

REPORT

To: SOCIAL WORK COMMITTEE		Subject: CURATORS AD LITEM AND REPORTING OFFICERS - FEES: APRIL 1999 - MARCH 2000
From: DIRECTOR OF ADMINISTRATION		
Date: 27 May 1999	Ref: MH/MT	

1. Background

- 1.1. The Adoption Act of 1978 (Section 58) and the Children (Scotland) Act 1995 (Section 101) provide for the appointment of persons to act as Curators ad-Litem and Reporting Officers in adoption and adoption related proceedings.
- 1.2. Appointment to such Panels require to be approved by the Social Work Committee and the Director of Social Work is responsible for the administration of such Panels.
- 1.3. The Court appoints a Reporting Officer and Curator ad Litem after an adoption/freeing for adoption petition has been lodged in the Court.

The Reporting Officer and Curator ad Litem will in most circumstances be the same person.
- 1.4. On 11 August 1998, the Social Work (Planning and Administration) Sub-Committee agreed the recommended COSLA scale of fees for the period April 1998 to 31 March 1999.

2. The Reporting Officer

The Reporting Officer, inter alia, is responsible for witnessing the agreements of birth parents and lodging these in the Court. The Reporting Officer is also responsible for investigating the circumstances of the Adoption and submitting a report to the Court.

3. The Curator ad Litem

It is the duty of the Curator ad Litem to safeguard the interests of the child, and in carrying out his or her responsibilities, the Curator has to check the factual information and verify statements made on the petition, and examine the accompanying documents. The Curator is required to interview the prospective adoptees, must see the child, and provide the Court with a report on the child indicating whether he or she is able to understand the meaning of adoption, and if so what are his or her feelings about adoption by the applicants.

The specific duties of the Curator ad Litem and the Reporting Officer vary according to whether he/she has been appointed in respect of an application for an Adoption Order or a Freeing Order.

A Freeing Order gives parental responsibilities to the Local Authority, thus enabling the child to be placed for adoption more easily.

4. Proposals

- 4.1. COSLA review annually the Scale of Fees and have recommended that the fees for the period 1 April 1999 to 31 March 2000 be increased as undernoted:-

	Recommended Fees 1998/99 (exclusive of VAT) £	Recommended Fees 1999/2000 (exclusive of VAT) £
Fixed sum payable to Curator ad Litem or Reporting Officer in event of separate appointments	85.00	87.00
Fixed sum payable to Curator ad Litem or Reporting Officer in event of joint appointment	94.00	96.00
Fixed sum payable to Curator ad Litem in event of petition going to proof and his being required to give evidence	37.00	38.00
Travelling expenses as per Council Elected Members' scheme		

- 4.2. COSLA have indicated that they are establishing an Officer Working Group to carry out a comprehensive review of these fees and that a further report will be submitted following the conclusion of that exercise.

5. Recommendation

It is recommended that the Committee agree to the recommended fees for Curators ad Litem and Reporting Officers as detailed in paragraph 4.1.


Director of Administration