

Yorkshire Adoption Agency



INTER COUNTRY ADOPTION INFORMATION

Thank you for requesting this information leaflet about Inter Country Adoption. The purpose of the leaflet is to answer frequently asked questions about Inter Country Adoption and to provide enough information to help you make a decision about adopting a child from overseas. After reading the booklet if you wish to discuss any issues raised please do not hesitate to contact the Agency on 01302 638337 or Email: info@yorkshireadoptionagency.org.uk

YORKSHIRE ADOPTION AGENCY

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STATEMENT OF INTENT:

Yorkshire Adoption Agency is committed to making its services accessible as far as possible to all members of the community. If, as a potential user of Yorkshire Adoption Agency you have a disability or other specific need, for example English is not your first language, please let us know and we will make every effort to ensure that you are not disadvantaged from making use of our Adoption Services.

WHAT PROSPECTIVE AND APPROVED ADOPTERS CAN EXPECT FROM YORKSHIRE ADOPTION AGENCY

- We will be welcoming, respectful and helpful at all times and accepting enquiries about adoption in accordance with the Agency's Equal Opportunities and Diversity Policies
- Swiftly provide information requested by our Prospective Adopters.
- Meet Central Government's timescales for completing adoption assessments, if possible.
- Provide Ongoing Preparation and Training for prospective and Approved Adopters.
- Seek support for our Adoptive Families, if we cannot provide this ourselves.
- Be as flexible as possible so that the needs of our Adoptive families can be met.
- Be honest if, for some reason we cannot meet a prospective Adopter's expectations and try to find an acceptable solution.
- Take note of Feedback from our Prospective and Approved adopters, which could help us improve our service.
- Be efficient and fair in investigating and attempting to resolve any complaints which we receive about our service.
- Keep Prospective Adopters and Adoptive Parents informed regularly of events or actions of the Agency which will affect them as individuals. This includes Prospective Adopters regularly being kept informed of the progress of their enquiry to adopt and assessment.
- Be proactive in finding a child for you when you have been approved by the Agency as suitable to adopt.

- Ensure that any information the Agency has about you is securely stored and not shared with unauthorised persons or organisations.
- Maintain accurate up to date information. If a Service User wishes to have information we hold to be updated we will do so upon request.
- Not pass information to a Third Party unless we have your written permission or are required to do so by law.
- Provide a copy of personal information held about a Service that the Agency has itself collected. There will be a charge for this information. In these circumstances the Agency will not provide Information provided by a Third Party about the Services User. We will acknowledge requests for information in writing with 5 working days and will provide a full response to information access within 40 working days of our receiving the request.
- Retain records about Service Users who have adopted a child through the Agency for 100 years from the date of the Adoption Order.
- Retain records about Service Users who have not been approved by the Agency as Suitable to adopt for three years from the date of their first enquiry. This is in recognition that a Service User may wish to later make an application to this or another Adoption Agency. If a Service User does not wish for his/her details to be retained by this Agency, the Agency will destroy these as confidential waste upon request.
- Try to protect personal information in all circumstances, we cannot guarantee the security of information provided by a Service User via the Agency's Website. This is in recognition that a transmission over the Internet is never fully secure. Yorkshire Adoption Agency's Website may contain links to other Websites related to adoption. If a Service User uses these links he/she should be aware that the Agency has no control over these so cannot guarantee the privacy of anyone visiting these websites. It would therefore be advisable for a Service User to consider the privacy statement of the relevant Website.

OUR EXPECTATIONS OF PROSPECTIVE AND APPROVED ADOPTERS

We therefore expect our Prospective and Approved Adopters :-

- To be honest with the Agency at all times. If you are not, the Agency may not be able to continue working with you.

- To inform the Agency of any change in your circumstances, which could affect your ability to parent a child through adoption.
- To participate in the Agency's Preparation and Training for Adoption.
- To let us know your views on our Service and tell us quickly if you have any concerns.
- To be respectful to Agency staff and not to discriminate against any Agency Staff or Volunteer of the Agency.
- To help us meet Central Government Timescales for completing Prospective Adopter's Assessments by making yourself available at reasonable times
- To work in Partnership with us and to speedily provide information required by the Agency so that delay can be minimised.
- To maintain confidentiality about any child under discussion for possible placement with you. This includes ensuring that all electronic communication between you this Agency or a Local Authority remains secure.
- To not share confidential information provided by the Agency with a Third Party without the Agency's written permission. This includes your copy of the Prospective Adopter's Report which remains the property of Yorkshire Adoption Agency. You will have signed your copy of this report which includes your undertaking that this form is the property of the Agency and agree not to copy this document (other than for your own personal records) or disclose its contents in full or in part, to any other person, Agency or Authority without the Agency's permission.

WHAT IS INTER COUNTRY ADOPTION?

Inter Country Adoption is an alternative means of providing a family for a child who cannot be cared for in a suitable manner in his or her own country. Inter Country Adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognised in International Law. Safeguards and standards equivalent to those, which apply in Domestic Adoption, are to be applied in Inter Country Adoption to protect the welfare of children. Adoption is a legal process, which is not reversible. This means that when an Adoption Order has been granted in respect of a child, the child's legal relationship with his or her former family ends and he or she becomes a full member of his/her adoptive family. Following adoption the child's adoptive parent(s) will assume all responsibility for the child as though he/she had been born to the adoptive parent(s).

ARE ADOPTION ORDERS GRANTED OVERSEAS LEGAL IN THE UK?

Full Adoption Orders granted in some overseas countries are recognised within UK Law. These countries include those who have ratified the Hague Convention.

Some countries however have ratified the Hague Convention but do not grant Full Adoption Orders. Where this is the case prospective adopters need to undertake certain procedures before the child placed can be made subject to a Full Adoption Order.

Non Convention Countries include those who were previously known as "Designated Countries" where Adoption Orders granted in those countries are legally recognised in the UK, although the child does not automatically receive British Citizenship. Adoption or other Orders granted in any other country which are not recognised within UK Law mean that any child brought to the UK from those countries must be adopted in the UK Courts.

The Laws and procedures for adoption from overseas are different for each country. It is therefore important for anyone considering Inter County Adoption to be specific regarding the country from which he/she wishes to adopt a child.

The agency will then be in a position to give the relevant advice regarding the process which needs to be followed to ensure that the child's adoption will be recognised within the UK.

WHY ADOPT A CHILD FROM OVERSEAS?

There are many reasons why people consider adopting a child from another country, often because they feel that there are very few young healthy children needing adoptive families in the UK. Adoption of a child from overseas can be complicated and adoptive parents who have adopted children born in another country stress how important it is to try and anticipate the many practical and emotional issues, which are involved. For example, whilst children placed for adoption in this country are carefully matched with their new parents, this is not usually the case in Inter Country Adoption.

Sometimes when people feel, perhaps through misinformation, that there is no possibility of their being able to adopt a child in Britain, they start to think about adopting a child born in another country and bringing this child into Britain. Unless there is a particular reason for wanting to adopt a child from overseas, it is always worth checking with Yorkshire Adoption Agency about children in the UK who need adoptive families.

People approved as suitable to adopt a child in the UK may wait a long time before a child is placed with them for adoption. Sometimes these families consider adopting a child from overseas before ensuring that information about them has been made available to other adoption agencies in the country and their details have been forwarded to the National Adoption Register. It may be helpful to note that adopters approved as suitable to adopt a child in the UK will need to have a lot of additional work completed by an adoption agency if they later choose to adopt a child from overseas.

There may be specific reasons for adopting a child from overseas; for example you may be of African, Asian, Chinese origin and may wish to adopt a child who shares your ethnicity and culture, or you wish to adopt a child who is already known to you. Inter Country Adoption, however, very often involves a family adopting a child of different ethnic origin and culture. Many issues therefore need to be considered before reaching a decision about adopting a child from overseas.

WHO ARE YORKSHIRE ADOPTION AGENCY?

Yorkshire Adoption Agency is a voluntary Adoption Agency based in Doncaster since 1946. The Agency offers a comprehensive adoption service.

