

# Reading Borough Council

## Special Guardianship Policy and Procedure

### Summary Description.

To set out Reading Borough Council's policy statement and process relating to Special Guardianship Orders and the associated assessments, reports, support and financial means testing. This will be used when Special Guardianship is recommended as a permanent alternative to care for children and young people who cannot return to live with either of their parents.

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	managers.		
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## Intended Audience

This document has been issued to the following people for Review (R) Information (I) and Review and Sign off (S). Subsequent to approval, it will be shared with Children's Social Care staff, accessible on the Tri-X Policy site and available to prospective and approved Special Guardians as well as children (as age appropriate)

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## Introduction

This policy and guidance sets out criteria for assessment, methodology of assessment and support available to carers of children subject of Special Guardianship. The principles within this policy in relation to support and financial support are taken from the Guidance on the Standardised Means test and are in line with case law and the outcomes of LGO reviews. These principles were agreed by the Senior Management Team following consideration of a review of the previous policy.

Special guardianship is a type of permanent placement for children and young people. It is a legal status that offers greater security than long-term fostering but without adoption's absolute legal severance from the birth family. It is intended to:

- i) give the carer clear responsibility for all aspects of caring for the child and for taking the decisions to do with their upbringing;
- ii) provide a firm foundation on which to build a lifelong permanent relationship between the child and their carer;
- iii) be legally secure;
- iv) preserve the basic link between the child, their family and their social network;
- v) be accompanied by access to a full range of support services including, where appropriate, financial support.

Reading Borough Council seeks to achieve permanence for all children in care and Special Guardianship is one of several permanency options available.

This policy sets out the intentions of Reading Borough Council in using Special Guardianship as a permanency option and the circumstances in which it will be used and what support will be given to children, Special Guardians and birth families to maximize positive outcomes for all concerned. It applies to children who are subject to Special Guardianship Orders, their birth families (and significant people in their lives), their prospective Special Guardian(s) and their Special Guardian(s). It should be read by all social workers within the childcare teams, Fostering Team and the Commissioning Service.

## Part One: Legal and Policy Framework

The legal framework for special guardianship is set out in the Children Act 1989 S.14 A-F. It outlines:

- i) who may apply for a Special Guardianship Order;
- ii) the circumstances in which a Special Guardianship Order may be made;
- iii) the nature and effect of Special Guardianship Orders;
- iv) support services for those affected by special guardianship.

The legislation is supported by the Special Guardianship Regulations 2005 and the Special Guardianship Guidance published by the Department for Education. The principles contained in this document are also informed by the Special Guardianship Review published by the DfE in December 2015. Where regulations are referred to in this document, it is the Special Guardianship Regulations 2005 to which it refers.

### The Role of the local authority in relation to Special Guardianship

The role of the local authority in relation to Special Guardianship is summarised as:

- i) To ensure that special guardianship is considered and, where appropriate, planned for in respect of any child who is looked after;
- ii) To investigate and prepare a report for court (**Reg 21**);
- iii) To provide a range of services, as set out in regulations (**Regs 3-5**);
- iv) To provide financial support and to periodically review that support (**Regs 6-10 and 18**);
- v) To undertake assessments of support needs (**Regs 11 - 13**);
- vi) To provide notification of the outcome and decisions of those assessments (**Regs 15 - 16**); and
- vii) To deliver support services and monitor the outcome of that plan (**Regs 14 and 17**).

When considering permanence options for a looked after child, Reading Borough Council will consider Special Guardianship as a potential option where appropriate and where it is the right plan for the individual child. Where requested by the Court, or where approached privately by someone intending to become a Special Guardian in order to prepare a report for court, the local authority will always consider the welfare of the child in determining whether or not to support the application.

The statutory framework specifies the circumstances in which the Council may carry out an assessment of a person's need for support services and those in which the Council must do so. If the Council carries out an assessment and finds a need for services, it must decide whether or not to provide those services.

The Council is required to make arrangements for the provision of Special Guardianship support services within its geographical area of responsibility. There is a limited range of specified circumstances in which the Council's obligations may extend to persons outside of its geographical area. This covers relevant children who are looked after by the Council, or who were looked after by the Council immediately before the making of a Special Guardianship Order, and specified related persons.

## Outcomes of this policy

- Special Guardianship will be used wherever appropriate to meet the needs of the child.
- Children who are placed with Special Guardians and their families will be given the support needed to ensure that the child has a permanent, stable and loving family who can provide for their current and future emotional and developmental needs.
- Disruptions will be minimised through the support given to maintain a caring environment for the family.
- Carers will be given clear responsibility for all aspects of caring for the child and for taking the decisions to do with their upbringing.
- A firm foundation will be provided to those taking out Special Guardianship Orders which will build a lifelong, permanent relationship between the child and their carer.
- Special Guardianship will provide legal security for the child.
- The link between the child and their birth family will be maintained.
- Birth families will feel supported in relation to contact.

## Principles

In making decisions relating to Special Guardianship, Reading Borough Council will apply the following principles:

### Special Guardianship as a permanency option

- The child's welfare is paramount
- All children have the right to secure family life
- We seek to achieve permanence for all children in care.
- Special guardianship will be considered as one of the permanency options for children who are in care where it is safe and appropriate to do so.
- The advantages of a permanent placement outweigh the disadvantages of other pathways for the child and therefore the long-term welfare of the child will always be taken into consideration.
- Reading Borough Council will minimise delay and the effects of delay on the child's wellbeing by keeping within timescales set out in prescribed regulations and legislation.
- In cases where adoption is being considered as a permanency option this will take into account whether or not there is a person or persons who may wish to seek a Special Guardianship Order for the child.
- Where a child was not previously in care and Reading Borough Council is notified by the court or a potential Special Guardian of the intention to apply to the courts for the making of an order, they will comply by preparing a report for court.

## Support

Whilst assessments may be requested by those affected by the Special Guardianship Order in line with the table set out in Appendix 1, Reading Borough Council is not bound by legislation to provide a service. They will however give consideration to the circumstances and will explain to the person requesting the assessment the outcome of that assessment and what services, if any, are to be provided, when and by whom.

These key principles will guide any decisions in relation to the provision of support services:

- Eligibility for assessments is set out in this document and in Appendix 1.
- The welfare of the child is paramount.
- Special Guardianship Order support will not be seen in isolation from other services and where possible those requesting Special Guardianship Order support services will be

supported to access mainstream services or training and support groups established by the Family and Friends section of the Fostering Team.

