



# Five Conditions Assessment Tool

Tool to complete Phase 2 assessment for Long Term Guardianship (Specified Person) and Adoption from Care

**Currently for use in the adoption from care trial cases only**

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## Purpose

Use this tool during the Phase 2 assessment when assessing whether the Department for Child Protection (DCP) should pursue a long-term guardianship (specified person) order (LTGSP) or adoption order for the particular child/young person in care. The assessment should determine:

- whether LTGSP or adoption is the most appropriate pathway to achieve permanence and stability for the child/young person and whether it is in their best interests, and
- the carers'/guardians' suitability to adopt or become a guardian of the child/young person, and their capacity to meet the current and future needs of the child/young person.

The assessment tool can be used by assessors to complete the assessment report template for:

- carers seeking to adopt or obtain a LTGSP order
- LTGSP guardians seeking to adopt.

## Legislative requirements

### LTGSP

The law that governs LTGSP orders is the *Children and Young People (Safety) Act 2017* (CYPS Act) and the *Children and Young People (Safety) Regulations 2017*.

Section 89(1) of the CYPS Act provides that an approved carer who has cared for a child/young person for a period of at least two years (or such shorter period as the Chief Executive may determine) may apply to the Chief Executive for an application to be made for a Court order placing the child/young person under the carer's guardianship.

Section 89(3) specifies that if an application is received from an approved carer the Chief Executive must, as soon as is reasonably practicable, cause an assessment to be undertaken as to whether the applicant is suitable to be the guardian of the child/young person. Under section 53(1)(h), the Youth Court can appoint up to two specified persons to be the legal guardians of a child/young person until they attain 18 years of age.

### Adoption from care

The law that governs adoption is the *Adoption Act 1988* (Adoption Act) and the *Adoption (General) Regulations 1988*.

Section 10 of the Adoption Act states that the Court will only make an adoption order if satisfied that the adoption is in the best interests of the child/young person and, taking into account the rights and welfare of the child/young person, clearly preferable to any alternative order that may be made.

## Eligibility criteria for adoption from care

Before an assessment is conducted, the carers/guardians must first satisfy the following eligibility criteria:

- the child/young person is not Aboriginal or Torres Strait Islander

- the child/young person has been in the carers'/guardians' care for a minimum of two consecutive years
- if the carers/guardians are in a relationship, they have been living together in a marriage or marriage like relationship for a minimum of five years
- at least one of the carers/guardians is an Australian citizen.

## Assessment instructions

1. Ensure carers/guardians are eligible to be considered for LTGSP or adoption:
  - a. for carers, eligibility will be established in the field
  - b. for LTGSP guardians seeking adoption, eligibility must be established by the LTGSP team prior to the Phase 2 assessment being conducted.
2. Complete a file review as part of the assessment process. This must include reviewing all relevant files in relation to the child/young person and carers/guardians.
3. Interview and observe all relevant parties including, but not limited to:
  - a. the child/young person
  - b. carers/guardians
  - c. all children of carers/guardians (biological and adopted)
  - d. other household members
  - e. birth parents
  - f. birth siblings
  - g. other relevant extended birth family members
  - h. a minimum of two referees
  - i. any third parties identified as relevant and credible.
4. Conduct interviews with children/young people in a safe place that is culturally appropriate. This is particularly important when considering LTGSP for an Aboriginal or Torres Strait Islander child/young person. More information can be found in the practice paper '[Interviewing Children](#)'.
5. Submit a typed report using the assessment report template. Please ensure all relevant sections are addressed in your report as per the information provided below. Please note that the suggested considerations are to be used as a guide only. Some considerations may not be applicable to the circumstances of the relevant child/young person.
6. Make a recommendation based on an analysis of the evidence gathered from the files, interviews and all the information obtained during the assessment process.
7. Provide the final assessment report to the carers/guardians to provide comments and sign.
8. Provide the final assessment report to the supervisor for review prior to finalising and signing.
9. If the recommendation is for LTGSP:



- a. send the report to a Principal Aboriginal Consultant for review if the child/young person is Aboriginal or Torres Strait Islander
- b. the assessor, the supervisor and the manager must sign the report
- c. final approval on the recommendation is given by the OOHC Executive Director.

10. If the recommendation is for adoption from care:

- a. the assessor will participate in a case consultation with the supervisor to discuss the recommendation
- b. the report must be signed by the assessor, supervisor, manager and the OOHC Executive Director
- c. final approval on the recommendation is given by the Chief Executive or delegate.

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# Part A of the Assessment Report

## Collating general information

### Introduction

Under Part A of the assessment report, consider and collate known information about the child/young person and identify any gaps. Most of the information should be contained in departmental records. Obtain the views on the relevant order being sought (LTGSP or adoption) from the child/young person, carers/guardians and their family, and the birth family.

Part A will provide an initial understanding of the child/young person's family and child protection background. The assessor will also ensure that the eligibility criteria are met.

### Instructions

#### Sections 1-5

Review all information known to DCP about the child/young person, the birth family and the carer/guardian family, including information on the Carer Registration files or stored on departmental client information system (CIS and C3MS). Consider whether to include a genogram with the assessment report.

#### Section 6

Obtain the views on LTGSP and/or adoption from the following persons:

- the child/young person
- carers/guardians
- the birth parents
- any biological siblings (full or half)
- any extended birth family deemed relevant.

Collate as much direct evidence as possible by way of examples, observations and direct quotes. Ensure each party has obtained a copy of the relevant information brochure.

Where adoption is being assessed, obtain the views of all relevant parties on both adoption and LTGSP.

For the child/young person, taking into account their age, maturity and development, consider whether they:

- are aware of the proposed LTGSP or adoption
- understand what LTGSP or adoption means
- wish to be placed under a LTGSP order or adopted
- understand that LTGSP or adoption may not be pursued

- have any wishes regarding their future upbringing including on their religion and/or culture
- understand their formal consent is required for adoption where they are twelve years or older
- understand what consent for adoption is and if they have capacity to give it where they are twelve years or older
- if the child is too young to understand or be aware of their status and the proposed LTGSP or adoption, consider the carers'/guardians' capacity and commitment to undertake life story work (see fourth condition below).

For carers seeking **LTGSP** consider:

- their views on LTGSP
- their reasons and motivation for seeking LTGSP (i.e. infertility etc.)
- what LTGSP means to them
- how they believe LTGSP will assist them to meet the child's/young person's needs
- timing of the request to pursue LTGSP in relation to the carers' individual and family life cycle
- how they arrived at the decision to pursue LTGSP
- how committed each carer is to being a LTGSP guardian to the child/young person
- their hopes and aspirations in relation to caring for the child/young person
- how the identified motivation relates to the reality of meeting the child's/young person's needs
- the history of each carer's previous requests to obtain a LTGSP order
- any other information obtained about the appropriateness of carers' motivation, including non-verbal communication, gaps in information, pre-occupation with particular issues, training observations, referee comments or background reports etc.

OR

For carers seeking **adoption** consider:

- their views on both adoption and LTGSP
- their reasons and motivation for seeking adoption (i.e. infertility etc.)
- what adoption means to them
- how they believe an adoption will assist them to meet the child's/young person's needs
- timing of the request to pursue adoption in relation to the carers'/guardians' individual and family life cycle
- how they arrived at the decision to pursue adoption
- how committed each carer/guardian is to adopting the child/young person
- their hopes and aspirations in relation to caring for the child/young person
- how the identified motivation relates to the reality of meeting the child's/young person's needs
- the history of each carer's/guardian's previous requests to adopt or obtain a LTGSP order
- their understanding that the assessment for adoption will simultaneously consider whether LTGSP or any other order is in the best interests of the child/young person
- whether they have discussed their intention to pursue adoption with their extended family and, if not, why



- any other information obtained about the appropriateness of carers'/guardians' motivation, including non-verbal communication, gaps in information, pre-occupation with particular issues, training observations, referee comments or background reports etc.

Consider any relevant and credible third party observations.