YORKSHIRE ADOPTION AGENCY :

- Finds suitable adoptive families for children in the UK who cannot live with their birth families and a decision has been made that they should be placed for adoption. A separate leaflet is available about this Domestic Adoption Service.
- Provides counselling and access to information for adults who were adopted as children through Yorkshire Adoption Agency. This may include providing them with details of their origins and providing advice about Agencies which will help the adopted adult to trace his/her birth family. The Agency does not provide a service to relatives of children who were adopted through Yorkshire Adoption Agency. The Agency will, however, provide information about others who offer this service.
- Provides an Inter Country Adoption service for enquirers who wish to pursue the adoption of a child from overseas. (This is available only to service users who live in areas where their Local Authority has a Service Level Agreement with Yorkshire Adoption Agency to provide the service).

All Local Authority Social Services Departments are Adoption Agencies. Voluntary Adoption Agencies like Yorkshire Adoption Agency are also able to provide adoption services in accordance with the Adoption & Children Act 2002. The Agency is inspected and regulated by Ofsted.

Yorkshire Adoption Agency is a Registered Charity and Private Limited Company. Although the services offered by the Agency will be similar to some of those provided by a Local Authority the management and organisation of Voluntary Adoption Agencies is different.

The overall management of Yorkshire Adoption Agency is the responsibility of the Council of Management. The Council of Management ensures that adoption work is undertaken in accordance with the Agency's Constitution, Adoption legislation and the terms of registration by Ofsted. In accordance with national Minimum Adoption Standards the Agency has a nominated registered person who is the Chairperson of Yorkshire Adoption Agency.

The Executive Sub Committee is a small group of Council of Management members who are delegated to regularly monitor and review the Adoption Agency's work.

The Agency Director is responsible for the day to day management of the Agency. The Agency Director has Social Work and Management qualifications as are specified within the National Minimum Adoption Standards.

The Agency also employs a Social Work Team Manager, Deputy Team Manager, three Social Workers, an Adoptions Assistant and two Administrators. Social Workers are all qualified and are involved in the recruitment, preparation, training, assessment and support of prospective and adoptive parents. They also undertake the counselling for adults who were adopted as children through the Agency. The Agency also employs qualified Sessional Social Workers when necessary.

All Social Workers are registered with the Health and Care Professions Council.

SOME LEGAL IMPLICATIONS OF INTER COUNTRY ADOPTION

Inter Country Adoption is a service for children and is considered as an alternative means of providing a family for a child who cannot be cared for in any suitable manner in his or her own country. This decision is made by the Authorities in the child's country of origin and Adoption Agencies in the UK will not be involved in identifying children for adopters who are approved as suitable to adopt a child from overseas. Anyone wishing to adopt a child from overseas must

meet the adoption criteria in the UK and in the country from which he/she hopes to adopt a child.

It is illegal in the UK to attempt to bring a child in to the country for the purposes of adoption without having followed the recognised UK procedures. Anyone attempting to do so is liable to be fined or imprisoned for this offence. Sometimes UK residents have identified a child overseas whom they hope to adopt or have 'Adopted' a child in an overseas country. In these circumstances it is very important for the Prospective Adopter to urgently seek advice from his or another Adoption Agency and to obtain Legal Advice in order to prevent committing an offence.

Current Inter Country Adoption legislation applies to anyone, including parents, guardians and relatives who wish to adopt a child from overseas.

Regulations are in force which relate to those who bring a child into the UK for the purposes of adoption and those who bring a child into the UK who has been adopted outside the UK by a British resident within the last 6 months.

It is a legal requirement that any prospective adopter must apply to have their eligibility and suitability to adopt approved by either a Local Authority or a Voluntary Adoption Agency approved to undertake Inter Country Adoption work. It is illegal for anyone else to offer this service.

WHO CAN ADOPT?

At present under UK law a single person, married couple or couple in a non-marital relationship can both adopt a child. You need to be at least 21 years of age although there is no legal upper age limit for adoption in the UK. If you wish to adopt a child from overseas you will need to comply with the requirements and criteria of the country from which you hope to adopt a child. Some countries have specific adoption criteria in relation, for example, to health, age, marital status, sexuality, criminal convictions, accommodation, the number of birth children you have and your financial status.

It is also useful for you to be aware that some countries, may only accept a limited number of applications from UK citizens in any given year. 'UK citizens' does not only refer to people who are currently living in the UK. It is also important for you to know that an overseas country may at short or no notice, cease to allow children to be adopted.

Likewise the UK government may suspend or prohibit the adoption of children from a specific country, generally because there are concerns about the ethics or adoption procedures in that country.

We are very conscious that your circumstances as a Prospective Adopter can change, perhaps quite suddenly, at any time during your contact with the Agency. It is important that you tell us about any such changes as soon as possible, as this can have implications for you as a Prospective parent and the child whom you hope to adopt in the future.

Pregnancy is one example of a major change in your life, which will have a far reaching effect on your family. If you find that you are expecting a birth child, we at the Agency, will be delighted for you, however, would encourage you to enjoy becoming a parent to your own child and to withdraw your interest in adoption, at least until your child is two years of age. This is because experience has taught us that both birth children and adopted children need at least this time to form a secure attachment and there should be a least this age gap between the youngest birth child and an adopted child in a family. This is important, as it helps your child to retain his/her position in the family and lessens the risk of the two children competing for your attention and affection. The difference in the children's ages also allows both them and you to learn about their individual needs.

ARE COUNTRIES OVERSEAS MORE LIABLE TO AGREE TO CHILDLESS PEOPLE ADOPTING OR ARE FAMILIES WITH BIRTH CHILDREN PREFERRED?

This will depend on the specific criteria of the country from which you hope to adopt a child. Whether you have birth children or not, you and the Agency, however, will need to carefully consider if your family will be able to manage the major undertaking and challenges of adopting a child from overseas.

Parenting by adoption is different to parenting a birth child. If you already have birth children you will need to adapt your approach to parenting a child, who will have had very different earlier experiences. This is particularly relevant in Inter Country Adoption where the child you hope to adopt is different in terms of race, religion, culture and language. An adopted child will have ongoing feelings of separation and loss and these may be expressed through his/her behaviour. Therefore, the way in which you have managed the behaviour of your birth child in the past, may not be appropriate for a child who is placed for adoption. Given the cultural differences in Inter Country Adoption and a child's past life experiences you will need to develop very different ways of interpreting and understanding a child's behaviour.

If you have birth children you will need to explore with them if they feel able to accept having a brother/sister who may be from a different race, religion and culture and perhaps speak a different language. You may feel able to adapt your approach to parenting to meet the needs of a child from overseas, however, will your children be able to understand and accept that their new brother/sister needs to be parented in a different way?

Following the adoption of a child from overseas your family may become dual heritage. If you have birth children this will have implications for them at home and in the community as they will have a brother or a sister who is very different to them. You and your birth children will therefore need to feel confident that you all will be able to manage this massive change to your family for which you need to carefully prepare.

You will need a great deal of emotional energy and commitment to become a successful adopter. Our experience leads us to believe that any adopter needs time to have come to terms with his/her infertility before being approved as suitable to adopt. The reason for this is that during the adoption process some prospective adopters experience feelings, about the past which they felt had been resolved.

Most children adopted from overseas will have previously been looked after either in institutions or with foster carers, which are very different to those in the UK. There may be little or no available information about the child's background, birth family or previous experiences. This is particularly relevant even for very young children as we now know that trauma experienced before birth or after, can adversely affect a child's brain development. There is a high possibility that the child may have some emotional, developmental delay or health problems. Any child who has experienced the loss of his or her birth family will take some time to accept and form an attachment to their adoptive family. Given that the child from overseas will not only have experienced the loss of a birth family but will also have lost everything that is familiar to her/him, it may take the child a long time settle with his/her adoptive family. If you hope to adopt a child from overseas you will therefore need to consider how you can best help a child who had experienced trauma.

