

Follow up evidence from Adoption UK (GRC0036) September 2020

Relating to Second Special Report - The impact of COVID-19 on maternity and parental leave: Government Response to the Committee's First Report (HC 770)

Recommendation 14: The Government should extend adoption leave and pay for adoptive parents who have been affected by the pandemic for three months.

“The Government places great value on individuals who come forward to take on the challenging but rewarding role of being an adoptive parent.” (Page 14)

Adoption UK’s Adoption Barometer report – based on a survey of 5,000 adoptive parents – found that 58% of newly-placed adopters said they seemed to ‘fall off a cliff’ in terms of support once the adoption order was granted. It also found that 71% of established families felt they faced a continual struggle to get the help and support they needed. In short, many adopters do not feel as though they are valued by their government.

“the Government believes this entitlement to Adoption Leave and Pay is generous and allows enough time for the new parent to bond with their child.”

As outlined in the initial evidence submitted by Adoption UK, adoption leave is not just important for the child=parent bonding process. It can also serve as an opportunity for children to become accustomed, and build relationships with, family and friends who will take on some childcare responsibilities following adoption leave. This was not possible because of restrictions on social interaction as part of the lockdown response to the COVID-19 pandemic.

Recommendation 15: The Government should consider equalising the benefits for self-employed adoptive parents to those of other self-employed parents. This could be a pilot scheme for those who became new parents during the pandemic, to inform the Government’s wider review on parental leave.

“The Government recognises that self-employed adopters are not entitled to a dedicated benefit (an “Adoption Allowance”) in the same way that the majority of self-employed mothers are eligible for Maternity Allowance. This is because maternity entitlements are provided to enable women to take time off work to prepare for, and recover from, birth and bond with their child.” (Page 14)

“Government has mainly focused on supporting employed adoptive parents as they do not generally have the same level of flexibility and autonomy over the work that they do and when they do it or over the time they take off work as self-employed adoptive parents do. However, we recognise that affordability may limit the time away from work that some self-employed adopters can take.” (Page 15)

In arguing against equalising the benefits for self-employed adoptive parents to those of other self-employed parents the government points to the greater level of “flexibility and autonomy” enjoyed by self-employed birth parents. However, this does not differ from the flexibility and autonomy enjoyed by self-employed birth parents.

This response conflates the issue of equalising entitlements between the employed and self-employed, with that of equalising entitlements between self-employed birth parents and self-

employed adoptive parents. It is important that the government's flawed reasoning on this issue is highlighted and its position challenged.

Furthermore, the extension of this entitlement is highly unlikely to have far-reaching effects for tax, benefits and labour markets unlike other changes to the entitlements for the self-employed. This is due to the small number of families who would benefit from such a change. Conversely, the impact this financial support could have those families could be enormous.

"This is why statutory adoption guidance says that Local Authorities should consider making a payment—equivalent to Maternity Allowance—in cases where adopters do not qualify for any statutory payment because of their self-employment. This payment is discretionary and means-tested to ensure that resources are targeted at those adopters who need it most, as part of a package of post-adoption support." (Page 15)

If the payment is discretionary there is no guarantee of financial support for new self-employed adopters. Adoption UK frequently hears from members who are in this situation and are not receiving financial support from their local authority despite requesting it.

The response points to benefit of means-tested allowances because funding is targeted. But again, there is a clear inequality between self-employed birth parents, for whom the support is a universal measure regardless of financial circumstances, and adoptive parents.

"Prospective adopters and the child or children that they intend to adopt are also entitled to an assessment of their family's needs." (Page 15)

This not the case for adoptive families in Northern Ireland where adoption legislation is woefully outdated as a result of multiple delays to the passing of the Adoption and Children Bill. Even where this is a statutory right in the UK, there is no guarantee assessments of need are adequate or delivered in a timely fashion. 42% of adopters represented in the 2019 Adoption Barometer were unhappy with the quality of their family's assessment of need.

Recommendation 16: As part of that review, the Government should consider whether entitlements and benefits for parental leave and pay can be extended to special guardians.

"The Government has consulted on high level options to reform our system of Parental Leave and Pay and will respond in due course. In the meantime, we will continue to engage with stakeholders such as Adoption UK to understand how we can ensure our family entitlements are fit for purpose." (Page 15).

Adoption UK has not been consulted or contacted by the Department for Business, Energy and Industrial Strategy (BEIS) since the publication of the government response.