paragraph 27 of section 9 of the Statutory Guidance, which suggests that the effect of ASSR 8 and ASSR 15 is that there generally must be some special need or circumstances making it hard to place the child before financial support should be paid.

3. Timing of first payment

3.1. The date from which the Council will pay financial support should be determined having regard to the date of any application for an assessment of a person's need for services and the outcome of that assessment. The Council may not, however, pay periodic financial support until the adoptive parent has agreed to the conditions in ASSR 12.

3.2. The Council will generally not pay periodic financial support in advance of the date that an adoption order is made. This is by reason of the limited resources available to the Council, the purposes for which such support is payable and the existence of alternative benefits and allowances payments prior to adoption.

4. Financial Assessment

4.1. A financial assessment is required before financial support will be paid, to determine a person's needs for such support. The Act and the ASSR specify circumstances in which the Council is required to carry out a financial assessment and circumstances in which it may do so. If the Council carries out an assessment and finds a need for services, the Council must decide whether or not to provide those services.

4.2. If the Council has a choice whether or not it will carry out a financial assessment, there will be circumstances in which the Council will refuse to carry out a financial assessment, having regard to its area of responsibility, its limited resources and any other relevant circumstances. Consideration should be given to whether any of the circumstances in ASSR 8(2) are likely to be met before making the decision to assess. Before carrying out a financial assessment, an officer should first obtain the opinion of the Council's Group Manager – Resources in Children's Social Care.

4.3. Any financial assessment should be undertaken by the Finance and Information Officer in the Children's Placement Team. The financial assessment should be according to the model means test set out in this guidance, although care must be taken, as ASSR 15(4) and 15(5)

specify circumstances in which the Council must disregard means. Generally, the model means test will calculate the amount of allowance, taking into account relevant deductions.

- 4.4. The Children's Placement Team will send the model means test spreadsheet out to the special prospective Adopter(s) to fill in. This information will generally be essential to completion of the financial assessment and delay in providing the information by the prospective adopter may delay the Council's assessment of needs and its decision whether to pay financial support.
- 4.5. If the adopter or prospective adopter provides documentary evidence that he or she relies solely on state benefits, then the model means test need not be undertaken. The starting point in such cases will be that the person is entitled to the maximum weekly allowance, subject to the matters in paragraphs 5.2 and 5.3 below.

5. Allowance amounts

- 5.1. The statutory guidance provides that in determining the amount of any on-going financial support, the Council should have regard to the amount of fostering allowance that would have been payable if the child were fostered. With this in mind, the maximum weekly adoption allowance paid by the Council will generally be an amount that is in line with the national minimum fostering allowance. An allowances grid that has been prepared having regard to the national minimum fostering allowance and is set out later in this guidance.
- 5.2. One of the matters that the Council must take into account as part of a financial assessment is the person's financial resources, including any tax credit or benefit, which would be available if the child lived with the person. For carers who are eligible for the maximum allowance, child benefit and child tax credit should be deducted from the weekly allowance. Generally, however, the model means test will calculate the amount of allowance, taking into account relevant deductions.
- 5.3.1 Additionally, consideration will be given to payment of an enhancement to the allowance, to reflect the additional demands of caring for a child with special needs. Subject to the financial assessment, where a child is in receipt of Disability Living Allowance, the allowance may be enhanced by up to fifty per cent of the Disability Living Allowance rate.

6. Review

- 6.1. The ASSR specifies when the Council is required to review the provision of adoption support services. ASSR 19 deals with the general position and ASSR 20 deals specifically with financial support payable periodically. In each case there is a requirement for an annual review and for other reviews either upon a relevant change in circumstances or where the Council considers it appropriate to review.
- 6.2. In the case of financial support payable periodically, the annual review will follow receipt of the annual financial statement from the adoptive parent. A review may also be triggered by breach of a condition in ASSR 12.
- 6.3. Reviews should be conducted by the relevant Finance and Information Officer in the Children's Placement Team.
- 6.4. Officers carrying out reviews should be mindful of the procedural requirements specified in ASSR 19 and 20. The requirements for assessment and financial assessment apply to a review as they do to an initial assessment. ASSR 19 and 20 both impose obligations to provide notice of any proposed changes (and any revised plan) to the adoptive parent in writing, before any final decision is taken. Time must be allowed for the adoptive parent to make representations. If representations are made within the period allowed, then the Council must take those into account before making a final decision. The final decision must be notified to the adoptive parent(s) in writing, along with reasons and a copy of any amended plan.