WHAT IS THE YORKSHIRE ADOPTION AGENCY'S PROCEDURES TO ADOPT A CHILD FROM OVERSEAS?

Yorkshire Adoption Agency will only undertake a home study assessment with you regarding your suitability to become a Prospective Adopter to a child from overseas after the Agency has provided you with advice, information, counselling and guidance and you have attended an Agency Information Day. The Agency will accept a formal application for adoption only when it is felt that you have received enough counselling about adoption.

We welcome enquiries about adoption regardless of your age, race, disability, gender, sexual orientation, marital status, language, or religion.

Yorkshire Adoption Agency provides Home Study Assessments to prospective Inter Country Adopters on a contractual basis for which the Agency charges a fee. See Appendix 3 for a list of services which a charge will be made. This list is neither exclusive nor exhaustive.

During the Home Study Assessment your Social Worker will need to fully explore your suitability to parent a child from overseas, so will need to talk to you about the following:

- For couples, the nature and stability of your current relationship.
- Information about your significant past relationships and if you are single, the implications for an adopted child should you have a relationship in the future.
- Your personal background, relationships within your immediate and extended family, income, home environment, neighbourhood and general lifestyle.
- Your home and property and its safety for a child.
- The safety and suitability of any vehicle you will use to transport a child. We will, therefore need to check current Insurance and MOT documents.
- Your experience of caring for a child in any capacity.
- Your awareness and attitude to 'difference' in others and issues about Britain as a multi cultural society.
- Your ability to parent a child from a different country and culture and to meet the child's needs in terms of his/her development, culture, health, religion, language and experience of past trauma.
- As little may be known about the background of a child who is adopted from overseas you will need to demonstrate your awareness of how he/she might deal with this lack of information particularly when you share information with him/her about his/her origins and adoption.

- How you will be able to help a child from overseas settle into your family and adapt your lifestyle to meet the child's needs. You will need to provide evidence of your ability to do so.
- The adoption of a child from overseas means that your family may become multicultural in the future. Your extended family's views on the application and their ability to welcome and accept a child into the family who may be of a different race, religion, culture etc.
- Your views about your child having contact with significant people from his/her past.
- Your views on providing Post Placement/Post Adoption Reports to the Authorities in your child's country of origin. This includes your commitment to informing Yorkshire Adoption Agency in the event of your child's death.

Children being placed for adoption from overseas experience massive changes in their lives and you will need to demonstrate that you are able to meet the child's needs in terms of helping them to cope with separation and loss. It is therefore important for you to show how you intend to make and maintain links with others in the community who share the same ethnicity and origins as your child. You will also need to demonstrate how you would help a child from overseas cope with racism and discrimination in the community. Your proposals regarding the future education for your child and arrangements for his/her care should you plan to remain in full time employment following your adoption of a young child.

The Agency is legally required to make certain enquiries regarding your suitability to adopt a child. Enquiries are made to the Local Authority where you reside and if necessary any previous areas where you have lived. An Enhanced Disclosure from the Disclosure and Barring Service is obtained. The Agency is required to make enquiries regarding your health. You will need to have a full medical examination conducted by your GP and a report of this will need to be received by the Agency's Medical Adviser. The Agency Medical Adviser will then give the Agency advice about the likelihood that you will be able to care for a child at least until he/she is able to become independent. In order to do so the Agency Medical Adviser may need to make further contact with your GP, or Hospital Consultant where necessary. Health reports will be updated every two years or as per the requirements of the sender country until a child is placed with you for adoption. You are required to pay for medical examinations completed by your GP and any necessary subsequent assessments. Some countries, for example, China require additional medical information, which you will need to provide. This can include HIV testing, the results of which will need to be shared with the Agency.

Adoption Agency Regulations require that three separate personal referees nominated by you are interviewed by the Agency to comment on your suitability to become a prospective adoptive parent. N.B. – not more than one can be a relative. It may be helpful for you to note that some countries overseas require further personal references and also that some countries require a Guardian to be nominated by you and for the Guardian to be interviewed in person by this Agency.

At least one personal referee must have known you for five years and where a couple is applying at least two referees should know you as a couple.

References will be requested from current employers or should you not have worked for your current employer for three years then a former employer will be approached. The Agency will also request evidence of your financial circumstances by checking bank accounts, building society accounts etc. Yorkshire Adoption Agency also need confirmation that your rent or mortgage payments are up to date. Checks will also be undertaken from CAF/CASS, NSPCC and where appropriate, SSAFA, Child Health and Education. If you have lived overseas for more than one month information will be sought from the relevant overseas authorities. This will also apply to you if you have been on an extended working holiday. In addition to the references required by Adoption Agency Regulations this Agency considers it good practice to obtain further information. We will therefore make contact with your former significant partner or spouse unless there is a compelling reason that this would be inappropriate.

Personal referees and guardians nominated by you will be interviewed in person by a Social Worker from the Agency. Where practicable former partners or spouses will also be personally interviewed, as well as any birth child/children. It will be helpful for you to be aware that the Agency regards suitable personal referees to be people who have a good knowledge of you particularly with regard to your ability to care for a child. Your next door neighbours will not be accepted as referees by the Agency. Yorkshire Adoption Agency will not seek information about you without you giving your written permission. If any of the information requested is problematic for you, you should discuss this with a Social Worker from the Agency.

The Agency accepts that the checks which Yorkshire Adoption Agency completes are intrusive, however we feel that this reflects the serious nature of adoption. It is the Agency's responsibility to be as confident as it can be that you are suitable to adopt a vulnerable child from overseas.

Yorkshire Adoption Agency updates all statutory and other references every two years or at the request of your chosen country until a child has been placed for adoption with you.

When the Agency accepts your application, we will agree a written contract with you and you will need to pay a third of the Agency's fee before your Home Study Assessment begins. At this stage the Agency will not accept the full fee from you. Should you withdraw from the Inter Country adoption process at any stage the fee already paid will not be refunded by the Agency. In the contract, timescales for the completion of the Home Study Assessment will be estimated, however, the Agency aims to complete your Home Study Assessment within 8 months of accepting your application. You however need to be aware that should difficulties arise at any stage of the assessment the timescales may need to be altered.

Midway during the Home Study Assessment, there will be a formal review of the work already undertaken by the Agency. If it is agreed with you that the full Home Study Assessment is completed then the Agency will invoice you for the second third of the Agency fee.

During the Home Study Assessment if any information comes to light which may prejudice the eventual outcome of the Agency's assessment you will be counselled regarding the Agency's concerns and will be invited to withdraw your application. Occasionally a partial Home Study Assessment (a brief report) may be referred to the Agency's Inter Country Adoption Panel, and a recommendation regarding your suitability will be sought. If this occurs, you are fully informed of any matters being referred to the Adoption Panel and will be invited to attend the Panel meeting. The Adoption Panel's recommendation will be considered by the Agency Decision Maker who will make a decision regarding your suitability or non suitability to adopt. In the event of this occurring, your Social Worker will keep you fully informed of the recommendation by Panel and the Agency Decision. Any decision will be confirmed in writing within five working days. Should the Agency Decision Maker decide that you are unsuitable to adopt the Agency will offer you counselling. In these circumstances you will be offered the option of making further representations to the Agency OR having your case reviewed by an Independent Review Panel.

Should you wish to have your case reviewed by the Independent Review Panel you need to make this application within 40 days. A leaflet about the Panel (known as the IRM) is available from the Agency.

If you choose instead to make written representations to the Agency you will be required to do so within 40 days. After this, the representations will be reconsidered by the Agency's Adoption Panel or you will be invited to see the Agency's Decision Maker.

In either circumstances the Agency Decision Maker of Yorkshire Adoption Agency will make the FINAL decision about your suitability (or not) to adopt.

The Agency Decision Maker will consider the recommendations of either Panel prior to making his/her final decision. There is no appeals procedure and the Agency Decision Maker will inform the Secretary of State of his/her decision and the reasons for reaching the decision in circumstances where the Agency Decision Maker confirms that you are unsuitable to adopt.

