



APPG Adoption and Permanence

Self-employed adopter survey, Autumn 2022

“The Government recognises that it is crucial to the success of an adoption placement that an adopter takes time off work to care for and bond with their child.”¹

Key survey findings:

- 60% of self-employed adopters reported a lack of an equivalent to statutory maternity allowance had affected the amount of time they had taken off work during the first months of their child’s placement
- 59% of self-employed adopters reported stopping self-employed work altogether for a period
- 46% of adopters said the lack of statutory support played a large or fairly significant role in their decision to not adopt again in future
- 63% of prospective adopters who had not yet commenced the assessment process said a lack of statutory support played a major role in their decision to delay starting the assessment process to adopt
- 90% of adopters said their social worker had failed to advise them to apply directly to the local authority for a discretionary payment
- 15 adopters reported being advised by their social worker to apply for a discretionary payment from their local authority, out of those, 13 did apply and 12 were successful*
[* As set out below, this indicates social workers are only advising adopters to apply for a payment where they feel confident they would be successful given particular circumstances]

¹ <https://questions-statements.parliament.uk/written-questions/detail/2022-10-10/59861>

Background

Self-employed adopters are not eligible for statutory adoption pay (SAP) because they are not employees, but neither are they able to claim the equivalent to the statutory maternity allowance (SMA) that self-employed birth parents can. Instead, statutory guidance suggests self-employed adopters apply to their local authority for a discretionary, means-tested payment.

The Government's reasoning for not extending SMA to adoptive parents is that maternity allowance is "primarily a health and safety provision intended to support women who have recently given birth to take time off to recover physically from their pregnancy and childbirth."² Some argue this contradicts the purpose of statutory adoption pay, which is expressly "to allow an adopter to take time off work to care for and bond with their child".³ The Government accept this is "essential to the success of an adoption".⁴

To confuse matters, the Government has also said those who are employed are entitled to support because they "do not generally have the same flexibility over timetables and schedules as the self-employed" potentially suggesting self-employed parents are able to continue to work, and contradicting the very purpose of statutory adoption pay, as set out above.

In denying self-employed adopters financial support in those early stages, it can be argued the government is risking the potential for children to settle into their new families successfully. This policy could also be at odds with the government's own commitment to increase the number of suitable adopters, essential given there are 1,980 children waiting to be matched⁵ and the average waiting time, from entry into care to being adopted is currently two years and two months.⁶

Improving adopter recruitment is thus critical to ensuring as many children as possible are given the opportunity for a stable, loving home when they cannot live with their birth families. The government recognise this, announcing a £19.5 million investment package to strengthen work around matching and recruitment. However, it is possible that a lack of paid leave entitlements for the self-employed could act as a barrier to them becoming adopters.

² <https://questions-statements.parliament.uk/written-questions/detail/2022-10-10/59861>

³ <https://questions-statements.parliament.uk/written-questions/detail/2021-03-08/164556/>

⁴ <https://questions-statements.parliament.uk/written-questions/detail/2021-03-08/164556/>

⁵ ASGLB quarterly data. Available: <https://coram-i.org.uk/asglb/data/>

⁶ National Statistics Children looked after in England including adoptions 2021. Available: <https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions>

These issues have been subject to greater parliamentary debate over the last 12 months, including during a Petition's Committee Inquiry into the impact of Covid on new parents⁷ and as the subject of a public petition and Westminster Hall debate.⁸

The number of self-employed adopters and prospective adopters who may be affected by this issue is currently unknown. There are around 4.23 million self-employed people across the whole of the UK, making up 13% of the total workforce.⁹ Among respondents to Adoption UK's Adoption Barometer (2022), 10% of those who adopted children during 2021 described their employment status as 'self-employed', slightly lower than the proportion of the total self-employed workforce nationally. With the number of adoptions in England being approximately 3,000 per year, an estimated 300 prospective adopters each year are self-employed.

To add to the evidence base, the APPG Adoption and Permanence wanted to understand more about the impact this potential loophole is having on families and adoptions. We therefore launched a Call for Evidence for those affected which ran throughout September 2022. The below is an overview of the key findings.

Methodology

Our questionnaire included a series of multiple-choice questions and some open-ended questions, circulated via survey monkey and which targeted adoptive parents, prospective adopters and those who had been a prospective adopter but had since withdrawn from the process. The survey was publicised via social media and the sector.

