



**Children's Services Policy and Guidance for
Payment of Special Guardianship Order,
Child Arrangements Order and
Adoption Allowances**

Final Draft September 2022

Date approved

Date of review

CONTENTS	Page
1. Purpose of the Policy	3
2. Legal Frameworks	3
3. Pathway to financial support	4
3.1 Adoption	4
3.2 Special Guardianship Order	5
3.3 Child Arrangements Order	5
4. Financial Support	6
4.1 Circumstances When Allowances Can Be Paid	7
4.2 Allowances	8
4.3 Assessment for Financial Support	8
4.4 The Financial Assessment.	8
4.5 Notice of Outcome of Assessment and decision regarding allowances	14
4.6 Terms of Conditions	15
4.7 What to do if you are unhappy about the outcome of the financial assessment	19
5. Foster Carers	20
6. Exceptional Allowances	21

1. Purpose of the Policy

The policy sets out the arrangements for assessment and provision of financial support to individuals who seek to have relevant Orders made in their favour including an Adoption order, Special Guardianship Order (SGO) or Child Arrangements Order with Residence element (CAO).

2. Legal Frameworks

Adoption

Adoption is a process whereby a person assumes the parenting of a child from that person's biological or legal parent(s) and obtains all rights and responsibilities towards that child. The Adoption and Children Act 2002 is the relevant law which covers Adoption.

Special Guardianship Order (SGO)

A **Special Guardianship Order** is an **Order** appointing one or more individuals to be a child's '**Special Guardian**'. It is a private law **Order** made under the Children Act 1989 and is intended for those children who cannot live with their birth parents and who would benefit from a legally secure placement, providing greater legal security to children which is preferable to long term foster care or adoption. The carer with Special Guardianship has responsibility for all aspects of caring for a child and for taking decisions regarding their upbringing. There are situations whereby decisions will need the consent of all of those with parental responsibility. If a child was Looked After just before the Special Guardianship Order was made, they will be ceased to be 'Looked After' upon the making of that Order.

Child Arrangements Order (CAO)

A **Child Arrangements Order** [hereafter referred to as CAO] is made under the Children Act 1989 and this **Order** stipulates arrangements relating to with whom a child is to live or spend time with. A Child Arrangements Order can relate to both the residence and contact or could exclusively address either issue. This type of arrangement does not exclude other people with parental responsibility from key decisions in the child's life and the carer will need to seek consent of the parent's when making decisions such as choosing a school etc.

Where an individual has a Contact and/or Residence Order this should be read as having a Child Arrangements Order.

3. Pathway to Financial Support

3.1 Adoption

When a child is in the process of being matched with adopters, the adopters support needs are identified by the Adoption Social Worker and the child's Social Worker. Should financial support needs be identified during the matching stage, an Adoption Support Needs assessment must be prepared and presented to Darlington Access to Resource Panel (DARP) for consideration. There is no automatic entitlement to an adoption allowance.

In certain circumstances when a child or sibling group have significant additional needs, an adoption allowance may be agreed which is not means tested.

Once an adoption order has been granted if the adopter feels that they require support at a later date, they can request a post adoption support needs assessment from the relevant adoption agency. If the post adoption support needs assessment identifies that financial support may be required, the Adoption Support Social Worker should present the assessment to DARP for consideration. If financial support is approved, this could be either a one-off payment, periodic payments, or ongoing weekly payment. Payments will be subject to a means tested financial assessment and may be time limited.

If the adopters are receiving an adoption allowance/financial support and their circumstances change a review financial assessment will only be undertaken if representation is made to DARP following receipt of an updated Adoption Support Needs Assessment from the Adoption Agency (Adoption Tees Valley). If an allowance is approved, it will commence from the date DARP made the decision. Payments will not be backdated.

If the Local Authority has been paying a time limited adoption allowance/financial support and the allowance/payment is due to end, should the adopters feel that they require ongoing financial support, a review financial assessment will only be undertaken if representation is made to DARP following receipt of an updated Adoption Support Needs Assessment from the Adoption Agency (Adoption Tees Valley). Ongoing allowances will be subject to an annual financial re-assessment.