When a Home Study Assessment has been fully completed and the Social Worker has written a Prospective Adopters Report, this will be given to another Social Worker from the Agency who will visit you to complete a 'Second Worker' report. This is Agency policy. You will then be invited to read and sign your Prospective Adopters Report. You will receive a copy of the report and be invited to make written comment on it within ten working days. Having received your written response to the report, it will then be presented to the next available Adoption Panel by your Social Worker. Prior to a full Home Study Assessment being discussed at the Adoption Panel the Agency will invoice you for the final third of the fee. This will need to be received by the Agency before your application is considered by the Adoption Panel. You will be invited to attend the Adoption Panel meeting. It will, however, not be viewed negatively by the Adoption Panel or Agency if you do not wish to attend Panel.

Should you wish to waive your right to have ten working days to consider and respond to the report you will be requested to confirm this in writing. The copy of the report which you receive will be marked 'Not for Adoption Purposes'. This document remains the property of the Agency and must not be shared with any person, copied or distributed without the consent of the Agency's Director. The report will not contain References or Medical Reports received by the Agency.

WHAT IS THE ADOPTION PANEL?

The Agency's Adoption Panel is an independent body. It is comprised of a Chairperson and Vice Chairperson, Medical Adviser, Independent Members and two Social Workers. A Professional Adviser attends the Adoption Panel meeting and a Legal Adviser may be present. They are not however, Panel Members. Occasionally the Agency Decision Maker may observe Panel however he/she will not take any part in the Panel meeting.

The Adoption Panel makes a recommendation regarding suitability/non suitability of applicants. Panel Members may also defer making a recommendation should they feel that further information is required prior to them making a recommendation.

Five members of the Adoption Panel must be present for the Panel to be quorate. This must include the Chair, or Vice-chair and at least one Social Worker and one Independent Member. If the Adoption Panel is not quorate for any reason then the Panel cannot sit and make a

recommendation to the Agency regarding an applicant's suitability as a prospective adopter. Should for any reason an Adoption Panel be unable to sit on the planned date the Agency will convene another Panel as soon as possible.

WHO MAKES THE DECISION ABOUT APPROVAL?

The Agency's Decision Maker makes the decision about your suitability to adopt. Where the Agency Decision Maker initially considers you to be unsuitable, you will be notified in writing of this and will be invited to make representation to the Agency within 40 days or have your case referred to the Independent Review Panel. The Agency Decision Maker makes decisions regarding your suitability having received Panel's recommendation and the final Minutes of the Adoption Panel. It is possible for the Agency Decision Maker to disagree with Panel's recommendation, or for an Agency Decision to be delayed if the Agency Decision Maker requires more information.

Where an Agency Decision Maker initially considers that you are unsuitable and receives representations from you within 40 days the Agency Decision Maker will refer the matter back to the Adoption Panel for further consideration before making a final decision or he/she may invite you to meet with him/her.

You may choose to have the case referred to the Independent Review Panel instead of making representation to the Agency. The Agency in these circumstances will provide a leaflet outlining the process which you and the Agency will follow.

You need to be aware that it is not possible to make representations to the Agency and to the Independent Review Panel if you are initially considered unsuitable to adopt. You also need to know that the Final Decision regarding your suitability rests with the Agency's Decision Maker. There is no Appeals Procedure.

HOW WILL I BE INFORMED OF MY APPROVAL AS SUITABLE TO ADOPT?

Following the Adoption Panel making a recommendation, if you attend Panel you will be advised immediately of the recommendation by the Panel Chairperson. If you do not attend Panel you will be verbally notified of the outcome by your Social Worker within 24 hours of the Panel meeting. Agency Decisions are made within seven working days of the Agency Decision Maker receiving the Final Minutes of the Adoption Panel meeting. Again, your Social Worker will inform you by telephone immediately the Agency Decision has been made. This will be confirmed in writing by the Agency within five working days. Reasons will be given if you are felt to be unsuitable to adopt.

WHAT HAPPENS AFTER I AM APPROVED AS SUITABLE TO ADOPT BY YORKSHIRE ADOPTION AGENCY?

Yorkshire Adoption Agency will forward all necessary documentation to the Department for Education (DfE) usually within ten working days. The DfE will process your application and when your application is accepted a Certificate of Eligibility will be issued to you. This will be sent to you directly by DfE who will inform Yorkshire Adoption Agency when the Certificate is issued.

You should be aware that your approval cannot be guaranteed, although the Agency has approved you as being suitable to adopt a child from overseas. The Adoption Agency has no control over the timescales within, which the DfE will issue a Certificate of Eligibility. You need to be aware that DfE make a charge for processing Inter Country Adoption applications. The current fee is found in Appendix 3.

Following approval and the Certificate of Eligibility being issued documents will need to be notarised and returned to the DfE by you. DfE will then send the necessary documents to the Foreign and Commonwealth Office to be legalised and will arrange where necessary for an Agency of the relevant overseas country to legalise them. Documents are then returned to the DfE who will then send all necessary documentation to the relevant overseas country.

During the Inter Country Adoption process there is no guarantee when/if a child will be offered to you for adoption by an overseas country. The Agency is not involved in Overseas Authorities choosing a Prospective Adopter for a specific child. However, the Agency will be pleased to offer you assistance, guidance and any further counselling which you feel that you need.

Whilst Yorkshire Adoption Agency is approved by Ofsted to undertake work in the field of Inter Country Adoption, it is considered good practice by the Agency to inform your Local Authority of your approval as an Inter Country Adopter. This is because of the likelihood that your Local Authority will need to provide support services to you and your child in the future and is particularly relevant if you are approved to adopt a child from a country where a full Adoption Order recognised in UK Law will not be granted. In these cases you will need to inform the Local Authority when the child comes to the UK, as the Local Authority will need to be involved in the subsequent adoption of the child in the UK or to provide reports to the child's country of origin before a Full Adoption Order can be granted. It is a legal requirement that you must inform your Local Authority within 14 days of bringing a child into the country if a Full Adoption Order which is recognised in UK law has not been granted in the child's country of origin.

REVIEW OF APPROVAL

After 1 year of approval and then annually if you have not travelled to meet the child you hope to adopt and Yorkshire Adoption Agency has not received written confirmation that you intend to accept the child the Agency is legally required to review your continued suitability to adopt. It is important for the review to take place, as DfE needs confirmation that it has been completed satisfactorily and you continue to be suitable to adopt. If a review has not been completed and a country overseas proposes placing a child with you, the placement cannot proceed. The Agency charges a fee for this work. The current fee can be found in Appendix 3.

Yorkshire Adoption Agency Social Workers will inform you of the review process and you will be invited to fully participate in the review.

The Adoption Panel will consider cases only where it is recommended by the Agency that you are no longer suitable to adopt.

In these circumstances you will be able to make representations to the Agency or the Independent Review Panel (within 40 days) where the Agency Decision Maker is minded that you are no longer suitable to adopt.

WHAT HAPPENS WHEN A CHILD HAS BEEN IDENTIFIED BY AN OVERSEAS COUNTRY?

Yorkshire Adoption Agency will be notified by the DfE about a proposed placement of a child with you. Having received information about a proposed match, the Agency will invite you within 10 working days to discuss all available information and possible issues regarding the child. At this stage the Agency will be pleased to offer guidance regarding any further steps or information which it is felt will help you to make your decision about accepting (or not) the child for adoption. This will include discussing the health needs of the child with the Agency's Medical Adviser, if you wish. Should you after consideration wish to accept the child the Agency will confirm this in writing to DfE.

You will then at the invitation of the Authorities overseas make arrangements to travel to meet the child. At this stage if you feel that you will be able to parent the child then you need to confirm this in writing (by e-mail) to the Agency who will confirm this in writing to DfE. You will then need to complete the adoption or other procedures in the country overseas.

