

LONDON BOROUGH OF RICHMOND UPON THAMES

CABINET

DATE: 22 JUNE 2017

REPORT OF: STRATEGIC CABINET MEMBER FOR
CHILDREN'S SERVICES AND SCHOOLS

TITLE OF DECISION: PARENTAL CONTRIBUTION POLICY

WARDS: ALL WARDS

KEY DECISION: YES

IF YES, IN FORWARD PLAN: YES

For general release

1. MATTER FOR CONSIDERATION

This report seeks Cabinet approval for the Parental Contribution Policy. The policy seeks financial contributions towards the cost of providing care placements for children who are voluntarily brought into local authority care under Section 20 of the Children Act 1989. The report sets out the detail of the Parental Contribution Policy and the process for seeking financial contributions from parents.

2. RECOMMENDATIONS

Cabinet approves the Parental Contribution Policy and agrees for it to be implemented by Achieving for Children on behalf of the local authority from 1 September 2017.

3. DETAIL

Achieving for Children, on behalf of the local authority, aims to encourage the exercise of parental responsibility, by asking parents to contribute towards the cost of providing care placements for their child when they have voluntarily been brought into care under a Section 20 arrangement, provided parents have sufficient means to do so and it is considered reasonable that they should be asked to do so. This is set out in the Parental Contribution Policy which is attached to this report as **ANNEX A**.

The policy outlines that the parents of all children who come into care under a Section 20 arrangement will be subject to a means-test to identify whether they should be making a contribution towards the cost of the child's care. The means test will include a review of a completed financial assessment form and a review of the proof of income provided by the parents. The income assessed will include earnings, money from an occupational or personal pension, and certain benefits.

Achieving for Children will use a specific formula to work out how much contribution is required, if any. Where the means test shows that a financial contribution should be made by the parent, Achieving for Children will not ask the parents to pay an amount more than would be paid for a local authority foster care placement. Achieving for Children will use the financial assessment to ensure that any financial contribution is practicable for the parent to pay (having regard to their means). There are a number of exemptions to the financial contributions which are:

- Children accommodated in an emergency or on a short-term basis for less than seven nights;
- Children subject to an Interim Care Order or Care Order (Section 31 of the Children Act 1989) or an Emergency Protection Order (Section 44 of the Children Act 1989);
- Children receiving services provided as Aftercare under Section 117 of the Mental Health Act 1983;
- Children placed in a residential non-maintained school subject to a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan;
- Children whose parent/s is requesting the child be relinquished for adoption;
- Children of parents who are in receipt of Universal Credit or income-related employment and support allowance or Income Support, any element of Child Tax Credit other than the family element, Working Tax Credit and/or income-based Jobseeker's Allowance.

Parental financial contributions will end when the child ceases to be looked after or they reach their sixteenth birthday, unless the parent wishes to continue to pay on a voluntary basis. The policy also sets out the process for parents to appeal against a decision to seek a financial contribution and the process for Achieving for Children to take action in circumstances when financial contributions are requested but not received.

The new policy will be introduced immediately for new Section 20 arrangements. No parental contributions will be sought retrospectively, but all placements will be assessed as part of the annual review. As part of this process, parents who had not previously contributed will be subject to a means test and may be asked to contribute going forward.

4. FINANCE AND EFFICIENCY IMPLICATIONS

It is anticipated that implementation of the policy will generate a modest financial efficiency as part of Achieving for Children's Business Plan priority to control the increasing demand and costs for children's care placements. Achieving for Children has identified savings of £337,000 by 2019/20 for children's care placements and this policy will contribute to the delivery of this saving.

Parents whose children are subject to a voluntary care arrangement will undergo a means test to ascertain whether they should make a financial contribution towards the cost of their child's care. The policy has a set contribution limit, in line with local foster carer allowances, and is not expected to generate significant income. The intention of the policy is primarily to encourage parental responsibility.

5. PROCUREMENT IMPLICATIONS

There are no procurement implications arising directly from this report.

6. LEGAL IMPLICATIONS

Section 20 of the Children Act 1989 empowers local authorities to provide accommodation for any child within their area, even in circumstances where a person

with parental responsibility for the child is able to provide them with care and accommodation, if they consider that to do so would safeguard or promote the child's welfare. A key feature of this provision is that care and accommodation cannot be provided if any person with parental responsibility objects to this arrangement. It is therefore a voluntary arrangement. Where a child is accommodated for more than 24 hours pursuant to Section 20 of the Children Act 1989 then they are deemed to be looked after by the local authority.

In circumstances where care and accommodation is provided under Section 20 of the Children Act 1989, Schedule 2 of the Act requires local authorities to consider whether they should recover contributions towards the child's care from any person liable to contribute. This would be the parents of a child aged 16 or under. There are prescribed exceptions to this requirement but these are not relevant to charges to which this policy relates. In considering these financial contributions, the amount should not be more than would be paid for a local authority foster care placement and the local authority should consider that the amount is practicable for the parent to pay (having regard to their means).

7. CONSULTATION AND ENGAGEMENT

Consultation was carried out in conjunction with Richmond Council through the Talk Richmond Community. 57 parents who reside in Richmond upon Thames were involved in the consultation. Overall, the majority of parents who were consulted considered the policy to be a positive initiative. The draft of the policy has also been shared with SEND Family Voices, a local charity representing parents of children with SEND. Feedback from parents has been incorporated into the final policy.

8. WIDER CORPORATE IMPLICATIONS

8.1 POLICY IMPLICATIONS
There are no policy implications arising directly from this report.
8.2 RISK CONSIDERATIONS
There are no risk considerations arising directly from this report.
8.3 EQUALITY IMPACT CONSIDERATIONS
An Equality Assessment has been completed.
8.4 ENVIRONMENTAL CONSIDERATIONS
There are no environmental considerations arising directly from this report.

9. BACKGROUND INFORMATION

There is no background information.

10. BACKGROUND PAPERS

There are no background papers.

11. APPENDICES

Annex A: Parental Contribution Policy.