Adoption allowances will be subject to an annual financial reassessment and payments may change.

If the adopters are not in receipt of an adoption allowance/financial support, but due to their circumstances they wish to be financially assessed this will only be undertaken

if representation is made to DARP following receipt of an updated Adoption Support Needs Assessment from the Adoption Agency (Adoption Tees Valley).

3.2 Special Guardianship Order (SGO)

During care proceedings, the prospective Special Guardian is entitled to a financial assessment to determine whether they are eligible for a weekly allowance and this assessment dictates the amount of financial support they will receive.

Once an SGO is granted, the Special Guardian can request a post SGO support assessment at any point from the relevant Local authority. The Special Guardian can request a new financial assessment from the placing Local authority if their circumstances change.

3.3 Child Arrangements Order (CAO)

The criteria for paying a Child Arrangements Order Allowance are as follows:

- a. Where a child's foster carer applies successfully for a Child Arrangements Order with the support of Darlington Borough Council Children's Services, the Local Authority will provide a Child Arrangements Order Allowance, subject to a financial assessment. Approved foster carers will be all those approved under the Fostering Services Regulations including connected foster carers.
- b. Where a Court finds that the Threshold Criteria for a Care Order is satisfied, but makes a Child Arrangements Order in favour of a relative in the child's best interests, in exceptionally rare cases, Darlington Borough Council will consider paying an allowance if it can be shown that the proposed placement is impracticable without such an allowance
- c. Where a Child Arrangements Order is made in favour of a relative in private law proceedings, it will be unusual for an allowance to be paid unless the order has been applied for with Darlington Borough Council's support as a clear alternative to Care Proceedings, when the criteria at b. above will apply.
- d. In circumstances other than at c., where a Child Arrangements Order is made in favour of a relative in private law proceedings, any financial help would only be considered if an assessment indicates that without financial support, there would be significant hardship.
- e. Where a Child Arrangements Order is made in favour of a parent or stepparent, there is no obligation to contribute to a child's maintenance.

Examples of cases that it is envisaged will be regarded as exceptionally rare so that an allowance would be payable are:

- i. Where the local authority considers that it is necessary to ensure that the person in whose favour the Child Arrangements Order is made can look after the child.
- ii. Where the local authority consider that the child needs special care which requires a greater expenditure of resources than would otherwise be the case because of his illness, disability, emotional or behavioural difficulties or the consequences of his past abuse or Neglect.

Once the Children Arrangement Order is granted a carer is not entitled to a support needs assessment and should they require support they should self-refer to Children's Services. If an allowance is being paid, the recipient can request a new financial assessment if their circumstances change.

4. Financial Support

This policy and guidance describes the arrangements for payments in respect of Adoption Allowances, Special Guardianship allowances & Child Arrangements Order allowances that are paid to the carers/adopters of children who were children in the care of the Local Authority but are now to be subject of an adoption order, SGO or CAO. This policy and guidance also apply to carers of children who were not in the care of the Local Authority immediately before the making of a SGO or CAO and where the Local authority has undertaken a financial assessment and decided to pay an allowance.

Financial support, where assessed as appropriate, is intended to supplement existing means of support available to Adopters, Special Guardian's, and those with a CAO. Signposting to specialist advice on benefits, tax credits and allowances will be undertaken to ensure that family income is maximised before any Local authority payments are made. Family income will be considered when determining whether any financial support should be provided and at what level and for what duration. It should be noted that support under this Policy is separate and distinct from any support provisions available under Section 17 of the Children Act 1989.

If the child is to cease being looked after by the Local authority and leave care because of Adoption or SGO, a support plan must be developed jointly by the child's Social Worker/ the Fostering Supervising Social Worker /Adoption Social Worker depending upon the circumstances of the individual case. The financial element of the support plan will require a financial assessment to be undertaken by Darlington Borough Council.

The support plan will be presented to the Darlington Access to Resources Panel (DARP), which is a Children's Services resource panel. The financial assessment will be considered as part of that support plan by DARP. If additional financial support above the assessed allowance is required to meet any additional needs the child may have, the support needs assessment must evidence the child's additional needs and why additional financial support is required to enable the carer to meet the child's needs. Confirmation and detail of the child's additional needs should be sought from other professionals involved, for example Paediatrician, or specialist medical professionals.