- The support services anticipated at the time of the Order as necessary to meet the ongoing needs of the child, will be outlined in the Support Plan (Appendix 5). **The workers concerned may wish to make presentations to The Children's Services Solutions (Access to Resources) Panel in order to obtain additional services<sup>1</sup>.** The person who is in receipt of services (or the carer where the child is in receipt of services) must notify their Family and Friends worker/the Family and Friends duty worker of any changes in circumstances. This is also where carers are advised to contact should they need a change at any stage in the support being offered. **A review of the overall support package will be presented to the Children's Services Solutions (Access to Resources) Panel at the time of the second post-order annual financial review.** This is primarily to prevent placement disruption. Any assessment recommending a significant change in the support package at any point will be presented to this multi-disciplinary Children's Services Solutions (Access to Resources) Panel for consideration.
- Reading Borough Council recognises and values the significance of the role that Special Guardians have in preventing children from being in or coming into care. It also recognises the commitment that Special Guardians have to giving these children a home and a sense of permanence.
- Requests for support will be assessed on a case by case basis.
- Where the service provision is for a child, their ascertainable wishes and feelings will be taken into account and their welfare and safeguarding will be considered.
- Birth parents will be supported to maintain contact with their child(ren) whenever appropriate

### Financial Support

- **Standard financial support packages, as per the criteria outlined in this document, require approval by the Fostering Team Manager. All requests for enhanced packages<sup>2</sup> should be agreed by the latter and then presented to the Children's Services Solutions (Access to Resources) Panel for approval prior to any final agreements with carers or court hearings . This applies to all circumstances described in this document.**
- No placement should fail solely because of financial issues and neither should it be the primary reason why it should go ahead.
- The provision of financial support will include ensuring that Special Guardians fully access all available benefits and tax credits to which they are entitled. The financial support provided by the Authority will complement and not duplicate any other support being provided whether the latter is through state benefits, tax allowances etc. Special Guardians will be encouraged to apply for any benefits and tax credits during the assessment and application process. The relevant statutory framework permits the Council to decide whether or not to carry out financial assessment to determine whether an allowance is payable by them. There will be circumstances in which the Council will refuse to carry out a financial assessment, having regard to its area of responsibility and any other relevant circumstances.
- Where a financial support assessment is undertaken, this will be in line with regulations and any statutory guidance.

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<sup>1</sup> i.e. Where the plan or review is at the point of being drafted and proposes to include resources over and above allowances or universal provision; or where services are requested during the year that were not originally agreed in the plan or in the review

<sup>2</sup> i.e. Where a child has multiple severe and complex needs arising from disability an enhanced package of service can be considered.

- Where an assessment for financial support is requested, the Council will usually only pay special guardianship allowance in respect of children for whom it has responsibility under the statutory framework. Where it has discretion to make payments in respect of other children, it will generally exercise its discretion against such payments.
- Financial support may be payable as a short term solution to enable a placement to go ahead as a 'one-off' payment or as a set amount for a specific duration. This must be evidenced in the Support Plan and must be agreed by the relevant Fostering Team Manager. It will also need to be approved by the Children's Services Solutions (Access to Resources) Panel if an enhanced package is requested outside the parameters outlined in this document.

## Allowances

- Standard Special Guardianship Order allowances, as per the criteria outlined in this document, require approval by the Fostering Team Manager. All requests for enhanced packages should be agreed by the latter and then presented to the Children's Services Solutions (Access to Resources) Panel for approval.
- Special Guardians who request a Special Guardianship Order allowance will be means tested in line with the standardised DfE means test model, unless they can evidence that their only form of income is benefits (income support / universal credit / pension etc.) in which case they will be 'passported' through to receive the Special Guardianship allowance. This is in line with guidance and case law. This is to prevent hardship and to provide a consistent methodology for those being assessed.
- Those who are not in receipt of benefits will be means tested and will receive their allowance less the Child Benefit element (with the presumption that they will apply for and receive Child Benefit). In addition, deduction for Child Tax Credits will be made 3 months post order (with the presumption that they will apply for and receive Child Tax Credits in this timescale). The Special Guardian is required to provide evidence of the outcome of their application for Child Tax Credits within the first 3 months post order to enable this deduction to be proportionate. This process is in accordance with the current guidance allowing local authorities to make these deductions.  
\*Please note that Universal Credits are being rolled out to incorporate/replace Child Tax Credits - the Finance section will advise re any changes at the relevant time.
- All allowances are paid subject to an annual review with the exception of foster carers who will continue to receive their fostering allowance and remuneration for the first two years from the date of the order and whose review will subsequently be undertaken annually.
- Local authority foster carers who make an application for a Special Guardianship Order may receive financial support which includes an element of remuneration (the fee element). That element of remuneration ceases to be payable after the expiry of the period of two years from the making of the Order unless Reading Borough Council consider its continuation to be necessary in order to facilitate arrangements for the foster carer to become a Special Guardian, having regard to the exceptional needs of the child or any other exceptional circumstances Reg 7(1) and (2). Eligibility for financial support will be calculated in accordance with the Standardised Means Test issued by the Department for Education (2008) (Reg 5).
- The base Special Guardianship Order allowance rates are aligned to the Reading Borough Council fostering allowances, which in turn are aligned to the Fostering Network's recommended minimum allowances<sup>3</sup>. Allowance rates may be subject to

<sup>3</sup> <http://www.fostering.net/all-about-fostering/resources/good-practice-guidance/fostering-networks-recommended-minimum-allowance>

change throughout the financial year. Where rates do change, notice will be given to those affected.

- The outcome of the means test will determine what proportion of the base rate would be paid as an allowance.
- An enhancement to the weekly allowance can be considered in exceptional cases where the Council considers this is required by the individual's circumstances. The total amount of an allowance with enhancement, will generally not exceed the amount which would have been payable if the child were fostered. Any such enhancement will need to be approved by the Fostering Team Manager and Children's Services Solutions (Access to Resources) Panel.

As agreed by the Adult, Children and Education Committee on the 2<sup>nd</sup> February 2015 and then at the Policy Committee on the 15<sup>th</sup> March 2015:

- a) All prospective Special Guardians are means tested (with the exception of carers whose only income is state benefits and current foster carers) both
  - As part of the initial assessment regarding the provision of an allowance and
  - On an annual basis
- b) When Special Guardianship Order allowances are paid this will be until the child's 18<sup>th</sup> birthday unless they remain in full time education when payment is maintained until the end of the academic year in which the child is 18 years of age.

## Part Two: Special Guardianship assessment and Court Report

### Special Guardianship pathway for children in care

Reading Borough Council seeks to achieve permanence for all children in care with minimal delay and disruption for the child apart from those on short break placements or in planned short term care. Special guardianship is one of several permanency options available and will be considered in view of parental consent and appropriateness for each child and whether there is a potential Special Guardian who would consider taking on the role.

Permanence planning is linked to the reviewing process from the beginning, culminating in a permanence plan being made at the second statutory review held before the child has been looked after for four months. This timescale should be adhered to unless doing so would conflict with the child's interests, in which case the reasons should be recorded on the child's case record by the child's Social Worker. Deviation from timescales must be made only with the agreement of the Team Manager of the case and the Independent Reviewing Officer in consultation with the Service Manager.

There may be circumstances where a relative or a friend of the family ("Connected Person") has been looking after a child who could not otherwise have been looked after by their birth parent(s), in which case a view will need to be taken as to whether that child would have become a looked after child if it were not for the intervention of the relative or friend. This view will later inform eligibility for support services.