For the birth family (parents, siblings, relevant extended family) consider:

- their views on the proposed LTGSP or adoption
- if the birth parents have read and understood the adoption brochure
- their understanding of the legal effects of LTGSP or adoption
- their willingness and capacity to consent to LTGSP or adoption. (For adoption - consent should usually be sought following final approval to pursue adoption. However, if a parent is transient or there is limited opportunity to seek consent it may be appropriate to do so prior to approval)
- their reasons for supporting or opposing LTGSP or adoption
- any suggestions for alternative orders (instead of LTGSP or adoption)
- whether they will oppose the making of a LTGSP or adoption order at Court, and what effect this might have on the child/young person
- their willingness to participate in drawing up a long-term care plan or adoption plan
- their wishes regarding the future upbringing of the child/young person including in relation to religion, culture and identity
- views on any proposed name change for the child/young person.

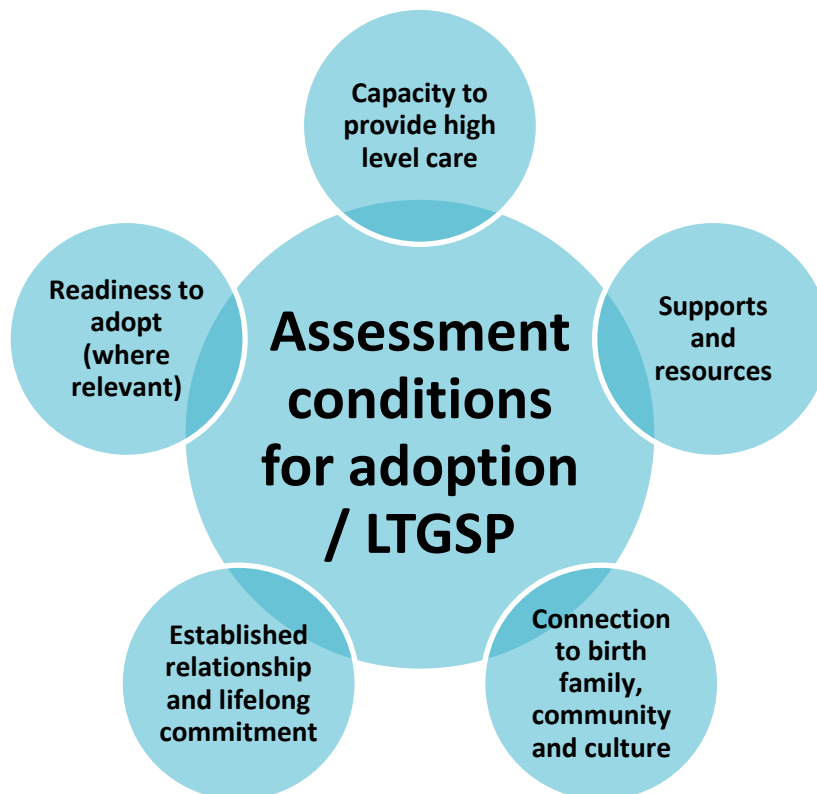
## Part B of the Assessment Report

### Conditions for assessing LTGSP or adoption

Part B of the assessment tool is made up of five conditions. The initial four conditions form the basis of the assessment for both LTGSP and adoption. The fifth condition requires evaluating the carers'/guardians' readiness to adopt and is only relevant where adoption is being considered. The fifth condition does not apply where the carers only seek an LTGSP order or where the child/young person is Aboriginal or Torres Strait Islander.

For both LTGSP and adoption, carers/guardians must have an established relationship with the child/young person and a life-long commitment to them. Carers/guardians must demonstrate that they can meet the child's/young person's physical, social, educational, cultural and spiritual needs, both now and in their future. Finally, carers/guardians seeking to adopt must further evidence their understanding of and readiness to adopt.

The following visual illustrates the five conditions of the assessment. Thorough consideration must be given to each relevant condition to ensure that critical information is not overlooked.



## First condition: Capacity to provide high level care

### Introduction

The first condition of the assessment is whether the carers/guardians have demonstrated capacity to provide a high level of care to the child/young person without any support from DCP. The assessment looks at how the carers/guardians have evidenced their capacity in the past and present as a predictor of how they will do so in the future.

This condition takes into account the carers'/guardians' history as a caregiver and the home environment as well as the child/young person's health supports and education.

### Instructions

#### History as caregiver

Discuss with the carers/guardians their history as caregivers and consider:

- whether any care concerns have ever been raised against them in relation to any child/young person in their care (both currently and in the past)
- their attitude towards any care concerns and the appropriateness of their explanation
- whether there are any significant patterns of care concerns
- the likelihood of the behaviour continuing if the care concerns were substantiated.

Discuss with the carers/guardians their attitude towards the law and consider:

- the National Police Check and whether they have a criminal history
- if they withheld information about any criminal activities (past or present) and why
- the specific details of any criminal activities, their explanation, and the likelihood of such activities continuing or occurring again.

Discuss with the carers/guardians their parenting style and consider:

- their parenting experiences (as approved carers/guardians and/or biological/adoptive parents)
- their understanding of the needs of children/young people at varying stages of their chronological and cognitive development
- 
- how they show affection to one another, the child/young person, and any other children
- the communication style within the family
- whether there are specific parenting roles within the home
- if there are clear boundaries and rules in the home, and if there is any flexibility in those boundaries or rules.

Discuss with the carers/guardians the child's/young person's behaviour and consider:

- how they respond to the behaviour

- if they notice the child's/young person's positive behaviours and strengths
- whether carers/guardians have a similar behaviour response style and, if not, how they negotiate this
- any parenting conflicts and how this is managed
- any sibling rivalry and how this is managed
- their own experiences of trauma and whether this has been resolved or how it is managed
- whether their own experiences of trauma are triggered by the child/young person's behaviour
- if they deal with stress realistically and constructively.

Discuss with the carers/guardians any individual needs of the child/young person or any other child/young person in their care, and consider:

- how much support they rely on from DCP or any other relevant agency
- whether they require respite
- their ability to manage without ongoing support from DCP or any other relevant agency
- their ability to parent autonomously.

Discuss with the child/young person (if appropriate) the level of care they receive and consider their views on:

- the parenting style of the carers/guardians
- how their behaviour is managed
- sibling rivalry and how this is managed by the carers/guardians
- any perceived parenting conflict and how this is managed by the carers/guardians.

Consider any relevant and credible third party observations.

### **Home environment**

Discuss with the carers/guardians their home environment and consider:

- how long they have lived at the house
- if one carer/guardian is away from home often and why (work, caring for family etc.)
- how the home is set up and if it is child friendly
- whether the child/young person has their own room or space
- whether the sleeping arrangements are adequate for the age and developmental needs of the child/young person
- the proximity of the home to services (i.e. public transport, health, education, recreational, support services)
- whether there are plans to relocate and why.

Discuss with the child/young person (if appropriate) their home environment and consider their views.

Consider any relevant and credible third party observations.

### **Understanding and responding to the child's/young person's trauma experience**

Discuss with the carers/guardians the child/young person's unique trauma experiences and consider:

- their understanding of the impacts of trauma on the child/young person and their development
- how they respond to the child/young person's trauma experiences
- any training, information or support that has been provided by DCP or independently sourced to assist the carers/guardians provide trauma informed care to the child/young person

Consider any relevant and credible third party observations.

### Physical health

Discuss with the carers/guardians the child's/young person's physical health and consider:

- any recent medical reports
- ongoing medical needs requiring assessment or treatment
- any diagnosis or health support needs of the child/young person (refer to medical reports and distinguish between a diagnosis and a child/young person exhibiting features similar to that of a disability/illness)
- the child's/young person's progress since being placed with the carers/guardians
- whether there is any dental, optical or audiology concerns
- if the child/young person is on any prescription medication and the full details of the medication plan
- whether the child's/young person's immunisations are up to date and, if not, why
- how the carers/guardians support the child/young person in relation to their physical health
- whether the child/young person needs further health assessments
- whether the child/young person requires additional supports or referrals for assessment or therapy
- the carers'/guardians' ability to access additional supports to respond appropriately to the child's/young person's health needs
- a future focus on the child's/young person's health and the carers/guardians capacity (i.e. how exposure to trauma or substance abuse in utero could potentially manifest itself in the future).