7. Contact

- 7.1. The requirement for services to support contact arrangements will need to be considered as part of the overall assessment of a person's needs for adoption support services. Financial support for contact should only be available if this is considered necessary for the making of an

adoption order or the successful continuation of an adoption order, having regard to the best interests of the child.

- 7.2. Financial support for contact should be reviewed on an annual basis by the Permanency and Adoption Support Team in line with the annual review of adoption support services and payment of periodic financial support. The overall aim should be for the adoptive parent(s) and the birth family to be able to handle contact without financial support, unless this is contrary to the best interests of the child, particularly having regard to child protection and safety reasons.

8. Approved Foster carers who become adopters

- 8.1. Approved Foster carers who become adopters should be eligible to receive the equivalent weekly allowance that they would have received or are receiving as a Tower Hamlets foster carer for a period of two years following the date of the adoption order. This should be less child benefit and child tax credit. The continuation is to enable Approved Foster carers to have time to make the transition to being adoptive parents before their allowances change, whilst at the same time recognising the need for a consistent approach with adoptive parents, fairness and constraints on the Council's resources.
- 8.2. A two-year transition period should generally be sufficient for this purpose. At the end of the two-year period, a review should be conducted involving a financial assessment and the application of the model means test (as appropriate). At that time, the need for any enhancement can be considered if there are any special needs.
- 8.3. Birthday, festival and holiday grants are not be payable to Approved Foster carers who become adopters.

9. Services for persons outside Tower Hamlets (the three year "rule")

- 9.1. ASSR 7 specifies circumstances in which the Council is responsible for carrying out an assessment and deciding whether to provide adoption support services to persons outside of Tower Hamlets.
- 9.2. Any financial support (typically in the form of weekly payments) that the Council decided to pay to the adoptive parent(s) before the adoption will remain the Council's responsibility, subject to the outcome of any review, until the financial support ceases to be payable under ASSR 11.
- 9.3. In relation to adoption support services other than financial support falling within paragraph 9.2, the extended obligation in ASSR 7 ceases to apply at the end of the period of three years from the date of the adoption order and responsible officers should take care to put in place arrangements for the transfer of responsibility to a new local authority (assuming that adoption support services continue to be required).
- 9.4. Irrespective of whether the Council has an extended obligation to provide adoption support services to a person outside of Tower Hamlets, the Council may choose to provide such services to such a person. The Council should generally exercise its discretion against such payments, taking into account the limited resources available to the Council and the responsibilities of other authorities.

10. Allowances sign off

- 10.1. The decision on what financial support will be paid, either following an initial financial assessment or a review, is the responsibility of the Service Manager for Resources. A decision sheet and adoption order support plan should be provided by the Permanency and Post Adoption Support Team Manager, via the Group Manager for Resources. Information should be provided about the recommendation of the Adoption Panel.
- 10.2. The decision sheet and any associated documents should be provided to the Service Manager for Resources at a formal meeting.

11. Appeal

- 11.1. If an adoptive parent disagrees with the authority's decision on financial support, then he or she may ask for a review. The request should be made in writing, setting out relevant concerns.

- 11.2. The review should be carried out by an officer more senior to the Service Manager for Resources. The parent will be entitled to make representations to that officer. The reviewer may consider the material that was available at the time the decision was made, the parent's expressed concerns and any response to those concerns from the Service Manager for Resources.
- 11.3. The result of the review, including reasons, will be communicated to the parent in writing.

Arrangement (formerly Residence) Order Allowances

1. Framework

1.1. The statutory framework and guidance are as follows -

- Children Act 1989, Part 3, particularly section 17.

1.2. The Council's procedure for arrangement orders is contained in its sixth sundry procedure and is entitled: "Residence Order as Alternative to Looking after a Child" ("**the Council's Residence Order procedure**").

2. Trigger and area of responsibility

2.1. Unlike special guardianship and adoption, there is not a specific statutory framework for assessment and determination of whether financial support should be payable in circumstances where a residence order is made. Rather, this question falls to be determined under the general framework established by Part 3 of the Children Act 1989 dealing with local authority support for children and families.

