

# **Policy on Financial Support to Families Post Order.**

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# Introduction

This policy sets out Milton Keynes City Council arrangements supporting families financially who have secured Special Guardianship Order, Adoption Order or Child Arrangement Order. This document replaces DfE Standardised Means Test Model for Adoption and Special Guardianship Order financial support which was withdrawn by DfE in 2023.

Milton Keynes City Council are committed to financially supporting those children who have previously been looked after and left care through the making of an adoption order or special guardianship order. For children who were looked after and leave care through Child Arrangement Order will be offered a different financial arrangement as detailed below.

## Financial Means Testing

Prior to any formal legal order being made a financial assessment will be completed to consider the family's current income and expenditure. All adults will be required to share the following documents with Milton Keynes City Council for a financial assessment to be completed:

- Mortgage/rent payments
- Evidence of loans taken out for adjustments or improvements directly related to the child moving in e.g., purchasing a larger vehicle or conversion to home.
- Bank statements
- Pension statement
- Savings statement
- Investment statement
- Evidence of income i.e., wage slips (3 months)
- Copy of Council Tax statement for the current year
- Details of any income through other properties
- Water bill
- Insurance building only
- Evidence of Child Benefit claim (if entitled)

### **For families who are in receipt of Universal Credit**

You will only need to submit evidence of your universal credit arrangement.

### **Review Financial Assessments**

A review will of family financial circumstances will take place annually, unless there is an agreement in place where Milton Keynes City Council have committed to paying a standard maintenance allowance for a set period i.e. 2 years post care proceedings.

## **Financial support available to families caring for a child who has been adopted or sought a special guardianship order through Milton Keynes City Council**

Financial assessment is completed to consider if family are entitled to a means tested maintenance allowance. Milton Keynes City Council chose to align the adoption and special guardian rates with Southeast maintenance fostering rates. These rates are reviewed each year in April.

The rates are age related and can be found on the following government link.

[Help and support for foster parents in England: Help with the cost of fostering - GOV.UK \(www.gov.uk\)](https://www.gov.uk). The rates shown are weekly and paid a fortnight in arrears.

### **Changes to any financial arrangements**

If there are any changes to the household finances, family must make contact with Milton Keynes City Council to inform them of the changes. An updated financial assessment will be undertaken.

### **Changes to child living with the family**

If the arrangement breaks down and the child moves out. Family must notify Milton Keynes City Council immediately. Any overpayments of allowances will need to be repaid to Milton Keynes City Council in full.

### **Children who reach 18**

All allowances will end upon the child turning 18, unless evidence is provided to confirm the child will remain in full time education post their 18 birthday.

If a child is to remain in education Milton Keynes City Council will consider if financial assistance continues. There is no guarantee ongoing financial support will be provided and consideration will be given on a case by case basis.

### **Children living in Milton Keynes who had previously resided outside of the area**

Milton Keynes City Council has no obligation to financially support any child who previously resided outside of Milton Keynes City Council boundary and is therefore looked after by another local authority or where an Order was granted privately outside of Milton Keynes.

The local authority where the child previously resided would be responsible for assessing and providing any financial support to the family post the order.

## **Children living outside of Milton Keynes, but previously looked after by Milton Keynes City Council**

Where a child has been looked after by Milton Keynes City Council and left care through Adoption or Special Guardianship Order and a financial assessment had been completed prior to the Order being granted. Milton Keynes City Council will retain financial responsibility for the child for the duration of the Order where the child was placed.

## **Child Arrangement Order**

Child Arrangement Order (CAO) is made by the family courts.

The CAO will say who the child is to live with or who the child is to spend time with and for how long.

CAO for whom the child is living with gives the person parental responsibility. This allows the person to make decisions that are in the child's best interests and this person is responsible for the child.

The child's birth parent(s) still retain parental responsibility for the child. This means the parents will share the parental responsibility with the person who is named on the CAO.

The CAO is in place until the child reaches 18 or unless the circumstances change, and the court make a new arrangement in respect of the child.

If the child has been looked after prior to the making of a CAO, the child will no longer be looked after once the CAO has been granted, the child may continue to be supported under a Child in Need Plan.

### **Who can apply for a Child Arrangement Order?**

- the child's grandparent, aunt, uncle, brother or sister (including by marriage or civil partnership), half-brother or half-sister, or stepparent, and they have lived with you for more than a year
- the child's appointed guardian following the death of a parent or special guardian
- a family and friends foster carer and the child has lived with you for more than a year, or you have consent from anyone who has parental responsibility
- a private foster carer and the child has lived with you for at least three of the last five years

## **You can also apply for CAO if you have consent from**

- everyone else who holds parental responsibility
- the children's services, if the child is in their care
- anyone who already has a residence order or CAO for the child
- If none of the above applies to you, you can still apply to the family court for 'permission to apply' for a CAO.

**Any person wishing to apply for a CAO should be advised to seek independent legal advice.**

## **Financial Support**

If the named person on CAO requires any financial support to care for the child, then this could be provided by the child's birth parents, government benefits or through a request to Children's Services.

The named person on CAO will be able to access Child Benefit in relation to the child, providing their earnings do not exceed the stated threshold. Additionally, they may be entitled to claim other benefits.

Children's Services will consider a means tested allowance for any child who was immediately looked after prior to the making of the CAO. The allowance will be discretionary and dependent upon the circumstances of the person caring for the child. The allowance is means tested. Any allowance granted will be subject to regular reviews.

For children who were not looked after prior to the making of CAO then an assessment of needs and provision of finances is required, this would be considered under Section 17 Children Act 1989. This is likely to be a one-off payment and not an ongoing allowance.

