

## Resolution Specialist Accreditation Adoption Portfolio Competence Unit - Lawyers

This portfolio unit focusses on the specialist knowledge, understanding and application in practice required to advise and/or represent clients who may be involved in adoption proceedings

Competency code	<b>Knowledge and Understanding</b> <b>Candidates must know and understand:</b>
<b>SAADP01</b>	The Resolution Code of Practice and of other relevant protocols and practice guidance (e.g. The Law Society Family Law Protocol, the Law Society's Good Practice Guide in Child Care Cases, The Remote Access Family Court and any associated protocols), the SRA Competence Statement and over-arching Standards Framework, Family and Civil Procedure Rules, Resolution's Guides to Good Practice and Precedents.
<b>SAADP02</b>	The Children Act 1989, Adoption and Children Act 2002, Children and Adoption Act 2006, Children and Families Act 2014, Human Rights Act 1998 and the Local Authority Social Services Act 1970 (relating to special Guardianship Guidance, s7).
<b>SAADP03</b>	Rules and Practice Directions in the Family Procedure Rules 2010 as they relate to adoption.
<b>SAADP04</b>	Relevant regulations in particular those relating to support services for Adoption and Special Guardianship <ul style="list-style-type: none"> <li>• Relevant Guidance</li> <li>• Relevant Case Law</li> </ul>
<b>SAADP05</b>	Agency adoption including the effect and operation of placement orders: <ul style="list-style-type: none"> <li>• Private adoptions including step-parent adoptions and relative adoptions</li> <li>• The position of all applicants – single people, married couples, unmarried couples, same sex couples, foster carers</li> </ul>
<b>SAADP06</b>	The Convention, law, regulations and provisions relating to adoptions with a foreign element and the position regarding adopting children from abroad to bring into this country and adoption of children in this country to take abroad.
<b>SAADP07</b>	Awareness of relevant immigration issues and signposting.
<b>SAADP08</b>	Relevant legal issues and research in relation to the issues of post-adoption contact.
<b>SAADP09</b>	Relevant arrangements for Adoption Contact Register and records of adoptions.
<b>SAADP10</b>	Adoption support services, including the role of the Local Authority Children's Services and NGOs in relation to aspects of support, including: contact (both direct and indirect/letterbox); financial support; provision of legal expenses; therapeutic provision for children and adopters; birth parent counselling; and other services.
<b>SAADP11</b>	The law and rules relating to the party status of children and the representation of children in adoption proceedings.
<b>SAADP12</b>	Adoption Agency regulations.
<b>SAADP13</b>	Issues relating to Special Guardianship including: <ul style="list-style-type: none"> <li>• Key elements of Special Guardianship Orders</li> <li>• Differences between Special Guardianship, adoption, and child arrangements orders, and the circumstances in which each might be more appropriate</li> <li>• Special guardianship support regulations</li> <li>• Assessment for such support and</li> </ul> <p>The knowledge needed to advise on the options.</p>

Competency code	<b>Performance</b> <b>Candidates must be able to:</b>
<b>SAADP14</b>	Demonstrate appropriate application of the Resolution Code of Practice and any/all other relevant practice protocols in all cases.
<b>SAADP15</b>	Identify and explain the law and procedures relating to adoption, agency adoption including placement order and private adoptions of all kinds.
<b>SAADP16</b>	Demonstrate an awareness of, and ability to consider and explain, any foreign element identified as part of any adoption procedures.
<b>SAADP17</b>	Demonstrate appropriate consideration of any relevant immigration issues and provision of signposting information to those affected.
<b>SAADP18</b>	Provide relevant information in relation to issues of post-adoption contact.
<b>SAADP19</b>	Assess with the client/s the type and nature of available support and signpost to relevant services.
<b>SAADP20</b>	Identify and explain law and procedures in relation to Special Guardianship.
<b>SAADP21</b>	Demonstrate awareness of and ability to assess and explain adoption agency regulations and the interface between them and any Human Rights considerations.
<b>SAADP22</b>	Demonstrate awareness of and ability to consider the rights of any child, including their right to be heard if/where appropriate.
<b>SAADP23</b>	Assess with clients and provide information as appropriate, in relation to Legal Aid eligibility criteria and how to apply.

#### **Guidance Notes to Unit**

Candidates should be aware that not all competencies will feature in case studies but must be prepared and able to answer all that are listed in the unit. Assessment is adjusted to match competencies tested.