12. CONTACTS

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Annex A

Parental Contribution Policy

Introduction

This policy sets out Achieving for Children's approach to seeking parental contributions for children who become looked after under Section 20 of the Children Act 1989.

Natural and adoptive parents will be expected to contribute to the cost of their child's care where they request for their child to be cared for under Section 20 of the Children Act 1989 and have the financial means to contribute to the costs of their child's care. A means-testing assessment will be applied to all requests. If parents are separated or divorced, both parents will be expected to contribute to the costs of their child's care; however, parents' finances will be assessed separately. If a natural parent is married or living with a partner then only the income of the natural parent will be used in the assessment.

In Kingston and Richmond upon Thames the local authorities' statutory responsibilities and duties for children looked after have been delegated to Achieving for Children CIC under Part 1 of the Children and Young Persons Act 2008. References in this policy to the local authority therefore should also be read to include Achieving for Children.

Background and Context to the Parental Contribution Policy

Children who become looked after under Section 20 of the Children Act 1989

Section 20 of the Children Act 1989 empowers local authorities to provide accommodation for any child within their area, even in circumstances where a person with parental responsibility for the child is able to provide them with care and accommodation, if they consider that to do so would safeguard or promote the child's welfare.

A key feature of this provision is that care and accommodation cannot be provided if any person with parental responsibility objects to this arrangement. It is therefore a voluntary arrangement. Where a child is accommodated for more than 24 hours pursuant to Section 20 of the Children Act 1989 then they are deemed to be looked after by the local authority.

In circumstances where care and accommodation is provided under Section 20 of the Children Act 1989, Schedule 2 of the Act requires local authorities to consider whether they should recover contributions towards the child's care from any person liable to contribute. This would be the parents of a child aged 16 or under. There are prescribed exceptions to this requirement but these are not relevant to charges to which this policy relates.

In considering these financial contributions, the amount should not be more than would be paid for a local authority foster care placement and the local authority should consider that the amount is practicable for the parent to pay (having regard to their means). The Achieving for Children fostering allowance (2016-17) is £142 for babies; £145 for pre-school children; £163 for primary aged children; and £184 for secondary aged children. Full information on fostering allowances is available on the Achieving for

Children website at www.achievingforchildren.org.uk.

There are a number of exemptions where parents will not be asked to make a contribution to their child's care when they are accommodated under Section 20 of the Children Act 1989. These are:

- Children accommodated in an emergency or on a short-term basis for less than seven nights:
- Children subject to an Interim Care Order or Care Order (Section 31 of the Children Act 1989) or an Emergency Protection Order (Section 44 of the Children Act 1989).
- Children receiving services provided as Aftercare under Section 117 of the Mental Health Act 1983.
- Children placed in a residential non-maintained school subject to a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan.
- Children whose parent/s is requesting the child be relinquished for adoption.
- Children of parents who are in receipt of Universal Credit or income-related employment and support allowance or Income Support, any element of Child Tax Credit other than the family element, Working Tax Credit and/or income-based Jobseeker's Allowance.

Aims of the policy

Achieving for Children aims to encourage the exercise of parental responsibility, by asking parents to contribute towards the cost of providing care placements for their child, provided they have sufficient means to do so and it is considered reasonable that they should be asked to do so.

Objectives of the policy

The objective of this policy is to ensure that there is a clear and transparent policy and procedure for seeking parental contributions for services delivered by Achieving for Children for looked after children accommodated under Section 20 of the Children Act 1989.

Implementing the policy

Achieving for Children will implement this policy by:

- Informing parents of children who are likely to become looked after under Section 20 of the Children Act 1989 that they may be required to make a parental contribution towards the maintenance of their child.
- Giving the parents of children who become looked after under Section 20 of the Children Act 1989 information outlining whether they will be asked to make a parental contribution to the cost of their child's care and accommodation.
- Asking parents to complete a financial assessment once their child has become looked after. It is acknowledged that this is a traumatic time for parents; however, it is essential that parents are made aware that they retain parental

responsibility for their child and will be expected to contribute towards the costs of their care and accommodation.

- Ensuring both the information and the financial assessment form are sent to any parent who does not live with his or her child. It is recognised that there may be instances where it is not appropriate to seek a financial contribution from an absent parent, including women fleeing domestic violence. The child's social worker will therefore establish whether there are any particular reasons why an absent parent should not be contacted. The decision to waive the need to contact the non-resident parent must be agreed by the Director of Children's Social Care and recorded as a management decision on the child's electronic case record.
- Ensuring that the child's social worker notifies Achieving for Children's Finance section where a parent fails to complete the financial assessment form and no exemptions apply. In these instances, the parent may be charged the full cost of the equivalent age-related fostering allowance. Failure to comply may result in legal action being taken against the parent.
- Notifying and assessing non-resident parents who are paying maintenance for a child (whether through the Child Support Agency, Child Maintenance Agency or as a voluntary agreement) for a parental contribution.
- Setting out a clear process for seeking a financial contribution.
- Reviewing the financial assessment form to determine a fair contribution towards the costs of a child's care and accommodation based on a parent's income and expenditure. Achieving for Children carries out the means testing based on the Standardised Means Test Model for Adoption and Special Guardianship Financial Support developed by the former Department for Education and Skills. A Contribution Notice letter will be sent to a parent notifying them of the details of the financial contribution to be made. A copy of the letter will be sent to the child's social worker.
- Recognising that there may be exceptions where, though a parent is liable to make a financial contribution, it is not assessed to be in the child's best interest to seek this contribution or is unreasonable to do so. The Director of Children's Social Care will take this decision. The child's social worker will use the contribution waiver request form stating their reasons for wanting the financial contribution to be waived. The Director of Children's Social Care will record the decision on the child's electronic social care record. The social worker is responsible for notifying the parent in writing of the decision made by the Director of Children's Social Care.
- Reminding a parent in receipt of Child Benefit that it is his or her responsibility to notify the Department of Work and Pensions of the change in their circumstances. Child Benefit will continue to be received for up to eight weeks following the child becoming looked after.
- Ceasing the parent's financial contributions once the child ceases to be looked after or they reach their sixteenth birthday, unless the parent wishes to continue to pay on a voluntary basis.
- Establishing a clear review and appeals process for any parents who do not believe they should be making a financial contribution.