Should you feel unsure about accepting the child when you meet him/her you may phone the Agency for discussion, however this may be difficult due to time differences, or poor

communication systems within the particular country. You however are reminded that it is not going to be in either your or the child's best interests to accept the placement of a child where you feel unsure about parenting the child.

If you wish to adopt a child from overseas you must follow specific procedures. These are included in Appendix 1. This will ensure that you comply with the legal requirements of your country of choice and also comply with UK law.

WHAT HAPPENS WHEN THE CHILD COMES TO LIVE IN THE UK?

If a Full Adoption Order has been granted in a Hague Convention Country (and some other Non Convention Countries) the adoption will be recognised under UK Law.

A Yorkshire Adoption Agency Social Worker will visit you after the child has come to the UK to advise on issues such as registering your child's adoption in the UK and adoption support.

If a full Adoption Order has not been granted then to complete the child's adoption you will need to follow the process which is specific to the child's Country of Origin. A Yorkshire Adoption Agency Social Worker will visit you when the child comes to the UK and reiterate the process which you need to follow e.g. informing the Local Authority within 14 days that the child has come to live with you. This is a legal requirement.

Yorkshire Adoption Agency will liaise with your Local Authority to provide information which will assist the Local Authority to complete their duty in respect of your child's anticipated adoption. The Local Authority may need to forward welfare reports to your child's country of origin in order that a Full Adoption Order can be granted in respect of the child after a specified period. Alternately the Local Authority may need to complete a report for the Court if the child needs to be adopted in the UK Courts. Should this be necessary the child cannot be adopted until he/she has lived with you for 6 months.

When a child enters the country for the purposes of adoption and you have notified the Local Authority (in writing within 14 days) that you intend to adopt the child the Local Authority must:-

1. Visit the child within 7 days of receiving the information (if from a Hague Convention Country).
2. Visit the child each week for the first 4 weeks of placement and thereafter as is required.
3. Review the child's placement with you after 4 weeks.

4. Review the child's placement three months after the first review and thereafter at least every six months until the child is adopted.
5. If the child is from a non Hague Convention Country the Local Authority will visit the child within 1 month and will monitor his/her placement until an Adoption Order is granted.
6. Advise you of their adoption support services and complete an assessment for adoption support if requested by the child or immediate family members.

If at any time you wish to contact Yorkshire Adoption Agency, for advice and guidance regarding services in your area, which may help you parent the child, you are welcome to do so. Adoption Support Groups provided by the Agency are available to Inter Country Adopters. Your Social Worker will provide you with information about the Agency's Support Groups when you have been approved as suitable to adopt.

Many overseas countries require adopters to send post placement/post adoption reports to authorities in the Sender country after the child has entered the UK. The frequency and format of these reports will be specific to the child's country of origin. It is necessary for a Local Authority to compile these reports and to send them to the appropriate overseas authority usually via DfE. Before making an Inter Country Adoption application you will need to clarify the expectations of the specific country from which you hope to adopt a child. It will also be necessary to contact your Local Authority to discuss the completion of reports on your behalf in the future, (you will need to be aware that most Local Authorities will charge for this service) and to ascertain that the Local Authority will be in a position to carry out their duties when your child joins your family.

Yorkshire Adoption Agency does not complete post adoption/post placement reports in respect of a child who has been placed for adoption from overseas. The Agency, however, cooperates with Local Authorities who undertake legal supervision of children who need to be adopted under UK law. In order to alert your Local Authority that they will need to be involved with you and your child, post placement, at the time of your approval Yorkshire Adoption Agency will inform your Local Authority of this. This will also ensure that the Local Authority has a record of you and that you will require services in the future following the placement of a child from overseas with you.

WHAT HAPPENS IF I AM NOT SATISFIED WITH THE SERVICE PROVIDED BY YORKSHIRE ADOPTION AGENCY?

Whilst Yorkshire Adoption Agency aims to provide a professional Inter Country Adoption service, occasionally things may go wrong. The Agency has a complaints procedure, which is

available upon request, however, if you are having a Home Study Assessment completed by Yorkshire Adoption Agency you will automatically receive a copy. Should you have reason to use the complaints procedure whilst the Agency is completing your assessment the process will not be suspended. Should you have any reason to be dissatisfied it may be helpful to discuss your concerns in the first instance with the Agency's Social Work Team Manager. If you feel for any reason that this is not appropriate, please write to the Agency Director of Yorkshire Adoption Agency who will instigate the complaints procedure on your behalf. The Agency will aim to resolve complaints where possible within 28 days. If this is not possible the Agency will advise you of the reasons and give you a timescale within which we hope to have fully investigated your complaint.

We also like to receive other comments about the Services we provide, so will ask you to complete Feedback Forms at various times during your contact with us. Any comments you make will be taken seriously and will be used to help us improve and plan our future services. So, thank you in advance, for telling us what you think we are doing 'Right' and where we need to make changes.

The Agency is required to provide you with the details of Ofsted, the Regulatory Body for Adoption Agencies. Ofsted can be contacted at:

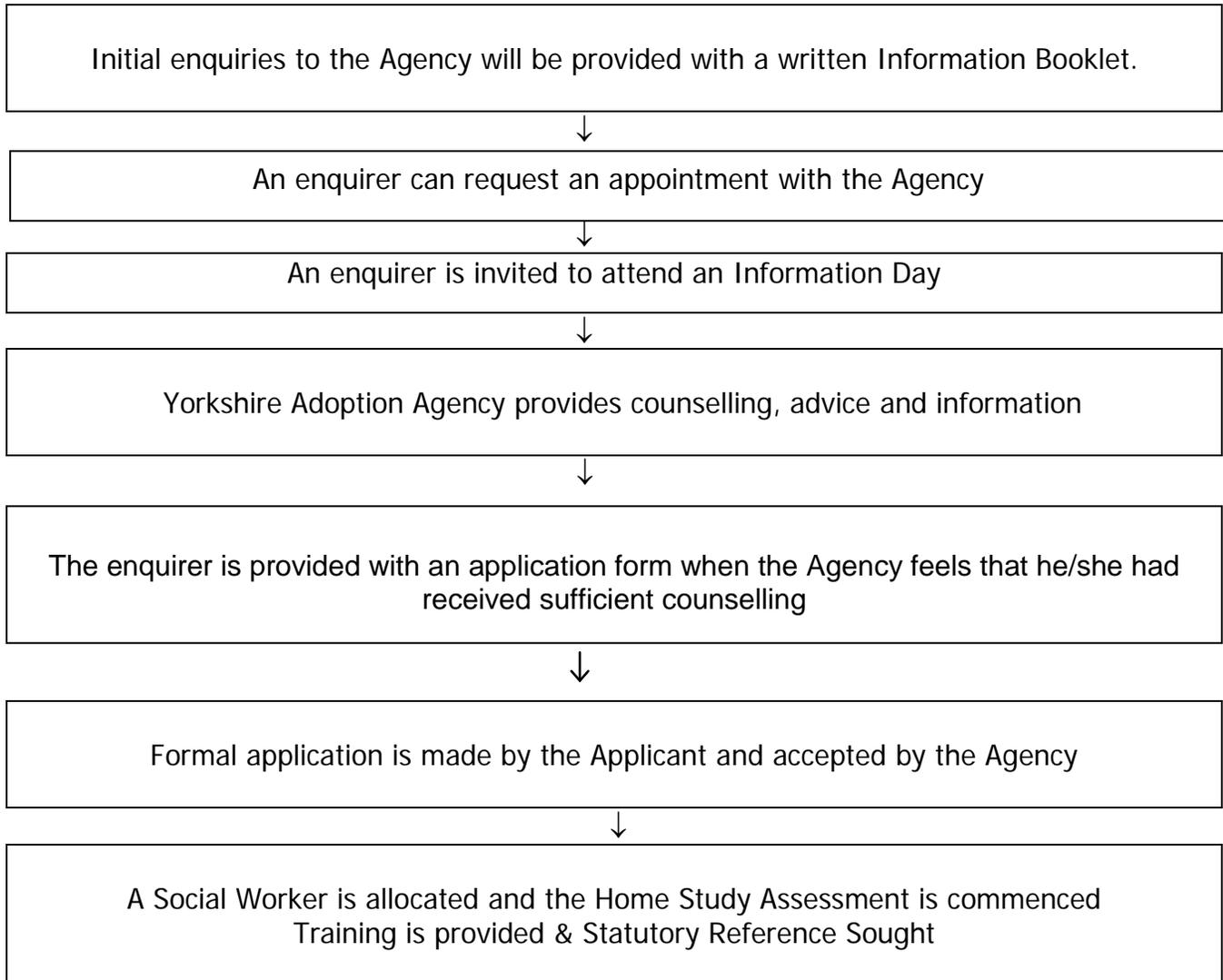
Ofsted, National Business Unit
Royal Exchange Buildings
St Ann's Square
Manchester
M2 7LA