2.2. If the Council is looking after a child who is the subject of an arrangement order, then it will be subject to the obligations to accommodate and maintain the child provided in section 23 of the Children Act 1989. If the Council is not looking after a child the subject of an arrangement order, then the Council will have discretion whether to provide financial support arising under section 17 of the Children Act 1989. The Council will exercise its discretion having regard to the needs of the child and the content of the child's care plan, if any. The Council will have regard to the resources available to the person or persons with whom the child resides and any limitations on the Council's resources to pay such allowances.

2.3. Paragraph 1.3 of the Council's Residence Order procedure specifies the circumstances in which an arrangement (formerly residence) order allowance may be payable and regard should be had to this before carrying out a financial decision. Before carrying out a financial assessment, an officer should first consult with the Council's Group Manager – Resources in Children's Social Care.

3. Financial assessment

3.1. Before determining that an Arrangement Order Allowance is payable, regard should be had to the following -

- The means of the person or persons with whom the child resides.
- Any benefits payable after the residence order has been made.
- Any contribution recoverable from the parents.

3.2. The financial assessment should be undertaken by the Finance and Information Officer in the Children's Placement Team.

3.3. The assessment of means should be carried out according to the model means set out in this guidance document. A means test should be carried out in respect of each household in which the child resides.

3.4. The means test spreadsheet will be sent out by the Children's Placement Team to the prospective carers to fill in. The Finance and Information Officer should explain in writing to the prospective carers that the means test is an essential part of the financial assessment and that failure to return the completed spreadsheet will prevent the Council from determining whether to pay an allowance.

4. Allowance amounts

4.1. There is no statutory guidance specifying how the Council should determine the amount of any Arrangement Order Allowance.

- 4.2. The Council considers that the maximum weekly Arrangement Order Allowance paid by the Council should generally be an amount that is in line with the National Minimum Fostering Allowance. An allowances grid that has been prepared having regard to the National Minimum Fostering Allowance and is set out later in this guidance for the assistance of officers.
- 4.3. Any child benefit and child tax credit payable to the carers should generally be deducted from the amount of any weekly allowance considered payable following the financial assessment.
- 4.4.1 Additionally, consideration will be given to payment of an enhancement to the allowance, to reflect the additional demands of caring for a child with special needs. Subject to the financial assessment, where a child is in receipt of Disability Living Allowance, the allowance may be enhanced by up to fifty per cent of the Disability Living Allowance rate.

5. Review

- 5.1. All Arrangement Order Allowances should be reviewed on an annual basis by the relevant Finance and Information Officer in the Children's Placement Team. As part of the review, the Officer should require the carers to submit up to date financial information on the means test spreadsheet.
- 5.2. Reviews may also be conducted at any other stage that the Council considers appropriate, or if any change in a person's circumstances comes to the Council's notice.
- 5.3. Carers should be advised of the outcome of any review in writing.

6. Allowances sign off

- 6.1. The decision on what financial support will be paid, either following an initial financial assessment or a review, is the responsibility of the Service Manager for Resources.
- 6.2. The decision sheet and any associated documents should be provided to the Service Manager for Resources at a formal meeting.

7. Appeal

- 7.1. If a carer disagrees with the authority's decision on financial support, then he or she may ask for a review. The request should be made in writing, setting out relevant concerns.
- 7.2. The review should be carried out by an officer more senior to the Service Manager for Resources. The carer will be entitled to make representations to that officer. The reviewer may consider the material that was available at the time the decision was made, the carer's expressed concerns and any response to those concerns from the Service Manager for Resources.
- 7.3. The result of the review, including reasons, will be communicated to the carer in writing.