- Reviewing existing Section 20 arrangements to identify if the parents should be making a contribution based on the financial assessment. If this is the case, then the parents will be sent a Fair Warning Notice to inform them that they will be expected to make contributions from a specific date. No retrospective charges will be applied.
- All Section 20 arrangements will be reviewed on an annual basis to ensure contributions continue to be appropriate.

Seeking a financial contribution

The procedure for seeking a financial contribution is set out in relation to a child looked after (in Schedule 2 of the Children Act 1989).

Payments towards the cost of looking after a child cannot be recovered until a Contribution Notice has been served (see Appendix D). This Contribution Notice must:

- Specify the weekly sum that the parent is required to pay;
- Detail the arrangements for payment; and
- Be in writing and dated.

The arrangements for payment must include:

- The date from which payments are due (this cannot be earlier than the date of the actual Contribution Notice).
- The date on which the first payment must be made.
- The date the payments will cease.
- An agreement form (attached to the Contribution Notice) for the parent to sign and return.

The actual weekly cost to Achieving for Children of the child's placement will be recorded on the Contribution Notice so that parents are aware of the full cost of caring for their child.

The maximum weekly contribution for looking after a child will be equivalent to the age-related fostering allowance paid to foster carers by Achieving for Children.

Once agreement has been reached and the parent has signed the agreement part of the Contribution Notice letter (or agreed this in another form), contribution payments will commence.

A Contribution Notice letter can be withdrawn at any time and without prejudice. If appropriate another Contribution Notice can be substituted.

Roles and responsibilities for implementing, monitoring and reviewing the policy

Deputy Chief Executive (Chief Operating Officer)	<ul style="list-style-type: none"> The Deputy Chief Executive (Chief Operating Officer) is responsible for maintaining strategic oversight of the policy.
Director of Children's Social Care	<ul style="list-style-type: none"> The Director of Children's Social Care is responsible for the operational implementation of the policy. The Director of Children's Social Care will make the final decision as to the level of financial contribution from parents for children accommodated under Section 20 of the Children Act 1989. This will include agreeing waivers where the social worker assessment indicates that asking parents to make financial contributions would not be appropriate and making the final decision as to whether to waive the need to contact non-resident parents. Where a parent is liable to make a financial contribution but it is not believed to be in the child's best interest to seek to do this, or it is unreasonable to do so and the child's social worker requests a contribution waiver, the Director of Children's must make a decision as to whether to agree this or not. This decision must be recorded on the child's electronic social care record. The Director of Children's Social Care will oversee the review and appeals process.
Social worker	<ul style="list-style-type: none"> The child's social worker is expected to ensure parents are aware of the parental contribution policy, provide parents with the supporting leaflet, and assist parents to complete the relevant paperwork so that their financial contribution can be assessed. The child's social worker is responsible for ensuring decisions relating to parental contributions are added to the child's electronic social care record. The child's social worker is expected to inform the Finance Officer where a parent does not complete the financial assessment form. Where a parent is liable to make a financial contribution but it is not believed to be in the child's best interest to seek to do this or is unreasonable to do so, the child's social worker must use the contribution waiver request form stating the reasons for wanting the financial contribution waived. Once the Director of Children's Social Care has made a decision on the waiver, the child's social worker is responsible for informing the parent(s).
Director of Finance	<ul style="list-style-type: none"> The Director of Finance is responsible for ensuring legal proceedings are undertaken when parents who have been assessed as able to make a contribution fail to do so.
Finance Officer	<ul style="list-style-type: none"> The Finance Officer is responsible for completing the assessment of the financial assessment form submitted by the parent(s) and for deciding on a fair contribution amount (based on the formula set out in Appendix B). The Finance Officer is expected to draft and send the Contribution Notice to the parent(s) and forward a copy to the child's social worker to be included on the child's electronic social care record.

Date created	April 2017
Signed by:	Ian Dodds, Deputy Chief Executive
Equality Analysis completed (yes/no):	Yes

Appendices:

Appendix A	Parental Contribution Policy Explained Leaflet Text
Appendix B	Standardised Means Test Method
Appendix C	Financial Assessment Form
Appendix D	Contribution Notice Letter Text and Contribution Notice Template
Appendix E	Contribution Waiver Template
Appendix F	Review of Parental Contribution Letter Text
Appendix G	Notice of Intended Legal Action Letter Text

Appendix A: The Parental Contribution Policy Explained leaflet text

This leaflet explains the financial assessment process and financial contributions that the local authority and Achieving for Children expects parents to make when their child is looked after under Section 20 of the Children Act 1989.

1. Why are we asking you to contribute?

The term 'looked after' refers to children who are subject to Care Orders and those who are accommodated voluntarily by the local authority. You remain responsible for your child even when he or she is being looked after, voluntarily or under a Care Order, by the local authority and Achieving for Children.

2. Will I be asked to contribute?

If you are the natural or adoptive parent(s), you will usually be expected to contribute to the cost of your child's care and accommodation. Where parents are separated or divorced, both parents are expected to contribute to the costs of their child's care; however, your finances will be assessed separately. If a natural parent is married to or living with another person, only the income of the natural parent will be used in the assessment.

In some cases, parents will not be asked for a contribution. This includes when:

- Children are accommodated in an emergency or short-term basis for less than seven nights;
- Children are subject to an Interim Care Order, Care Order, or Emergency Protection Order;
- Children are aged 16 years of age or over; or
- Parents are in receipt of Universal Credit or income-related employment and support allowance, Income Support, any element of Child Tax Credit other than the family element, Working Tax Credit, or income-based Jobseeker's Allowance.