Response

There were a total number of 403 respondents to the survey:

- **296** said they are approved adoptive parents
- **31** said they are currently going through the assessment and approval process
- **1** person said they were previously in the assessment and approval process to adopt but withdrew from the process
- **30** said they are interested in adoption and have done some research but have not commenced the assessment process
- **45** gave no response as to what stage of the process they were at, if any

68% (n199) of *approved* adoptive parents responding to the question said they or their partner are currently self-employed, 66% (n193) of *approved* adoptive parents said they or their partner

⁷ Petitions Committee Report: "Impact of Covid-19 on new parents: one year on" 2021-22. Available: <https://committees.parliament.uk/publications/7477/documents/78447/default/>

⁸ <https://hansard.parliament.uk/Commons/2022-03-21/debates/93df462e-8319-4a25-9bc9-ee90f9cc3540/WestminsterHall>

⁹ Office for National Statistics. 2022. A01: Summary of Labour Market Statistics. Available: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/summaryoflabourmarketstatistics>

were self-employed when going through the assessment and approval process to adopt. 85% (n50) of *prospective* adopters (including those who have yet to start the adoption process) said they or their partner are currently self-employed.

Self employed adopters responding to the survey represented 34 local authority areas spread geographically across England. Lancashire had the highest number of self-employed adopters responding to the survey (12%) with Warwickshire (6%) and West Midlands (5%) following.

1. The impact of being self-employed as an adopter

“Not having an equivalent to maternity allowance meant the pressure on us was increased, at a time when the pressure on our family was already very high. We didn't have access to the kind of mental or financial 'breather' that a secure income for a set period (without needing to work for it), might have given us. Inevitably it made the whole early placement period more stressful.” (Self-employed adoptive parent).

Our survey responses suggest that a lack of access to statutory pay and leave entitlements causes financial pressures, and means that adopters are unable to take the necessary time off during the early stages of their child’s adoption. Adopters report being advised they will need to take varying amounts of time off work to be able to support their child once they are placed.

- Around 60% of self-employed adopters reported that the lack of an equivalent to statutory maternity allowance had affected the amount of time they had taken off work during the first months of their child’s placement. Quantifying written responses, 60% (n70) had said that it had, with only 24% (n28) saying it had not, and 15% (n17) being unclear.

“Yes of course! How could it not! We have done two separate adoptions. The second time I had no choice but to keep working. I sometimes took my son with me. It was very hard.”

“Absolutely - advised 12 months, but we could only afford 5/6 months.”

“Yes, my husband went back to work after a month, and it would have been better for him to be home for longer. He went back to work 4 days a week but that was very hard for us as a family, but necessary financially.”

- Once the child was placed with the family, the majority (59%) of self-employed adopters reported stopping self-employed work altogether for a period. Half attempted to fit their

self-employed work around their new family. Half also reported living off savings for a period.

- Asked how worried they felt about their financial situation during the adoption process as a result of being self-employed on a scale of 0-10 (0 = not at all worried, 10 = extremely worried), the average response for prospective adopters currently going through the adoption process was 7 and for established adopters was 6, giving an indication of the anxiety felt.

Once your child/children moved into your home did you (or will you, if they are yet to move in) take any of the following steps? Please select all that apply.

| ANSWER CHOICES | RESPONSES |
|---|-----------|
| ▼ Stop your self-employed work altogether for a period | 58.68% 71 |
| ▼ Attempt to fit your self-employed work around your new family (e.g. working in the evenings when children may be asleep). | 49.59% 60 |
| ▼ Live off savings for a period | 49.59% 60 |
| ▼ Reduce your hours of self-employed work for a period | 40.50% 49 |
| ▼ Borrow money formally or informally | 18.18% 22 |
| ▼ Seek financial assistance in the form of adoption allowances, charitable grants or similar | 12.40% 15 |
| ▼ Other (please specify) Responses | 3.31% 4 |
| ▼ None of the above | 1.65% 2 |
| Total Respondents: 121 | |

Many adopters were clear that they had taken these steps as a direct result of the financial pressures they were under because of self-employment. Their responses gave some insight into the sorts of choices they faced:

“With my birth son I was able to apply to receive statutory maternity pay which allowed me to take 6 months off work to completely focus on my relationship with my son. When I adopted my daughter there was no financial support and I had to continue to work some reduced hours whilst building an attachment and relationship to her.”