Tel: 08456 404040

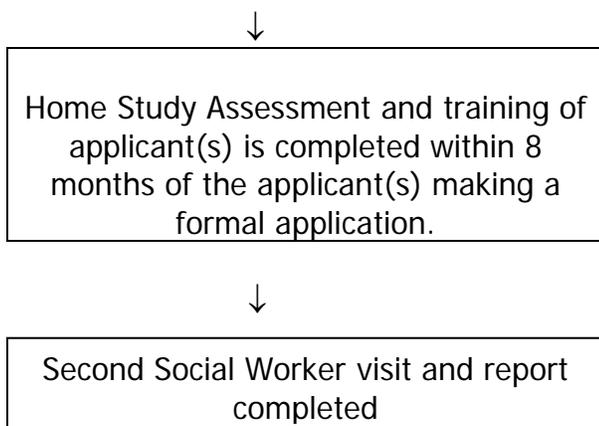
Email – info@ofsted.gov.uk

[www. Ofsted.gov.uk](http://www.Ofsted.gov.uk)

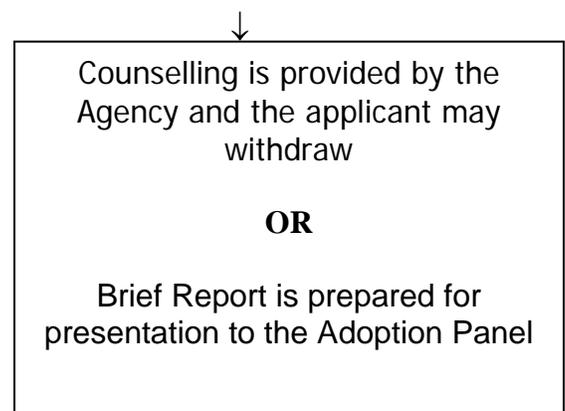
**YORKSHIRE ADOPTION AGENCY
INTER COUNTRY ADOPTION PROCESS**



**Process if NO CONCERNS are raised
During the Assessment**



**Process IF CONCERNS are raised
during the Assessment**



OR

OR



Applicants given a copy of Adopters Report and 10 days to make comments. Applicant(s) invited to attend Adoption Panel

Applicants given a copy of Adopters Report and 10 days to make comments. Applicant(s) invited to attend Adoption Panel



Discussion and recommendation by Adoption Panel.
 Applicant(s) informed verbally of Adoption Panel's recommendations by Adoption Panel Chairperson, if applicant(s) attend Panel.
 If applicant(s) do/do not attend Panel he/she/they are informed of Panel's recommendation within 24 hours by their Social Worker



Decision re approval by Agency Decision Maker. Applicants are informed verbally by their Social Worker within 24 hours of the decision being made

Agency Decision Maker decides that a full assessment should be completed.

OR

If the Agency Decision Maker considers that an applicant is unsuitable to adopt. Applicants are verbally informed within 24 hours by their Adoption Social Worker.

Adoption Social worker advises applicant(s) of their option to make representation to the Agency or have the case referred to an Independent Review Panel



Approval confirmed in writing by the Agency within 5 working days

Above decision confirmed in writing by the Agency within 5 working days.

Process if suitable



Documentation sent by Yorkshire Adoption Agency to the DfE



DfE issues Certificate of Eligibility and informs Yorkshire Adoption Agency of the applicant(s) approval



The DfE co-ordinates Notarisation of all papers. Applicants need name and address of notary public. DfE will contact applicants for this.



DfE forward all papers to Foreign and Commonwealth Office for legalisation



**Process if not suitable at this stage
Two options are available**



OR



Applicants are invited to make representations to the Agency within 40 days

Applicant(s) choose to have case referred to Independent Review Panel.



Agency Decision Maker considers the case and applicant(s) may be invited to meet the Agency Decision Maker. Final Agency Decision Made.



Agency forwards documents as requested to Independent Review Panel.

OR



Representations referred to the Adoption Panel. Applicants are invited to attend.

Independent Review Panel meets and makes recommendations. Two Agency representatives and applicants attend Panel.



Applicants informed verbally within 24 hours by Adoption Social Worker of Panel's recommendation



Independent Review Panel sends recommendation to Agency Decision Maker



When papers have been received again by the DfE translation, if necessary will be co-ordinated by the DfE



Papers are sent by DfE to relevant foreign embassy or consulate for authentication



Documents forwarded to overseas either via the Foreign Embassy Consulate or DfE



Authorities/agency in overseas country will consider the application



If accepted, authorities in the sender country identifies a child and sends the information regarding the child to the UK



DfE sends information about the child to Yorkshire Adoption Agency. The Agency informs the adopter about the information received

Agency Decision Maker considers all information and makes a final decision re suitability/unsuitability



Applicants informed verbally within 24 hours by their Adoption Social Worker. Confirmed in writing by the Agency within 5 days.

**There is no appeal.
Counselling will be offered by the Agency**

Final Agency Decision made within 7 days. Confirmed verbally by applicant(s) Social Worker



Confirmed in writing by the Agency within 5 working days of Agency Decision being made.

**There is no appeal.
Counselling will be offered by the Agency**



Prospective adopters meet with Yorkshire Adoption Agency within 10 working days to discuss the child's needs and process to be followed regarding the placement of the child

IF ADOPTER WISHES TO PROCEED

He/she confirms this in writing and Yorkshire Adoption Agency contacts DfE to confirm acceptance of the child at this stage.

IF THE ADOPTER DOES NOT WISH TO PROCEED

Yorkshire Adoption Agency will provide counselling and discuss options with the adopter. Papers regarding the child will be returned to DfE.



Prospective adopter(s) meet the child in the child's country or origin. If a joint application both adopter(s) must meet the child before entry clearance is granted. Yorkshire Adoption Agency must be notified in writing that the applicant wishes to adopt the child. Yorkshire Adoption Agency informs DfE.



Application by adopter(s) for UK Entry Clearance for the child where a full Adoption Order is granted in a country overseas where the order is recognised under UK Law (including Hague Convention)



Following adoption hearing/or equivalent in child's country
UK clearance procedure is completed

Family return to the UK. No further action if a Full Adoption Order has been granted in a Hague Convention or in some other countries.



Adoptive parent(s) register the child's adoption.
Obtain British Citizenship for the child if necessary



Send Post Adoption Report to the overseas country as required. These are completed by the Local Authority and are sent overseas via DfE.



Request an assessment for adoption support from the Local Authority when/as required.

CHILDREN WHERE FULL OR INTERIM ADOPTION ORDERS IN THE HAGUE CONVENTION COUNTRIES ARE NOT GRANTED - PROCEDURE DEPENDS ON THE CHILD'S COUNTRY OF ORIGIN

Following the return to the UK with a child



Adopter(s) inform local social services department in writing of their "intention to adopt" a child under UK law (within 14 days)



Child is visited by Social Services within 7 days of receiving the adopter's letter.

Child and family are visited each week for first 4 weeks by the Local Authority and as necessary thereafter.