Consider any relevant and credible third party observations.

### Disability and developmental progress

Discuss with the carers/guardians the child's/young person's disability and developmental progress, and consider:

- when key milestones were reached and how key transitions have been managed
- whether the child's/young person's physical, intellectual, speech and social development and self-care skills is age appropriate or delayed
- any diagnosed disabilities or developmental delays
- the impact of trauma on the child/young person's development
- how the carers/guardians' support the child/young person with any disabilities or developmental delays
- the child's/young person's progress since being placed with the carers/guardians
- whether the child/young person needs further assessments
- whether the child/young person requires additional supports or referrals for assessment or therapy

- the carers'/guardians' ability to access additional supports to respond appropriately to the child's/young person's disability and development
- a future focus on the child's/young person's disability and developmental progress and the carers/guardians capacity (i.e. how exposure to trauma or substance abuse in utero could potentially manifest itself in the future).

Consider any relevant and credible third party observations.

### **Emotional and behavioural development**

Discuss with the carers/guardians the child's/young person's behaviour and consider:

- the child's/young person's emotional functioning, regulation and behaviour in different environments, including any concerns
- any diagnoses (refer to psychological reports)
- the most recent psychological report
- the child's/young person's recovery from their experiences of abuse or neglect
- the child's/young person's progress since being placed with the carers/guardians
- whether there is a current behaviour support plan
- whether the child/young person requires additional assessment of their emotional functioning and behaviour, additional supports or referrals for assessment or therapy
- the carers/guardians ability to access additional supports to respond appropriately to the child or young person's trauma-related behaviours
- a future focus on the child's/young person's emotional and behavioural development, and carers/guardians capacity (i.e. how exposure to trauma or substance abuse in utero could potentially manifest itself in the future).

Discuss with the carers/guardians if the child/young person exhibits sexualised and/or violent behaviours and consider:

- what the behaviours are and how long it has been occurring
- any current strategies or protective behaviours in place
- what further strategies could be implemented
- whether the behaviours are adequately and appropriately managed by the carers/guardians
- any risks associated with how the behaviours are managed
- if any risk of harm concerns have been identified.

Consider any relevant and credible third party observations.

### **Education and extra-curricular**

Discuss with the carers/guardians the child's/young person's education and consider:

- the child's/young person's academic progress including any areas for development
- if there is a current One Plan
- the most recent school report

- if the school is meeting the child's/young person's needs
- any educational progress since being placed with the carers/guardians
- any early difficulties in the child's/young person's educational development and how the carers/guardians provided support
- any interventions/special programs that the child/young person is currently engaged in and when they might cease
- the attitude of the carers/guardians towards education
- the carers'/guardians' involvement or engagement with the school
- the carers'/guardians' ability to promote the educational engagement of the child
- strategies used by the carers/guardians to assist the child/young person in their education
- the carers'/guardians' education aspirations for the child/young person
- care arrangements for infants, before/after school or vacation care
- any additional educational activities the carers/guardians can access to support the child/young person
- any extra-curricular activities undertaken by the child/young person
- who pays for the extra-curricular activities (DCP or carers/guardians) and capacity of carers/guardians to support any future extra-curricular activities.

Discuss with the child/young person their education and extra-curricular activities, and consider their views on:

- their school experiences
- the relationship they have with their peers
- their future aspirations
- extra-curricular activities they may like to undertake in the future
- the support they receive from the carers/guardians regarding their education and extra-curricular activities.

Consider any relevant and credible third party observations.

## Analysis

Analyse all the information collected above to determine if the carers/guardians satisfy the first condition of the assessment and have demonstrated their capacity to provide high level care to the child/young person. Consider both the indicators as well as the contra-indicators. Throughout the evaluation consider the child's/young person's views and any relevant and credible third party observations.

### Indicators:

- the carers'/guardians' parenting of the children/young people in their care is consistent with community expectations, standards and norms relating to general parenting
- the carers/guardians have already demonstrated a good level of care towards this child/young person, or other children/young people they have cared for

- the carers/guardians have demonstrated the ability to meet the various and specific needs of the particular child/young person (i.e. if the child/young person has any special needs, disability or issue which requires specific consideration)
- the carers/guardians demonstrate a realistic understanding of the commitment and effort required to care for the child/young person permanently without DCP involvement, and have demonstrated preparedness to seek assistance in a timely manner should difficulties or unforeseen circumstances arise
- the carers/guardians are able to use their knowledge of the child's/young person's abuse and trauma history/experiences to understand the child's/young person's current circumstances, including emotional or behavioural difficulties experienced by the child/young person
- the carers/guardians have empathy for the child/young person and demonstrate this in their interactions, and during discussions with others about the child/young person
- information is provided by the carers/guardians or is available via professional assessments, that suggests the child's/young person's physical, cognitive, and emotional development is progressing to a satisfactory level, in accordance with their developmental potential, while in the care of the carers/guardians
- the child/young person has a positive view on the level of care they receive.

#### Contra-indicators

- child protection concerns have been raised in relation to the child/young person or any other children while in the carers/guardians' primary care, or the carers/guardians have been identified as a perpetrator of abuse or neglect. The concerns raised have been substantiated and not resolved, or risks to the child's/young person's safety and wellbeing have been identified and not resolved
- the child/young person or carers/guardians have indicated to DCP either verbally or through their behaviours that the long-term stability of the placement is in jeopardy. For example, the child/young person may be engaging in behaviours that place the safety of the child/young person, carers/guardians, or other children/young people in the carers'/guardians' home at an unacceptable level of risk, and the carers/guardians are unable or unwilling to manage the child's/young person's behaviours or meet their escalating needs
- the carers/guardians do not acknowledge that the child/young person has been abused or neglected; or do not acknowledge the extent to which the child/young person has been abused or neglected; or do not acknowledge or accept the risk posed by the perpetrator of the abuse or neglect
- the carers/guardians do not provide the majority of the child's/young person's care. For example, to maintain the placement, the carers/guardians require that the child/young person attend full-time day care, in addition to after-hours or regular respite
- the carers/guardians do not accept professional assessments regarding the child's/young person's intellectual, physical, psychological or emotional needs, and/or do not follow through with recommended therapeutic interventions
- the carers/guardians do not want responsibility for making long-term future decisions about the child/young person
- the carers/guardians are part of a family characterised by intergenerational abuse or dysfunction, and are unable to articulate or demonstrate steps taken to resolve these issues.

## Second condition: Supports and resources

### Introduction

The second condition assesses whether the carers/guardians have sufficient personal and professional support as well as the necessary resources to provide care for the child/young person both in the present and in the future. Alongside their financial circumstances, it is important for carers/guardians to have a reliable network of support in place that is independent of DCP.

This condition takes into account the carers/guardians' life experience, health and coping strategies as well as their professional and personal support networks.

### Instructions

#### Background

Briefly provide background information on the carers/guardians including their childhood, birth family, culture, language, ethnicity and religion. Consider any relevant and credible third party observations.

Briefly describe each carer's/guardian's personality, including their outlook on life, stated value systems, temperament, level of self-esteem, emotional warmth, empathy, sense of humour, flexibility, assertiveness, etc.

Discuss with the carers/guardians their own children (biological or adopted) and consider:

- their relationship with the children/young people, including frequency and means of contact
- any difficulties or fractured relationships and the circumstances
- how they have coped with any difficulties or fractured relationships, or whether those relationships can be repaired
- what impact any difficulties or fractured relationships have had on the carers/guardians.

Discuss with the carers/guardians their extended families and consider:

- their relationship with their own birth parents, siblings and any other significant extended family members, including frequency and means of contact
- any difficulties or fractured relationships between the carers/guardians and any significant family members, and the relevant circumstances
- how they have coped with any difficulties or fractured relationships, or whether those relationships can be repaired
- what impact any difficulties or fractured relationships have had on the carers/guardians and their relationship with the child/young person or any of their other children.