When undertaking an assessment to inform the Court Report pre-Order, it is important that the social worker also undertakes the assessment of the support needs to make the placement sustainable in the long term. This will require an understanding of the child's current and projected needs, the Special Guardian's needs and their ability to meet the

child's current and projected needs plus the birth family's needs. Such an assessment is necessary in order to ensure that appropriate day to day care is provided to the child and to manage contact arrangements.

*See Part Three - Support Services.*

*See also: Permanence Policy*

### Who can apply for a Special Guardianship Order

Applications may be made by an individual or jointly by two or more people who must be 18 or over to become Special Guardians. Joint applicants do not need to be married. The parents of a child may not become that child's special guardian (S.14A(2) CA 1989 SG Guidance para 8).

Any person wishing to apply for an Order must give three months written notice to the Local Authority of their intention to make an application. The only exception is where the court allows a competing application for a Special Guardianship Order where an Adoption Order application has already been made; this is to avoid delaying the adoption hearing (S.14A(7) CA 1989 SG Guidance para 10).

Under S.14A(5) CA 1989 SG Guidance para 8, a court may make a Special Guardianship Order in respect of a particular child on the application of:

- i) any guardian of the child;
- ii) a local authority foster carer with whom the child has lived for one year immediately preceding the application;
- iii) anyone who holds a Residence Order/Child Arrangement Order with respect to the child, or who has the consent of all those in whose favour a Residence Order/Child Arrangement Order is in force;
- iv) anyone with whom the child has lived for three out of the last five years;
- v) where the child is in the care of a local authority, any person who has the consent of the Local Authority;
- vi) anyone who has the consent of all those with parental responsibility for the child;
- vii) any person, including the child, who has the leave of the court to apply.

Prospective Special Guardians therefore tend to fall into one of five main groups:

- 1) Foster carers who have been approved by a local authority or an independent foster care provider and who are not related to the child.
- 2) Family and friends carers who have been approved as foster carers by the local authority
- 3) Family and friends carers temporarily approved under Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010
- 4) Family and friends carers who are not currently caring for a child who is placed with either a local authority or Independent Fostering Agency (IFA) foster carer.
- 5) Others where the applicant and the child are unknown to the local authority until the notification to apply for an order is made.

It is assumed that within each of these groups the relationship between the child and the prospective Special Guardian has developed over time and is thought to be working well, which is considered to be the basis of enduring and stable placements. Where the prospective Special Guardian does not have any established relationship evidenced previously

with the child, an assessment may incorporate elements of the British Association of Adoption and Fostering (BAAF) Form F.

### Circumstances in which a Special Guardianship Order can be made

As well as when an application has been made, the court may make a Special Guardianship Order in any family proceedings concerning the welfare of a child if they consider an Order should be made. This includes adoption proceedings (S.14A(6) CA 1989 SG Guidance para 9)

The court may not make a Special Guardianship Order unless it has received the report covering the suitability of the applicants completed by, or on behalf of, the Local Authority (S.14A(11) CA 1989 SG Guidance para 11)

Before making a Special Guardianship Order, the court must consider whether to vary or discharge any other existing Order under section 8 of the Children Act 1989. The court should also consider whether a Contact Order should be made at the same time. The court may also give leave for the child to be known by a new surname and give permission for the child to be taken out of the UK for periods longer than three months (S.14B CA 1989 SG Guidance paras 12 & 13)

While a Special Guardianship Order is in force, the written consent of every person with parental responsibility for the child or the leave of the court must be given (S.14C(3) (4) CA 1989 SG Guidance para 15):

- i) to cause the child to be known by a different surname;
- ii) to remove the child from the UK for longer than 3 months.

The court must be satisfied that the child's welfare will be safeguarded and promoted through the making of the order and that the matters in the welfare checklist have been considered and addressed. The following issues must be considered:

- a) The ascertainable wishes and feelings of the child concerned (considered in the light of his age and understanding);
- b) His / her physical, emotional and educational needs;
- c) The likely effect on him/her of any changes in his/her circumstances;
- d) Age, sex, background and any characteristics which the court considers relevant;
- e) Any harm which s/he has suffered or is at risk of suffering;
- f) How capable each of his/her parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting his/her needs.

### The nature and effect of Special Guardianship Orders

The Special Guardian has parental responsibility for the child. Subject to any later Order, the Special Guardian may exercise parental responsibility to the exclusion of all others with parental responsibility, apart from another Special Guardian. An exception is in the very rare circumstances where the law requires the consent of more than one person with parental responsibility (S.14C CA 1989 SG Guidance para 14)

The intention of the legislation is that the Special Guardian will have clear responsibility for all the day-to-day decisions about caring for the child or young person and his or her upbringing until the young person reaches 18 years of age.

The basic legal link with the parents remains and they remain legally the child's parents. Their ability to exercise their parental responsibility is limited. They retain the right to

consent, or not, to the child's adoption or placement for adoption. The Special Guardian must take reasonable steps to inform the parents if the child dies.

Special Guardianship Orders can be varied or discharged (S.14D CA 1989 SG Guidance para 16) on the application of:

- i) the special guardian;
- ii) the Local Authority in whose name a Care Order was in force with respect to the child before the Special Guardianship Order was made;
- iii) anyone with a Residence Order/Child Arrangement Order in respect of the child before the Special Guardianship Order was made;
- iv) the child's parents or guardians (with the leave of the court);
- v) any step-parent with parental responsibility (with the leave of the court);
- vi) (with the leave of the court) anyone who had parental responsibility immediately before the Special Guardianship Order was made;
- vii) (with the leave of the court) the child (if the court is satisfied that the child has sufficient understanding).

Where the applicant is not the child and the leave of the court is required, the court may only grant leave if there has been a significant change in circumstances since the Special Guardianship Order was made (S.14D(4) CA 1989 SG Guidance para 17).

During any family proceedings in which a question arises about the welfare of a child who is subject to a Special Guardianship Order, the court may vary or discharge the order in the absence of an application (S.14D(2) CA 1989 SG Guidance para 18).

### Investigation of prospective special guardians

Children's Services should be notified in writing by the applicants 3 months in advance of the Special Guardianship Order being applied for (S.14A CA 1989 SG Guidance para 98). This could be in respect of a child already known to the service or from someone who has had no prior involvement.

If a child is already known to the service, their social worker will be responsible for undertaking the initial viability report on the suitability of the applicant to be a Special Guardian. If the outcome of this is positive it is passed to the specialist Family and Friend section of the Fostering Team to undertake a full Special Guardianship assessment. The exceptions to this could be:

- a) if the applicant is a Reading Borough Council approved Foster Carer, in which case other Reading Borough Council Fostering Team workers could undertake part of the assessment relating to the carers; or
- b) the child was unknown to the department in which case the referral from the MASH team (initial referral point) is usually passed directly to the specialist Family and Friend section of the Fostering Team for the assessment to be completed (see Section 7 and 37 reports: Guidance on reports ordered by the Court under s7 and s37 Children Act 1989)

If the child in question is not looked after, the applicant should give notice to the authority in whose area the proposed applicant is ordinarily resident.

Upon receipt of the notice of intention or court order, Reading Borough Council will undertake a Special Guardianship assessment of the proposed applicants within twelve weeks

in accordance with the prescribed form (Reg 12). The report template and guidance is available from the Family and Friends section.