3. What information do we need from you?

In order for us to work out how much you will be charged, we will ask you to fill in a simple financial assessment form. This asks basic information about your income and benefits. We will also ask you to provide evidence of your income and any benefits that you receive. This will include one of the following:

- Three pay slips if you are paid monthly; or eight payslips if you are paid weekly; or
- A copy of your certified statement of accounts or tax self-assessment form if you are self-employed; or
- A copy of your current benefit award letters to confirm which benefits you are receiving.

If you are living apart from your child's other parent you should make this clear on the financial assessment form you send us so we can send them a separate form to complete. We will not take into account the income of any partner or relative who does not have parental responsibility for the child.

If you would like help completing the financial assessment form please ask your child's social worker.

4. How is the parental contribution worked out?

We will use your completed financial assessment form and the proof of income you provide to work out what your financial contribution you will be asked to make. Your income includes your earnings, money from an occupational or personal pension, and certain benefits. The details of the formula we use to work out how much you will be expected to contribute can be provided to you on request.

You will not be expected to contribute more than the cost of a foster care placement. These are available on our website at www.achievingforchildren.org.uk.

5. Notification of contribution

Once we have worked out the financial contribution you will be asked to make, we will send you a Contribution Notice which will tell you the amount you are being asked to contribute and the arrangements for making the payments.

If you have told us you are receiving benefits we will write and tell you that you do not have to contribute once we have seen proof and verified your benefits.

6. Will there be regular reviews?

The amount you are asked to contribute can change as your circumstances change. You should notify your child's social worker of changes to your financial circumstances. We will usually check the financial details with you each year and will review the amount you are asked to contribute.

7. What if I don't return the financial assessment form?

If you choose not to complete the financial assessment form we will automatically ask you to contribute the maximum charge which will be the full cost of a foster care placement.

8. What if I don't pay?

Achieving for Children will pursue all outstanding debts. If you do not pay, you may be taken to court or we may use a debt collection agency where you may also be liable for any administrative payments incurred.

9. Notification of change of address

You must notify your child's social worker of any change of address.

10. Reviews and Appeals

We have based the parental contribution formula on what we believe is fair and realistic; however, if you feel that payment of the assessed contribution would result in financial hardship, you may request that we review your contribution. If you are still not satisfied you can appeal against our decision.

There are three levels of review and appeal:

- Level 1: review of contribution
- Level 2: initial appeal

- Level 3: final appeal

Level 1: review of contribution

If you feel we have not considered all your circumstances, or that we have incorrectly calculated your contribution, you can ask us to review. You should request a review of the financial contribution by writing to the Head of Permanency at Achieving for Children explaining why you cannot afford to make the payment and giving any additional information you would like us to take into account when reviewing the contribution.

Level 2: initial appeal

If we have reviewed your contribution and you disagree with our decision, you can appeal against it. You must do this within one month of getting a letter from us telling you about the reviewed decision. You should write to the Associate Director of Permanency at Achieving for Children to appeal the decision of the review. You should explain why you are not satisfied with the Level 1 review. The Associate Director will consider your initial appeal and notify you of the outcome within 14 working days of receiving your request.

Level 3: final appeal

If you do not accept the outcome of the initial appeal, you should write to the Director of Children's Social Care at Achieving for Children explaining that you would like to appeal against the Level 2 initial appeal decision. This will then be considered and you will be notified of the outcome within 14 working days of receiving your request.

11. Any further questions

If you have any questions about the parental contributions for children looked after by the local authority and Achieving for Children, please ask your social worker or contact:

Achieving for Children
Guildhall 2, High Street, Kingston KT1 1EU

If you are trying to contact one of our services and do not have a direct number, please phone the Contact Centre for Kingston Council on 020 8547 5000 or Richmond Council on 020 8891 1411 or contact us via a contact form on our website:
<http://www.achievingforchildren.org.uk/contact-us/>

Appendix B: Calculation of Contribution

Contributions will be calculated using the Standardised Means Test Model for Adoption and Special Guardianship Financial Support developed by the former Department for Education and Skills.

This will be adapted to calculate the level of contribution from parents of children accommodated under Section 20:



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.*
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*

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.

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:*

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

<i>Boarder/lodger 2</i>	
<i>Weekly payment</i>	<i>£60</i>
<i>Deduct £20 (disregard)</i>	<i>-£20</i>
	<i>£40</i>
<i>Deduct 50%</i>	<i>-£20</i>
<i>Income from boarder/lodger 2</i>	<i>£20</i>

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:*

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

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.*

Appendix C: Financial Assessment Form

We need to know whether you should contribute towards the cost of caring for your child. Please complete the following and return to XXXX.

(PROOF OF ALL INCOME REQUIRED)

PARENTAL CONTRIBUTION POLICY

FINANCIAL REVIEW

1. ABOUT YOU AS APPLICANTS

(i) Surname: _____
Please print

Forenames: _____
Please print

Mr/Mrs/Miss/Other: _____

Married/Separated/Divorced/Single/Other: _____

Date of Birth: _____

National Insurance No: _____

Address:

Postcode: _____

Daytime Phone No: _____

e-mail: _____

(ii) Surname: _____
Please print

Forenames: _____
Please print

Mr/Mrs/Miss/Other: _____

Married/Separated/Divorced/Single/Other: _____

Date of Birth: _____

National Insurance No: _____

Address:

(If different from above)

Postcode: _____

Daytime Phone No: _____

e-mail: _____

2. DETAILS OF OTHER MEMBERS OF HOUSEHOLD FOR WHOM YOU ARE FINANCIALLY RESPONSIBLE

Please give details below:

Full Name	Date of Birth	Relationship to You

3. DETAILS OF OTHER FAMILY MEMBERS LIVING ELSEWHERE FOR WHOM YOU ARE FINANCIALLY RESPONSIBLE

Please give details below:

Full Name	Date of Birth	Relationship to You

4. YOUR HOME AND PROPERTY

Do you own your home? **Yes** **No**

☐☐

If **Yes**, please state amount of monthly mortgage repayment:

(Capital and interest including any endowment payments
Linked to mortgage)

Remaining period of mortgage: _____

Please provide a copy of your most recent Mortgage Statement.

