

## **Accreditation System in respect of Local Adoption in the Hong Kong Special Administrative Region**

This document sets out the principles, criteria, requirements and monitoring of the accreditation system in respect of local adoption in the Hong Kong Special Administrative Region (HKSAR).

### **Part I - Background**

2. Upon the commencement of the Adoption (Amendment) Ordinance 2004 on 25 January 2006, an accreditation system in respect of intercountry adoption in the HKSAR has been put in place to allow the other bodies/non-governmental organisations (NGOs) duly accredited by the Director of Social Welfare (DSW) as Accredited Bodies (ABs) to perform the functions and procedural duties delegated by the Central Authority. To provide more choices to birth and adoptive parents applying for local adoption service, a separate accreditation system is to be established to enable other bodies/NGOs to carry out certain functions and procedural duties in relation to local adoption, including assessment of the suitability of the applicants as adoptive parents, making arrangements for adoption placements and acting as a guardian ad litem (GAL). Any public authorities or bodies in the HKSAR other than the Adoption Unit of Social Welfare Department (AU/SWD) wishing to provide local adoption service have to be accredited by the DSW.

### **Part II -Legal Provision**

#### **Central Authority and Accredited Bodies**

3. Upon the commencement of the Adoption (Amendment) Ordinance 2004 and Adoption (Amendment) Rules 2007, legal provision has been included for an accreditation system to be put in place to allow other bodies/NGOs duly accredited as ABs to perform duties delegated by the DSW in relation to local adoption. The DSW may, in accordance with the Adoption Ordinance, accredit, renew, revoke or suspend the accreditation of a body of persons as an AB in relation to local adoption. The statutory requirements concerning the accreditation system in respect of local adoption in the HKSAR are set out in Sections 26, 26A and 26B of the Adoption Ordinance.

4. The general division of labour between the DSW and ABs in local adoption is that the DSW will make the key decisions, including coordinating adoption services between the AU/SWD and ABs, while the ABs will be entrusted to perform certain functions and procedural duties, including assessing and approving the suitability of the applicants as adoptive parents, making arrangements for adoption placements, providing counselling and support to the prospective adoptive families and

children placed for adoption, as well as acting as a GAL for non-DSW wards whose parents give specific consent to their adoption.

5. The following table shows the powers stipulated in the Adoption Ordinance that may be entrusted to ABs:

S/N	<b>Powers in relation to Local Adoption</b>		<b>Related Sections under AO</b>
5.1	<b>Accreditation</b>	DSW may accredit, or renew the accreditation of, a body of persons (corporate or incorporate) as an accredited body in relation to local adoption.	s.26(2), Schedule 4
5.2	<b>Suitability Assessment</b>	(a) A person resident in Hong Kong who intends to adopt any infant, other than a person who is (i) a parent or relative of the infant; (ii) married to a parent of the infant, shall make in a form specified by the DSW and submit, in the case of local adoption, to the DSW or an AB for assessment of his suitability to be an adoptive parent.	s.27(1), s.27A
		(b) The application shall be submitted together with such information as the DSW or the AB may reasonably require; and a written authorisation from the applicant to the Commissioner of Police authorising the Commissioner of Police for checking criminal record. In the case of local adoption where the application is submitted to an AB, the applicant may, in the authorisation, designate the AB in substitution of the DSW for the purposes of checking criminal record. On receiving an authorisation submitted to AB, AB shall send the authorisation to the DSW for processing criminal record checking.	s.27A(2)-(4)
		(c) After considering an application for local adoption, the DSW or AB may decide that the applicant is suitable, or is not suitable, to be an adoptive parent.	s.29(1)
5.3	<b>Adoption Placement</b>	(a) <u>Specific Consent</u> : For local adoption, if a person is named in the consent as the prospective adopter for the infant and the person applies with the DSW or an AB for an assessment on the suitability to be an adoptive parent under s.29(1), then as	s.29A(2) and (3)