A distinction is made between ongoing financial support (financial support that is paid on a regular basis), which was agreed before an Order was made, and other support services that can include "Exceptional Payments" (time limited or single payments). This will be detailed in the support plan.

Darlington Borough Council will remain responsible for the payment of ongoing allowances irrespective of where the Adopter/Special Guardian/Child Arrangements Order holder lives for as long as the family continues to qualify for payments.

4.1 Circumstances When Allowances Can Be Paid

Allowances can be paid when the circumstances of the child fall into any of the categories below and the Local Authority identify that an allowance is appropriate

- **Adoption** – see Adoption Support Service Regulations 2005. A financial allowance will only be considered where there is a need which is evidenced in the Adoption Support Plan
- **Special Guardianship** – See Special Guardianship Amendment Regulations 2016
- **Child Arrangements Order** – Children Act 1989 Part 2 Section 8

4.2 Allowances

The maximum level of payment of allowances in respect of Special Guardianship Order (SGO), Child Arrangements Order (CAO) and Adoption are linked to the level of age-related fostering allowances paid for a looked after child. The actual level of payment made in each case will be determined by the financial assessment.

There is an expectation that Adopters, Special Guardians and Child Arrangements Order holders will claim universal benefits including Child Benefit and tax credits where appropriate. Darlington Borough Council will signpost all applicants to seek specialist advice to ensure that all relevant universal benefits are being claimed. While a child is looked after the foster carer is not entitled to claim universal benefits for the child, as they receive a fostering allowance to meet all the child's needs, it is the responsibility of the carer to notify the Department of Works and Pension of any changes that may affect any benefits they receive.

Darlington Borough Council will seek to recover any overpayments of allowances from individuals directly. It is expected that individuals will keep the Council advised of any changes in their financial status. The recovery of any overpayments may be sought by instigating debt recovery proceedings before the Court, but you would be advised of this intention before proceedings were issued. Such notification would allow for suitable alternative arrangements for payment to be made to avoid such proceedings.

4.3 Assessment for Financial Support

The financial assessment process is undertaken by a suitably qualified officer of Darlington Borough Council. If the Special Guardianship Order (SGO), Child Arrangements Order (CAO) or Adoption order holder declines to undergo a financial assessment, no financial payment will be made. The Local authority may offer support to the family in lieu of payments to help meet the identified needs of the child. This may include, for example assistance with nursery fees, or the provision of equipment.

Darlington Borough Council applies a standardised means test model for Adoption allowance, Special Guardianship allowance and Child Arrangements Order allowance. The model uses details of income and outgoings to calculate the weekly level of allowance that will be paid.

4.4 The Financial Assessment

To ensure that everyone is treated fairly all carers undergo a financial assessment this is to calculate whether they are eligible for Adoption, SGO or CAO allowance, and if eligible, what their payment will be. The financial assessment will take a maximum of 30 days to complete.

The financial assessment can be conducted using several different methods, including in-person via a visit or a pre-arranged appointment at the customer services centre, or over the telephone.

A financial assessment consists of a Financial Assessment Officer carrying out the following tasks:

- a) Calculating a carer/carers total income and capital
- b) Calculating disregards and allowances
- c) Calculating disposable income
- d) Calculating SGO allowance, using current Core Family Expenditure and Fostering Allowances rates.
- e) Undertaking a comprehensive welfare rights check

4.4.1 Treatment of income

1. Income is assessed net of any tax and National Insurance contributions. Earnings include not only basic earnings, but other payments such as overtime, shift allowance, standby payments etc
2. Where one or both carers are self-employed, profit will be included in the assessment.
3. Income from lodgers, tenants, sub-tenants, or rental income is included.
4. Income from capital, savings and investments is included. This is the net monthly interest received.

The above list is intended as a guide and is not exhaustive.