Generally, twelve weeks will be sufficient time for preparing the court report, but there may be circumstances in which more time is required to give adequate advice and support and preparation to the child and the carer given the long-term implications of Special Guardianship. In these cases it may be appropriate to pause proceedings and advise the applicant to delay their application in order that they can undertake sufficient preparation work, including where possible, establishing and settling in the child with the prospective Special Guardian.<sup>4</sup>

For cases not already in care proceedings, if the Local Authority needs more time to complete the report, they can make representations at the Directions hearing and explain why. There is an assumption that the report will be ready for the court at the time that the application is issued, but there is no duty imposed on the local authority to comply with that timescale, nor any sanctions for failing to complete the report within three months. Clearly the imperative is to complete a rigorous assessment in a very timely fashion in order to meet the child's need for permanence.

Where an application to court has been made and additional time is needed, it is good practice to identify and agree with the prospective Special Guardians what needs to be done in order that a sustainable permanent placement can be evidenced.

While a Special Guardianship application may be made in respect of a time established and stable relationship, applications may stir up unresolved issues in relation to the birth parents or others with parental responsibility or other unresolved issues from the past which have the potential to disrupt or delay the placement if they are not addressed. It is therefore important to consider this within the assessment.

It must be recognised that even in time-established relationships where the child is settled with a prospective Special Guardian, it is important not to confuse the fact that the child is settled with someone over a period of time with the view that the child must be happy with the arrangement or that it is in the child's best interests. It is therefore important to ensure that the child can express their views clearly and independently of the prospective Special Guardian.

The child should feel that they have been fully and properly understood, that their views and feelings have been heard and that they know how these have been taken into account. If a child is subject to care proceedings, they will in addition have the independent support and advocacy of CAFCASS.

"It is the social worker's evidence-based judgement and recommendation that must form the core of the report. Their work should have been subject to supervision and professional consultation and any quality assurance process the local authority has put in place."<sup>5</sup>

As part of the investigation process, the Social Worker should undertake an assessment of the support needs in order to support the placement (*see Part Three - Support section*).

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<sup>4</sup> Re S [2007]: "...in many cases, it may be appropriate to pause and give time for reflection, particularly in those cases where the order is being made of the court's own motion." (para. 48 (iv))

<sup>5</sup> The role of special guardianship: Best practice in permanency planning for children (England and Wales), Simmonds, BAAF, 2011

## Guidance when undertaking assessments

It is important when undertaking the assessment to:

- Listen to the wishes of the child and to record them accurately
- Take into account the views of the Special Guardian(s), their family and of relevant members of the birth family - these views must be central to the investigation
- Work together in partnership with the Special Guardian(s), their family and with relevant members of the child's birth family and with other relevant agencies
- Consider the identity needs impacting on the child, the Special Guardian(s), their family and birth family
- Use an approach which engages and has relevance for all family members including for any siblings
- Use an inter-agency approach to identify the support needs
- Be evidence-based, evaluating and analysing that evidence and writing the report with a clear sense of authority.
- Specific issues to consider include assessing parenting capacity, assessing couple relationships, other members of the household, creating a secure and flexible boundary around the family, facilitating appropriate contact arrangements, other orders that may be needed, identity and relationships and birth parents and other family members.

## Part Three: Support Services

Local authorities are required under the Children Act 1989 amended by the Adoption and Children Act 2002 and subsequent Special Guardianship Regulations 2005 to provide a range of support services to meet the needs of people affected by Special Guardianship Orders.

The following people **must** receive an assessment at their request, in cases involving looked after children or children who were looked after immediately prior to the making of a Special Guardianship Order:

- the child
- the prospective Special Guardian(s) or the Special Guardian(s)
- birth parent(s)

It is important that children who are not (or were not) looked after are not unfairly disadvantaged by this approach. In many cases the only reason that the child is not looked after is that relatives stepped in quickly to take on the responsibility for the child when a parent could no longer do so.

Other people who **may** be offered an assessment of their need for Special Guardianship Support Services may include:

- the child (where not looked after)
- the special guardian or prospective special guardian (where the child is not looked after)
- a parent (where the child is not looked after)
- a child of a special guardian (whether the Special Guardian's child is looked after or not)
- any person whom the local authority considers to have a significant and ongoing relationship with a child (whether the child is looked after or not)

It is good practice to inform children, birth parents, Special Guardian(s) and families that they may request an assessment of their need for support or a re-assessment at any point until the child turns 18.

The child's social worker will inform the relevant people (see 3.1.2) that they have the right to an assessment of their needs for Special Guardianship support services and will make arrangements to provide or commission services where a person has been assessed as having a specific need. These services may include:

- i) financial support (**regulation 3(1)(a)**)
- ii) services to enable groups of children for whom a Special Guardianship Order is in force or in respect of whom is being formally considered, Special Guardians and prospective Special Guardians, and parents of the child to discuss matters relating to Special Guardianship (**regulation 3(1)(b)**)
- iii) assistance, including mediation services, in relation to contact between the child and their parents or relatives or any other person with whom the child has a relationship that the local authority considers to be beneficial to the welfare of the child (**regulation 3(1)(c)**)
- iv) therapeutic services for the child (**regulation 3(1)(d)**)
- v) assistance for the purpose of ensuring the continuance of the relationship between the child and his Special Guardian or prospective Special Guardian, including training for

- the Special Guardian or prospective Special Guardian to meet any special needs of the child; respite care; and mediation in relation to matters relating to Special Guardianship Orders (**regulation 3(1)€**), and
- vi) counselling, advice and information (**section 14F(1)(a) of the Act**)

Special Guardianship Support Services should not be viewed in isolation from other services available either through the Council or from other agencies providing services for families in Reading. Children and families should be made aware of mainstream services available to them in Reading.

Reading Borough Council will take into account the similar services already provided in their area, such as universal or targeted services, adoption support services, health and education and plan the provision of Special Guardianship support services accordingly (**Reg 4 and Paras 25 and 26 SG Guidance**)

Under the regulations, an assessment of the need for Special Guardianship support services shall be carried out in the following circumstances:

- a) Where Special Guardianship is being considered for any child in the local authority's care. The assessment must be carried out and a Special Guardianship Support Plan presented with the papers submitted to court. The assessment should cover the need for Special Guardianship Support services, what services the agency will provide.
- b) Where Children's Services are notified that someone within their area intends to apply for a Special Guardianship Order and has given 3 months' notice of their intention to apply for such an order.

If it is felt necessary, an assessment of other groups of people e.g. members of the wider Special Guardian(s) family, such as aunts, uncles, grandparents, or former foster carers of the child, is acceptable, however this is not a requirement, but would be based on the needs of these people for support and their regular contact with the child.

Advice and information or a service to meet one specific need do not always require an assessment or a Special Guardianship Support Plan, and should be given as soon as possible without delay.

### Eligibility for an assessment of support needs

There is a distinction in the Special Guardianship Regulations about when a local authority *must* and *may* undertake an assessment for Special Guardianship support. Appendix 1 shows clearly the type of support for which various people may be assessed.