S/N	<b>Powers in relation to Local Adoption</b>		<b>Related Sections under AO</b>
		<p>and when the DSW or the AB has assessed the person to be a suitable adoptive parent, the DSW or the AB may proceed with the infant's placement.</p> <p>(b) <u>General Consent</u>: For local adoption where consent for the adoption of an infant is given in the prescribed general form of consent, as and when the DSW decides an applicant assessed to be a suitable adoptive parent would be a suitable adoptive parent for a particular infant; and the placement of the infant with the applicant would be in the best interests of the infant, the DSW, or AB may proceed with the infant's placement.</p>	s.29B(2)
5.4	<b>Matching</b>	Before the DSW makes a decision in relation to paragraph 5.3(b) mentioned above, he shall seek the opinion of each and every AB that has proposed any prospective adopter for that particular infant and such other persons as the DSW may consider appropriate.	s.29B(3)
5.5	<b>Termination of Adoption Placement</b>	If at any time after the DSW or an AB has proceeded with an infant's placement with a prospective adopter for local adoption, the DSW or the AB opines that to continue the placement would not be in best interests of the infant, then the DSW or the AB may terminate the placement.	s.29D(1) and (2)
5.6	<b>Guardian Ad Litem (GAL)</b>	Except where the DSW has become GAL upon the execution of the prescribed general form of consent by a parent, if the applicant desires that some person other than the DSW should be appointed to act as GAL and the applicant asks for the appointment of GAL in the originating summons, the judge may appoint such person as he thinks fit to be GAL.	r.9(1)

### **The Court**

6. An adoption order should only be granted by the District Court in the HKSAR subject to the Court having satisfied of matters set out in Section 8 of the Adoption Ordinance, namely:

- (a) The adoption if made will be made in the best interests of the child, with due consideration given to the wishes and opinions of the child, having regard to his/her age and understanding;
- (b) Every person whose consent is necessary under the Adoption Ordinance and whose consent is not dispensed with has consented to and understands the nature and effect of the adoption order and in particular, that (except for a birth parent married to the sole applicant in the case of step-parent adoption) the effect of the adoption order will be permanently to deprive him/her of his/her parental rights. The consent should only be executed when the child is at least 4 weeks old;
- (c) The applicant has not received or agreed to receive any payment or other reward in consideration of the adoption; and
- (d) Section 5AA or 27(3) of the Adoption Ordinance (as the case may be), has been complied with and that, taking into account the information obtained by the DSW from the Commissioner of Police, the applicant is a fit and proper person to be granted the adoption order.

### **Part III - Accreditation**

7. The criteria for accreditation in respect of local adoption in the HKSAR, the application procedures for accreditation, the scope of work of ABs, and monitoring of ABs in the HKSAR are set forth below.

8. The accreditation system aims at:

- (a) safeguarding the service quality and professional standard of local adoption practice in the HKSAR, including adoption with general consent given, adoption with specific consent given and an order declaring the child to be free for adoption granted;
- (b) ensuring effective and ethical local adoption practice;
- (c) making prompt adoption arrangement for children when adoption is considered the best option amongst all available options as regards their long-term welfare plan; and
- (d) ensuring that local adoptions are only arranged according to the Adoption Ordinance.

## Criteria for Accreditation

9. An agency seeking accreditation to process local adoption from the DSW in the HKSAR shall meet the following objectives/requirements:

- (a) the agency pursues only non-profit-making objectives and has sound financial condition to enable it to take on local adoption work;
- (b) the agency has specialised experience in providing child welfare services;
- (c) the agency has a clearly-delineated organisation structure, resources to make adoption arrangement for children, and a written policy and working procedures governing the work of the agency;
- (d) there is or will be a designated section in the agency directed by persons with appropriate qualifications and staffed by registered social workers<sup>1</sup> to undertake home study and placement tasks for the purpose of local adoption;
- (e) there is or will be a committee/board set up by the management of the agency to monitor the adoption work of the agency;
- (f) there is a good track record of the agency in providing adoption or other child welfare services and clear documentation on such services, e.g. for agency currently providing adoption services, reference will be made to the number of children adopted through the agency's programme, types of children placed for adoption, and length of adoption processing time by the agency in the HKSAR etc.;
- (g) there is no record of conviction against the agency for offences against children;
- (h) the agency places or undertakes to place the children's best interests as the paramount consideration in its local adoption work;
- (i) the agency follows all the requirements of the Adoption Ordinance and Adoption Rules in making the adoption arrangements; and
- (j) there is or will be a mechanism in place to handle complaints arising from the adoption service provided by the agency.

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<sup>1</sup> A registered social worker refers to a social worker who has registered with the Social Workers Registration Board, the HKSAR under the Social Workers Registration Ordinance (Cap. 505)

## **Scope of Work of the Accredited Body in the HKSAR**

10. An agency duly accredited in the HKSAR may perform procedural duties relating to local adoption. ABs will be involved in the following major duties in local adoption cases:

### Adoption with General Consent Given or an Order Declaring a Child to be Free for Adoption Granted

- (a) to recruit prospective adopters, conduct screening and suitability assessment on them, prepare home study report, approve their suitability as adoptive parents, and make recommendation for them to match with a DSW ward;
- (b) to provide counselling service for prospective adopters;
- (c) to participate in the matching process;
- (d) to provide counselling and support to the prospective adoptive family, if appropriate, and the child placed for adoption; and
- (e) to provide counselling service and other assistance as appropriate to parents who want to make an adoption plan for their children and refer the case to the DSW for the relinquishment procedures for freeing the children for adoption if parents have no designated adoptive family in mind.