Discuss with the carers/guardians other household members and consider:

- who the other household members are
- their relationship to the carers/guardians.

### **Trauma experience and coping strategies**

Discuss with the carers/guardians their childhood and life experiences, and consider:

- any trauma experiences and coping strategies
- their personal strengths and vulnerabilities
- current challenges they may be facing
- their capacity to manage stress
- their experiences of loss (i.e. miscarriage, personal experience of adoption or fostering, death, divorce, infertility etc.)
- how they managed their grief and if they sought support or counselling
- additional supports the carers/guardians can access to help manage stress, trauma, loss etc.

Consider any relevant and credible third party observations.

### **Carers'/guardians' health**

Discuss with the carers/guardians their health and wellbeing, and consider:

- their current physical, emotional and mental health
- if they have or are receiving any treatment, counselling or therapies
- any health concerns that are currently impacting or may impact in the future their ability to care for the child/young person to adulthood
- any significant health problems suffered during childhood, adolescence or adulthood, and the impact these had on the carers/guardians' emotional wellbeing eg depression, obesity
- the health checklist and medical check report completed by each carer/guardian and their nominated doctor
- if there are any significant health concerns identified by their GP that was not disclosed by the carers/guardians and why
- if they smoke or drink alcohol, and how they manage any potential impacts on the child/young person
- if they engage, or have they previously engaged, in any drug use that impacts on their daily functioning (social, financial, emotional etc.) and whether there are current concerns.

Consider any relevant and credible third party observations.

### **Carers/guardians' relationship**

Discuss with the carers/guardians their marital/de-facto relationship and consider:

- how long they have been in a relationship/marriage and how long they have been living together
- the stability and quality of the relationship
- their compatibility
- what roles they each play within the family
- their pattern of communication and decision making, including on parenting or discipline
- how they resolve arguments or disagreements
- their coping mechanisms during periods of high stress or loss

- attitude towards each other's families
- if there have been difficulties during the relationship/marriage and any periods of separation
- how such difficulties were overcome by each carer/guardian and whether professional help was sought
- the attitude of each carer/guardian to difficulties and challenges in a relationship/marriage
- if the couple is same sex, their experience of parenting as a same sex couple, their experience of discrimination, and how they manage these experiences.

Consider any relevant and credible third party observations.

### Support networks (personal and professional)

Discuss with the carers/guardians their support networks and consider:

- all personal support networks, including immediate and extended family, and friends
- all professional support networks
- whether they rely on any specific supports in order to undertake their role as approved carers/guardians and if this will continue post LTGSP or adoption
- their knowledge of professional supports available to LTGSP guardians or adoptive parents
- the availability of substitute care and contingency plans in case of illness, death or income loss
- the carers'/guardians' hobbies and interests
- whether the family participates in any group hobbies or activities
- the carers'/guardians' involvement in any community groups and/or associations (i.e. carer/guardian support groups, surf lifesaving, church etc.) and whether these groups form part of their support networks.

If the carer/guardian is single, in addition to the above, consider:

- their previous, present and probable future significant relationships
- the availability of extended support networks
- the availability of role models of the other sex.

Consider any relevant and credible third party observations.

### Working with service providers

Discuss the carers'/guardians' ability to work with service providers to meet the child's/young person's needs. Consider any relevant and credible third party observations.

### Financial stability

Collect information on the carers'/guardians' financial circumstances and complete a copy of the table below in the assessment report (add or remove rows in the table as necessary).

<b>Assets</b>	Value of home	\$
	Value of contents	\$



	Motor vehicle/s	\$
	Investments	\$
	Superannuation of (First Name)	\$
	Superannuation of (First Name)	\$
	Savings	\$
	Other	\$
	<b>Total Assets</b>	\$
<b>Liabilities</b>	Mortgage balance	\$
	Car loan balance	\$
	Credit card balance	\$
	Other	\$
	<b>Total Liabilities</b>	\$
<b>Income</b>	Income of (First Name)	\$
	Income of (First Name)	\$
	Centrelink benefits	\$
	Other Commonwealth benefits	\$
	Other	\$
	<b>Total Income</b>	\$
<b>DCP contributions</b>	Carer Payments	
	Special needs loading	
	School fees	
	Other payments	
	<b>Total</b>	\$
<b>Expenditure</b>	Mortgage repayments	\$
	Car loan repayments	\$
	Credit card repayments	\$
	Rates (home)	\$
	Insurance (home)	\$
	Insurance & Rego (car/s etc)	\$
	Utilities	\$



	Groceries	\$
	School Fees	\$
	Activities	\$
	Other	\$
	<b>Total Expenditure</b>	\$

Discuss with the carers/guardians their financial circumstances and consider:

- how they currently manage their income and any debts
- whether they are aware of their financial responsibility for the child/young person post LTGSP or adoption
- if they are currently able to provide for and meet the needs of the child/young person
- how they intend to fund any unexpected expenditures in the future
- if they anticipate financially supporting a child/young person who may develop significant needs and/or talents in the future
- whether they will be entitled to any Commonwealth benefits post LTGSP or adoption
- if they have ever been bankrupt and, if so, the circumstances surrounding the bankruptcy.

Discuss with the carers/guardians their current employment status and consider:

- if they are employed, type of employment and their job stability
- if they are considering entering employment in the future
- their level of education
- if they are considering further education in the future
- when and how often they work (i.e. number of hours, night/day shifts)
- childcare arrangements when working.

Consider any relevant and credible third party observations.

## Analysis

Evaluate all the information collected above to determine if the carers/guardians satisfy the second condition of the assessment and have sufficient personal and professional support as well as the necessary resources to provide care for the child/young person into the future. Consider both the indicators as well as the contra-indicators. Throughout the evaluation consider the child's/young person's views and any relevant and credible third party observations.

### Indicators

- the carers/guardians have sufficient long-term personal and family networks who provide support, assistance and guidance to the carers/guardians

- there are no current or previous concerns regarding the carers'/guardians' utilisation of personal and professional services offered to them to assist them to meet the child's/young person's needs (i.e. therapy, education, social opportunities)
- the carers/guardians have sufficient personal and, where necessary, professional support which prevents them being over-burdened by life issues or responsibilities that impact on their ability to prioritise the child/young person and provide adequate care for the child/young person on a permanent basis
- the carers/guardians are able to manage their finances and do not require significant financial support from DCP outside of the Carer Payments
- **for LTGSP assessments:** the care planning process has fully explored the child's/young person's support needs and listened to what they need. The Care Plan incorporates their assessed needs and includes sufficient ongoing support to enable the carers to meet the child's/young person's individual needs
- **for adoption assessments:** the child's/young person's support needs have been fully explored and the carers/guardians have demonstrated they have the capacity and resources to meet these needs.

#### Contra-indicators

- there is evidence that the carers/guardians have a significantly impaired relationship with each other which impacts their ability to provide a healthy home environment for the child/young person
- there is evidence that the carers/guardians have significantly impaired relationships with their own families which impacts their ability to have family and community supports
- the carers/guardians have previously demonstrated that they have insufficient personal support or access to professional supports which has caused them to become overwhelmed and impacted on their ability to provide adequate care or prioritise the needs of the child/young person
- the carers/guardians have access to personal and professional resources to support a child/young person in their care but have previously demonstrated their unwillingness to utilise such resources which has significantly impacted on their level of care to the child/young person
- the carers/guardians struggle to manage their finances, are in significant debt or require significant financial support from DCP impacting their ability to provide for the child or young person independently of DCP (outside of the Carer Payments)
- there has been limited or no discussion between the carer/guardian and DCP exploring the supports needed to care for the child/young person.

## Third condition: Connection to birth family, community and culture

### Introduction

The third condition assesses whether the carers/guardians understand the importance of the child's/young person's connection to their birth family, community, culture and religion, as well as the carers'/guardians' demonstrated willingness and ability to maintain and promote this connection without the involvement of

DCP. The assessment looks at how the carers/guardians have evidenced their willingness and capacity in the past and present as a predictor of how they will do so in the future.