If **No**, are you a

Council Tenant

☐

Housing Association Tenant

☐

Tenant of a Private Landlord

☐

To whom do you pay rent?

Amount of monthly rent
(after any housing benefit payable)

Please provide a copy of your Rental Payments for last year.

☐☐

Council Tax (after any council tax benefits payable)

Per Month and whether for 10 months or 12

Do you own or part-own any other property or land? Yes No

If **Yes**, please give details of this property/land and details of any income
from this property/land:

☐☐

Details:

Income:

Have you sold, gifted, transferred or otherwise disposed of your interest in any property within the last 2 years?

Yes No

☐☐

If **Yes**, please give details and date of disposal:

We may ask further questions about this and request proof of the disposal.

5. YOUR INCOME: We need proof of all household income

5(a) Earnings

Please supply copies of

or

or

and

- (a) P60 from previous Tax Year
- (b) Pay slips for last 3 months/13 weeks
- (c) Accountant's Statement of Earnings for Inland Revenue (most recent)
- (d) All payslips and bank statements of last 3 months.

*Please enter **weekly** amount below*

	1st Applicant	2nd Applicant
Main Job		
Number of hours worked/week _____		
If self-employed please state nature of business:		
Second Job		
Number of hours worked/week _____		
Drawings if self employed		

Other Income

Please enter **weekly** amount below

	1st Applicant	2nd Applicant
Payment from Boarders or Lodgers Does this amount include Food? Yes <input type="checkbox"/> No <input type="checkbox"/> Heating costs? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Rent from property or land		
Home Income Plan		
Annuity		
Maintenance from relative (e.g., former spouse)		
Charitable payments		
Any Other Income? If Yes , please give details		

5(b) Do you receive any of the following?**Income-Related Benefits**

Please enter **weekly**

amount below

	1st Applicant	2nd Applicant
Income Support (Please supply copy award)		
Income-based Jobseekers' Allowance		
Child Tax Credit per household (please supply a copy of your current Tax Credit award).		
Working Families' Tax Credit		
Disabled Person's Tax Credit		

Care and Mobility Benefits

Please enter **weekly** amount below

	1st Applicant	2nd Applicant
Attendance Allowance Low Rate <input type="text"/> High Rate <input type="text"/>		
Disability Living Allowance Care: Low rate <input type="text"/> Middle <input type="text"/> High <input type="text"/> Mobility: Low <input type="text"/> High rate or Motability vehicle <input type="text"/>		

Illness and Disability Benefits

Please enter **weekly** amount below

	1st Applicant	2nd Applicant
Employers' sick Pay (after compulsory deductions) From (date): _____		
Incapacity Benefit/ Severe Disablement Allowance		
Industrial Injuries Disablement		
War Disablement Allowance		

Family Benefits

Please enter **weekly** amount below

	1st Applicant	2nd Applicant
Child Benefit for each child.		
Widowed Mother's/Parent's Allowance		
Guardian's Allowance		
Statutory Maternity, Paternity and/or adoption pay From (date): _____		

Pensions

Please enter **weekly** amount below

	1st Applicant	2nd Applicant
State Retirement Pension/Widow's Pension		
War Pension/War Widow's Pension		
Occupational or Public Service Pension		
Private Pension		

Unemployment and Training

Please enter **weekly** amount below

	1st Applicant	2nd Applicant
Jobseeker's Allowance Contribution-based		
Training Allowance		
Student Grant/Student Loan		

6. YOUR SAVINGS AND CAPITAL: *We need proof of all capital*

You must provide details of **all** your savings, investments and other capital.
Not all capital will be counted for this assessment.

Please provide copies of your most recent statements

Please enter total amount below

	1st Applicant	2nd Applicant
Bank/Building Society Accounts Please give name of Bank/Building Society and account number for each account held		
Post Office: Ordinary Account Investment Account		
Income Bonds		
Premium Bonds		
National Savings Certificates Number of Units _____ Issue _____ Date of Purchase _____		

	1st Applicant	2nd Applicant
<p>Stocks, Shares, Unit Trusts and other Investments, including any "free" share issues on conversion</p> <p>Please state company _____</p> <p>and number of shares/units held _____</p> <p><i>Please provide copies of your Share Certificates</i></p>		
<p>Other money/investments</p> <p>Please give details</p>		
<p>Have you gifted, transferred or otherwise disposed of any savings or other capital asset during the last 2 years?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please give details and date of disposal</p>		

7. OTHER INFORMATION

Please use this space to tell us anything else that you think we may need to know about your circumstances, e.g., any exceptional expenses such as maintenance to a former spouse/dependent child/ren, parental contribution to student maintenance.

Please continue on a separate sheet if necessary.

8. DECLARATION: *This section must be completed in all cases*

I declare that the information given is true and complete.

I authorise Achieving for Children, to make any necessary enquiries in respect of this information.

I agree to tell the Adoption Team, if any of the information given here changes.

I understand that legal action may be taken if I knowingly give false information.

Signed: _____ **Date:** _____
1st Applicant

Signed: _____ **Date:** _____
2nd Applicant

Please return completed Financial Assessment Form to:

Finance Team, Achieving for Children,
Ground floor, 42 York Street, Twickenham, TW1 3BZ

**Appendix D: Contribution Notice Letter Text and Contribution Notice
Template**

Dear INSERT NAME

CONTRIBUTION NOTICE

PAYMENT TOWARDS COST OF YOUR CHILD BEING LOOKED AFTER BY ACHIEVING FOR CHILDREN

From the information you have provided we have assessed that you are able to make a contribution towards the costs of your child's care. The details are contained within the enclosed Contribution Notice.

There are two copies of this Contribution Notice. You need to sign and return one copy of this notice to the address given below. The second copy is for you to keep. Also enclosed is a leaflet that explains the reasons for these contributions. The leaflet also tells you what to do if you do not agree with the contribution notice.