### Adoption with Specific Consent Given

- (a) to handle cases solely should parents have a designated adoptive family in mind and approach the AB for local adoption arrangement. No matching is required;
- (b) to assess the suitability of applicants as adoptive parents;
- (c) to confirm with parents their consent to adoption;
- (d) to perform the functions of a GAL if so appointed by the Court, including
  - (i) investigate as fully as possible all circumstances relevant to the proposed adoption; and
  - (ii) to arrange for the preparation of the legal documents, the First and Second Schedules, General Report and, if applicable, to apply to the Court for dispensing with the parental consent, on the grounds

that one of the parents cannot be found during the course of adoption arrangement.

11. While a number of the procedural functions and tasks may be performed by ABs, the DSW continues to assume guardianship of the child who is a DSW ward whose parent(s) give(s) general consent to his / her adoption or who is declared to be free for adoption by an order, act as his/her GAL in the adoption proceedings, approve the suitability of prospective adopters who lodge applications to the DSW, approve the decisions on DSW wards' adoption placement, make decision on terminating the placement in a prospective adoptive family and liaise with the Police for administering the requirement of criminal record check on prospective adopters.

#### Root-tracing

12. For root-tracing request in relation to an adopted person who has been arranged for local adoption by SWD and an AB, the concerned AB will also be involved in root-tracing service though this is not stipulated in the legislation. In handling such requests, the AB may release the birth information to the adopted person (subject to a veto mechanism) and render counselling to the adopted person as appropriate.

### **Part IV - Application and Approval Procedures**

#### **Application for Accreditation**

13. Application for an accreditation or application for renewal must be made to the DSW in a specified application form and accompanied by such information as the DSW may require. These include information about the organisation of agency, background, services provided, experience in local/intercountry adoption, financial status, track record, etc. A copy of the Application Form for Accreditation in respect of Local Adoption in the HKSAR is at **Annex 1**. Applicants should submit the information required in a 2-ring folder, and all documents should be properly indexed as set out in Annex 1-1. For those applicants failing to provide the required documents/information, normally within 3 months starting from its initial application date, the application may be considered as lapsed and the applicant may be required to re-submit the full set of updated documents as a fresh application. Applicants wishing to provide local adoption service should spell out clearly the reasons and the details of the proposed programme for the DSW's consideration.

#### **Accreditation Assessment**

14. Upon receiving the Application Form and relevant documents/records from the applicant, accreditation assessment will be conducted by the DSW based on the criteria set out in paragraph 9. The DSW may require an applicant to provide such further information in connection with the application as he/she deems necessary.

15. The assessment may include the following activities :

- (a) review of programme records and case records;
- (b) review of administrative records;
- (c) site visit of programme implementation; and
- (d) actual observation on the operation of the programme.

16. If no adoption services have been provided before, the DSW would exercise discretion to see what other relevant records or programmes to review or observe.

### **Notification of Assessment Result**

17. Subject to satisfactory result of assessment on the applicant's capabilities, ethics and performance, if any, in local adoption work or related areas, the DSW may accredit, or renew the accreditation of the applicant as an AB in relation to local adoption.

18. The successful applicant will be issued an accreditation certificate in a specified format which will specify the functions and duties that have been delegated to the applicant in relation to local adoption. The DSW may also impose such conditions of accreditation as he/she considers appropriate. The accreditation certificate must be displayed in a conspicuous place in the applicant's office where the local adoption service programme is operated. Unsuccessful applicants should not provide local adoption service.

### **Validity Period**

19. According to Section 26(4) of the Adoption Ordinance, an accreditation, unless revoked or suspended, shall be valid for 4 years. The accreditation may be revoked or suspended by the DSW at any time if the AB is found to have acted against or has failed to protect the best interests of the child in the arrangement of local adoption, or in any of the following circumstances:

- (a) the AB has failed to meet the accreditation criteria as specified in paragraph 9 and/or the conditions of accreditation stated in the accreditation certificate;
- (b) the AB has failed to fulfill any of the duties, requirements or conditions set out in this document or otherwise imposed by the DSW from time to time, including but not limiting to the duties set out in paragraphs 10 to 11 above in processing local adoption cases and obligations set out in paragraphs 24 to 27 below;

- (c) the AB has failed to comply with the code of conduct for ABs;
- (d) the AB has encountered financial problem, which may adversely affect its normal operation; or
- (e) the AB has already ceased to provide local adoption service.

