

New Zealand Government

# MSD Specialist Accreditation Standard: Intercountry Adoption Services

## Level 2

### Introduction

As part of a quality assurance role, the New Zealand Government has established standards for accreditation which are designed to ensure organisations who deliver social services have the capacity and capability to deliver quality services against a consistent set of standards.

The Ministry of Social Development (MSD) uses the Social Sector Accreditation Standards at the appropriate level and any relevant specialist standard to assess providers. An accredited body set up for the purpose of providing intercountry adoption services delegated under the Adoption (Intercountry) Act 1997 (AICA) is required to meet the MSD Specialist Accreditation Standard: Intercountry Adoption Services, along with the Level 2 Social Sector Accreditation Standards.

# Intercountry Adoption Services

The organisation provides services in a manner consistent with the Adoption (Intercountry) Act 1997 (AICA).

## 1. The organisation provides services in a manner consistent with the Adoption (Intercountry) Act 1997 (AICA).

### Guidance

The organisation will provide evidence that:

- it has a person nominated as the principal officer, and the organisation notifies New Zealand Central Authority (NZCA ) in writing, within 10 working days of any change in the person acting as its principal officer
- the aims, policy and operations operate in accordance with the Hague Convention of Intercountry Adoption (contained in the Schedule to the AICA)
- it has a process for regular communication with the NZCA for the following purposes:
  - to refer cases where parties to an adoption are unwilling or unable to proceed with the adoption, or have abandoned the child
  - providing an annual report as set out in the AICA, section 21
- where the organisation ceases operations, or loses its approval status, all casework files are forward to NZCA
- arrangements are in place to transfer casework files to NZCA after 25 years, if not earlier
- by its aims, policy, and operations, it will operate in the best interests of the child, and with respect for his or her fundamental rights, when carrying out tasks that may be delegated to it under the Hague Convention of Intercountry Adoption
- it only pursues non-profit objectives and explicitly avoids the financial exploitation of any party to an adoption
- it is directed and staffed by persons qualified by their ethical standards, and by training or experience to work in the field of intercountry adoption.

Note that an organisation that is formed or carried on for the purpose of trading or securing a pecuniary profit for its members is, for the purpose of the AICA, treated as pursuing profit objectives.

## 2. The organisation documents and disseminates all processes relating to an adoption assessment or placement as required.

### Guidance

The organisation will compile full sets of documentation relating to the adoption service. All documentation will be in compliance and in accordance with the sending country's requirements.

Accurate, comprehensive and up-to-date client records will be maintained that include:

- applicants and child case work records of all client contact
- current Police and medical records
- child case study reports
- all information from the child's country of origin
- accurate and up-to-date statistical information.

The organisation will have processes in place to ensure information is provided to and received from NZCA in a timely manner.

For assessment services, this will include:

- provision of a copy of the information related to Article 15 (paragraph 1) of the Hague Convention of Intercountry Adoption
- provision of a full set (copy) of adoption assessment documents for NZCA to complete documentary assessment
- provision of a home-study assessment report for NZCA review and approval
- informing NZCA of any change in the applicant's circumstances that could impact on their applicant's assessment and approval.

For placement services, this will include:

- provision of a full set (copy) of adoption information for NZCA to retain
- provision of a copy of any final adoption order or certificate within one month of the adoption taking place
- provision of a copy of the information related to Article 16 (paragraph 1) of the Hague Convention of Intercountry Adoption [AICA, section 13(2)]
- where the adoption or transfer of the child does not take place, all documentation will be forwarded to NZCA or returned to the central authority or accredited bodies in the sending country.

## Assessment services only:

### 3. The organisation educates and prepares prospective adoptive parents for intercountry adoption.

#### Guidance

The assessment process relates to prospective adoptions from contracting states to the Hague Convention on Intercountry Adoption with which the New Zealand Government has an intercountry adoption programme.

Documentation will include evidence of:

- accurate, up-to-date and relevant information about the needs of intercountry adopted children and the child's country of origin
- relevant and up-to-date information about the sending country's process and requirements
- accurate, up-to-date and relevant information on the support and resources available to adopted children and adoptive families
- the issues involved in the adoption process and transfer of the child to New Zealand
- an exploration of attitudes to parenting of an intercountry adopted child and community experiences of intercountry adoption
- the rights of the child to know he or she is adopted and about his/her antecedents and his/her country and birth culture
- understanding and awareness of the culture of sending countries New Zealand partners with.

### 4. The organisation assesses the suitability of prospective adoptive parents.

#### Guidance

Documentation will include evidence of:

- a documentary assessment completed by the NZCA within the validity period of two years
- family profile information assessing family background, adult relationships, attachment experience, and mental and physical health of the prospective adoptive parents
- reasons for wanting to adopt
- an assessment of the home and community environment of the prospective adoptive parents
- an assessment of the prospective adoptive parents' skills relevant to parenting and their readiness and ability to meet the needs of an intercountry adopted child
- the prospective adoptive parents' financial situation and available support
- consultation with a senior member of the organisation over decisions about the assessment
- the assessment is provided to the NZCA in the agreed format and timeframes
- assessment of the readiness and ability to parent a "special needs" child.

## Child placement services only:

### 5. The organisation ensures the safe transfer of the child from the country of origin to the receiving country.

#### Guidance

The child placement process relates to prospective adoptions from contracting States to the Hague Convention on Intercountry Adoption with which the New Zealand Government has an intercountry adoption programme.

The organisation demonstrates it effectively communicates with the central authorities and accredited bodies in the country of origin to:

- collect, preserve and exchange information about the situation of the child and prospective adoptive parents as necessary to complete the adoption [Hague Convention of Intercountry Adoption, Article 9 (a)]
- inform the central authority of the country of origin on the progress of the adoption placement (post placement reporting) [Hague Convention of Intercountry Adoption, Article 20]
- provide evaluation reports about experience with intercountry adoptions [Hague Convention of Intercountry Adoption, Article 9 (d)]
- respond, in so far as is permitted by the law of New Zealand, to legitimate requests from other central authorities or public authorities for information about a particular adoption [Hague Convention of Intercountry Adoption, Article 9 (e)].

The organisation meets appropriate procedural and organisational requirements, in conjunction with the overseas organisation, including:

- facilitating, following and expediting proceedings with a view to obtaining the adoption [Hague Convention of Intercountry Adoption, Article 9 (b)] eg. the accredited organisation will ensure that there is no conflict of laws relating to adoptions between the two states
- taking all necessary steps to obtain permission for the child to leave the country of origin and enter and reside permanently in New Zealand [Hague Convention of Intercountry Adoption, Article 18]
- ensuring that the transfer of the child takes place in secure and appropriate, circumstances and in the company of the adoptive or potential adoptive parents. [Hague Convention of Intercountry Adoption, Article 19 (2)].

## 6. The organisation ensures the successful placement of the child.

The organisation will demonstrate:

- it only accepts prospective adoptive applications who have been assessed and approved by the NZCA
- the central authority in the country of origin agree the placement and matching have been in the best interests of the child.

The organisation will provide evidence it assists the adoption process, including:

- concluding all legal requirements to finalise the adoption at the earliest time
- providing post-placement support and reporting for adoptive parents and the adopted child that will have regard for the child's health and well-being and social environment and the adoptive parents' expectations and placement experience
- providing evaluation reports about experience with intercountry adoptions to NZCA [Hague Convention of Intercountry Adoption, Article 9 (d)].