

Funding and Service Agreement¹

Intercountry Adoption Service

I Service Definition

Introduction

Intercountry adoption service aims to arrange overseas adoptive homes for children who are in need of permanent and stable adoption placement but no suitable local homes are available for them. The majority of these children are wards of Director of Social Welfare (DSW wards) with special needs due to mental or physical disability, developmental and health concerns, older age or unfavourable family background; and others are the children to be adopted by their relatives living overseas. At present, the Adoption Unit of the Social Welfare Department (SWD), in co-operation with designated non-governmental organisations, which must be duly accredited by the Director of Social Welfare according to the Accreditation System in Respect of Intercountry Adoption in the Hong Kong Special Administrative Region, arranges adoption for DSW wards with special needs through their adoption network in overseas countries. Intercountry adoption service also provides assistance in completion of local adoption cases which require services from places outside the Hong Kong Special Administrative Region (HKSAR).

Purposes and Objectives

The primary objectives of intercountry adoption are:

- (a) to identify and assess suitable overseas adoptive homes for children for whom no suitable local adoption placement is available;
- (b) to arrange adoption placements in overseas countries for these children so that they can grow up in a permanent and stable family; and
- (c) to prepare children for adoption placement so as to facilitate their integration into their adoptive families.

Nature of the Service

The primary function of intercountry adoption is to arrange overseas adoptive homes for children, including –

¹ This Funding and Service Agreement is a sample document for reference only.

- to assess the children's needs and conditions;
- to recruit and assess overseas adoptive homes;
- to arrange placement for the children and place them into approved overseas adoptive homes;
- to prepare the children for intercountry adoption placement;
- to monitor post-placement progress until the adoption is finalised in overseas countries; and
- to assist adopted persons or their birth families in tracing background information or re-establishing contacts with each other.

During the process, the Service Operator is required to work closely with SWD and maintain close liaison with overseas government bodies and/or licensed/recognised adoption organisations.

Other services to be provided include –

- assistance in local adoption service:
 - (i) to trace parents/guardians living outside HKSAR and to obtain their consent for the adoption arrangement of their children; and
 - (ii) to obtain approval from the authorities or designated organisations in the countries of origin of the prospective adoptive families to facilitate the application for adoption of children in HKSAR.

Target Groups

- (a) Children awaiting intercountry adoption or in intercountry adoption placement;
- (b) Prospective overseas adopters;
- (c) Adopted persons;
- (d) Overseas adoption organisations or central authorities.

II Performance Standards

The Service Operator shall meet the following performance standards:

Outputs

<u>Output Standard</u>	<u>Output Indicator</u>	<u>Agreed Level</u>
1	No. of home studies completed ^{Note 1} in a year	10
2	Percentage of DSW wards placed overseas ^{Note 2} / children placed for intercountry adoption by relatives ^{Note 3} in a year	70% ^{Note 4}
3	No. of local adoption cases requiring assistance in seeking consent from parents staying outside HKSAR or seeking overseas home approval completed in a year	12
4	No. of cases requiring assistance in tracing background information or re-establishing contacts completed in a year	15
5	No. of overseas adoption organisations or central authorities with which partnership for intercountry adoption is/are established in a year	3
6	No. of visits/briefing arranged for overseas officials and non-officials to share the intercountry adoption programme of HKSAR in a year	4
7	No. of child study reports on DSW wards completed in a year	4
8	Percentage of child study reports on DSW wards completed within three months in a year	75%
9	No. of sessions on counseling and/or support service to prepare DSW wards for adoption ^{Note 5} in a year	60

Outcomes

<u>Outcome Standard</u>	<u>Outcome Indicators</u>	<u>Agreed Level</u>
1	Percentage of DSW wards ^{Note 6} in HKSAR indicating satisfaction with the intercountry adoption service in a year	75%
2	Percentage of adoptive parents ^{Note 7} indicating satisfaction with the intercountry adoption service in a year	75%
3	Percentage of other service users ^{Note 8} indicating satisfaction with the intercountry adoption service in a year	75%

Essential service requirements

- Registered social worker²;
- An established overseas network of government bodies and licensed/recognised adoption organisations to:
 - (i) identify and assess suitable overseas adoptive homes for DSW wards;
 - (ii) take up or arrange interim guardianship of DSW wards placed by the Service Operator; and
 - (iii) monitor the post-placement progress of DSW wards and make alternative placement arrangements in consultation with the Service Operator should the placement fail.
- All services are to comply with the Accreditation System in respect of Intercountry Adoption in the Hong Kong Special Administrative Region, the Code of Practice for Accredited Bodies in the Hong Kong Special Administrative Region under Adoption Ordinance (Chapter 290) and the Guidelines on the Assessment of Application to Advertise Adoption Service in the Hong Kong Special Administrative Region.

² Registered social worker refers to the definition governed by the Social Workers Registration Ordinance (Chapter 505).

Quality

The Service Operator shall meet the requirements of the 16 Service Quality Standards (SQSs).

III Obligations of SWD to the Service Operator

SWD will undertake the duties set out in the general obligations of SWD to the Service Operator as specified in the Funding and Service Agreement (FSA) Generic Sections.

