

OOHC Open Adoption Assessment

Before an adoption order can be granted, carers need to be assessed and approved as suitable adoptive parents. This is done through an out-of-home care (OOHC) open adoption assessment (adoption assessment). Adoption assessments reports can be done by a DCJ or PSP caseworker, an [Independent Assessor](#) or another suitability qualified person employed or nominated by an approved organisation, in accordance with the NSW Adoption Act.

It's important you understand the process so you can give the best support to the child or young person (child), their family, and their carer.

An adoption assessment:

- provides information about the quality of the relationship the child has with their carer,
- assesses the suitability of each of the permanent placement options for the child,
- assesses the carer's suitability to adopt the child in their care,
- makes recommendations about permanency for the child – specifically whether open adoption is the most appropriate permanent placement option for the child.

For more information about how to make permanent placement decisions for children, see: [Considering Open Adoption \(non-Aboriginal Children Only\)](#).

Adoption orders are made in the NSW Supreme Court. Accredited Adoption Service Providers (AASPs) are organisations that can lodge their own adoption order applications with the Court. If you belong to a PSP service provider that is not an AASP, you will need the help of DCJ or an AASP to progress an open adoption for a child, including to support you through the adoption assessment process.

For details about AASP's, see [Foundations of Open Adoption](#).

Legislative Framework

An adoption assessment must be completed in line with NSW legislation, including:

- [Adoption Act 2000](#)
- [Adoption Regulation 2015](#)
- [Children and Young Persons \(Care and Protection\) Act 1998](#)
- [Children and Young Persons \(Care and Protection\) Regulation 2012](#)

When Does an Adoption Assessment Begin?

Before an adoption assessment can begin, a carer must submit an adoption application. The application includes information about their identity, background, relationships and health, as well as information about other adults living in the home. This information is checked and verified by an adoption caseworker to ensure all the necessary information has been given and there are no concerns that may delay or prevent an assessment from starting. If there are no concerns, the delegated DCJ decision-maker or the Principal Officer of an AASP approves the adoption assessment to start.

You and the adoption caseworker will need to tell the child, carer, and parents that an adoption assessment has been approved to start. This can be particularly difficult for the child's parents, who may need additional support and understanding when participating in the adoption assessment.

What Does an Adoption Assessor do?

The adoption assessor:

- reviews the information given by the carer in their application
- reviews information provided by referees for the carer
- reviews DCJ and agency casework documentation about the child, their family, and the carer
- speaks with the child, the child's carer, parents, siblings, and any other significant person and all household members
- speaks with you if they need more information
- works with the child, carer, parent, and significant others to negotiate and draft an open adoption plan
- completes an evidence-based adoption assessment report.

The adoption assessor discusses the report and drafts an open adoption plan with the carer and parents to make sure information they provided is recorded accurately. The assessor will also speak with a child, depending on their age and developmental ability. Based on the evidence provided in the assessment report, along with their professional judgement, the adoption assessor will make a recommendation about:

- the carer's suitability to adopt the child in their care
- the permanent placement option that is in the best interest of the child.

If open adoption is not supported, the assessor will recommend which permanency option is in the best interest of the child, such as:

- allocating parental responsibility to the Minister (PRM) or sharing responsibility between the Minister and carer,
- a guardianship order allocating parental responsibility to the child's carer,
- further casework or other action that might need to happen before adoption or another permanent placement option can be approved.

For more information on the adoption assessment guidelines and template, see: [OOHC Open Adoption Assessment Guidelines](#) document and [OOHC Open Adoption Assessment Template – Single Child Assessment](#) document.

For more information about open adoption plans, see: [Family Time and Open Adoption](#) and DCJ fact sheets [What is an Adoption Plan](#), [Guide to drafting an adoption plan](#), [Registration of adoption plans](#) and [Guide to drafting a registered adoption plan](#).

What's Considered During an Adoption Assessment?

The assessor must consider the following factors when assessing a carer to adopt the child in their care:

- the carer's health, including emotional, physical, and mental health
- the carer's age and maturity
- the carer's skills and life experience, relating to their ability to parent the child they intend to adopt
- the carer's capacity to maintain the child's cultural identity and religious faith (if any)
- the carer's understanding of the importance of, and commitment to:
 - family time with the child's parents and family members

- sharing information about the child with the child's parents and family members
- the general stability of the carer's character
- the stability and quality of the carer's relationship with their spouse (if any) and between the carer, their spouse and other members of the carer's family and household
- information obtained through the suitability checks
- whether the carer has shown an ability to provide a stable, secure, and emotionally and physically beneficial environment for the child and their ability to provide that environment into the future
- The carer's compliance with any applicable provisions of the [Children and Young Persons \(Care and Protection\) Act 1998](#) and [Children and Young Persons \(Care and Protection\) Regulation 2012](#).

Open Adoption Approval

The adoption assessment report, draft open adoption plan, and cultural plan (where needed) are provided to the DCJ delegate to inform their decision.

Where an AASP is preparing the adoption application on your agency's behalf, the Principal Officer prepares a written request to the DCJ delegate, seeking:

- approval to commence open adoption action for the child, and
- the Minister's formal consent to the child's adoption (where the sole consent of the child is not given).

Following the DCJ delegate's approval, if the Principal Officer of the AASP approves the carer as suitable to adopt, the carer is known as a Proposed Adoptive Parent.

When a decision is made to commence adoption action for a child, the following steps are followed:

- You and the adoption caseworker will give a copy of the adoption assessment report to the carer and parents. Some information is removed from the assessment to protect identities, remove sensitive information not directly relevant to the adoption decision and comply with legislation.
- A case conference will be held to discuss the adoption assessment outcomes with the carer, parents, and child (if appropriate).
- The adoption assessor prepares a report to the Court.
- The open adoption plan is finalised and signed by the proposed adoptive parents, parents, and other significant family members, the DCJ delegate or

- AASP Principal Officer. The parents do not have to sign the adoption plan if they don't want to.
- The formal adoption consents are witnessed. The parents do not have to formally consent to their child's adoption if they don't want to. The Court may be asked to dispense with the consent of the parents or child under certain circumstances.
- The open adoption court application is prepared by DCJ or the AASP.
- The adoption application is filed in the Supreme Court by DCJ or the AASP.
- Once an adoption order has been made, you will help notify the carer, family, child, and relevant agencies of the child's new legal status.

For more information about the adoption process, including what happens when a decision is made not to approve adoption action, see: [Open Adoption Process \(non-Aboriginal children only\)](#).

Support During the Open Adoption Assessment Process

The adoption assessment process is likely to be a time of stress and uncertainty for the child, their carer, and their family. You can support everyone through the open adoption process by:

- Being equipped with knowledge about the process. For example, being able to reassure a carer or parent that sensitive information not related to the adoption decision, will be redacted from the copy of the assessment report given to other parties,
- Explaining the purpose of the adoption assessment and its place in the adoption process,
- Actively listening and appropriately responding to the worries or challenges the child, their parents or carers are experiencing,
- Helping them understand the worries and challenges of other parties in the adoption process,
- Remaining open and transparent throughout the adoption process.

For more information see: [Supporting a Carer through the Open Adoption Process](#), [Supporting a Parent through the Open Adoption Process](#), and [Supporting a Child through the Open Adoption Process](#).