Local Authority conducts a review of the child's placement after 4 weeks



Review 3 months after the first and thereafter at 6 monthly intervals



Local Authority completes necessary reports for the Court



Adoption Order Granted

(Note: - cannot be granted until the child has been with the adopter for 6 months)

WHERE AN INTERIM ADOPTION ORDER IS GRANTED IN A HAGUE CONVENTION COUNTRY OR NON HAGUE CONVENTION COUNTRY FOLLOWING ARRIVAL IN THE UK WITH THE CHILD

Adopter informs his/her Social Services Department that an Interim Adoption Order has been granted in the child's Country of Origin. Adopter notifies the Local Authority in writing within 14 days of bringing the child to the UK



Local Authority treats the child as being Privately Fostered.



Reports completed by the Local Authority as required by child's Country of Origin



Adoption procedure completed in the child's Country of Origin



Adoption may be Registered in the UK by the Adoptive Parent(s)

NON HAGUE CONVENTION COUNTRIES

Where any other order is granted in the child's county of origins which is not recognised in the UK



Child is placed with the prospective adopter(s) in his/her country of origin



Child enters the Country



Prospective adopters) notifies the Local Authority within 14 days



Local Authority visits the child within 1 month and monitors the placement until a full Adoption Order is granted in the UK



The Order cannot be granted until child has been with his/her prospective adopter(s) for 6 months



Adoption Order granted in the UK ensures that the adoption is registered

OUR EXPERIENCES OF INTER COUNTRY ADOPTION MAKES US TO BELIEVE THAT BEFORE YOU GO AHEAD, THERE ARE SOME VERY IMPORTANT ISSUES YOU NEED TO CAREFULLY THINK ABOUT.

Your child will probably have had no say in his/her adoption by you. It was YOUR decision and the child will be YOUR responsibility. Just as society will expect your child to 'adopt' the cultures and traditions of this country, you should expect to 'adopt' his/her country and maintain an active interest in the social, political and other changes, which take place there as the years go by.

HOW CAN YOU HELP YOUR CHILD TO HAVE A SECURE IDENTITY?

- He/she will need help in understanding his/her heritage and background, to feel comfortable with the fact that the people he/she loves most do necessarily resemble him/her in appearance.
- He/she will in later years need help in finding answers to questions such as: "Who am I?". "Where did I come from?". "Why did I have to leave my family/my country?". "Are my Birth Parents still alive?". It is important that you are able to answer these questions so that your child can understand his/her history. This will help your child when he/she wants to talk to others about his/her origins.
- It is therefore important that you find out as much as possible about your child's background and history at the time he/she is placed with you for adoption.

HOW COULD YOU MINIMISE THE SHOCK AND TRAUMA OF SUDDENLY EXCHANGING ONE WAY OF LIFE FOR ANOTHER?

- Your child has a past, which you will always need to acknowledge and accept. Try to collect as much as possible in the way of photographs, mementoes and contact addresses from the very beginning of your association with his/her country of origin.
- The older your child, the greater this task will be, particularly if the child has begun to speak his/her first language. Are you prepared to learn some of his/her birth language?
- He/she could feel very lost without any familiar possessions to bring with him/her, so where possible bring anything that he/she owns.

- Food will be another important consideration. Are you therefore prepared to make efforts to provide food for your child, which is familiar to him/her?
- Have you researched Health, Therapeutic and Education facilities in your area which could help to meet the specific needs of a child from overseas?
- Have you contacted the Local Authority where you live to request information about Adoption Support Services?

COULD YOU PARENT A CHILD WHO HAS A PERSONALITY, EDUCATIONAL ABILITY OR TALENTS WHICH ARE PERHAPS VERY DIFFERENT FROM YOURS?

- With little or no background information to help you it will be impossible for anyone to predict outcomes for your child in the future. Are you prepared to accept your child as he/she is and will you be able to accept the uncertainty in terms of his/her educational ability, achievements/behaviour etc?

COULD YOU MANAGE ANY HEALTH DIFFICULTIES WHICH MAY ARISE AS YOUR CHILD GROWS UP?

- There are some conditions which are not identifiable in young children but may emerge later. These include HIV, Hepatitis B and C and Mental Ill Health.
- It is also important to be aware that children who have experienced trauma, a lack of stimulation, nutritious food or neglect in other ways may never entirely catch up in their overall development.
- You should obtain general medical information and advice about specific illnesses and medical conditions to which your child might have been exposed in his/her country of origin.
- Your General Practitioner will have access to World Health information and may be able to advise you about other sources where you can obtain this information. In addition, your Local Authority may be able to advise you about local sources of information.
- The Internet will also be a useful source of information.

WHAT ARE YOUR FEELINGS ABOUT YOUR ADOPTED CHILD ACCESSING INFORMATION ABOUT HIS/HER PAST AND BIRTH FAMILY?

- Are you considering adopting a child from overseas because it may be easy to avoid acknowledging the child's origins and birth family?
- Have you thought about how you will help your son or daughter when he/she wants to find out more information about his/her origins or trace his/her birth family?
- Are you willing to revisit your child's country of birth with him/her at some time in the future?
- Are you happy to maintain contact with your child's former carers/birth family members?

DO YOU HAVE REAL RESPECT FOR THE COUNTRY AND CULTURE OF YOUR CHILD'S COUNTRY OF BIRTH?

- Why do you want to adopt a child from the country of your choice?
- What do you consider to be the positive features of the country from which you hope to adopt a child?
- What have you done to find out about the country from which you hope to adopt and specifically, the needs of children who need adoptive families in that country?
- Do you feel your values and culture are 'better' to those of your child's country of origin?
- Do you feel that you need to 'rescue' a child and that this will be enough to make your child happy in the future?

IF YOU HAVE DIFFICULTY WITH ANY OF THE ABOVE, YOU COULD FIND IT DIFFICULT TO MAKE A SUCCESS OF INTER COUNTRY ADOPTION

ADOPTERS WHO HAVE BECOME DUAL HERITAGE FAMILIES BY ADOPTION SAY, THAT IF YOU ARE WHITE BRITISH, THE FOLLOWING QUESTIONS ALSO NEED TO BE SERIOUSLY CONSIDERED:

- If you already have children, how do they feel about a brother or sister from another race/culture growing up with them?
- How does your extended family feel about becoming a dual heritage family?
- Can all your family members unconditionally accept a child who will be 'different'?
- How do you feel about getting lots of public attention (positive and negative), stares, comments and questions?.

COULD YOU ADAPT YOUR 'WHITE' LIFESTYLE TO MEET THE SPECIFIC NEEDS OF A CHILD ADOPTED FROM OVERSEAS?

It is very important to have special regard to an adopted child's racial, religious, linguistic and cultural needs.

- Do you already have links with any particular country or group of people who could help you to forge these links?
- Britain is a multi cultural society so it possible that people who originate from the same country as your child live within travelling distance from you. Are you prepared to make contact with others who originate from your child's country of birth? How would you go about this?
- How will you help your child to form relationships with others who share his/her ethnicity?
- People from minority ethnic groups in this country DO experience racism and discrimination, sometimes openly, but more often in subtle ways. They need support and skills to challenge this and to be proud of their origins. It is not easy for White parents to help their child to develop these skills. You will need help in appreciating how it feels not to be White, growing up in a mainly White society. Can you think about where you might access help in learning how it feels not to be a White person in your community?
- Try to imagine your child at school, starting work or in social situations where he/she may be the only person of different ethnicity. How will you help him/her to manage these situations?

CAUTION! In some countries overseas you may be offered help by local people/agencies to complete adoption formalities. They may wish to charge you large sums of money for this service and may not actually be authorised or be able to do what they have promised! Any person, lawyer or agency involved in the adoption process should be carefully investigated. Excessive fees should be queried. If you have any concerns, please contact the DfE in this country for advice. Remember it is an offence not to follow the UK's accepted procedures for Inter Country Adoption. If you pay fees overseas for services provided by authorised bodies (e.g. Court Fees) always obtain and retain receipts and bring them back to the UK with you.

TIMESCALES

You need to be prepared to accept that it may take a long time to adopt a child from overseas. It is important for you to be clear about the country from which you hope to adopt a child and your reason for choosing that particular country before embarking on Inter Country Adoption.