20. For applicants not providing local adoption service at the time of application but wishing to commence such service in the near future, the DSW reserves the right, where it is decided to give accreditation, to shorten the accreditation period. During the accreditation period, the DSW will assess the performance of the applicant concerned to see if the accreditation certificate is to be renewed. The applicant, within the accreditation period, should demonstrate its ability to handle and complete 2 successful local adoption cases<sup>2</sup>. The period of accreditation can be extended by the DSW up to 48 months where it is considered appropriate.

### **Application for Renewal of Accreditation**

21. An application for renewal of accreditation shall be made to the DSW not more than 6 months and not less than 4 months prior to the expiration of the accreditation or within such period of time the DSW may in writing permit. Procedures for accreditation application in paragraphs 13 to 16 will be followed. Normally, the renewed accreditation certificate, if granted, shall have effect on the day following the day upon which the original accreditation expires.

### **Accreditation Register**

22. The DSW shall keep a register of ABs containing the name and address of each AB, the name and address of the persons registered in respect of the AB, and other particulars as the DSW deems fit. This register shall be available for public inspection at such reasonable time and place as the DSW may determine.

23. The register will be updated biennially, or at an earlier interval as and when required.

## **Part V – Monitoring of Accredited Bodies**

### **Obligations of Accredited Bodies in Providing Services**

24. The AB shall have clearly defined adoption procedures and a systematic plan for the services it renders throughout the adoption process. It should continuously monitor and evaluate its services and service quality to ensure compliance with the

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<sup>2</sup> Successful local adoption case refers to the completion of adoption cases where a local adoption order has been granted.

requirements regarding its accreditation. Besides, the AB is required to comply with the following requirements:

- (a) it shall comply with the Code of Conduct (**Annex 2**) in handling local adoption cases;
- (b) it shall comply with the relevant provisions of the Adoption Ordinance for all local adoption cases, as well as any administrative requirements set down by the DSW;
- (c) it shall keep client records in a secure manner and maintain information necessary to plan, manage and evaluate its adoption programme properly;
- (d) it shall provide monthly statistical returns to be submitted quarterly to the DSW which include the profile of users, services rendered, programmes conducted and other information as may be required, such as the number of applications received, home study completed, etc.;
- (e) it shall undertake self-assessment (**Annex 3**) at least annually and submit the self-assessment report to the DSW to confirm if the essential system, services, records and resources are in place to ensure compliance with the requirements regarding its accreditation;
- (f) it shall submit annual audited financial reports to the DSW to ensure that there is in place an effective system of financial management and control operating within the AB; and
- (g) it shall submit a copy of the formal complaints made and/or legal proceedings taken against the AB in relation to adoption and other child welfare services within 3 working days and the corresponding completed investigation reports also within 3 working days.

### **Records and Information to be Provided by the Accredited Body**

25. The AB shall maintain the following records which shall be made available at all reasonable time for inspection by the DSW:

- (a) records relating to adoption service, including case records<sup>3</sup> with home study reports, child study records and placement records;
- (b) records of staff handling adoption matters;
- (c) records on service statistics as the DSW may from time to time require;

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<sup>3</sup> Except for cases where applications are withdrawn, all adoption case records shall be kept for permanent retention and on a confidential basis.

- (d) records of complaints and legal proceedings involving the AB;
- (e) financial records of the AB.

### **New Information Relevant to Accredited Status**

26. The DSW reserves the right to review the accredited status of an AB in the light of any new information which may be relevant. An AB must inform the DSW in writing immediately of any factor which may affect its accredited status.

### **Fees**

27. The AB shall operate the local adoption service on a self-financing and non-profit-making basis, except for such activities as may be agreed with the DSW under separate agreement(s). While the AB shall pursue only non-profit-making objectives, it may charge prospective adopters fees to cover the administrative costs for providing the adoption service, but the level of such fees has to be reasonable, in an amount that is calculated in accordance with a schedule of fees approved by the DSW from time to time. Besides, the level of salaries of directors, administrators and employees of the AB should not be unreasonably high in relation to the services rendered. For any changes in staff structure and level of fees, the DSW shall be informed in advance. The DSW's approval on the change of level of fees must be sought before implementation of the fee revision.

### **Non-compliance by an Accredited Body**

28. Where it is found that an AB has not complied with any of the criteria for accreditation stated in paragraph 9, the conditions for accreditation stated in the accreditation certificate or any of the duties, requirements or conditions set out in this document or otherwise imposed by the DSW from time to time, the DSW will bring the matter to the attention of the concerned AB at the earliest opportunity and request the AB to investigate into the matter and provide a report to the DSW within a given time frame with proposals for complying with the Adoption Ordinance, as appropriate. If necessary, the DSW may prescribe certain conditions (e.g. improving certain practices) that have to be met before the AB is allowed to continue operating as an AB.