National Minimum Fostering Allowances 2015/2016 and LBTH rate 2015/2016

Age	Base	South East	London	LBTH
0 - 1	£123	£136	£142	£145
2 - 4	£126	£140	£145	£145
5 -10	£139	£156	£163	£163
11 - 15	£159	£177	£184	£184
16 - 17	£185	£208	£216	£216

Allowances grid

Age	Category of Care	Financial Assessment	Fostering Reward	Maximum Weekly Allowance
0-4	Arrangement Order	Yes	£ -	£ 145.00
	Special Guardianship	Yes	£ -	£ 145.00
	Adoption	Yes	£ -	£ 145.00
	Regulation 24 carers	No	£ -	£ 145.00
5-10	Arrangement Order	Yes	£ -	£ 163.00
	Special Guardianship	Yes	£ -	£ 163.00
	Adoption	Yes	£ -	£ 163.00
	Regulation 24 carers	No	£ -	£ 163.00
11-15	Arrangement Order	Yes	£ -	£ 184.00
	Special Guardianship	Yes	£ -	£ 184.00
	Adoption	Yes	£ -	£ 184.00
	Regulation 24 carers	No	£ -	£ 184.00
16 -17	Arrangement Order	Yes	£ -	£ 216.00
	Special Guardianship	Yes	£ -	£ 216.00
	Adoption	Yes	£ -	£ 216.00
	Regulation 24 carers	No	£ -	£ 216.00

NB: Arrangement/Special Guardianship/Adoption allowances are less child benefit and child tax credits where these are payable.

SPECIAL GUARDIANSHIP ORDER SUPPORT REPORT

Prospective Special Guardian(s):

Name(s):

Framework ID(s):

Address:

Child/ren:

Framework ID(s):

Address:

Date of Special Guardianship Application:

Date of court hearing:

Details of support plan:

Support by the Family and Friends Foster Care Team

Contact

Finance

Special Guardians views on the support plan:

Assessing Social Worker's recommendations:

Applicant(s) signature(s):

Applicant

Applicant

Family and Friends Foster Care Team signature (s)

**Social Worker
Signed:-**

Date:-

**Team manager
Signed:**

Date:-

SPECIAL GUARDIANSHIP ORDER FINANCIAL DECISION SHEET

Prospective Carers –

Child -

Allowance Amount	
Any 'One Off' Payments	
Any Contact Financial Support	
Any Other Financial Support	

Group Manager	
Decision	Agree <input type="checkbox"/> Disagree <input type="checkbox"/> More Info <input type="checkbox"/>
Signed:	
Date:	

Service Manager	
Decision	Agree <input type="checkbox"/> Disagree <input type="checkbox"/> More Info <input type="checkbox"/>
Signed:	
Date:	

Date Passed to the Recruitment and Assessment team Administrative Officer	
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First Review Date of Support Plan and Allowances	
---	--

Date Passed to Finance and Information Officer	
---	--

Any other relevant information:

ADOPTION ORDER SUPPORT REPORT

Prospective Adopter (s):

Name(s):

Framework ID(s):

Address:

Child/ren:

Framework ID(s):

Address:

Date of Adoption Application:

Date of court hearing:

Details of support plan:

Support by the Permanency and Post Adoption Support Team

Contact

Finance

Adopter (s) views on the support plan:

Assessing Social Worker's recommendations:

Applicant(s) signature(s):

Applicant

Applicant

Permanency and Post Adoption Team signature (s)

Social Worker

Signed:-

Date:-

Team manager

Signed:

Date:-

ADOPTION ORDER FINANCIAL DECISION SHEET

Prospective Carers –

Child -

Allowance Amount	
Any 'One Off' Payments	
Any Contact Financial Support	
Any Other Financial Support	

Group Manager	
Decision	Agree <input type="checkbox"/> Disagree <input type="checkbox"/> More Info <input type="checkbox"/>
Signed:	
Date:	

Service Manager	
Decision	Agree <input type="checkbox"/> Disagree <input type="checkbox"/> More Info <input type="checkbox"/>
Signed:	
Date:	

Date Passed to Post Adoption and Support team Administrative Officer	
---	--

First Review Date of Support Plan and Allowances	
---	--

Date Passed to Finance and Information Officer	
---	--

Any other relevant information:

Arrangement Order Allowance Front Sheet Application Form

Social Worker to Fill In This Section

Name of Child		Fwi	
Name of Carer			
Name of Social Worker			
Date of AO			
Date of Application			

Please ensure that the following documents are attached:

- | | | |
|-------------------------|--------------------------|--------------------------|
| | SW Tick | CPT Confirm |
| • Copy of The Order | <input type="checkbox"/> | <input type="checkbox"/> |
| • Model means test Form | <input type="checkbox"/> | <input type="checkbox"/> |
| • Supporting Statement* | <input type="checkbox"/> | <input type="checkbox"/> |