4.4.2 Benefits

Any income from the following benefits will be taken into account in the assessment:

- a) Attendance Allowance
- b) Bereavement Allowance

- c) Carer's Allowance
- d) Disability Living Allowance
- e) Employment and Support Allowance
- f) Income Support
- g) Industrial Injuries Disablement Benefit or equivalent benefits
- h) Jobseeker's Allowance
- i) Maternity Allowance
- j) Pension Credit
- k) The Daily Living component of Personal Independence Payment
- l) Universal Credit (excluding housing element)
- m) Working/Child Tax Credit.
- n) Child Benefit

The above list is intended as a guide and is not exhaustive.

Where any Social Security benefit payment has been reduced (other than a reduction because of voluntary unemployment), for example because of an earlier overpayment, the amount included in the financial assessment will be the gross amount of the benefit before the reduction.

4.4.3 Annuities, Allowances and Pensions

1. All state and private/occupational pensions are included in the assessment
2. Any monies received from an Annuity are included in the assessment
3. Money received under a Maintenance or Separation Order, or from the Child Support Agency is classed as income under the assessment and will be included in the calculation.

4.4.4 Notional income

In some circumstances a person may be treated as having income that they do not actually have. This is known as notional income. This might include for example income that would be available on application but has not been applied for, income that is due but has not been received or income that the person has deliberately deprived themselves of. In all cases the Council must satisfy itself that the income would or should have been available to the person.

4.4.5 Disregarded Income

The following sources of income will be disregarded:

- a) Income payable under a discretionary trust;
- b) Income payable under a trust derived from a payment made as a result of a personal injury where the income would be available but has not yet been applied for;
- c) Income from capital resulting from an award of damages for personal injury that is administered by a court;
- d) Disability benefits paid to the child.

4.4.6 Allowances/Disregards Housing Costs

Disregards are made for certain housing-related costs, as follows:

- a) **Mortgage payments** – This is disregarded by the number of people named on the deeds and whether there is a specified percentage share.
- b) **Rent Payments** – Rent payable net of housing benefit can be disregarded as long as the carer/carers name is on the tenancy, and they are deemed eligible under the housing benefit rules. If housing benefit is reduced for under occupation, then the difference that a carer/carer's is required to pay will also be disregarded. No disregard will be given for water/sewerage rates included in the rent amount.
- c) **Housing allowance** – universal credit only the different between the actual housing allowance received and the rent payable will be allowed as expenditure in the assessment.
- d) **Council Tax** – If they are the owner occupier or tenant of the property.

- e) **Water rates** – No disregard will be given for water/sewerage rates.
- f) **Utility bills** – No disregard will be given, however, if any additional expenditure is incurred for gas/electricity due to a carer/carer's illness, health condition or disability these may be considered.
- g) **Building Insurance** – No disregard will be given.
- h) Any commitments under a Court Order include such things as payments made under a Separation or Maintenance Order.
- i) In addition, if there are any other regular expenses not covered in the above classifications but to which the carer is already committed, or which are related to the placement, these may be included in the assessment. An example would be play therapies or a loan taken out for home alterations or equipment purchased for the child/children.

Note that each case will be considered by the Council on its own merits and some discretion may be applied.

4.4.7 Debts

Disregards would not normally be given for debt, however, if there are pre-existing debt prior to the SGO assessment then these debts may be taken into consideration in the financial assessment.

Any new debts incurred after the start of the SGO may be considered in exceptional circumstances, i.e., if they are relation to the child/children's illness, health condition or disability.

4.4.8 The Welfare Rights Check

As part of the Financial Assessment appropriate benefits advice is given to all carer/carers. This should include advice about benefit eligibility.

Advice will not be limited to benefits directly affecting charges. It will include Housing Benefit, Council Tax Benefit, and Council Tax Discounts and reductions as well as the core benefits of Income Support and Pension Credits, Disability benefits (AA/DLA/PIP) and Tax Credits.

Some carer/carers may prefer to obtain independent Welfare Rights advice from agencies such as Age Concern, Citizens Advice Bureau and should be offered this choice. Where the Carer/carers has given permission, information regarding the financial assessment will be exchanged with the relevant agency.