29. If an AB is found not to have acted in the best interests of the child or upon the occurrence of any of the events stated in paragraph 19, the DSW may suspend the accreditation of the AB. The AB is required to investigate into the matter and provide a report to the DSW within a given time frame and recommend remedial actions to be taken to the satisfaction of the DSW. In case of serious or repeated default or non-compliance or the failure of the AB to improve on the identified deficiencies, the DSW may revoke the accreditation of the AB. Prior to suspension or revocation, the DSW will bring the matter to the attention of the AB and provide the AB with the opportunity to make representation before a final decision is made.

30. In the case where accreditation is to be suspended or revoked, the AB shall immediately cease to provide local adoption services. The DSW will take over or arrange another AB to take over the ongoing adoption applications/cases of the AB. The AB will be required to facilitate the transition and termination of services smoothly. The DSW reserves the rights to request the AB to bear the cost and expenses incurred in connection with the take-over.

### **Complaints against an Accredited Body on Local Adoption Services**

31. The DSW may undertake an investigation, upon receipt of information from a third party which indicates that an AB may not be in compliance with any of the criteria for accreditation stated in paragraph 9, the conditions for accreditation stated in the accreditation certificate or any of the duties, requirements or conditions set out in this document or otherwise imposed by the DSW from time to time. The complaint will be handled according to the complaint procedures prescribed by the DSW.

32. If the DSW determines that the complaint falls within the scope of local adoption services/procedures, he/she shall collect and the AB shall provide such information as the DSW requires to make a preliminary determination, and shall conduct such site-visits and/or other investigative activities as may be necessary to determine whether the AB remains in compliance with the conditions and requirements of accreditation.

33. If the AB is found not to have complied with any of the criteria for accreditation stated in paragraph 9, the conditions for accreditation stated in the accreditation certificate or any of the duties, requirements or conditions set out in this document or otherwise imposed by the DSW from time to time, paragraphs 28 to 30 will apply.

### **Appeal**

34. ABs aggrieved by the following decisions of the DSW under the accreditation system may, within 28 days of receiving notice of the decision, lodge an appeal to the Administrative Appeals Board:

- (a) the DSW's decision to approve a new or renewal application for accreditation; and
- (b) the DSW's decision to suspend or revoke an accreditation.

The Administrative Appeals Board will hear and determine appeals against a decision in accordance with the Administrative Appeals Board Ordinance (Cap. 442).

**Accreditation Application / Renewal Application in respect of Local Adoption**

**Section I** *Please tick in the appropriate box*

[ ] Application is hereby made for a Certificate of Accreditation for local Adoption.

[ ] Application is hereby made for a renewal of Certificate of Accreditation for local Adoption.

Existing Certificate Number<sup>1</sup>: \_\_\_\_\_

The following documents should be attached to this document for the purpose of accreditation:

- (1) Certificate of Incorporation and Memorandum and Articles of the Association, specifying that the applicant is authorised to operate child welfare services on a non-profit-making basis.
- (2) Letter of approval to operate service as an approved charitable organisation registered under Section 88 of the Inland Revenue Ordinance
- (3) Audited Accounts of the organisation in the last 3 years

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**Section II** *Particulars of the Applicant Organisation*

(a) Name of the Organisation in English :

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(b) Name of the Organisation in Chinese :

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(c) Address of the Organisation :

\_\_\_\_\_

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<sup>1</sup> This item is ONLY applicable to applicants who apply for a renewal of certificate.

\_\_\_\_\_ Number and Name of Street/Estate District

Hong Kong/Kowloon/New Territories \*

(d) Telephone Number : \_\_\_\_\_

(e) Name of Responsible Person of the Organisation:

Mr/Mrs/Miss/Ms \* \_\_\_\_\_  
(English, surname first)

\_\_\_\_\_  
(Chinese)

Position held in the Organisation :

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**Section III** *Particulars of the designated section providing local adoption service.*

(a) Name of the designated section :

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(b) Name and job title of the Supervisor of the designated section :

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(c) Address of the designated section :

\_\_\_\_\_

\_\_\_\_\_

(d) Telephone number : \_\_\_\_\_

(e) Number of registered social workers working in the designated section :

\_\_\_\_\_

- (f) Year of experience of the Organisation in providing local adoption service and related services (such as child welfare services if applicable. Please specify) :

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- (g) Nature of the designated section : (Please tick as appropriate) :

Subvented

Self-financing and non-profit-making

- (h) Is there a committee or board of directors set up by the organisation to monitor the adoption work of the organisation? (Please tick as appropriate)

Yes

No

Name of the monitoring body :