Please make payment on the due date. Payment can be made by sending a cheque or postal order payable to ACHIEVING FOR CHILDREN to:

Finance Team
Achieving for Children
1st floor,
42 York Street
Twickenham
TW1 3BZ

PLEASE ATTACH INVOICE COUNTERFOIL WITH PAYMENT

Please note that we may have to take legal action if you fail to make a financial contribution towards the care of your child.

You are entitled to continue claiming Child Benefit for your child for the first eight weeks after they become looked after. However if they are looked after for more than eight weeks you are no longer entitled to Child Benefit and you must notify the Department of Works and Pensions immediately. Failure to do so might result in legal action or you having to repay any overpayment.

Your contribution towards your child's care be reviewed in 12 months. In the meantime please let us know if there is any changes in your circumstances that you believe might affect your ability to make this contribution.

If you have any questions regarding payment, please telephone your Social Worker.

Yours sincerely

CONTRIBUTION NOTICE (to be included with the contribution notice letter)

Reference Number: XXXXXXXX

Date:

This Notice applies to: (Name of adult/s):

NAME OF YOUR CHILD: YY

ACTUAL WEEKLY COST OF PLACEMENT £XXXX

YOUR WEEKLY CONTRIBUTION: £XXXX

The first payment should be made on: DATE

Contributions will cease on: DATE OF CHILD'S 16TH BIRTHDAY (payments will no longer be payable before this date if your child ceases to be looked after). Schedule 2 of the Children Act 1989 allows Achieving for Children to recover payment from parents of those with Parental Responsibility for children looked after by the local authority.

Your child is being looked after by Achieving for Children and it has been decided, after considering information provided by you about your financial circumstances, that you should pay a weekly amount towards the cost of your child's care. These payments are payable with effect from the above date, and will continue to be payable until either your child's 16th birthday or the date they cease to be looked after by Achieving for Children. The amount payable will be subject to a 12 monthly review.

If payment is not agreed within one month from the date of this Notice Achieving for Children may apply to the Courts for a Contribution Order, and some of the costs associated with this may have to be recovered through an increase in your contribution.

You are able to withdraw your consent to the Contribution Notice at any time. However, where consent is withdrawn Achieving for Children may seek to recover any unpaid contributions and any future contributions through the Court.

I/We agree to pay Achieving for Children the above weekly sum towards the maintenance of our child from the date specified in this notice.

Signed:

Print name:

Date:

Signed:

Print name:

Date:

Appendix E: Contribution Waiver Template

REQUEST TO WAIVE FINANCIAL CONTRIBUTIONS FOR A LOOKED AFTER CHILD	
(1) Basic details	
Name of looked after child:	
Date became looked after:	
Mother's name:	
Mother's address:	
Asked to make Financial Contribution? (Yes/ No)	
Father's name:	
Father's address:	
Do they hold parental responsibility? (Yes/ No)	
In contact with child? (Yes/ No)	
Asked to make Financial Contribution? (Yes/ No)	
(2) Give reasons why a financial contribution should not be sought. What will be the impact on the child? What are the risks?	
3) Social Worker's recommendations:	
Name of social worker:	
Date:	
(4) Team Manager's comments:	
Name of manager:	
Date:	
(5) Director of Children's Social Care comments:	I agree/ do not agree to waive the financial contributions in respect of this child.
Reasons for decision:	
Date:	
<i>IT IS THE SOCIAL WORKER'S RESPONSIBILITY TO NOTIFY THE RELEVANT PARENT OF THE OUTCOME OF THIS REQUEST</i>	

Appendix F: Review of Parental Contribution Letter Text

Dear

REVIEW OF PARENTAL CONTRIBUTION TOWARDS COST OF YOUR CHILD BEING LOOKED AFTER BY ACHIEVING FOR CHILDREN

NAME OF CHILD: XX

CURRENT WEEKLY CONTRIBUTION: £XX

The review of your contribution towards the cost of your child being looked after is now due. This review is being undertaken to take into account any changes in your circumstances.

Please find enclosed an explanatory leaflet and Financial Assessment Form that must be completed and returned by no later than 2 weeks from receipt of this letter to:

Finance Team
Achieving for Children
1st floor,
42 York Street
Twickenham
TW1 3BZ

Once this review has taken place a new Contribution Notice will be issued. This will supersede the current notice.

If you have any questions regarding the payment methods, please telephone your Social Worker.

Yours Sincerely

Appendix G: Notice of Intended Legal Action Text

Dear

NOTICE OF INTENDED PROCEEDINGS

Total Amount Outstanding: £XXXX

I am advised by the Achieving for Children Director of Finance that the above amount remains outstanding. This amount represents the contribution you have been assessed to pay towards services supplied to your child. I enclose a copy of details/invoice(s) for your information.

Please note that unless I receive your remittance in the sum of £XXXX within FOURTEEN days of the date of this letter a Claim will be issued in the **County Court**. If legal action is necessary you will be responsible for extra charges such as Court fees, interest and judicial expenses; by paying this debt now you can avoid these additional costs.

The procedure of raising a Claim, obtaining Judgment and subsequent enforcement of that Judgment can happen in a matter of weeks. Do not make the serious mistake of ignoring this urgent problem. Payments can be made by credit or debit card– please telephone XXXX XXXXXXXX or go online at www.achievingforchildren.org.uk

You will need to quote the invoice number(s) as the reference for payment and not my reference if making payment by credit/debit card. If you send payment by cheque/postal order you must ensure your envelope is marked for my attention.

If you are having financial difficulties please note the Achieving for Children will accept payments in installments. If you would like to pay in this way you should contact me in writing with your proposals, including income and expenditure details, within the fourteen day time limit. If you require a payment book/standing order forms to pay by installments you must make the request at the same time. If you simply ignore this letter Achieving for Children will have no option but to take legal action. Should Achieving for Children obtain Judgment against you, your name will automatically be placed on the list of **County Court** Judgment Debtors. This will immediately affect your credit reputation making it difficult to obtain credit facilities such as mortgages, loans, credit and charge cards, etc.