“I had to close my shop as a result of not being eligible for an equivalent maternity allowance. Then moving forward being home full time to support the needs of my two adopted children post one year of placement was in their best interests.”

"I had to use my savings and as a result I'm in debt."

"I still haven't been able to return to my former job as child needs are high. I lived off savings then and now on benefits."

"I've had to completely self-fund my time off from work."

"We have struggled as we were told one of us needed to stop work for a minimum of 6 months."

"I'm told to take a year off but can't afford too."

"Had to borrow money from family in order for me (mother) to take 9/10 months off work."

"It is discrimination against self-employed adopters. I wrote to my MP at the time and consequently stepped away from my business partnership. There are massive loopholes in the system, whereby some individuals can claim maternity from multiple employers and yet at the time I had been SE and an employer of up to 20 people for over 20 years and was entitled to nothing."

When asked about the impact this had on their family, adopters reported feeling under pressure and having less time to bond with their child:

"Becoming a new parent by adoption is another level of challenge. Being dropped in the home of some strangers and told 'these are your parents now' is a cataclysmic event in the life of a child. Adding avoidable and unnecessary financial strain on top of this is cruel and unfair. This disparity must be addressed."

"Less bond time, masses of financial stress, an unsettled home, having to live very frugally. It was highly difficult and made the process more stressful than it should be."

"Not having an equivalent to maternity allowance meant the pressure on us was increased, at a time when the pressure on our family was already very high. We didn't have access to the kind of mental or financial 'breather' that a secure income for a set period (without needing to work for it), might have given us. Inevitably it made the whole early placement period more stressful."

“Definitely had an impact on creating bonds and for the children to have the same level of care from both of us.”

“This will have a huge impact due to the reduced time off with the child and the concern around finance - at a time when the child needs all the support that I can give”

“It was the most challenging time of our lives. We had significant behaviour challenges, each day was a mountain to climb not having my partner off impacted on my wellbeing, not able to share care made it even harder.”

“It’s stressful mentally as I’m a single adopter and will have to start work sooner than someone who was employed to support us financially.”

“It meant that I had less opportunity for bonding and settling the family, particularly when the second child arrived. I felt that I didn’t really know our second child for a couple of years. Any more time off for me would have made a big difference to our older child as our younger one needed a lot of attention and the older one struggled with accepting a sibling.”

Time off work: comparisons with employed adopters

The scope of this survey is limited to those adopters or prospective adopters who were, or had been, self-employed. However, Adoption UK’s *Adoption Barometer* (2022) highlighted some interesting differences in the work patterns of employed and self-employed adopters when their child was placed. For example, self-employed adopters were more likely to manage financial pressures by reducing the length of time off work. While 85% of employed adopters had taken more than six months of adoption leave, only 58% of self-employed adopters had taken leave of this length, and 16% had continued working to some extent throughout their first weeks and months as a new family. There were no employed respondents who continued working once their child or children had been placed with them. Moreover, self-employed adopters were more than twice as likely as employed adopters to cease work altogether after adopting.¹⁰ This echoes feedback from self-employed adopters to our survey who feel it will be impossible to return to their careers given the unique nature and context of self-employed work and the responsibilities they now face supporting a child who is likely to have experienced severe trauma.

¹⁰ Adoption Barometer, 2022. Available: <https://www.adoptionuk.org/Handlers/Download.ashx?IDMF=ebb3a36d-cc0d-45dd-aca9-7dd1d5dbbd23>

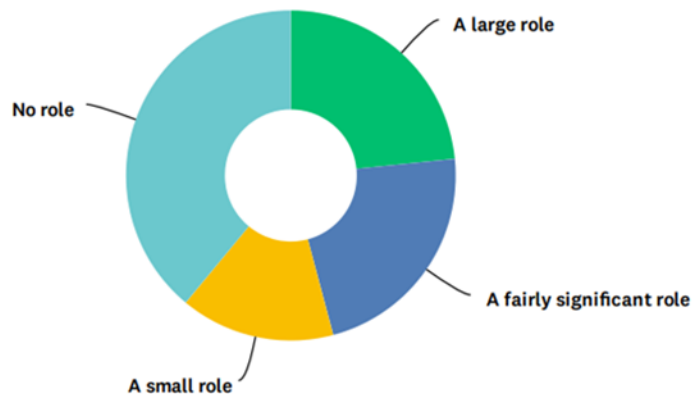
2. The impact on considering adopting again in future

The survey suggests a concerning proportion of established adopters would not consider adopting again because of a lack of paid leave, and many prospective adopters hadn't begun the assessment process because of this lack of support.