Where a child was previously looked after, the child, the Special Guardian or prospective Special Guardian and the parent **must** receive an assessment at their request.

Where the child was not previously looked after the child, the Special Guardian or prospective Special Guardian and the parent, the child(ren) of the Special Guardian and anyone with a significant relationship with the child **may** receive an assessment. In deciding whether or not to undertake an assessment, the person must not be unfairly disadvantaged. That is to say, the local authority should take into account whether the child would otherwise

have been a looked after child<sup>6</sup> and determine whether in 'fairness' they would have been eligible as a looked after child.

Where discretion is exercised and a decision is made not to undertake an assessment, the applicants will be notified in writing by the relevant Team Manager setting out the reasons for that decision. The application of the 'fairness' principle must form a significant part of that explanation. The local authority should also consider offering alternative sources of assessment and support from universal services or the voluntary sector.

### Requests for assessment of Special Guardianship support needs

At any point until a child is 18 a person may request an assessment of their needs for Special Guardianship support services. It is not necessary in all cases for an in-depth assessment to be undertaken. However where a specific need has been identified, the local authority must consider whether to provide (or commission another agency to provide on their behalf) the service to meet those needs.

Following an assessment in respect of a child in the care of Reading Borough Council, Reading Borough Council will, in accordance with the Regulations, make arrangements for the provision for Special Guardianship support services if required. These could include counselling, advice, information and financial support **Reg 3**.

Reading Borough Council may consider undertaking an assessment for support services of children not looked after by the Local Authority upon such request but is not obliged to do so. If Reading Borough Council determines to undertake an assessment for support services of a child not looked after by Reading Borough Council 3.1.1 - 3.1.3 will apply **Reg 11 and S.14F**.

**Regulation 5** provides that the assessment and provision of services for the child, the Special Guardian and any children of the Special Guardian all remain the responsibility of the local authority where the child was last looked after for three years from the date of the order. This rule applies wherever the family live during this period. If the family does move during the three years or there is any other significant change in their circumstances, the local authority may wish to undertake a re-assessment and alter the support plan accordingly.

When the three year period from the making of the Special Guardianship Order has expired, the local authority where the Special Guardian lives is responsible for assessing and providing support services.

If Reading Borough Council determines not to undertake an assessment of support services, it shall give notice of the proposed decision within 28 days and inform the applicant that they have 28 days in which to make representations.

Reading Borough Council will consider any representation made in accordance with 3.1.8 and inform the applicant within 28 days of the final decision

Where it is determined that a financial support element will be required and where the carer is eligible, the Family and Friends section will work with the Reading Borough Council Finance Officer to undertake the financial assessment. The outcome of this assessment must be agreed by the relevant Fostering Team Manager and included in the Support Plan that is submitted to court.

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<sup>6</sup> (*London Borough of Southwark v D* [2007] EWCA Civ 182 and *R (on the application of SA) v KCC* [2010] 2FCR 405)

## Assessing the need for Special Guardianship Support (pre-order)

(See Flowchart 1)

When undertaking an assessment for Special Guardianship Support, the social worker allocated to carry out the Special Guardianship report must be mindful of the specific needs of:

- each child
- the child's birth relatives
- any other people who are significant to the child
- any other significant family members for the Special Guardian(s)
- the prospective Special Guardian(s)

in order to customise the support package.

The analysis of the support needs of the child, Special Guardian(s) and other significant people should be based on the whole assessment and should be provided in the report to court under section 5 (d). This analysis should provide the basis of the Special Guardianship Support Plan (Appendix 5) which should also be submitted to court with the papers for the Special Guardianship hearing.

Where the local authority decides not to provide any support services, the reasons for doing so must be provided in the report to court under section 5€.

The support to be offered to children and families should be based on a careful analysis of the information collected about the historical background (for the child or the child's birth parents where appropriate and the Special Guardian(s)), the child's developmental needs, related parenting capacity and relevant family and environmental factors. The analysis of the information gathered during the assessment should be done in partnership with the child and with their Special Guardian(s) and the child's birth parents where appropriate.

Based on the analysis, which includes the expertise of the Special Guardian(s) to manage the support needs within the family, the worker should have developed a better understanding of the needs of the child and their family and should be able to identify specific support that would help meet those needs. The support package can then be planned in a co-ordinated way with the input of the Special Guardian's family.

It is useful to consider parenting capacity in light of the child's history, their current pattern of vulnerabilities, their resilience, and to assess:

- the Special Guardian's understanding of the child's needs
- the way in which they have been able to provide the parenting the child requires (strengths)
- the nature of any parenting difficulties or barriers
- the changes needed to respond to the child's needs more effectively and the Special Guardian's view of those changes
- the support the Special Guardian(s) require to overcome any difficulties (including their responses to the child's projected future needs).

## Assessing the need for Special Guardianship Support (post-order)

(See Flowchart 2)

Support Plans will typically include specified support from the Family and Friends section who will also co-ordinate other services offered, be involved in the process for annual financial review/any subsequent review of the overall need and support package and are named as the future point of contact for the Special Guardian.

Where a Supervision Order is in place, the child's Social Worker remains the lead worker for the child and the Family and Friends worker is the lead worker supporting the Special Guardians. Close communication is maintained between the workers. When the Supervision Order expires the case remains allocated to the Family and Friends section on Mosaic and is closed to the children's Social Worker.

Key issues should be updated and recorded clearly on Mosaic at the point of the order being made including:

- a) Special Guardianship Support Plan
- b) Children's Services Solutions (Access to Resources) Panel decisions
- c) Contact Agreement and key issues relating to contact
- d) Correspondence details of parties requiring contact

If a referral comes into the department for an assessment of Special Guardianship Order Support after the order has been granted, this would be passed directly to the specialist Family and Friends section.

Regulation 12 requires that assessments consider (as far as relevant to the particular assessment):

- the developmental needs of the child
- the parenting capacity of the Special Guardian or prospective Special Guardian
- the family and environmental factors which have shaped the life of the child
- what the life of the child might be like with the Special Guardian
- any previous assessment undertaken in respect of the child or the Special Guardian or prospective Special Guardian
- the needs of the Special Guardian or prospective Special Guardian and their family
- where it appears to the local authority that there is a pre-existing relationship between the Special Guardian or prospective Special Guardian and the parents of the child, the likely impact of the Special Guardianship Order on the relationship between that person, that child and that parent

Although there are no set timescales for undertaking a Special Guardianship support assessment (other than Court timescales pre-order) Reading Borough Council will use the same timescales as for a Single Assessment, up to 45 days.

## Financial support and allowances

"The statutory guidance states that 'financial issues should not be the sole reason for a special guardianship arrangement failing to survive')SGG, para 37 / SG (W)G, para 67). It also indicates that, as a central principle, the regulatory framework enables local authorities to provide financial support to secure a Special Guardianship placement where it otherwise could not be made (Reg 6 and SGG para 37 Reg 4SG(W)R and SG(W)G, para 67). These are wide-ranging powers and reflect the importance of Special Guardianship has in enabling children to live in a secure family environment. The duty to assess for financial support makes a distinction between children who are or were formerly looked after, but the guiding

principles in the guidance are that the advantages of a permanent placement so outweigh the disadvantages of other pathways for the child that this distinction should always be driven by the principle of the child's long-term needs and welfare."