Carer/carers can choose not to apply for benefits where the carer/carers fail to make a claim for a benefit that they will be entitled to, this may result in this amount being treated as notional i.e., as if it is still there.

4.4.9 Financial Assessment Calculation

The household income is calculated by adding up the household income from earnings, benefits, capital, investments and any other income.

Allowable expenditure is deducted from this amount to determine the disposable income amount to be used to calculate the relevant allowance.

The equivalent income support rate, see below, plus 25% enhancement is then compared to this disposable income amount, this is called the core regular family expenditure.

If the disposable income is less than the income support rate the full amount of fostering allowance is paid less the expected child benefit amount.

For carer/carers with greater disposable income than the income support rate, the disposable income is reduced by 50p for every £1 they have over and above the appropriate income support rate.

The disposable income amount is then deducted from the relevant foster allowance, see below, less expected child benefit amount, to calculate the amount awarded.

4.4.10 Income Support Rates

This amount covers items such as food, transport, clothes, recreation etc. These rates are amended annually, the table below shows allowances for 22/23.

Rates for 2022-2023

Income Support Rate	Amount	Increased by 25%
Lone Parent aged 16-17	£61.05	£76.31
Lone Parent aged 18 or over	£77.00	£96.25
Couple both aged 18 or over	£121.05	£151.31

Dependent Child	£70.80	£88.50
Disabled Child	£68.04	£85.05
Disabled Adult single	£36.20	£45.25
Disabled Adult couple	£51.60	£64.50
Single Pensioner	£182.60	£228.25
Couple Pensioner	£278.70	£348.38
Carer Premium	£38.85	£48.56

4.4.11 Review of Allowance

For SGO, Adoption and CAO allowances, a reassessment will be carried out 3 months after the Legal Order is granted to give the carer the opportunity to apply for any relevant benefits. There will be a reassessment completed on an annual basis on the child's birthday thereafter. If there is more than one child under the same Legal Order, the second and any subsequent review will take place annually on the anniversary of the Legal Order being granted.

In exceptional circumstances the Local Authority may have decided not to conduct an annual financial assessment due to the particular needs of the child. If this situation applies, we will contact the Special Guardian or Child Arrangement Order recipient to ensure that the care arrangements for the child remain appropriate.

4.4.12 Change in Financial Circumstances

It is the responsibility of the carer to inform the Council of any relevant change of financial circumstances as soon as a change occurs, as failure to do so may lead to backdated reclaim of allowances paid. Examples of changes in circumstances include reductions and increases in income or capital.

The carer will be notified in writing of any alteration to their allowance because of any changes to their circumstances. Any change to the carer/carer's weekly allowance may be from the date of such change.

4.5 Notice of Outcome of Assessment and Decision Regarding Allowances

The prospective Adopter, Special Guardian or Child Arrangements Order Allowance holder will be notified in writing of the outcome of the financial assessment.

Special Guardianship Guidance January 2017 (DfE) Regulation 16 paragraph 79 requires the Local authority to provide a notice of decision to the applicant regarding the outcome of the assessment. The following information must be included:

- a.** The method of the determination of the amount of financial support
- b.** Where financial support is to be paid in instalments or periodically:
 - The amount of financial support
 - The frequency with which the payment will be made
 - The period for which financial support is to be paid
 - When payment will commence
- c.** Where financial support is to be paid as a single payment, when the payment is to be made
- d.** Where financial support is to be paid subject to any conditions, those conditions, the date (if any) by which the conditions are to be met and the consequences of failing to meet the conditions
- e.** The arrangements and procedure for review, variation, and termination of financial support
- f.** The responsibilities of:
 - The Local authority in relation to reviews; and
 - The Special Guardian or prospective Special Guardian pursuant to any conditions for payment of periodic financial support agreed under regulation 10

Following receipt of the required financial documents an assessment will usually be undertaken and concluded within 10 working days.

4.6 Terms and Conditions

Adopters, Special Guardians and Child Arrangements Order holders must:

- a.** Sign the support plan (not applicable to CAO) which will include the outcome of the financial assessment. No payments can be made until the signed support plan is received.
- b.** Agree to the local authority's proposal before allowances can begin.