Worryingly, there were cases of adopters who would like to adopt their child's biological sibling but felt unable to, purely because they could not afford to take the unpaid leave necessary to support that child in their early stages of placement.

Established Adopters:

- Almost half of established adopters said they would not consider adopting again (48%), 26% said they would and 25% said they were unsure.
- When asked how much of a role the lack of an equivalent to statutory maternity allowance played a role in their decision, 46% said it played a large or fairly significant role, whilst 39% said it played no role and 15% said it played a small role.



| ANSWER CHOICES | RESPONSES | |
|---------------------------|-----------|-----|
| A large role | 23.39% | 51 |
| A fairly significant role | 22.48% | 49 |
| A small role | 15.14% | 33 |
| No role | 38.99% | 85 |
| TOTAL | | 218 |

Prospective adopters who haven't yet started the assessment process:

- 63% said a lack of statutory maternity allowance played a major role in their decision to not yet commence the assessment process to adopt, 16% said this played a fairly significant role; and 5% said it played a small role. 16% said this played no role at all.

The following quotes give a deeper insight into how a lack of financial support has impacted adopters and prospective adopters' consideration to adopt again in future:

"We have already been approached to adopt another sibling and had to say no because there was no financial package available to help with nursery (there would be 3 under 3's in the house and the new child would have trauma) - without guarantee of financial help it wouldn't have been fair to any of the children to expect only one parent to be emotionally and physically available."

"My son's birth mother is very likely to have more children, and this was discussed when we adopted our son. If we are asked if we are able to adopt subsequent siblings, the fact that I am now self-employed and will receive no support has a huge bearing on whether we can say yes. This is so sad for the sibling, but also will be so hard to explain to my son in the future. Statutory pay would make a huge difference for me to financially be able to say yes to adopting again."

"It makes it more difficult to financially plan for another child without statutory adoption allowance and may affect whether or not we adopt again"

"We are planning to adopt again. But due to both being self-employed and lack of statutory adoption leave means we have to wait longer and continue saving to have at least equivalent amount for at least 6 months worth before we can start the process again."

"We couldn't afford to adopt another child which is sad."

"I am considering going self-employed but also wish to adopt again. Long-term running my own business would be better financially and for my children but short term I can't afford to go self-employed and adopt again."

3. Social Worker Awareness

The Government's Statutory Guidance on Adoption 2013¹¹ suggests to local authorities they consider making a payment of financial support equivalent to the Maternity Allowance to

¹¹DfE Statutory Guidance on Adoption, 2013. Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/270100/adopti_on_statutory_guidance_2013.pdf

adoptive parents who are ineligible to receive Statutory Adoption Pay. However, there is no duty on the local authority to do so, and no official data exists giving the extent to which local authorities provide such support.

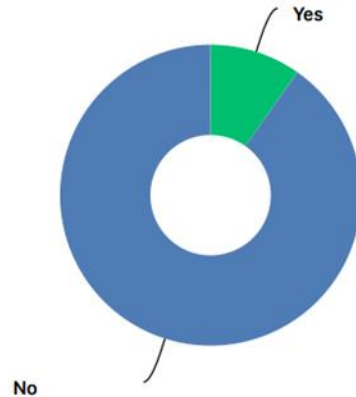
In 2022, Home for Good sent Freedom of Information requests to all 150 local authorities across England to ascertain previous and current practice regarding the provision of discretionary payments to self-employed adopters. 77% (n115) of local authorities responded and of these 34% (n39) stated that they did not have any kind of policy in place for providing financial support to self-employed adopters. The remaining 66% referred to using a means tested approach to assessing the need for financial help, but only three were able to provide data on the number of self-employed adopters in their area and the financial support provided to adopters on account of them being self-employed.

The APPG Adoption and Permanence wanted to understand whether government guidance was being followed, and what information and support, if any, adopters were being given. Overwhelmingly, the results to this survey show that adopters are not being advised to apply to their local authority for a discretionary payment, as set out in the guidance.