In addition, SWD will meet the following service-specific standards of performance –

- to make referral of DSW wards to the Service Operator for intercountry adoption arrangement; and
- to process applications for approval of matching proposals, and to handle court proceedings in accordance with the assessment and procedural guidelines.

The actual performance of the Department in relation to these obligations is expected to affect the ability of the Service Operator to meet its required standards of performance.

IV Basis of Subvention

The basis of subvention is set out in the offer and notification letters issued by SWD to the Service Operator.

Funding

An annual subvention will be allocated on the Lump Sum Grant (LSG) mode to the Service Operator. This lump sum has taken into account the personal emoluments including provident fund, other charges applicable to the operation of the project and recognised fee income, if any.

In receiving the LSG, the Service Operator is accorded flexibility in the use of the grant but required to observe the guidelines set out in the latest LSG Manual, LSG Circulars, management letters and correspondence in force as issued by SWD on

subvention policies and procedures as well as the relevant Guidance Notes for specific services. The LSG will be subject to adjustments including salary adjustments in line with civil service pay adjustments and other charges in line with the price adjustment factor (currently the Composite Consumer Price Index). The Government will not accept any liabilities or financial implication arising from the project beyond the approved funding.

Payment Arrangement, Internal Control and Financial Reporting Requirements

Upon the Service Operator's acceptance of the FSA, payment of the LSG subventions will be made on a monthly basis.

The Service Operator is responsible for maintaining an effective and sound financial management system, including budget planning, projection, accounting, internal control and auditing. It should maintain proper books and records and supporting documents on income and expenditure relating to the project and make them available for inspection by the Government representative.

The Service Operator shall submit the Annual Financial Report (AFR) as reviewed and the annual financial statements of the non-governmental organisation (NGO) as a whole as audited by a certified public accountant holding a practising certificate as defined in the Professional Accountants Ordinance (Chapter 50) and signed by two authorised representatives of the NGO, i.e. Chairperson/NGO Head/Head of Social Welfare Services in accordance with the requirements as stipulated in the latest LSG Manual. The AFR should be prepared on a cash basis and non-cash items such as depreciation, staff leave accrual, etc. should not be included in the AFR.

<u>Keys</u>	<u>Illustrations/Definitions</u>
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Note 1	No. of home studies completed refers to the number of applications for adoption of which the outcome is decided, i.e. child(ren) is/are matched, no suitable child is matched or withdrawn.
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Note 2	No. of DSW wards placed overseas refers to the number of DSW wards with matching approval granted by SWD to effect the intercountry adoption placement.
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Note 3	No. of children placed for intercountry adoption by relatives refers to the number of children with matching approval granted by SWD to effect the intercountry adoption placement.
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Note 4	The calculation of percentage of DSW wards placed overseas/children placed for intercountry adoption by relatives in a year is:
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Total no. of DSW wards placed overseas/children placed for intercountry adoption by relatives in the year	

X 100%

Total no. of DSW wards referred to the Service Operator for intercountry adoption for the first time and new cases of children for intercountry adoption by relatives excluding the total no. of DSW wards transferred to other Accredited Bodies/referred to local adoption in the year
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Note 5	Counseling and/or support service to prepare DSW wards for adoption refers to counseling, programmes, group work activities and/or other support service rendered to DSW wards for enhancement of their readiness and preparation for adoption. Each counseling and/or support service session should last not less than three hours for one session to be counted. A whole day service/programme/activity is recognised as two sessions in calculation.
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Note 6	For DSW wards who are incapable of expressing their views because of their tender age or mental/intellectual disability, their legal guardian (i.e. SWD caseworker) or carer (e.g. carer of residential home or foster home) may provide feedback on their behalf.
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Percentage of DSW wards in HKSAR indicating satisfaction with the intercountry adoption service in a year is measured through the designated questionnaire³ provided by the Service Operator.

³ The designated questionnaire is provided by the Service Operator and approved by SWD.

The calculation of **percentage of DSW wards in HKSAR indicating satisfaction with the intercountry adoption service** in a year is:

$$\frac{\text{No. of designated questionnaire completed by DSW wards indicating satisfaction with the intercountry adoption service in the year}}{\text{Total no. of designated questionnaire completed by DSW wards in the year}} \times 100\%$$

Note 7 **Percentage of adoptive parents indicating satisfaction with the intercountry adoption service in a year** is measured through the designated questionnaire provided by the Service Operator.

The calculation of **percentage of adoptive parents indicating satisfaction with the intercountry adoption service** in a year is:

$$\frac{\text{No. of designated questionnaire completed by adoptive parents indicating satisfaction with the intercountry adoption service in the year}}{\text{Total no. of designated questionnaire completed by adoptive parents in the year}} \times 100\%$$

Note 8 **Other service users** include but not limited to adopted persons or their adoptive parents receiving tracing services, representatives of overseas adoption organisations or central authorities, etc.

Percentage of other service users indicating satisfaction with the intercountry adoption service in a year is measured through the designated questionnaire provided by the Service Operator.

The calculation of **percentage of other service users indicating satisfaction with the intercountry adoption service** in a year is:

$$\frac{\text{No. of designated questionnaire completed by other service users indicating satisfaction with the intercountry adoption service in the year}}{\text{Total no. of designated questionnaire completed by other service users in the year}} \times 100\%$$

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