This condition takes into account current and past birth family contact, the child's/young person's connection to culture and/or religion, and their involvement in their community.

## Instructions

### Birth family contact

Summarise the child's/young person's contact with birth family, both historic and current, including:

- whether contact takes place and, if not, why
- the type of contact (i.e. face to face, phone calls etc.)
- who facilitates the contact
- how often it occurs
- the quality of contact
- who supervises contact
- whether carers attend the contact
- any safety issues surrounding contact
- any past or current issues and how these were or are being resolved.

Discuss the carers'/guardians' views on the birth family contact and consider:

- their views on the child's/young person's past and current contact with the birth family
- their attitude towards the birth family
- whether they value and see birth family contact as important
- how they speak to the child/young person about the birth family
- whether there are pictures around the house of the birth family
- their willingness to assist the child/young person to maintain birth family contact
- their skills in managing the contact
- what challenges they may foresee or currently experience with contact
- whether they are willing and able to continuing supporting contact post LTGSP or adoption
- whether they would like contact increased/decreased and for whom
- whether they understand the impact contact may have on the child/young person and can support the child/young person appropriately while still recognising the value of contact
- whether they understand contact can occur through other means than face-to-face and whether they support this (i.e. phone calls, letters, emails, texts, exchange of photos)
- how they envisage future contact with the birth family occurring
- how they anticipate managing contact when the child/young person is older and can direct their own contact which may not always be positive (i.e. via social media)
- how they envisage supporting the child/young person if future contact is not positive.

Discuss with the child/young person their views regarding the current contact arrangements, including whether they would like contact to be increased or decreased, and why. Compare it to the views of the carers/guardians and their attitude to the birth family.

Consider any relevant and credible third party observations.

### Cultural connection and religion

Discuss with the carers/guardians the cultural and/or religious needs of the child/young person and consider:

- their understanding of the significance of cultural and/or religious identity
- whether they have demonstrated their capacity to support the maintenance of the child's/young person's cultural and/or religious identity
- whether they are linked to a particular cultural and/or religious group, or who they can contact for resources or support
- how they support the child/young person to have friends from their cultural and/or religious group
- how they incorporate the child's/young person's culture and/or religion into daily family life
- what research they have undertaken to educate themselves of the child's/young person's cultural and/or religious background and practices
- how they will continue to educate themselves and develop their knowledge on the child's/young person's culture and/or religion and provide support to the child/young person
- the carers/guardians' culture and/or religion
- how they manage any conflict between their culture and/or religion and the child's/young person's culture and/or religion (eg different religious views on same sex marriage etc.)
- their understanding that the child/young person may develop an identity crisis as they mature and seek to increase their understanding of themselves and where they belong
- how they will manage an identity crisis and where they will seek support
- their understanding of racism and how this may affect the child/young person
- how they will prepare the child/young person to cope with bullying and racism, and how they will support them.

Where LTGSP is being assessed for an Aboriginal or Torres Strait Islander child/young person, consider whether the **Aboriginal and Torres Strait Islander Child Placement Principle** has been followed and take into account the core elements of Identification, Prevention, Partnership, Placement, Participation and Connection. In addition to the elements detailed above, further consideration should be given to whether carers:

- have demonstrated Aboriginal or Torres Strait Islander cultural competence
- actively participate in networks within Aboriginal or Torres Strait Islander communities
- carers understand extended family and kinship relationships in an Aboriginal or Torres Strait Islander context
- use of Aboriginal or Torres Strait Islander community organisations and key people providing relevant services
- understand the importance of supporting an Aboriginal or Torres Strait Islander child/young person to participate in their individual traditional cultural customs, such as rites of passage from boy to man and women's business.

Consider the birth parents' views on the child's/young person's cultural and/or religious needs and how they believe these needs should be met. For Aboriginal and Torres Strait Islander children/young people also consider the views of the extended family, significant others and community members on the child/young person's cultural and/or religious needs and how they believe these needs should be met.

Discuss with the child/young person their cultural and/or religious needs, and their view as to whether those needs are being met by the carers/guardians.

Consider any relevant and credible third party observations.

### **Community involvement**

Discuss with the carers/guardians the community of the child/young person and consider:

- whether they encourage and support the child/young person to participate in their community
- whether the child/young person is involved in any community groups and/or associations.

Consider any relevant and credible third party observations.

## **Analysis**

Analyse all the information collected above to determine if the carers/guardians satisfy the third condition and have demonstrated a willingness and ability to maintain the child's/young person's connection to their birth family, community and culture. Consider both the indicators as well as the contra-indicators. Throughout the evaluation consider the child's/young person's views and any relevant and credible third party observations.

### **Indicators**

- the carers/guardians support the child/young person to develop a dual family identity based on membership to both their birth family and the carers'/guardians' family – unless there are compelling reasons not to
- the carers/guardians assist the child/young person to learn age-appropriate information about why they cannot live with their birth family, in turn allowing for the healthy resolution of life and care experiences
- the carers/guardians show understanding and empathy towards the birth family, their circumstances and life situations, are non-judgemental, and acknowledge the birth family's grief
- the carers/guardians are willing to work respectfully and cooperatively with the birth family in the interests of the child/young person. Where there are obstacles to this, the carers/guardians are willing to work towards resolution of the difficulties in the future – unless there are compelling reasons not to
- the carers/guardians support the child/young person to maintain and/or develop connection to their heritage and culture, and assists them to learn about and form, maintain or reconnect to their cultural identity



- where the carers/guardians do not have the knowledge or skills to assist the child/young person to maintain or develop connection to their heritage and culture, the carers/guardians are willing to seek and receive assistance to do so.

### Contra-indicators

- the carers/guardians do not acknowledge the importance of the child's/young person's connections to their birth family, community, culture or religion and/or do not actively maintain these connections
- the carers/guardians attempt to negatively influence the child/young person in relation to their birth family, community, culture or religion, or attempt to create a 'loyalty conflict'
- the carers/guardians denigrate the child's/young person's birth family, community, culture or religion.

## Fourth condition: Established relationship and lifelong commitment

### Introduction

The fourth condition examines whether there is an established relationship between the child/young person and the carers/guardians. It further assesses whether the carers/guardians have made or are willing to make a lifelong commitment to the child/young person.

### Instructions

This section must be based on direct interviews and observations with the child/young person and carers/guardians. Please include as much direct evidence as possible by way of examples, observations and direct quotes from the child/young person, carers/guardians, and relevant and credible third party observations.

### Relationship (attachment and observations)

Discuss with the carers/guardians their attachment to the child/young person and consider:

- their interaction with the child/young person
- their views on their relationship with the child/young person
- whether they consider the child/young person as part of the family
- whether there are discrepancies between the way they view the child/young person and the way they view their own children or other children/young people in the home.

Discuss with the child/young person their attachment to the carers/guardians and consider:

- their behaviour around the carers/guardians
- their interaction with the carers/guardians
- their views on their relationship with the carers/guardians
- how they refer to their carers/guardians (i.e. mum, dad etc.)

- how their views on their relationship with the carers/guardians compares to the carers'/guardians' views
- whether they feel part of the family
- their interaction and relationship with any other children/young people residing in the home (including their own siblings and the carers/guardians biological or adopted children)
- their interaction and relationship with any other adults residing in the home.

Consider any relevant and credible third party observations.

### **Connection to extended carer/guardian family**

Discuss with relevant members of the carers'/guardians' extended family their views on the child/young person and consider:

- whether they view the child/young person as part of the family
- how they view the child's/young person's relationship with the carers/guardians
- how they view the child's/young person's relationship with their birth family
- their attitudes towards a child/young person from a different racial background
- their views on the proposed LTGSP or adoption.

Discuss with the child/young person their views on relevant members of the carers'/guardians' extended family and consider:

- how they view the extended family
- whether they feel part of the extended family
- their relationship with each relevant member of the extended family
- how they interact with the extended family.