We hope that this leaflet has helped you to decide if it is right for you to consider adopting a child from overseas. Legislation and procedures in this country, and those overseas may change in the future and procedures and regulations in other countries can often change quite quickly. For up to date information contact the Department for Children, Schools and Families or Yorkshire Adoption Agency.

Feb 2013

Appendix 1

Adoption from Convention Countries - Matching/Bringing the child to the UK

- The Central Authority in the child's state of origin will consider/accept the application and add the prospective adopters to their waiting list.
- Where there are no suitable children or the application is *NOT* accepted the Central Authority overseas will notify the Department for Children, Schools and Families (DFE) who will notify the Adoption Agency.
- The Agency will discuss the outcome and provides counselling, support and assist the applicant to make a decision re the future.

Where the overseas authority offers a child

- Overseas authority sends details of the child to DFE.

This is an Article 16 Report that includes information about: -

Child's identity
Adoptability
Background
Social Environment
Family History
Medical History (including that of the child's family)
Any special needs of the child
Identity of parents may/may not be revealed

- Agency shares report with prospective adopter(s).
- Provides counselling.
- Provides the opportunity for prospective adopters to meet medical adviser, if required.
- Makes prospective adopter(s) aware that the placement can only proceed if he/she meets the child and confirms acceptance in writing.
- The Agency then confirms to DFE that they are content for the adoption to proceed.

Where prospective adopter(s) decide not to proceed :

- The Agency notifies DFE of this.
- Returns all papers to DFE.
- Offers counselling to the prospective adopter(s).

Prospective Adopter(s) wish to proceed with the Match:

- Prospective adopter(s) travels to meet the child.
- Having met the child he/she confirms in writing to the Agency that they accept the match (or not).
- The Adoption Agency confirms in writing to DFE that – a) the match has been accepted, b) the required process has been followed (including meeting the child), c) – they are content for the adoption to proceed.
- DFE refers the case to the Home Office for advice on the Immigration status of the adoption and child.

HOME OFFICE RESPONSE

- Expected within five working days.
- If a positive response is received the DFE will advise the Central Authority that the adoption may proceed.
- Central Authority overseas confirms that they are content to proceed with the adoption.
- DFE and Central Authority make an agreement under Article 17© of the Hague Convention.
- DFE notifies the Adoption Agency and the prospective adopter(s) that the adoption may proceed and the State of Origin will make arrangements for placing the child.

Before the child enters the UK the Adoption Agency must: -

- Write to the prospective adopter's GP and provide a copy of the child's health history and current state of health, so far as it is known, together with particulars of the placement.
- Write to the Local Authority where the prospective adopter(s) lives with details of the proposed placement.
- Notify the Education Authority where the child is of school age or where the Agency's Medical Adviser considers the child to have special needs or is disabled.

Placing the child with the Prospective Adopter(s)

This will vary from country to country

Three routes to adoption following Article 17 © agreement

1. Child may be:-

- 1 Entrusted to the prospective adopters and brought back to the UK for the purpose of obtaining a Convention Adoption Order in a UK Court.

The prospective adopter(s) gives notice of their intention to adopt in writing within fourteen days of the child arriving in the UK. (Criminal Offence if this does not occur, penalty imprisonment and/or fine).

The Local Authority monitors the well being of the child by visiting within 7 days of receipt of written notification from the prospective adopters.

The child and family will be visited by the Local Authority weekly for 4 weeks then as often as necessary.

Reviews of the child's care will be undertaken by the Local Authority. After one month, three months after the first review and thereafter every 6 months.

Application to Court by prospective adopter(s) (within two years).

Court requests a Report from the Local Authority - to include:-

- Suitability of the applicant.
- The needs and wishes of the child, having regard to his/her age and understanding.
- Whether the child was placed lawfully.

NOTE: An Adoption Order cannot be granted until the child has lived with the prospective adopter(s) for six months.

If the prospective adopter(s) decides not to proceed

- Notifies the Local Authority within 14 days of his/her decision not to give the child a home.
- The Local Authority contacts the DFE so that the Central Authority overseas can be notified.
- The Local Authority makes alternative arrangements for the care of the child.

2. **Child may be :-**

Subject to an *Interim Adoption Order* granted on the state of origin (this will become a full Convention Adoption with automatic recognition in the UK)

- The prospective adopter(s) notifies the Local Authority as soon as possible that the child is staying with him/her in the UK.
- Child is treated by the Local Authority as being Privately Fostered.
- The adopter(s) may be required to provide update reports to the overseas authority.
- The adopter(s) may approach the Local Authority or Voluntary Adoption Agency to produce these.
- The overseas authority specifies how they need to be sent e.g. via DFE.
- Once the Interim Adoption Order becomes a Full Convention Adoption, no further action is necessary.
- The overseas authority will issue a certificate confirming that the adoption is a Convention Adoption. This is sent to DFE.
- DFE send the adopter(s) and adoption agency a copy of the certificate.
- Arrangements may need to be made to amend the child's immigration status unless the child becomes a British Citizen when the Order is granted.
- Adoption can be registered by the adopter(s).

3 **Child may be:-**

Adopted in the State of Origin under a Convention

- Order which is automatically recognised in all Convention Countries including the UK.
- The overseas authority will issue a certificate confirming that the adoption is a Convention Adoption.
- The overseas authority will send the certificate to DFE.
- DFE send a copy of the certificate to the Adoption Agency and the adopter(s).
- The Adoption can be registered by the adopter.

Appendix 2

Matching/Adoption from a Non Convention Country

Where a FULL ADOPTION ORDER is granted in a Designated Country which will be recognised in UK law –

- The prospective adopter follows exactly the same procedure as in a Convention Adoption until after meeting the child overseas.
- The prospective adopter completes the adoption process in the child's country of origin.
- The prospective adopter applies for entry clearance at the nearest diplomatic post.
- If the adopter wishes he/she can register the Adoption with the Registrar General

Where an INTERIM ADOPTION ORDER is granted

- The prospective adopters follows exactly the same procedure as a Convention Adoption until after meeting the child overseas.
- The prospective adopter obtains in Interim Adoption Order in respect of the child and applies for a Full Adoption Order which will after a trial period be recognised by virtue of the Designated list.
- The prospective adopter applies for entry clearance.
- The prospective adopter notifies the Local Authority of the situation within 14 days of returning to this country with the child.
- The child will be treated as Privately Fostered by the Local Authority.
- The Local Authority will provide reports as are required by the overseas authorities.
- The state of origin will confirm that a Full Adoption Order has been granted.
- The adopter may register the Adoption with the Registrar General.

Where a child is placed for adoption by a NON Designated Country i.e. where the prospective adopters need to adopt the child in the UK Courts.

- The prospective adopter follows exactly the same procedure as for a full Convention Adoption Order until after he/she has met the child.
- Child is placed with the prospective adopter
- The prospective adopter applies for entry clearance
- The prospective adopter MUST LEGALLY give notice to the Local Authority (in writing) of his/her intention to adopt a child within 14 days of the child entering the country.
- The Local Authority visits within 1 month and monitors the placement until an Adoption Order is granted.

- The prospective adopter applies for an Adoption Order
- The Local Authority prepares a report for Court under Section 44 (5) of the Adoption and Children Act 2002.
- The Adoption Order is granted in the UK Court.

Appendix 3

Breakdown of Fees for Inter Country Adoption applicants

A fee will be charged for the following:

- The Home Study Assessment (including visits, recording and travel)
- Case supervision by Management
- Adoption Panel time
- Agency Decision Maker time
- Liaison with the Local Authority, DFE and other agencies – pre and post approval
- Administration Fee
- Home Visit after a child is placed
- Review of approval where necessary
- Change of country

Please contact the Agency for the most up to date costs.

Yorkshire Adoption Agency Ltd
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DfE & Individual countries also charge for their services and it would be prudent to undertake research, into the costs involved before embarking on an Inter Country Adoption application.