The same principles are to be applied as have been established for permanency planning via adoption. Statutory guidance states that "While financial support should not be the sole reason for a placement not going ahead, it is also important that it does not become the primary issue in deciding that it should".

**Regulation 6** sets out the circumstances in which financial support may be paid to a Special Guardian or prospective Special Guardian. These are:

- a) where it is necessary to ensure that the Special Guardian or prospective Special Guardian can look after the child
- b) where the child needs special care which requires a greater expenditure of resources than would otherwise be the case because of illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect
- c) where the local authority consider that it is appropriate to contribute to any legal costs, including court fees, of a Special Guardian or prospective Special Guardian associated with-
  - i) the making of a Special Guardianship Order or any application to vary or discharge such an order
  - ii) an application for an order under section 8 of the Act (a contact order, a prohibited steps order, a residence order or a specific issue order)
  - iii) an order for financial provision to be made to or for the benefit of the child
- d) where the local authority consider it appropriate to make a contribution to the expenditure necessary for the purpose of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport, and provision of clothing, toys and other items necessary for the purpose of looking after the child

Payment of financial support under (b) is intended where the child's condition is serious and long-term. For example, where a child needs a special diet or where items such as shoes, clothing or bedding need to be replaced at a higher rate than would normally be the case with a child of similar age who was unaffected by the particular condition.

Financial support paid under © is payable so that the local authority may contribute to initial legal costs where appropriate but also any future legal costs that are associated with the order, to continue to support the existence of the order, again, where the local authority consider this to be appropriate.

In many Special Guardianship arrangements, contact between the child and their relatives or others with whom the local authority consider the child to have a beneficial relationship is very important. Where assistance with travel costs is required this may either be given in cash under regulation 3(1)(b) or, if such costs are on a recurring basis, as part of any financial support provided under regulation 6(2)(b) to support the arrangements for ensuring the Special Guardian can look after the child.

**Payment of legal fees in respect of children in the care of Reading Borough Council**  
Where Reading Borough Council supports the Special Guardianship application, Reading Borough Council may provide financial assistance under Reg 6(2)© to prospective Special Guardians in respect of legal fees for:

- i) independent legal advice prior to proceedings up to £500 inclusive of VAT;
- ii) independent legal advice in relation to the making of an application for a Special Guardianship Order up to £1000 inclusive of VAT.
- iii) in respect of contested applications where the criteria in (ii) above has been fulfilled, a further payment with a cap of £2000 maximum, inclusive of VAT, may be provided,

The payment of legal fees will be authorised by Panel on the basis that solicitors instructed by the proposed applicants will be charging at public funding rates.

If at any time Reading Borough Council no longer supports the application, the Local Authority will cease payment of legal fees and will set out the reasons in writing.

### **Assessment for Financial Support**

As set out above, there are some people the Council **must** conduct a financial assessment for and some people the Council may assess. Where the Council is not under an obligation to carry out an assessment, it should decide whether or not to carry out a financial assessment to determine whether an allowance is payable. In circumstances where the Council has discretion whether or not to carry out a financial assessment, an officer should first seek agreement from their Service Manager (See Flowchart 3).

There will be circumstances in which the Council will refuse to carry out a financial assessment, having regard to its area of responsibility and any other relevant circumstances. This may occur where the Council has had no or limited previous involvement with the child or the Council considers Special Guardianship to not be in the best interests of the child. If the Council determines not to carry out a financial assessment, then the Council will notify the prospective Special Guardian in writing of its decision and comply with the requirements of the statutory framework.

Where a financial assessment is carried out, this will use the model means test set out in Appendix 4. The Family and Friends worker will work with the relevant business support worker to send a request for relevant information and evidence to the Special Guardian or prospective Special Guardian so that the means test may be completed. When the required information is returned to the Family and Friends worker/ business support worker, the latter forwards this to the Finance section for the calculation of allowance eligibility, the decision is communicated to the Family and Friends/business support worker who will then forward this to the Special Guardian/prospective Special Guardian. Delay in providing the information may delay the Council's assessment of needs and its decision whether to pay Special Guardianship allowance.

If the Special Guardian or prospective Special Guardian provides documentary evidence that he or she relies solely on state benefits, then the model means test need not be undertaken. The starting point in such cases will be that the person is entitled to the maximum weekly Special Guardianship allowance. Local authority foster carers who become Special Guardians may continue to receive their weekly, age banded child allowance rate plus the remuneration element (foster carer's fee) for up to two years following the making of the order, but only if this is included in the local authority decision before the order is made.

Where the child was not previously a looked after child from Reading, or where the Special Guardian has moved to the area and 3 years has elapsed since the making of the Order, the Children's Services Solutions (Access to Resources) Panel should consider the request for financial support on a case by case basis, taking into account the impact on the child.

The Statutory Guidance makes a distinction between ongoing financial support (financial support that is paid on a regular basis) which was agreed before the Special Guardianship Order was made and other support services. The assessment and provision of such ongoing financial support will remain the responsibility of the local authority who originally agreed it for as long as the family in question qualify for payments.

Payments may be made as a one-off lump sum only with the agreement of the Children's Services Solutions (Access to Resources) Panel. This will usually be to a maximum value not exceeding the amount the applicant would be entitled to as an annual allowance. These arrangements will only be agreed in exceptional circumstances where the circumstances of the child warrant such a payment.

### **Allowance amounts**

The statutory guidance provides that in determining the amount of any ongoing financial support, the Council should have regard to the amount of fostering allowance that would have been payable if the child were fostered. With this in mind, the maximum weekly Special Guardianship allowance paid by the Council will generally be an amount that is in line with Reading Borough Council fostering allowances. A table indicating what allowances may be paid, having regard to Reading Borough Council fostering allowance, is set out in Appendix 3.

One of the matters that the Council must take into account as part of a financial assessment is the person's financial resources, including any benefit, which would be available if the child lived with the person. For carers who are eligible for an allowance who are not in receipt of benefits, Child Benefit and Child Tax Credit should be deducted from the weekly allowance. Generally however, the standardised means test will calculate the amount of allowance, taking into account relevant deductions.

An enhancement to the weekly allowance can be considered in exceptional circumstances if it is considered that the individual's circumstances require a higher payment. Whether an enhancement should be paid and, if so, in what amount, would depend upon the overall financial assessment, any carer's essential costs associated with the special needs or other circumstances and whether there is some other means of meeting those costs.

An examples of a situation in which an enhancement may be considered is where a child has an exceptionally high level of need involving significant expense which is not otherwise provided for in this guidance or reflected in any other payment or award (including by the Council).

The amount of an enhancement would generally not be such that the financial support exceeds the amount which would have been payable if the child were fostered.

If the foster carer is an external agency carer, the weekly rate payable shall not exceed the equivalent Reading Borough Council rate as set out in Appendix 3.