### **Lifelong commitment**

Discuss with the carers/guardians their lifelong commitment to the child/young person and consider:

- whether they have demonstrated a desire for the child/young person to be permanently part of their family
- how they intend to support the child/young person beyond their 18<sup>th</sup> birthday (both financially and non-financially)
- whether they have a plan for who would care for the child/young person in the event they are unable to do so (i.e. ill health, death etc.) as well as the views of the proposed carer
- whether they have included or have plans to include the child/young person in their Will
- whether their commitment or attitude to the child/young person would change if LTGSP or adoption was not supported by DCP
- if they are seeking adoption, how they would feel if LTGSP was recommended instead and their views on LTGSP
- whether they are planning to foster (short or long term), adopt or have biological children in the future and if they understand the impact this may have on the child/young person

- any concerns regarding their ability to provide for the needs of the child/young person if additional children join the family.

Consider any relevant and credible third party observations.

### Life story work

Discuss with the carers/guardians the child's/young person's life story and consider:

- whether they are aware of the child's/young person's life story and, if not, why
- their attitudes towards the life story
- whether they are actively seeking more information about the child's/young person's life story
- what they are currently doing to assist the child/young person to learn about their birth family and journey into care
- how they are currently sharing or plan to share the child's/young person's life story with them
- what plans they have to help the child/young person understand their life story in accordance with the child's/young person's developmental stages
- how they will share the reasons for the child's/young person's removal
- how they will share negative social or medical information about the birth family with the child/young person
- how they will manage when there is scarcity of information regarding the child/young person's background and birth origins
- how they propose to raise the child/young person with a positive self-identity
- how they will incorporate the child's/young person's culture into their life story work
- their capacity to complete life story work with the child/young person now and into adulthood without the assistance of DCP
- how they propose to introduce the concept of two sets of parents to a child who is very young.

Discuss with the child/young person their life story (if appropriate) and consider:

- how much they are aware of their life story
- their attitude towards their life story
- how they perceive the carers'/guardians' attitude towards their life story.

Consider any relevant and credible third party observations.

## Analysis

Analyse all the information collected above to determine if the carers/guardians satisfy the fourth condition and an established relationship has developed between the carers/guardians and the child/young person. Evaluate whether the carers/guardians have further demonstrated a lifelong commitment to the child/young person. Consider both the indicators as well as the contra-indicators. Throughout the evaluation consider the child's/young person's views and any relevant and credible third party observations.

### Indicators for established relationship

- the child/young person has previously been assessed by a DCP psychologist (or other infant/child/adolescent mental health specialist), or it is the psychologist's current opinion/assessment, that the child/young person has developed a strong and positive attachment to the caregiver
- the child/young person has not yet developed a strong and positive attachment to the carers/guardians, but shows signs of a preferential relationship with the carers/guardians. The child/young person has expectations that their needs will be met by the carers/guardians, and demonstrates this by primarily seeking out the carers/guardians when distressed, tired, hurt, frightened, angry or upset
- the carers/guardians respond appropriately to the child/young person when they are distressed, facilitating and strengthening a reciprocal relationship between the child/young person and carers/guardians
- the carers/guardians have a warm and nurturing attitude towards the child/young person
- the child/young person believes that the carers/guardians will not only meet their basic needs, but will 'fight for them' (i.e. the carers/guardians will listen to, defend, and advocate for the child/young person). The carers'/guardians' attitude, statements and behaviours are consistent with this, and inform the child's/young person's belief
- the child/young person identifies as being part of, and has a sense of belonging with, the carers'/guardians' family
- the child/young person wants a lifelong relationship with the carers/guardians (i.e. making statements such as 'I want to stay here forever', or 'I don't ever want to leave here').

#### Indicators for lifelong commitment

- the carers/guardians intend to have a lifelong relationship with the child/young person by caring for, loving and supporting the child/young person beyond their 18th birthday and into the future
- the carers/guardians include the child/young person in their hopes, dreams and plans for the future
- the carers/guardians are observed to treat the child/young person as part of the family. They do not make a distinction between their biological children and the child/young person, practically, financially or emotionally. (i.e. there is no distinction in the quality of gifts given, the quality of the child's/young person's possessions, the inclusion of the child/young person in family portraits and on family holidays; and the carers/guardians speak of the child/young person in a unique and loving way indicating their integration into the family)
- the carers/guardians indicate their desire to permanently make the child/young person part of their family (i.e. initiating discussions about LTGSP or adoption, or by including the child/young person in the carers'/guardians' Will)
- the carers/guardians discuss a balanced representation and a rich description about the child/young person indicating that they have intimate knowledge about 'who' the child/young person is and their unique characteristics
- the carers/guardians are actively involved in the child's/young person's life (i.e. they engage with the child/young person in relation to their interests, and help them to develop and pursue such interests)
- the carers/guardians already support the child/young person to understand their life story
- the carers/guardians have developed or thought about plans to help the child/young person understand their adoption as part of their life story.

### Contra-indicators for established relationship

- the child/young person has been formally assessed by a DCP psychologist or other infant/child/adolescent mental health specialist as having a problematical attachment style that significantly jeopardises the stability of their placement
- the child/young person does not have a strong or positive attachment or preferential relationship with the carers/guardians, and the carers/guardians are unwilling or unable to work towards the development of such an attachment or relationship, in either a self-directed way or with professional assistance
- the carers/guardians do not accept and/or understand the child's/young person's emotional needs and do not meet the child's/young person's emotional needs to a satisfactory level
- the carers/guardians do not respond appropriately to the child/young person when they are distressed (i.e. they are unwilling or unable to read the child's/young person's cues or respond to the child/young person in an emotionally appropriate manner when the child/young person is distressed)
- the carers/guardians are cold and critical towards the child/young person
- the carers/guardians do not understand the importance of the child/young person feeling that they are an integral part of the family or provide them with opportunities to develop a sense of belonging within the family
- the child/young person has indicated that they do not want to live with the carers/guardians on either a short-term or long-term basis (i.e. they repeatedly run away from the placement, or verbalises that they do not want to live with the carers/guardians)
- the child/young person has indicated that they wish to remain living with the carers/guardians but under the order that is already in place.

### Contra-indicators for lifelong commitment

- the carers/guardians make repeated statements in support of the child/young person being reunified with their birth parents, despite evidence that reunification would not be in the child's/young person's best interests
- the carers/guardians do not want responsibility for making long-term decisions about the child/young person
- the carers/guardians do not want to undertake the normal duties of a parent (i.e. accompany and/or support the child/young person to medical or therapeutic appointments, be actively involved in their education or transport them to events)
- the carers/guardians do not believe that they have a responsibility to encourage or engage the child/young person to develop personal interests, for example sports or other extra-curricular activities, and expects DCP workers, volunteers, or others to be responsible for this instead
- the carers/guardians are reported or observed treating the child/young person poorly in comparison to other children/young people (i.e. the child/young person is not given the same opportunities or advantages as the carers'/guardians' biological children, or other foster children)
- the carers/guardians have a history of making verbal statements about lifelong relationships, but have suddenly and permanently relinquished another child/young person in their care (without good cause), and have not maintained contact with them.

## Fifth condition: Readiness to adopt

### Introduction

The fifth condition should only be considered where the carers/guardians are wanting to pursue adoption. The fifth condition should **not** be considered where the carers are only seeking a LTGSP order or where the child/young person is Aboriginal or Torres Strait Islander.

The fifth condition assesses whether the carers/guardians demonstrate a readiness to adopt taking into account their attitude and understanding of open adoption and the impact adoption can have on the child/young person during their lifespan, including in relation to their identity. The condition also takes into account the views of any biological or adopted children of the carers/guardians as well as relevant and credible third party observations.

### Instructions

#### Adoption attitude

Discuss with their carers/guardians their attitudes toward adoption, and consider:

- any personal and/or family experience with adoption
- how they describe their role as adoptive parents
- their understanding of the differences between being a carer/guardian, biological parent and adoptive parent
- if they believe the adoption would be in the child's/young person's best interests and why.