- 42% of adopters did not know if their social worker was aware of the lack of an equivalent to statutory maternity allowance for self-employed adopters, 42% thought they were aware; whilst 15% said their social worker was not aware.
- 42% of prospective adopters currently going through the adoption process said they didn't know if their social worker was aware of the lack of an allowance for self-employed adopters whilst 58% said their social worker was aware.
- Asked if they had had a conversation with a prospective agency about the financial support available to their family, 74% of prospective adopters who hadn't yet started the assessment process said they had not; the remaining 26% said they had.

Perhaps unsurprisingly then, the number of adopters who actually applied to their local authority for a discretionary payment on the basis of being self-employed was very low.

- When asked if their social worker had advised them to apply directly to the local authority for a discretionary payment 90% of adopters said they had not. Just 10% had said they were, representing just 15 out of 153 respondents to this question.



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 9.80% | 15 |
| No | 90.20% | 138 |
| TOTAL | | 153 |

- Asked if their social worker had advised them to apply directly to the local authority for a discretionary payment, 81% of prospective adopters currently going through the process said they had not, 15% said this wasn't applicable and 4% said they had.
- 125 of the 153 respondents (82%) said they did not apply for discretionary payment on the basis of being self-employed, with only 12% (n19) saying they did.
- Of those 19 adopters who applied to their local authority for financial support in light of being self-employed, 13 were successful in receiving a payment.
- Of the 13 receiving a payment, 12 of those had been advised to apply to the local authority for a discretionary payment by their social worker.
- 15 adopters in total had been advised to apply, 13 of those did apply, and 12 were successful (although one commented this was for a one-off payment for a car seat; one said it was because they were applying to adopt the full biological sibling to their adopted child; and another because their adopted child was considered by the authority as hard to place)
- By contrast, of the 6 adopters who applied but who were not advised to apply by their social workers, only 1 was successful in receiving a discretionary payment.

These figures suggest that only a very small proportion of social workers are advising self-employed adopters to make an application to their local authority for a discretionary payment. Those that do so after being advised by their social worker are likely to be successful in receiving a payment. It is important to note this is likely because the social workers in question are aware that their local authority is amenable to making discretionary payments in certain circumstances and thus feel confident to advise adopters accordingly. Where prospective adopters apply for discretionary payments without being advised by their social workers, they are considerably less likely to be successful.

These results suggest the current discretionary system is not helping the majority of self-employed new adoptive parents. Without standardised, mandatory policies in place, it is unlikely that efforts to raise awareness among prospective adopters of the potential discretionary support will result in more adopters being supported.

Summary

The results of this survey indicate that a lack of financial support for self-employed adopters during the early months of adoption is causing financial pressure and this impacts the amount of time they can take off work. For those adopters unable to afford to take unpaid time out of their work during the early months of the adoption placement, they are able to spend less time forming a bond with their child. Some self-employed adopters report having to stop work entirely, and worry about the impact on their careers long-term. Self-employed single adopters report feeling under particular pressure because they are unable to lean on their partners earnings. Many adopters and prospective adopters report that this lack of financial support is playing a key role in their decision to not adopt again in future. Worryingly, some adopters have reported the impact is so severe that it is preventing them from being able to adopt their child's sibling.

Overwhelmingly, adopters are not being advised by their social workers to apply for a discretionary payment from their local authority. Of those who are advised to do so, the majority have received a payment. This indicates that social workers are only advising adopters to apply where they are confident the local authority is amenable to making such payments.

Next steps

We hope government ministers and their officials will find the insights of this survey useful. Several aspects warrant further investigation, for example the criteria social workers are using to determine whether or not they advise a self-employed adopter to apply for discretionary payments; the impact this policy is having on the wellbeing of the adopted child and the long-term impact it has on the employment of self-employed adopters. The APPG Adoption and Permanence would be pleased to support further examination of any related aspects of the issues raised.

As the Government rightly considers extending pay and leave entitlements to kinship carers as part of its response to the Independent Review of Children’s Social Care, the APPG Adoption and Permanence would urge ministers to use this opportunity to review its wider parental pay and leave policies and to consider introducing an equivalent to the statutory maternity allowance to self employed adopters.

We cannot have progress on this issue without the joined up efforts of the Department for Business, Enterprise and Industrial Strategy, the Department for Work and Pensions; and the Department for Education and urge ministers to work together to align policy objectives and improve outcomes for those families who may be affected.

Written by the APPG Adoption and Permanence secretariat Adoption UK and Home for Good