ART to Fill In This Section

Date Application Received	
Decision	Agree <input type="checkbox"/> Disagree <input type="checkbox"/> More Info <input type="checkbox"/> (See Notes)
Date Passed to CPT FO	
Date Form Returned to SW	

<input type="checkbox"/>	Agreed Group Manager _____	Date _____
<input type="checkbox"/>	Agreed Service Manager _____	Date _____

The case for support should include the following information Subject, Carer, Relationship between subject and carer, Address, Ethnicity, Legal Status, A Brief Chronology, the Care Plan, and the reasons for supporting the application. The application needs to be signed by the social worker and the team manager.

**ADOPTION SUPPORT AND SPECIAL GUARDIANSHIP FINANCIAL SUPPORT
MODEL MEANS TEST**

All figures should be calculated on a **monthly** basis

1) PROJECTED FAMILY INCOME

i) Pay	Parent 1/2
Basic net monthly pay	0.00
Drawings if self employed	0.00
Total subsection 1i	0.00

ii) Benefits and pensions (parents)	Parent 1/2
Employers' sick pay (after compulsory deductions)	0.00
Incapacity benefit	0.00
Statutory maternity, paternity and/or adoption pay and/or maternity allowance	0.00
Bereavement benefit	0.00
Working tax credit (if paid directly and not as part of pay and excluding any childcare element paid)	0.00
All pension payments being received	0.00
Other benefits	0.00
Total subsection 1ii	0.00

iii) Benefits (family/children)	
Income Support/Jobseeker's Allowance per household	0.00
Child tax credit per household	0.00
Child benefit for each child, excluding child/children who are the subject of this assessment application	0.00
Total subsection 1iii	0.00

iv) Other sources of income	
Income from capital, savings and investments - net monthly interest	0.00
Income from boarders/lodgers (see guidance for details of calculation)	0.00
Income from unfurnished properties	0.00
Income from furnished properties	0.00
Maintenance payments received for any child in household	0.00
Existing adoption or Special Guardian 'allowances' (including any enhancements or specific payments for special needs) paid for any child	0.00
Total subsection 1iv	0.00

v) Income relating to child(ren) being adopted or becoming a Special Guardian child	
Any regular interest on capital and/or income in which the child(ren) has a legal interest and entitlement e.g. trust fund, property or other type of legacy. Do not include payments from Criminal Injuries Compensation Awards	0.00
Any other income	0.00

Total subsection 1v	0.00
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TOTAL PROJECTED FAMILY INCOME	0.00
DISREGARD FIRST 20%	0.00
FAMILY INCOME FOR PURPOSES OF TEST	0.00

2) PROJECTED FAMILY EXPENDITURE

i) Home	
Mortgage payments (capital and interest) including any endowment payments linked to mortgage	0.00
Rent (after any housing benefit payable)	0.00
Council tax (after any council tax benefit payable)	0.00
Total subsection 2i	0.00

ii) Other outgoings	
Loan repayments for essential purposes (see guidance notes)	0.00
Maintenance payments	0.00
Court Orders	0.00
Private pension contributions	0.00
National insurance if self employed	0.00
Reasonable child care costs including nursery fees (after any childcare element paid as part of the working tax credit)	0.00
Total subsection 2ii	0.00

iii) Core regular family expenditure	
Based on 125% income support allowances per household	0.00
Total subsection 2iii	0.00

TOTAL PROJECTED FAMILY EXPENDITURE:	0.00
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CALCULATION	
Total projected net family income (per month):	0.00
Total projected family expenditure (per month):	0.00
Disposable income (per month):	0.00
Local Authority Maximum Payment ENTER MANUALLY:	0.00
Amount of payment to adopters or Special Guardian	0.00
Minus child benefit for child/children who are subject of this application ENTER MANUALLY:	
Final payment to adopters or Special Guardian:	0.00

Other documents to be consulted in relation to allowances

Special Guardianship Order Regulations 2005

LBTH Special Guardianship Procedures

LBTH Adoption Procedures

LBTH Residence Order Procedures

Model Means Test Guidance