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- (i) Are there written policy and working procedures governing the operation of the agency's local adoption service? (Please tick as appropriate and attach to this application if available)

Yes

No

- (j) Is there a mechanism in place to handle complaints arising from the adoption service provided by the organisation? (Please tick as appropriate and attach to this application if available)

Yes

No

- (k) Has there been any lawsuit against the organisation or its personnel in providing the adoption arrangement including conviction of offences against children? (Please tick as appropriate)

Yes

No

Dates, details and outcome of the lawsuits :

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- (l) Reasons of application for accreditation and the applicant's records of adoption services

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**Section IV** *Proposed schedule of fees for providing local adoption services*

Please state your proposed schedule of fees in each planned local adoption programme. A breakdown of fees charged on the services provided for each programme is to be submitted.

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**Section V** *Declaration by duly authorised officer of the applicant*

I declare that :

- (a) the information in this application (including information as required in the **Annex 1-1** and contained in documents submitted in support of this application) is to the best of my knowledge and belief true and correct and not misleading as at the date of this application;
- (b) the operation, keeping, management or other control of the designated local adoption section referred to Section II above is under my continuous and personal supervision; and
- (c) for the purpose of root-tracing, the applicant will undertake to surrender records relating to adoption service, including case records with home study reports, child study records and placement records to Social Welfare Department should the accredited body cease to provide local adoption service.

Date: \_\_\_\_\_

Organisation: \_\_\_\_\_

Signature of duly authorised officer: \_\_\_\_\_

Name of officer: \_\_\_\_\_

Designation: \_\_\_\_\_

Organisation chop<sup>2</sup>: \_\_\_\_\_

**Note :** The applicant should provide information listed in the Appendix to the Application Form and forward the required documents to the Family and Child Welfare Branch, Social Welfare Department at:

Room 721, 7/F., Wu Chung House,  
213 Queen's Road East,  
Wan Chai,  
Hong Kong

\* *Delete as appropriate*

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<sup>2</sup> The Application Form must be stamped with an official chop of the organisation.

**Information to be contained in an application for granting/renewal of accreditation to operate local adoption services**

<b>Documents/records/information</b>
<b>I. Background Information</b>
• Brief history of agency
• Policy/goal/mission statement
• Board of Directors, organisation chart, staffing structure
• Roles and responsibilities of the adoption committee or sub-committee of the organisation overseeing the delivery of adoption service
• Annual report/Year Book/Newsletter/Publication/Brochure
<b>II. Services</b>
• Plans of the adoption service to be delivered, including service types, eligibility criteria of service recipients, guidelines on delivery of service
• Experience of the organisation in adoption or related family and child welfare services
• Qualifications, experience and duties of the designated officer-in-charge and staff of the adoption service section/ unit of the organisation
• Office facilities including the availability of interview rooms to ensure confidentiality
• Service statistics on adoption services, if any, e.g. number of infants adopted through the agency's adoption programme, types of infants placed for adoption, length of adoption processing time by the agency in the HKSAR, etc, if applicable (latest 3 years)
• Assessment reports on service performance monitoring system (latest 3 years) endorsed by the Subventions Section of the Social Welfare Department
• Mechanism in place to handle complaints
<b>III. Financial Status</b>
• Status of local adoption service
• Source of funding for local adoption service
• Schedules of fee charging for local adoption service
• Audited financial reports (latest 3 years)

#### **IV. Overseas Network and Commendation**

- Branches in other States (with indication on the map)
- List of overseas network of government bodies or accredited adoption bodies in arrangement of intercountry adoption with proof
- Three letters of commendation from professionals, local leaders and other social welfare organisations etc.

#### **V. Case Reports**

- For an accredited body in respect of intercountry adoption or lodging an application for renewal of accreditation in respect of local adoption: two completed home reports and two completed child study reports
- For a non-accredited body in respect of intercountry/local adoption: two samples of home reports and two samples of child study reports on real families

#### **VI. Track Record**

- Any previous law suits of the organisation in relation to its service
- Conviction of offences against the Adoption Ordinance (either of staff or of agency)
- Disruption of adoption placement, if any, for latest 3 years

#### **VII. Others**

- Separate accounts of the adoption service section/ unit (local or/and intercountry adoption)
- Salaries of employees and directors/administrators for the local adoption service

## **CODE OF CONDUCT FOR ACCREDITED BODIES IN RESPECT OF LOCAL ADOPTION**

### ***Conflict of interest***

1. An accredited body must not hold any financial or other interest, and must not give an undertaking, that could directly or indirectly compromise the performance of its functions. An accredited body must notify the Director of Social Welfare (DSW) if a potential or actual conflict of interests arises.