Please note that free independent advice and assistance can be obtained from various organisations such as the CAB and National Debtline.

When writing to this office please ensure all correspondence is marked clearly for my attention and the above reference is quoted.

Yours sincerely

Achieving for Children Director of Finance

Annex B

Equality Assessment (EA)

Service Area:	Children's Social Care
Name of service/ function/ policy/ project being assessed:	Parental Contribution Policy
Officer leading on assessment:	Henry Kilpin, Senior Policy Analyst
Other staff involved:	Ian Dodds, Deputy Chief Executive

BACKGROUND

1. Briefly describe the service/ function/ policy/ project:

Context

Section 20 of the Children Act 1989 empowers local authorities to provide accommodation for any child within their area, even in circumstances where a person with parental responsibility for the child is able to provide them with care and accommodation, if they consider that to do so would safeguard or promote the child's welfare. A key feature of this provision is that care and accommodation cannot be provided if any person with parental responsibility objects to this arrangement. It is therefore a voluntary arrangement. Where a child is accommodated for more than 24 hours pursuant to Section 20 of the Children Act 1989 then they are deemed to be looked after by the local authority.

In circumstances where care and accommodation is provided under Section 20 of the Children Act 1989, Schedule 2 of the Act requires local authorities to consider whether they should recover contributions towards the child's care from any person liable to contribute. This would be the parents of a child aged 16 or under. There are prescribed exceptions to this requirement but these are not relevant to charges to which this policy relates. In considering these financial contributions, the amount should not be more than would be paid for a local authority foster care placement and the local authority should consider that the amount is practicable for the parent to pay (having regard to their means).

Detail

Achieving for Children, on behalf of the local authority, aims to encourage the exercise of parental responsibility, by asking parents to contribute towards the cost of providing care placements for their child when they have voluntarily been brought into care under a Section 20 arrangement, provided parents have sufficient means to do so and it is considered reasonable that they should be asked to do so. This is set out in the Parental Contribution Policy.

The policy outlines that the parents of all children who come into care under a Section 20 arrangement will be subject to a means-test to identify whether they should be making a contribution towards the cost of the child's care. The means test will include a review of a completed financial assessment form and a review of the proof of income provided by the parents. The income assessed will include earnings, money from an occupational or personal pension, and certain benefits.

Achieving for Children will use a specific formula to work out how much contribution is required, if any. Where the means test shows that a financial contribution should be made by the parent, Achieving for Children will not ask the parents to pay an amount more than would be paid for a local authority foster care placement. Achieving for Children will use the financial assessment to ensure that any financial contribution is practicable for the parent to pay (having regard to their means). There are a number of exemptions to the financial contributions which are:

- Children accommodated in an emergency or on a short-term basis for less than seven nights;
- Children subject to an Interim Care Order or Care Order (Section 31 of the Children Act 1989) or an Emergency Protection Order (Section 44 of the Children Act 1989);
- Children receiving services provided as Aftercare under Section 117 of the Mental Health Act 1983;
- Children placed in a residential non-maintained school subject to a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan;
- Children whose parent/s is requesting the child be relinquished for adoption;
- Children of parents who are in receipt of Universal Credit or income-related employment and support allowance or Income Support, any element of Child Tax Credit other than the family element, Working Tax Credit and/or income-based Jobseeker's Allowance.

Parental financial contributions will end when the child ceases to be looked after or they reach their sixteenth birthday, unless the parent wishes to continue to pay on a voluntary basis. The policy also sets out the process for parents to appeal against a decision to seek a financial contribution and the process for Achieving for Children to take action in circumstances when financial contributions are requested but not received.

The policy will be introduced immediately for new Section 20 arrangements. No parental contributions will be sought retrospectively, but all placements will be assessed as part of the annual review. As part of this process, parents who had not previously contributed will be subject to a means test and may be asked to contribute going forward.

2. Why is the equality assessment being undertaken?

Achieving for Children undertakes equality assessments for all new policies.

3. What sources of information have been used in the preparation of this equality assessment? (e.g national research, local needs assessment, user feedback) Please provide the details in the table below:

<i>Information source</i>	<i>Description and outline of the information source</i>
Achieving for Children Parental Contribution Policy	The draft of the policy.
Achieving for Children Parental Contribution	Draft of covering Cabinet Report for the policy.

3. What sources of information have been used in the preparation of this equality assessment? (e.g national research, local needs assessment, user feedback) Please provide the details in the table below:

Policy Cabinet Report for Richmond Council	
Derby City Council Parental Contribution Policy	A best practice example of a Parental Contribution Policy: http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/consultationpapers/consultationdocuments/proposed-policy-parental-contributionsv2.pdf
Cheshire West and Chester Council	A best practice example of a Parental Contribution Policy: https://www.cheshirewestandchester.gov.uk/residents/health-and-social-care/children-and-young-people/who-gets-help/charging-policy-looked-after.aspx
Lancashire Council	A review of the implementation of a Parental Contribution Policy: http://council.lancashire.gov.uk/documents/s11831/Appendix%20A.pdf

ANALYSIS OF IMPACT

4. Assess the relevance of each protected characteristic group to the service/ function/ policy/ project and explain what the data, customer feedback, complaints or discussions with stakeholder groups tells you about the impact.

Other questions to consider:

- *How well are diverse needs met?*
- *Have any differences in access to services/functions been identified for any group?*
- *Has the area identified any disadvantages experienced by groups, which need to be addressed?*
- *Have there been any complaints about a failure to receive an appropriate and fair service?*
- *Is there any other evidence of differential impact or different outcomes which needs to be addressed?*
- *Is there any evidence that participation in areas of public life is disproportionately low for any particular relevant protected characteristic group?*
- *Have the needs of disabled people been identified and addressed where these are different from the needs of non-disabled people?*
- *Have you identified any need to tackle prejudice or promote understanding between different relevant protected characteristic groups?*

Remember that equality assessment is not simply about identifying and removing negative effects of discrimination but it is also an opportunity to identify ways to advance equality of opportunity and to foster good relations.