Any officer carrying out a financial assessment should be mindful of the Council's obligations to allow a person to make representations before it makes any decision about the person's need for Special Guardianship support services. The financial assessment will therefore need to be completed promptly in order to allow potential presentation to the weekly Children's Services Solutions (Access to Resources) Panel and for the Special Guardian to show to their solicitor, although no payment is to be made until the decision has been notified to the applicant.

### Former foster carers (see Appendix 2)

Financial support cannot normally include any element of remuneration to Special Guardians, however there is provision for local authority foster carers who become Special Guardians to receive the same equivalent weekly allowance including any fees that they were paid for a transitional period of up to two years following the date of the Special Guardianship Order.

This continuation is to enable foster carers to have the time to adjust to the transition of being Special Guardians before their allowances change, whilst at the same time recognising the need for an equitable and consistent approach for Special Guardians.

Support Plans for mainstream Local Authority foster carers wishing to apply for Special Guardianship Orders will be presented pre-Order to the Children's Services Solutions (Access to Resources) Panel in order that the latter can give some guidance with regard to the parameters for longer term financial support.

- Local Authority foster carers on welfare benefits will be "passported" in terms of receipt of payments for the first 2 years.
- Local Authority foster carers **not** on welfare benefits, will be means tested at the pre-Order stage in order to inform Panel guidance with regard to the potential longer term financial package. It is likely that after 2 years, the remuneration would stop, Child Benefit be deducted and the child allowance could be impacted.

It would be expected that all former foster carers would apply for child benefit and Child Tax Credits. The government would assess their eligibility for the latter in accordance with their means. The long term financial support for all former foster carers will be contingent on the financial assessment undertaken at the point of 2 years post-Order. This review therefore establishes whether there is a need for on-going financial support.

In exceptional circumstances the Children's Services Solutions (Access to Resources) Panel may take the view that the remuneration element may continue and the reasons for this should be clearly documented, including any time limits and review periods for this decision.

## Decisions and planning about Special Guardianship support services

### Statutory notice of proposal to provide support services

Once assessed, the worker who has completed the Special Guardianship report (pre-order) or the Family and Friends section (for post order applications for support) will make a proposal to the birth relatives, Special Guardian(s) or the child about whether or not it plans to provide services. This may be done jointly with the child's Social Worker. The notification should include the following (Reg 15):

- a statement identifying any relevant needs in relation to Special Guardianship support;
- when the assessment is focused on the need for financial support, the basis and process by which this has been determined;
- whether the local authority is proposing to provide the applicant with support services and what those services are to be; where it is proposing to provide services; a draft plan for those services;
- if financial support is to be paid, then the proposed amount and any conditions that are attached to that payment (e.g. what the money might be spent on and by when).

The statutory notice should also contain contact details for relevant sources of independent advice and advocacy. It must also allow the applicant to make representation about the

accuracy of the assessment, the basis upon which the notification has been constructed and any other comments which might be relevant. The notification must allow a reasonable time period for the applicant to make their representations. Reading Borough Council, has agreed that 10 days is a reasonable time period in line with adoption.

The Council is also required to prepare a Special Guardianship Support Plan (as per Appendix 5) if services are to be provided on more than one occasion and are not limited to the provision of advice or information. A copy of the draft plan must be provided to the Special Guardian(s) alongside the statutory notification.

### **Children's Services Solutions (Access to Resources) Panel**

The Children's Services Solutions (Access to Resources) Panel (ARP) is tasked with providing consistency in decision making in relation to Adoption and Special Guardianship Order support packages that have a financial cost associated with them. All cases with a proposed financial support element which exceed the standard offer outlined in this document will be sent to this panel including proposed Special Guardianship Order Support Plans. The Panel will also request the presentation of additional Special Guardianship cases periodically in order to provide overall quality assurance. Workers may also wish to present cases to the Children's Services Solutions (Access to Resources) Panel in order to access additional services.

Where both are involved this would involve a joint presentation to the Panel by the child's Social Worker and the Family and Friends worker or by the latter where the former is not involved. They will present the information from the completed Access To Resource Panel request form, evidence of the means test outcome where appropriate and the Special Guardianship Support Plan which will have been sent to the business support worker for the Panel 2 days before the Panel.

If there are any proposed changes to the Plan that was agreed by Panel incurring financial implications (this is only applicable to changes proposed by Court), these changes must be submitted to Panel for their further agreement. The final Plan and a copy of the Court Order **must** be sent to the Family and Friends section by the child's Social Worker.

Where the request is for financial support, the social worker must clearly identify and evidence where this meets the Regulations, including whether the carer is on state benefits and whether or not they would be subject to means testing for the amount to be paid.

The Panel minute in relation to the case discussion in Panel will be attached to the child's file on Mosaic by the Panel business support worker. Hard copies of the bundles of Panel papers will be shredded.

A clear, evidence based rationale must be provided outlining any support that is available from other sources, when they were approached and what the outcome of that application was including their reasons for declining support.

Social workers submitting an application should ensure that applications demonstrate:

- Clarity about what they are asking panel to agree/review
- Clarity about how the proposal is in the best interests of the child/young person and how it will support their development and learning, and help them build resilience and independence

- The child/young person's views and adoptive parent/carer views about the proposed care/support plan
- The costs and how do they differ from previous packages of support
- What other options have been explored and why is this proposal the best
- What the anticipated the impact on the child/young person of the requested service/support will be
- What the impact on parents/carers/family of the requested service/support will be
- How well the provider / support requested will meet the identified needs
- Consideration of multi-agency assessment (where appropriate) and planning around the child's needs

### **Representations and appealing the decisions for Special Guardianship Support Services**

Generally, the proposed Support Plan will have been developed with the full involvement of the carers and will have been discussed with the child's social worker, however the Council must still give the carer an opportunity to make representations about the proposed decision and the draft plan.

The Special Guardianship Support Plan should be shared with Special Guardian(s) following agreement that services are to be provided. The person to whom the support services are being offered should be given 28 days to respond to the proposals, either to agree with what is being proposed or to reply in writing with detailed comments as to why they are not satisfied with the proposal (if it is signed off sooner, services need not be delayed). If representations are made, then the Council should consider those before making a final decision.

The local authority cannot make a final decision about support until the person assessed has made representations or notified the local authority that they are satisfied with the proposed decision and/or the draft support plan. If the period for representations has expired (i.e. after 28 days) the local authority can also then make its decision.

Any such service user representations will be considered by the chair of the Children's Services Solutions (Access to Resources) Panel (the Head of Service -Safeguarding and Children's Services) before making a final decision. They should consider any new information provided in representations and the degree to which this influences their understanding of the needs of the child, the Special Guardian or other people who have been part of the assessment. It will also need to consider that information in relation to the local resource context informed by any statutory duties and responsibilities that apply, the strategy and policy of the local authority, any relevant case law and the principles of transparency and fairness. The overall driver in any decision must be the safety and welfare of the child and their need to establish a secure and lifelong family base

Once any representations have been taken into account or the family have said they accept the proposals, or the 28 days have expired without feedback, services can be provided and confirmation given to the family.