### ***Acceptance of gifts or benefits***

2. An accredited body must not accept a gift, donation or benefit if it could be seen as intended or likely to cause the accredited body to undertake its responsibilities in a particular way, or to deviate from the proper course of action.

### ***Personal and professional behaviour***

3. An accredited body must perform any duties diligently, impartially and conscientiously, to the best of its ability.

4. In the performance of duties, an accredited body must:

- (a) keep up to date with any changes in practice or procedure relating to local adoption;
- (b) maintain and preserve record information systems in accordance with the requirements of the DSW;
- (c) treat all applicants for adoption with courtesy, sensitivity and in confidence;
- (d) not take any improper advantage of any information gained in the carrying out of its duties;
- (e) report to the DSW any unethical behaviour or wrongdoing by other members of staff or which he or she is aware.

***Fairness and equity***

5. The manner in which an accredited body deals with issues or applicants for adoption must be consistent, prompt and fair. This includes :

- (a) dealing with matters in accordance with accepted procedures;
- (b) dealing with matters without discrimination on any grounds;
- (c) providing appropriate review and appeal mechanisms.

6. If an accredited body proposes to exercise a discretionary power in relation to a particular case, the body must ensure that all relevant considerations are taken into account in regard to the particular merits of the case.

***The use of information***

7. An accredited body must handle official information or documents acquired in the course of carrying out its functions as an accredited body or staff member in accordance with the Personal Data (Privacy) Ordinance Cap.486.

# Adoption Self-Assessment Report

**NAME OF ACCREDITED BODY:** \_\_\_\_\_

**NAME OF ORGANISATION:** \_\_\_\_\_

**NAME OF AUTHORISED OFFICER:** \_\_\_\_\_

**RANK AND DESIGNATION:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## **Requirement of Self-Assessment by Accredited Bodies**

As stipulated in the General Statement of Accreditation System in respect of intercountry or local adoptions in the Hong Kong Special Administrative Region (HKSAR), the Director of Social Welfare (DSW), being the Central Authority of the HKSAR, has the duty to continuously monitor and evaluate accredited bodies' (ABs) services and service quality to ensure compliance with the requirements regarding their accreditation. To this end, ABs, among others, shall undertake self-assessment annually and submit the Self-assessment Report to the DSW to confirm if the essential system, services, records and resources are in place to ensure compliance with the requirements regarding their accreditation.

ABs should complete the *Self-assessment Report* based on their assessment and tick in the appropriate box. The DSW may, wherever necessary and as appropriate, inspect and / or request a copy of the required documents stated in the Self-assessment Report for monitoring and evaluation.

## Section 1: Casework practice

### 1.1 Assessment, access and referral

Evidence for meeting standard	Self assessment	Remarks
1. Comprehensive child study with well-substantiated information and thorough assessment on the child's needs	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Submission of the child study within three months	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

### 1.2 Case planning

Evidence for meeting standard	Self assessment	Remarks
1. Comprehensive individual case planning based on the social, emotional, physical, cultural, etc., needs of the child	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Formulation of individual case planning within a reasonable time frame	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

### 1.3 Casework with birth parents considering adoption

Evidence for meeting standard	Self assessment	Remarks
1. Professional casework services and comprehensive information for birth parents relating to adoption arrangement	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Properly seeking of parental consents to the adoption arrangement for the child	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>1.4 Placement meets the needs of child</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Comprehensive criteria on matching of suitable prospective adoptive parents for the child	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Well-substantiated matching proposals, taking into consideration of the child's needs, special circumstances, stage of development, family and cultural backgrounds, and prospective adoptive parents' parenting ability, family condition, support networks, community environment and resources	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>1.5 Casework with the child</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Professional casework services to the child with due considerations to the age and understanding of the child on the adoption arrangement	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Properly seeking of the child's wishes and opinions towards the adoption plan	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>1.6 Participation in decision making</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Due regards given to the wishes and opinions of both birth parents, relevant persons and the child in the matching and adoption arrangement	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>1.7 Liaison with overseas countries</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Close liaison with overseas adoption networks, including adoption agencies and Central Authority, in the preparation and screening of home study reports	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Close liaison with overseas adoption networks in the preparation of child study reports	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Close liaison with overseas adoption networks in the matching and adoption placement process	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
4. Up-to-date knowledge about the social, government and community structures and conditions of overseas networks	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
5. Timely notification to the Social Welfare Department of the changes on overseas adoption networks	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>1.8 Monitoring care and placements and reviewing case plans prior to the granting of an adoption order</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Close and timely advice for prospective adoptive parents in addressing the child's developmental, emotional, social, physical, cultural, etc. needs with a view to ensuring the adoption placement meeting the best interests of the child before finalising the matching	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Close and timely monitoring and supervision of the adoption placement prior to the granting of the adoption order	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Sufficient measures be taken to safeguard the adoption be continued meeting the best interests of the child after the making of the adoption order	<input type="checkbox"/> Met	