Discuss with the carers/guardians open adoption and consider:

- their understanding of what open adoption means
- their attitude towards open adoption
- what advantages they see in openness for themselves, the child/young person, and the birth family
- how they believe they will deal with an adoption arrangement that may change over time (i.e. became more or less open)
- under what circumstances they would consider changing the adoption arrangements
- how they plan to explain contact or lack of contact to the child/young person
- their views on consent notices for integrated birth certificates which would allow all parties to the adoption (including birth parents) to obtain information before the child/young person turned 18
- their views on changing the child/young person's name
- the rationale for any proposed new name
- if they believe a name change would be in the child's/young person's best interests and why.

Discuss with the child/young person the proposed adoption and consider:

- their views on being adopted by the carers/guardians

- their attitude towards adoption
- their understanding of open adoption
- their views on open adoption
- their views on their name and any proposed name change
- if their views on open adoption or the proposed name change conflicts with the views of the carers/guardians.

### Understanding of adoption

Discuss with the carers/guardians their understanding of adoption and consider:

- their understanding of the impact of adoption on the child/young person during their lifespan, including the emotional affects which may change over time
- whether they understand the identity issues the child/young person may face at different times of their life due to the adoption
- how they will support the child/young person to deal with the impact of their adoption, including any identity issues
- their understanding of the legal effects of an adoption order
- their understanding that the final decision regarding adoption rests with the Youth Court
- if their commitment and/or attitude towards the child/young person would change if the Youth Court does not make the adoption order
- how they will support the child/young person through the assessment process, court process, and to understand the Youth Court decision
- how they would support the child/young person if the Youth court does not make the adoption order.

Discuss with the child/young person their understanding of adoption and consider:

- any discussions they have had with the carers/guardians about the adoption process
- their understanding of the legal effects of an adoption order
- their understanding that the final decision regarding adoption rests with the Youth Court
- how they would feel if the Youth Court does not make the adoption order.

### Sibling relationships

Discuss with the carers/guardians whether the child/young person has siblings (full or half) and consider:

- their understanding of how the adoption order will legally change the child's/young person's relationship with their siblings
- how they will manage this change and support the child/young person through it
- steps they are currently taking to ensure the child/young person understands how the adoption order will legally change sibling relationships
- steps they are currently taking to ensure the child/young person has ongoing contact with their siblings (where appropriate).

Discuss with the child/young person their sibling relationships and consider:

- whether they understand how these relationships will legally change
- any discussions they have had with the carers/guardians about their sibling relationships
- if they are maintaining contact and a relationship with their siblings and would like this to continue
- if they feel supported by the carers/guardians to maintain sibling relationships.

### **Appreciation of the needs of children/young people in care**

Discuss with the carers'/guardians' the needs of children/young people in care and consider their understanding of:

- the unique needs of children/young people in care
- the child's/young person's trauma and the impact this has on their daily functioning
- how the impact of trauma on the child/young person may manifest itself in different ways as they mature
- how they will support the child/young person heal from their trauma
- the effects of loss and separation on the child/young person
- how loss and separation may impact on the child's/young person's identity and attachment
- the challenges the child/young person may face throughout their life
- the consequences of loss of culture and identity for culturally and linguistically diverse children/young people being raised outside of their own culture
- using their own experiences of grief and/or loss to support the child/young person to deal with the separation from their birth family
- the losses experienced by birth families
- whether their aspirations for the child/young person are realistic in the context of the child/young person's capacity, needs and own aspirations.

### **Views of carers'/guardians' children on adoption**

Discuss with all the carers'/guardians' children (biological and adopted) the proposed adoption and consider:

- their views and attitude towards the adoption and the child/young person becoming a permanent legal member of the family
- their understanding of the effect of the adoption order and how it may impact them (i.e. inheritance)
- whether they were aware of the proposed adoption
- whether they are supportive of the proposed adoption
- any views they have on their upbringing or the parenting style of the carers/guardians.

### **Current level of support provided by DCP (both financial and non-financial)**

Discuss with the carers/guardians what support is currently being provided by DCP and consider:

- how much support – both financial and non-financial – has been provided by DCP since the child/young person was placed with the carers/guardians (including support to maintain contact with the birth family)
- whether the carers/guardians could manage without the additional support by DCP if an adoption order is made.

## Analysis

Analyse all the information collected above to determine if the carers/guardians satisfy the fifth condition and have demonstrated a readiness to adopt the child/young person. Consider both the indicators as well as the contra-indicators. Throughout the evaluation consider the child's/young person's views and any relevant and credible third party observations.

### Indicators

- the carers/guardians have demonstrated a good understanding of open adoption and will maintain the child's/young person's contact with the birth family (where appropriate)
- the carers/guardians have demonstrated an understanding of the identity issues that the child/young person may face once adopted and considered how they will support the child/young person if and when such issues arise
- the carers/guardians have demonstrated an understanding of how the adoption may affect the child's/young person's relationship with their birth siblings and considered how they will support the child/young person through this
- the carers'/guardians' biological children and extended family are supportive of the proposed adoption
- the carers/guardians have received minimal DCP support (both financial and non-financial) since the child/young person was placed with them
- the carers/guardians are aware that DCP cannot guarantee the Youth Court will make the adoption order and have demonstrated commitment to the child/young person regardless of the outcome.

### Contra-indicators

- the carers/guardians have little understanding of what open adoption is and have indicated that they will not continue or support the child's/young person's contact with the birth family following an adoption order
- the carers'/guardians' sole motivation to adopt is to remove DCP and/or birth families from their lives
- the carers/guardians will not agree to obtain an integrated birth certificate for the child/young person post adoption
- the carers/guardians do not understand the impact adoption can have on the child/young person during their lifetime including on their identity
- the carers/guardians have not considered the impact legally severing the child's/young person's relationship with the birth family may have on the child's/young person's identity later in life
- the carers/guardians will still require significant DCP support (both non-financial and financial but excluding the Carer Payments)
- the carers/guardians assume that the Youth Court will make an adoption order and have not considered the risks and impact on the child/young person and the placement if adoption is not granted.

## Part C of the Assessment Report

### Evaluation and recommendation

#### Introduction

Part C of the assessment report provides an overall evaluation of whether the carers/guardians would be suitable guardians/adoptive parents and a recommendation on whether LTGSP, adoption, or an alternative order should be sought based on the best interests of the child/young person.

The assessor should take into account the information collected during the assessment, the best interests of the child/young person, and the factors favouring adoption versus LTGSP.

#### Instructions

##### **Suitability of carers/guardians and best interests of the child/young person**

Depending on the order being sought (LTGSP or adoption), use your professional judgment to outline:

- which order should be pursued and why that order is the most preferred order to any other
- how the proposed order is in the child's/young person's best interests, both now and later in life
- whether the carers/guardians would be suitable to become (depending on the order proposed) either the adoptive parents or legal guardians of the child/young person.

To determine the best interests of the child/young person, consider the following:

- the voice of the child, listening to their views, wishes, needs and wants
- the child's/young person's age, maturity, level of understanding, background and family relationships and any other characteristics of the child/young person that the decision maker thinks are relevant
- the child's/young person's physical, emotional and educational needs, including the child's/young person's sense of personal, family and cultural identity
- any disability that the child/young person has
- any wishes expressed by either or both of the parents of the child/young person
- the relationship that the child/young person has with their parents and siblings (if any) and any significant other people (including relatives) in relation to whom the decision maker considers the question to be relevant
- the attitude of each proposed adoptive parent or legal guardian to the child/young person and to the responsibilities of parenthood
- the nature of the relationship of the child/young person with each proposed adoptive parent or legal guardian
- the suitability and capacity of each proposed adoptive parent or legal guardian, or any other person, to provide for the needs of the child/young person, including the emotional and intellectual needs of the child/young person
- the need to protect the child/young person from physical or psychological harm caused, or that may be caused, by being subjected or exposed to abuse, ill-treatment, violence or other behaviour, or being

present while a third person is subjected or exposed to abuse, ill-treatment, violence or other behaviour

- the alternatives to the making of an adoption order and the likely effect on the child/young person in both the short and longer term of changes in the child's/young person's circumstances caused by an adoption, so that adoption is determined among all alternative forms of care to best meet the needs of the child/young person.