<i>Protected Group</i>	<i>Findings</i>
Age	<p>The policy is relevant to all children and young people who are voluntarily brought into care under a Section 20 arrangement from birth to 16 years old. Parental financial contributions will end when the child ceases to be looked after or they reach their sixteenth birthday, unless the parent wishes to continue to pay on a voluntary basis. Analysis of Section 20 voluntary care arrangements over the last three years (2013/14 to 2016/17) show that a higher representation of young people aged 13 to 16 are in this group; however, this is also represented in the whole child in care population. Young people aged 13 to 16 are therefore likely to be more affected by this policy compared to other age groups.</p>
Disability	<p>There are a number of exemptions for financial contributions relating to disability. This includes:</p> <ul style="list-style-type: none"> • Children receiving services provided as Aftercare under Section 117 of the Mental Health Act 1983; and • Children placed in a residential non-maintained school subject to a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan. <p>There is no evidence that children with a disability were more highly represented in Section 20 arrangements between 2013/14 and 2016/17 and are therefore unlikely to be more affected by this policy compared to other groups.</p>
Gender (Sex)	<p>The policy applies to both male and female children and young people. Males are more highly represented in the child in care population locally (59%) including in Section 20 arrangements. This is in line with national and statistical neighbour data. Males are therefore are likely to be more affected by this policy than females.</p>
Gender reassignment	<p>The policy is of low relevance to gender reassignment.</p>
Marriage and civil partnership	<p>The policy is of low relevance to marriage and civil partnership.</p> <p>Achieving for Children will ensure that both the information and the financial assessment form are sent to any parent who does not live with his or her child. It is recognised that there may be instances where it is not appropriate to seek a</p>

	<p>financial contribution from an absent parent, including women fleeing domestic violence. The child's social worker will therefore establish whether there are any particular reasons why an absent parent should not be contacted and the final decision will rest with the Director of Children's Social Care.</p> <p>Achieving for Children will also notify and assess non-resident parents who are paying maintenance for a child (whether through the Child Support Agency, Child Maintenance Agency or as a voluntary agreement) for a parental contribution.</p>
Pregnancy and maternity	The policy is of low relevance to pregnancy and maternity.
Race/ethnicity	<p>There is a higher prevalence of children and young people in care from mixed-race backgrounds in Richmond upon Thames (19%) compared to the national average (9%) and the local ethnic profile for children and young people. Analysis for the Corporate Parenting Group has not identified any particular factors that influence or explain this local profile. Children and young people from mixed race backgrounds are therefore more likely to be affected by this policy.</p>
Religion and belief including non-belief	The policy is of low relevance to religion and belief.
Sexual orientation	The policy is of low relevance to sexual orientation.

5. Summarise the key findings of the equality assessments of impact- have you identified any data gaps in relation to the relevant protected characteristics and relevant parts of the duty?

Other questions to consider:

- ***Are there findings of unlawful discrimination?***
- ***Can you address any identified adverse impact?***
- ***Can you mitigate any negative impact?***
- ***Please provide rationale if you are unable to address any adverse impact.***
- ***Have you identified any ways of advancing equality in this area? For example, meeting diverse needs?***
- ***Is there a need for any actions to promote understanding between different protected groups?***

Achieving for Children aims to encourage the exercise of parental responsibility, by asking parents to contribute towards the cost of providing care placements for their child, provided they have sufficient means to do so and it is considered reasonable that they should be asked to do so. This only relates to children who are voluntarily brought into local authority care under Section 20 of the Children Act 1989, up to the age of 16.

The policy sets out that all parents who voluntarily bring their children into care under a Section 20 arrangement will be subject to a financial assessment and a means test. This will ensure that those parents who are unable to afford to contribute towards the care placement, will not be expected to. As set out earlier in the equality assessment, there are a number of exemptions to the policy that relate to disability as parents of children and young people receiving mental health services and parents of children placed in a residential non-maintained school subject to a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan, will not be expected to financially contribute.

In addition, the Director of Children's Social Care will make the final decision as to the level of financial contribution from parents for children accommodated under Section 20. This will include agreeing waivers where the social worker assessment indicates that asking parents to make financial contributions would not be appropriate and making the final decision as to whether to waive the need to contact non-resident parents. Also, where a parent is liable to make a financial contribution but it is not believed to be in the child's best interest to seek to do this, or it is unreasonable to do so and the child's social worker requests a contribution waiver, the Director of Children's will make a decision as to whether to agree this or not.

CONSULTATION

6. What consultation have you undertaken with stakeholders or critical friends about the key findings? What feedback did you receive as part of the consultation?

Consultation about the policy has been carried out in conjunction with Kingston Council and Richmond Council.

In Kingston, a public consultation was carried out on the Kingston Council website and a link to a survey was sent out in Achieving for Children Schools News for schools to disseminate to parents. There were only a small number of respondents but responses were generally positive and in favour of the policy. Some comments were made about the clarity of the leaflet explaining the policy to parents and these have been taken into consideration.

In Richmond, Achieving for Children consulted with 57 parents who reside in Richmond upon Thames through the Talk Richmond Community. Overall, the majority of parents who were consulted considered the policy to be a positive initiative. The draft of the policy has also been shared with SEND Family Voices, a local charity representing parents of children with SEND. Feedback from parents has been incorporated into the final policy.

ACTION PLANNING

7. What issues have you identified that require action?			
<i>Issue identified</i>	<i>Planned action</i>	<i>Lead officer</i>	<i>Completion Date</i>
None			

MONITORING AND REVIEW

8. How will the actions identified above be monitored and reviewed and where will the actions be captured i.e. Business Plan, project plan, service and improvement plan, service plan poster or Personal Development Plan?
Not applicable

PUBLISHING THE COMPLETED ANALYSIS

When completed, the equality assessment should be approved by a member of AfC Management Team and published on the Achieving for Children website. Please provide details below:	
Approved by	Ian Dodds, Deputy Chief Executive
Date of approval:	25 April 2017
Date of publication:	25 April 2017