<b>1.8 Monitoring care and placements and reviewing case plans prior to the granting of an adoption order</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
	<input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
4. Identification of special support, training and resources and making of referrals for children with a special need or disability for the adoptive parents	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
5. Comprehensive general reports with well-substantiated information submitted to the Court on time for the Court hearing of granting the adoption order	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>Section 2: Management of potential and prospective adoptive parents</b>		
<b>Evidence for meeting standard (Record what and how)</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Sufficient information and preparation for the prospective adoptive parents to understand the nature of adoption and the needs of the child-to-be-adopted	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Comprehensive criteria in assessing the suitability of prospective adoptive parents	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Comprehensive home study reports with well-substantiated information and thorough assessment	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
4. Submission of home study reports within three months	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

### Section 3: Working with other agencies and liaison with the community

Evidence for meeting standard	Self assessment	Remarks
1. Close and effective liaison with all parties concerned in the pre and post adoption arrangement in order to make sure maximum benefits to the child, birth parents and adoptive parents	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

### Section 4: Organisational management

#### 4.1 Organisational accountability

Evidence for meeting standard	Self assessment	Remarks
1. Effective organisation structures and processes for overall management and accountability in all aspects of adoption work	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Staffed by sufficient registered social workers with sound experiences in working for child welfare and / or adoption services	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Sufficient supporting staff available to support the adoption services	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
4. Up-to-date assessment reports on service performance monitoring system endorsed by the Social Welfare Department	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
5. No convictions of offences against the Adoption Ordinance, Cap.290, either by staff or the agency	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

#### 4.2 Financial and administrative systems

Evidence for meeting standard	Self assessment	Remarks
1. Sufficient funding support	<input type="checkbox"/> Met	

<b>4.2 Financial and administrative systems</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
	<input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Separate and clear accounts for adoption services	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Annual audited financial reports	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
4. Proper approval of Director of Social Welfare for any changes of schedules of fee charging	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
5. Availability of up-to-date schedules of fee charging for adoption services for the public	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
6. Up-to-date adoption service statistics	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>Section 5: Supervision and support</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. A Steering Committee under Board of Directors to monitor adoption services	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. The team of adoption services directed by persons with appropriated qualifications and adoption work experiences	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

3. Regular consultation, coaching and training to staff to ensure and enhance their competency and work quality	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
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<b>Section 6: Rights, confidentiality and complaints</b>		
<b>6.1 Rights of children, their birth families and adoptive applicants and parents</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Measures in place to uphold and protect the rights and confidentiality of children and their birth families	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Measures in place to uphold and protect the rights and confidentiality of adoption applicants and approved homes	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>6.2 Complaints and appeals</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Availability of a set of procedures in handling complaints lodged by staff, birth parents, adoption applicants, adoptive parents, other relevant persons and the public	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Good track records on handling complaints and appeals	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Annual reports on the complaints received and the completed investigation results. (Should complaints be so received, submission of copies of annual reports are required.)	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

<b>Section 7: Management of the adoption record system</b>		
<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. A systematic and well-managed record system to document casework, programmes, activities and essential information	<input type="checkbox"/> Met <input type="checkbox"/> Not Met	

### Section 7: Management of the adoption record system

Evidence for meeting standard	Self assessment	Remarks
	<input type="checkbox"/> Not Applicable	
2. Regular update of the record system	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
3. Confidentiality of the record system to protect the privacy of the data subjects and accessibility to the relevant staff involving in carrying out adoption services	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
4. Well-established code of practice and mechanism in handling requests for personal data by data subjects	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

### Section 8: Management information systems

Evidence for meeting standard	Self assessment	Remarks
1. Well-managed system in keeping staff records and their activities	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Regular update of the record system	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

### Section 9: Premises and equipment

Evidence for meeting standard	Self assessment	Remarks
1. Adequate and well-maintained facilities and equipments, including interview rooms, activities rooms, file cabinets with locks, computers, etc., provided for implementing adoption services	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

**Section 10: Planning, evaluation and service development**

<b>Evidence for meeting standard</b>	<b>Self assessment</b>	<b>Remarks</b>
1. Regular evaluation of services and programmes to determine the effectiveness of the services provided	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	
2. Due regards given to the feedback from both service users and staff in adoption service planning and development	<input type="checkbox"/> Met <input type="checkbox"/> Not Met <input type="checkbox"/> Not Applicable	

*Social Welfare Department  
July 2008*