If adoption from care is the proposed order, ensure that the following factors were taken into account during the assessment and when preparing the assessment report:

- a) parenting skills of carers/guardians
- b) capacity to provide, throughout the child's/young person's childhood/adolescence, the standard of care necessary to safeguard and promote the physical, intellectual and emotional welfare of a child/young person
- c) if the carers/guardians have the care of any other child/young person:
  - i. the effect that may have on the best interests, rights and welfare of an adopted child/young person or on the carers'/guardians' ability to care for an adopted child/young person
  - ii. the impact that adoption of a child/young person by the carers/guardians may have on that other child/young person
- d) the emotional warmth, maturity and stability of the carers/guardians
- e) the physical and mental health of the carers/guardians
- f) the capacity of the carers/guardians to deal with difficult or stressful situations and the familial, social and other support available to the carers/guardians
- g) in the case of a joint application – the length and quality of the relationship between the carers/guardians
- h) the economic position and financial management skills of the carers/guardians
- i) the criminal record (if any) of the carers/guardians
- j) the nature of the childhood experiences of the carers/guardians
- k) if the carers/guardians are infertile – the attitude of the carers/guardians to that infertility
- l) the attitude of the carers/guardians to children/young people and in particular to the discipline of children/young people
- m) the attitude of the carers/guardians to the status of an adopted child/young person, to the birth parents of an adopted child/young person and to an adopted child's/young person's access to information about their origins
- n) the attitude to adoption of a child/young person by the carers/guardians of:
  - i. any child/young person of the carers/guardians
  - ii. any other parent or guardian of any child/young person of the carers/guardians
  - iii. any other person (who is a relative of the carers/guardians, a member of their household or a close acquaintance) with whom the child/young person, if adopted by the carers/guardians, would be likely to come into regular contact
- o) the motivation of the carers/guardians to adopt a child/young person
- p) if the carers/guardians have expressed an interest in adopting a child/young person with special needs – the capacity of the carers/guardians to provide the standard of care require to fulfil the needs



- of the child/young person through the child’s childhood, adolescence and into adulthood, if that is likely to be necessary due to the child’s/young person’s special needs
- q) if the carers/guardians have expressed an interest in adopting a child/young person of a particular racial origin – their understanding of, and interest in, people of that racial origin and the carers’/guardians’ attitude towards the retention by such a child/young person of the child’s/young person’s cultural heritage
  - r) any relevant information relating to the carers/guardians held by the Department for Child Protection
  - s) any other factor considered relevant in the particular circumstances.

**LTGSP versus adoption from care**

To determine whether to recommend LTGSP or adoption, consider the following:

<i>Carer assessment for Adoption or LTGSP</i>	
<i>Factors favouring adoption</i>	<i>Factors favouring LTGSP</i>
<ul style="list-style-type: none"> <li>- Both carers/guardians and child/young person (depending on age and capacity) have expressed their desire for adoption.</li> <li>- Impact of the lifelong order:                             <ul style="list-style-type: none"> <li>• significant impact on the child’s/young person’s sense of identity and belonging</li> <li>• carers/guardians want to be legally able to advocate for the child/young person as next of kin beyond the age of 18 (NB where child/young person have health issues requiring such advocacy)</li> <li>• carers/guardians want to appoint a guardian in their Will to look after child/young person if they pass away.</li> </ul> </li> <li>- Carers/guardians demonstrate that they understand open adoption and will maintain child’s/young person’s contact with the birth family (where appropriate).</li> <li>- Carers/guardians demonstrate the ability and motivation to maintain the child/young person’s cultural/religious identity.</li> <li>- Carers/guardians demonstrate that they can financially provide for all of child’s/young person’s needs without additional support from DCP (outside of Carer Payments and possibly school fees).</li> <li>- Carers/guardians meet <b>all</b> of the five conditions (without needing additional support from DCP).</li> </ul>	<ul style="list-style-type: none"> <li>- Child/young person has indicated they do not want to be adopted.</li> <li>- Child/young person has a good relationship with birth parents and maintains a strong connection to birth family (including siblings or extended family) indicating that their legal relationship should not be severed.</li> <li>- Child/young person is likely to inherit from birth family.</li> <li>- Carers/guardians cannot manage contact with birth family without it being facilitated and supervised by DCP (including where contact is being facilitated due to safety concerns).</li> <li>- Carers/guardians do not meet all of the five conditions and require DCP support to help build their capacity in areas where they are lacking.</li> </ul>



<b>LTGSP guardian assessment for Adoption</b>	
<i>Factors favouring adoption</i>	<i>Factors favouring remaining LTGSP</i>
<ul style="list-style-type: none"> <li>- Both guardians and child/young person (depending on age and capacity) express their desire for adoption.</li> <li>- Impact of the lifelong order:               <ul style="list-style-type: none"> <li>• significant impact on the child's/young person's sense of identity and belonging</li> <li>• guardians want to be legally able to advocate for young person as next of kin beyond the age of 18 (NB where child/young person have health issues requiring such advocacy)</li> <li>• guardians want to appoint a guardian in their Will to look after child/young person if they pass away.</li> </ul> </li> <li>- Guardians demonstrate an ability and willingness to maintain contact with birth families while under the LTGSP (where appropriate).</li> <li>- Guardians demonstrate the ability and motivation to maintain the child/young person's cultural/religious identity.</li> <li>- Guardians have required little to no support from DCP since LTGSP order was made.</li> <li>- Guardians meet all assessment criteria (without needing additional support from DCP).</li> </ul>	<ul style="list-style-type: none"> <li>- Child/young person indicates they do not want adoption.</li> <li>- Guardians have not maintained the child/young person's contact with birth family following the LTGSP order (<b>except</b> in cases where this is not the fault of the guardians, ie birth parents have not engaged, contact not appropriate etc.).</li> <li>- Guardians have not supported or maintained the child/young person's cultural/religious identity.</li> <li>- Guardians require additional financial support from DCP (outside of Carer Payments and school fees).</li> <li>- Guardians have needed additional non-financial support from DCP since the LTGSP order.</li> <li>- Child/young person is likely to inherit from birth family.</li> <li>- Assessment indicates that there is danger of the placement breaking down if an adoption order is not granted by the Youth Court.</li> <li>- Guardians do not meet all of the assessment criteria.</li> </ul>

### Recommendation

Make a recommendation as to whether adoption, LTGSP or an alternate pathway is in the best interests of the child/young person.

The assessment report for children/young people under a Long Term Guardianship of the Chief Executive to 18 order (LTG-CE 18) may make recommendations including, but not limited to:

- maintain the status quo (long-term guardianship of the chief executive to 18 order (**LTG-CE 18**))
- seek a LTGSP
- seek an adoption order.



The assessment report for children/young people under order a LTGSP order may make recommendations including, but not limited to:

- maintain the status quo (LTGSP order)
- seek an adoption order.

Provide the carers/guardians with a copy of the assessment report and your recommendation. The carers/guardians must sign the report and have the opportunity to provide comments. Ensure the carers/guardians understand that you are making a recommendation only.

## Document control

<b>Reference No./ File No.</b>			
<b>Document Owner</b>		<b>Lead Writer (name, position)</b>	
Directorate/Unit: Commissioning, Performance and Disability		Claire Benn, Senior Project Officer	
Accountable Director: Karen McAuley			
<b>Commencement date</b>	24 December 2021	<b>Review date</b>	24 December 2024
<b>Risk rating</b>	<b>Consequence Rating</b>	<b>Likelihood</b>	<b>Risk Rating</b>
<a href="#">Risk Assessment Matrix</a>	Moderate	Unlikely	Moderate

REVISION RECORD		
Approval Date	Version	Revision description
4 June 2021	V1.0	New document
3 September 2021	V2.0	Minor changes after the first assessment using these tools
24 December 2021	V2.1	No updates required to the content. Review date extended to 3 years.