

SPECIAL GUARDIANSHIP CARERS INFORMATION



worcestershire
county council

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WHAT IS 'SPECIAL GUARDIANSHIP ORDER' AND WHAT ARE THE EFFECTS OF THE ORDER?

A way to provide children and young people with a secure family life, providing legal security for children who cannot be cared for by their birth parents and is an alternative to other Orders and Arrangements such as Adoption, Long Term Fostering or a Child Arrangement Order.

This Order lasts until the child is 18 and shares the legal responsibility for the child with the child's birth parents, allowing the Special Guardian to make day-to-day decisions about the child's care including where they live and go to school. However, birth parents should still be consulted about important decisions for the child, but the Special Guardian can make the final decisions about most things if needed.



Special Guardians cannot:

- Change a child's surname
- Remove a child from the Country for more than three months unless they obtain written consent from all parties with Parental Responsibility
- Agree to a child being adopted

DOES AN ASSESSMENT NEED TO BE UNDERTAKEN FOR SOMEONE TO BECOME A SPECIAL GUARDIAN?

The Family Court are unable to make a Special Guardianship Order unless it has received an assessment report from Children's Services. This report will need to confirm that the person applying for the Order is suitable to be a Special Guardian for the child, and includes detailed background information about the prospective Special Guardian, exploration as to the implications for the child of making an Order and consideration of support needs.



Eligibility:

You can make an application to be a Special Guardian if you are:

- A relative who has lived with the child for at least the last year; or
- Anyone who has lived with the child for at least three of the last five years. This does not have to have been continuous; or
- Anyone who has a Child Arrangement Order which says that the child lives with you; or
- A foster carer who has lived with the child for at least the last year; or
- Anyone who has consent from the child's parents; or
- If the child is in care anyone who has the consent of Children's Services.

The Court may allow people to apply by granted 'leave of court' if you do not fit into the categories above.

WHAT SUPPORT MAY BE AVAILABLE TO A SPECIAL GUARDIAN AND THE CHILD THEY CARE FOR?

Worcestershire County Council can offer support to identify what can be offered, such as guidance with contact arrangements, one to one direct work with a child, family work looking at positive communication within the home or building relationships within the home.

Permanency Planning and Support Team can be contacted on sgosupport@worcestershire.gov.uk or **01905 846769**



More information on all Early Help Services is available at www.worcestershire.gov.uk/earlyhelpfamilysupport

Other useful websites include:

Access to Community Services Directory for support or services in your area: www.worcestershire.gov.uk/council-services/communities/community-services-directory

Support for families, parents, children and young people: www.startingwellworcs.nhs.uk

In many instances support can be accessed via your GP or local early help officer, who will make referrals to CAMHS and other services in your local area. However at times, the children that you care for may need specialist support.

FINANCIAL SUPPORT

Children's Services will assess the need for support services, including financial help, if the child was looked after immediately before the Special Guardianship Order was made. For all other situations, an Assessment of Need is discretionary.

If a Special Guardianship Allowance is paid, Special Guardians do not have to pay tax on the allowance and their allowance will not be taken into account when assessing whether they are entitled to means tested benefits.

Worcestershire County Council acknowledge that caring for someone else's child is often not a planned event and therefore few families have budgeted for such expected life events. To work out the amount of financial support needed, Children's Services must take account of your financial situation, whether or not you have a right to any benefits/tax credits, what you need to meet your reasonable outgoings and financial commitments and any specific financial needs relating to the child.

Worcestershire Fostering Special Guardianship Support Policy outlines the financial support available to Special Guardians. The policy can be found on www.worcestershire.gov.uk/fostering



SPECIALIST SUPPORT

Where you feel that more specialist support is required to support you to meet the emotional health and wellbeing needs of your child, you may request an Assessment of Need. This is undertaken by Worcestershire County Council Permanency Planning and Support Team and will lead to an assessment of your needs. Through this assessment Special Guardians can gain access to a referral for the Adoption Support Fund for therapeutic support for your child who was previously looked after.

Please note: The Adoption Support Fund is not available where the child was not looked after prior to being made subject to a Special Guardianship Order.

Kinship carers - Family Rights Group
(frg.org.uk)

Children who were looked after prior to the Special Guardianship Order being made are entitled to:

- Extra support with education
- Priority school admissions (additionally their school can claim Pupil Premium Plus between 5 and 15 years)
- Support from Worcestershire Virtual School
worcestershire.gov.uk/virtualschool
- Green Fingers Project in Worcestershire
greenfingersproject.com
This includes accessing their one off activities and events.
- Worcestershire County Council will pay for the first 3 years of the Special Guardianship Membership for Foster Talk.
- Leaving Care Support.

SPECIAL GUARDIAN ORDER SUPPORT PLANS

The Special Guardianship Support Plan is based on the assessed support needs of the child who is placed and their Special Guardians. The support plan will detail the services that are already in place for the child and the services that are likely to be needed to support the child in placement in both the short and longer-term and who will be responsible for providing them. The initial Special Guardianship Support Plan will be completed at the time of making the Special Guardianship Order.

Worcestershire County Council are committed to reviewing the Special Guardianship Order Support Plan every year and it may be that the support plan that you have continues to meet you and your child's needs, however we will look to review this annually by contacting you to see if there are any significant changes.



WHAT HAPPENS IF YOU MOVE TO A DIFFERENT AREA?

If your child was looked after by the Local Authority prior to the Special Guardianship Order being granted, the Local Authority who was looking after your child is responsible for providing non-financial support services. This responsibility continues even if the child moves to a new Local Authority area and remains for a period of three years. After this time, the responsibility for support transfers to the Local Authority where you have moved to.

Any financial support agreed prior to the Special Guardianship Order being made remains the responsibility of the Children's Services department who was looking after your child before the Special Guardianship Order was made. If your child was not looked after by the Local Authority before the Special Guardianship Order was made, responsibility for all Special Guardianship support remains with the local area in which you now live.



USEFUL CONTACTS:

Kinship (Formally known as Grandparents Plus) - Provides advice, information and emotional support. Advice Line: **0300 123 7015/ advice@kinship.org.uk**

Local Peer Group Support - an Independent Kinship Carers Group.
Telephone: **07714531802/** Email: **KinshipCarers.Org@mail.com**

Care Leavers Team: **01905 845613**

Worcestershire County Council Permanency Planning & Support Team
email: **sgosupport@worcestershire.gov.uk**

Family Rights Group Support - A national charity that advises parents, grandparents, relatives and friends about their rights and options when social workers or Court make decisions about their children's welfare.
Telephone: **08088010366** or Email **office@frg.org.uk**

Civil Legal Advice - Free and confidential advice service run on behalf of the government, providing information directly to the public on a range of common legal is-sues, helps people to find out if they are eligible for free legal advice from a solicitor and helps them to find a solicitor. **www.gov.uk/civil-legal-advice/**

Citizens Advice - Independent organisation providing free, confidential and impartial advice. **<https://www.citizensadvice.org.uk>**

Family Action - Special Guardianship Support Service. A charity providing support, information and guidance to Special Guardians. **www.specialguardiansupport.org.uk**



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