- C.** The Special Guardianship Regulations 2005 (as amended) regulation 10 requires where financial support is paid, it is not payable until the Special Guardian or prospective Special Guardian agrees to notify the local authority if the following conditions apply. The same requirements are placed upon Adopters and Child Arrangements Order holders:
- There is a change of address
 - The child dies
 - The child ceases to have a home with him / her
 - The child ceases full-time education and commences employment
 - The child qualifies for universal credit or other benefit in their own right
 - The child attains the age of 16 for SGO/CAO and 18 for Adoption

In the case of adoption, when the child attains the age of 18 - unless they continue in secondary level full-time education or training, where it may continue until the end of the course or training, they are then undertaking. Evidence must be provided of their enrolment in full time education. The allowance can continue up to the age of 21 years if the young person is in full time further or higher education, providing the adopter provides evidence of enrolment and attendance in full time education.

In the case of Special Guardianship or Child Arrangements Orders, when the child attains the age of 16- unless they continue in secondary level full-time education or training, where it may continue until the end of the course (at the latest the July following their 18th Birthday). Evidence must be provided of their enrolment and attendance in full time education.

If there is a change in his/her financial circumstances or the financial needs or resources of the child, which may affect the amount of financial support payable to him/her, and, where the information is given orally, this needs to be confirmed in writing within seven days.

If recipients fail to notify the authority of changes in circumstances listed above, payments will stop, and recipients will be expected to reimburse the Local Authority for any overpayments made. Should a reimbursement not be provided within 28 days, Darlington Borough Council will seek to recover the overpayments made.

- d. Complete a financial re-assessment on an annual basis and provide supporting evidence where required. Failure to engage in this process could impact on the allowance paid and may stop any future payments.

4.6.1 Commencement of Allowance

Payments will be made once:

- the financial assessment has been completed
- the support plan has been agreed by all relevant parties including the Court (not CAO)
- the legal order has been made
- In the case of adoption, the financial allowance may commence at the point the child is formally placed for adoption. This does not apply in “foster to adopt” arrangements.

Payments are made weekly in arrears by the BACS system directly into the recipient’s bank account. Payments will not be backdated and will commence as detailed above.

4.6.2 Review of On-going Payments

The local authority is required to review SGO allowances when:

- There is a change in the circumstances of the recipient
- At least on an annual basis

The review process is the same as the initial financial assessment process.

- **Change in circumstances** - A review will take place when the recipients circumstances change, and recipients are expected to immediately inform the Finance Team of any changes. The Local authority may conduct a review at any time if it considers that there has been a change in the recipient's circumstances
- **Annually** - All those in receipt of an allowance are required to undergo an annual review and complete a review financial assessment

4.6.3 Underpayments, Overpayment and Recovery of an Allowance

In the normal course of events, it is likely that underpayments and overpayment will sometimes occur because of the time delay between a change in the circumstances of an Adoptive parent / Special Guardian / Child Arrangements Order holder and a review being completed.

Darlington Borough Council will recover any overpayments from any other ongoing allowances made to the recipient.

Special Guardianship Regulations 2005 Regulation 10.3 enables the Local authority to suspend payment, and to recover all or part of allowances which have been overpaid.

Where there are no means of recovering monies from any other allowances, Darlington Borough Council will instigate its debt recovery process.

Recipients must inform the Financial Assessment Section of any change in their financial circumstances to prevent any potential overpayment being made.

4.6.4 Suspension of an Allowance

Payments may be suspended when the recipient has failed to notify the Financial Assessment Section of any change of circumstances (4.5 above) including any change in financial circumstances. The Head of Service, Look After Children and Resources, will determine what action should be taken.

There may be circumstances where it appears that potential fraud has taken place and the Police will be contacted.

An existing allowance may be suspended if the recipient fails to respond to any requests for information from the Financial Assessment Section.

The recipient will be informed in writing when the allowance is suspended. They may make representations in writing to the Head of Service, Look After Children and Resources. The recipients have 15 days from the date of the letter informing them of the suspension to make representations. The response to their representations will be the final decision.

If the recipient fails to make any representations within the timescale above the payments will be terminated.

Where a decision is made to reinstate an allowance, the recipient will be notified in writing by the Head of Service, Looked After Children and Resources, within 10 working days of the decision being made.

“Back payments” to cover the period of suspension will not be made unless it can be shown that the Local authority acted in error by imposing the suspension.

In the event of a safeguarding investigation where the child is removed from the placement whilst enquiries are being made, the allowance will be paid for up to 6 weeks and then suspended pending the outcome of the safeguarding investigation.

4.6.5 Ending of an Allowance

Allowances will cease to be made when:

- The agreed period of allowances ends
- The child ceases to live with their Adoptive Parent, Special Guardian or Child Arrangements Order holder and this is regarded as a permanent departure. Temporary absences do not apply, e.g. boarding school, hospital, and respite care; and removal due to safeguarding issues which are yet to be determined
- The child attains the age of 16 for SGO/CAO or 18 for Adoption - unless they continue in secondary level full-time education, when it may continue until the end of the course they are then undertaking (at the latest the July following their 18th Birthday for SGO/CAO or up to the maximum age of 21 for Adoption)
- The child ceases full-time education and commences employment.
- The child qualifies for Universal credit or other benefits in their own right
- Where the Child Arrangements Order or Special Guardianship Order ceases
- The child dies

4.7 What to do if you are Unhappy About the Outcome of your Financial Assessment

If you are not happy about the outcome of your financial assessment, please contact the Financial Assessment Section. If the issue cannot be resolved, the Finance Manger will contact the Head of Service, Looked After Children and Resources and discuss the

issue you have, and to ascertain whether there is any resolution that can be made prior to engaging the formal complaints process.

If you need to make a formal complaint, please see the DBC website for details.

5.0 Foster Carers

The arrangements below are designed specifically to support mainstream foster carers.

Note - Connected (Kinship or Family and Friends) foster carers do not receive a transitional allowance. Their allowance is determined by the means tested financial assessment.

Moving from receipt of a fostering allowance and skill payment to an SGO or Adoption allowance payment

Foster carers receive a weekly allowance for a child and a professional fee payment. They cease to receive these payments when they become Special Guardians or adopters for a child they have been caring for. Instead, they become eligible for the transitional payments below.

a. Transitional Allowances in relation to SGO

Regulation 7 of the Special Guardianship Regulations 2005 (as amended) indicates that if foster carers received an element of remuneration in the financial support paid to them as the child's foster parent, the local authority may continue to pay that element of remuneration for two years from the date of the Special Guardianship order. This remuneration ceases to be payable after the expiry of the period of two years from the making of the Special Guardianship Order unless the local authority consider its continuation to be necessary having regard to the exceptional needs of the child or any other exceptional circumstances. The Transitional Arrangement starts from the point that the legal order is made.

b. Transitional Allowances in relation to adoption

The same transitional arrangements detailed in relation to SGO also apply to foster carers who adopt a child. The transitional payment starts from the point that the adoption order is made.

c. Child Arrangement Orders

There are no transitional arrangements in relation to foster carers who acquire Child Arrangement Orders

6.0 Exceptional Payments or Allowances

On occasion, there may be a need for Darlington Borough Council to consider contributing to the expenditure necessary for the purpose of accommodating and caring for the child. Examples of these may be assistance with nursery or child-minding fees, assistance with the purchase of specific equipment for the child, or furniture to meet the needs of the child.

To consider such contributions, an individual assessment of the needs of the child will be undertaken and may need to be presented to Darlington Access to Resources Panel (DARP) or to Complex Needs Panel.

If there are exceptional circumstances where the child has additional needs or disabilities resulting in the applicant requiring an additional payment or allowance to enable them to meet the child's additional needs, an assessment of the child's needs will be undertaken by the relevant Social Worker and presented to DARP or Complex Needs Panel for scrutiny and decision. Evidence of additional needs must be supported by a professional assessment of the child's circumstances.

Any financial support agreed by DARP or Complex Needs Panel will be reviewed at a set timescale.