### **Notification of decision to provide support services**

Decision making subsequent to the Panel discussion will be recorded on Mosaic by the lead worker.

Once the decision has been made, the local authority must issue a notice of that decision under Reg 16(1) to the individual who has been assessed. Where services are to be provided,

it must also supply the plan setting out in detail what those services are, where and when they are to be provided and who will monitor the plan under Reg 14.

In relation to financial support **Reg 16 (3)**. The notice **must** address:

- The method used to determine the amount of financial support
- Where it is to be paid in instalments or periodically
- The amount
- The frequency
- The period for which it is to be paid
- When payment will commence
- Where it is a single payment, when it will be paid
- Any conditions and consequences imposed by Reg 10(2)
- Procedure for review, variation and termination
- The LA's responsibility to review under Reg 17, Reg 18
- The responsibilities of the prospective special guardian or the special guardian in any agreement under Reg 10.

The local authority must review payments which are made periodically in accordance with **Regulation 18**.

**Regulation 10** specifies that, where a local authority is proposing to pay financial support periodically, then it cannot do so until the prospective Special Guardian or Special Guardian agrees in writing within 7 days of any verbal agreement

that they will inform the Local Authority (in Reading's case via the Family and Friends section) immediately if:

- 1) They change their address
- 2) The child dies
- 3) There is a change in financial circumstances or needs or resources of the child which may affect the amount of financial support
- 4) Any changes specified in regulation 9.

**Regulation 9:**

- 1) The child ceases to have their home with the prospective special guardian or special guardian.
- 2) The child ceases full-time education / training and enters employment
- 3) The child qualifies for income support or jobseekers allowance
- 4) The child reaches 18 (except where they continue in full-time education/training where it may continue until the end of the course/training)

In some cases, the notification of the decision will bring disappointment that particular services will not be provided. It is anticipated that this would have been discussed openly with the applicant but in any case the applicant should be treated with sensitivity and respect.

**Review of support package other than financial**

Reading Borough Council will review special guardianship support plans as per **Reg 17**.

- if any change in the person's circumstances which may affect the provision of special guardianship support services comes to their notice;
- at such stage in the implementation of the plan as they consider appropriate;
- and in any event, at least annually.

The Special Guardianship Support Plan will initially set out planned timescales for review. This will vary according to the nature and complexity of services. Workers in the Family and Friends section will carry out the review and should cover the same considerations as the original assessment. This should be written up in a report and submitted to the Team Manager or Assistant Team Manager supervising the Family and Friends worker.

Should Reading Borough Council propose to vary or terminate the provision of special guardianship support services to any person, before making any decision, written notification will be given to the special guardian informing them of the fact and to give notice that they have 28 days in which to make representations Reg 17(4).

Reading Borough Council will consider whether to vary or terminate the provision of the special guardianship support services for the person having considered representations made within the 28 day period Reg 17(6).

Reading Borough Council will notify any person of the final decision of the review in writing, including the reasons for the change, and if applicable, details of the revised plan Reg 17(7).

#### **Review of financial support packages**

All Special Guardianship Order Allowances are financially reviewed on at least an annual basis from the date of commencement.

Within the agreement between the carer and Reading Borough Council for the payment of allowances, it is stipulated that paperwork must be received by the authority when requested. It is important to note that failure to do so will result in the Authority stopping the payment of the Special Guardianship allowance.

The Family and Friends workers will issue a reminder letter six weeks prior to the review requesting all documents within 28 working days. This ensures continuity of payments to the carer so that they are not financially disadvantaged. Where the paperwork has not been received 28 days after the notification letter, a reminder letter will be sent requesting the information within 28 days and stating that it will be standard practice for the Authority to stop the payment of the Special Guardianship allowance if the Special Guardian does not return the required paperwork.

It is the responsibility of the carer to notify Reading Borough Council in advance if there is any reason why they cannot submit the appropriate paperwork (e.g. original copies have been sent to the Benefits Agency). In these circumstances an extension may be negotiated with the approval of the Children's Services Solutions (Access to Resources) Panel.

Reviews may also be conducted at any other stage that Reading Borough Council considers appropriate, or if any change in any person's circumstances comes to the council's notice.

Special Guardians will be advised of the outcome of any review in writing Reg 20.

If Reading Borough Council proposes as a result of the review to reduce or terminate the financial support or revise the plan, before making that decision Reading Borough Council will give the person an opportunity to make representations within 28 days of the notice. If deemed appropriate Reading Borough Council may suspend financial support pending that decision Reg 18 (5) and (8)

In the event that the annual statement is not received from the Special Guardians, a reminder notice will be sent out. This reminder notice will inform the special guardian that they have 28 days in which to provide the requested information or payments will cease Reg 10(3).

Should the annual statement not be received within 28 days of the reminder notice Reading Borough Council may:

- i) suspend or terminate payments Reg 10(3)(a)(b);
- ii) seek to recover all or part of the financial support paid.

Where packages have been agreed until the young person turns 18, if they remain in full time education, financial support will continue until the end of the academic year in which the young person turns 18.

## **Part Four: Safeguarding and Recording**

### Child Protection concerns

If any Child Protection concerns or allegations arise within the course of the assessment and support process, the social worker should refer immediately to their line manager.

It is expected that if a child was previously looked after by Reading Borough Council and they have moved out of the area, the local authority into whose area they have moved will notify Reading of the outcomes of any investigations suggesting that the Special Guardianship Order will need to be discharged. As a result of any investigations Reading Borough Council may choose to apply to discharge the Special Guardianship Order.

### Discharges and Disruptions

Special Guardianship Orders may be discharged or varied on application to the courts by:

- a) the Special Guardian (or any of them if there are more than one)
- b) any parent or guardian of the child concerned
- c) any individual in whose favour a residence order is in force with respect to the child
- d) any individual not falling within any paragraphs (a) to (c) who has, or immediately before the making of the Special Guardianship Order had, parental responsibility for the child
- e) the child
- f) a local authority designated in a care order with respect to the child

The following must obtain the leave of the court before making an application under subsection (1)—

- (a) the child;
- (b) any parent or guardian of his;

©any step-parent of his who has acquired, and has not lost, parental responsibility for him by virtue of section 4A;

(d)any individual falling within subsection (1)(d) who immediately before the making of the Special Guardianship Order had, but no longer has, parental responsibility for him.

Where the applicant is not the child and the leave of the court is required, the court may only grant leave if there has been a significant change in circumstances since the Special Guardianship Order was made.

If, in providing support, the Local Authority became concerned about the suitability of the Special Guardianship Order for a child who was previously looked after, they may apply for the Special Guardianship Order to be discharged or for a variation to be made. In these circumstances legal advice must be obtained from the Joint Legal Team. This however would be a last resort to other interventions.

If a child was previously looked after and a disruption occurs, the Special Guardianship Order Support Team will arrange for a disruption meeting and recommendations will be incorporated into the procedures.

## Returning to Court

If there is a Contact Order in place and the Special Guardians or the birth parents wish to change the contact order, they must apply to the Courts for this to take effect (s11 of the Children Act 1989).

While a Special Guardianship Order is in force written consent of every person who has parental responsibility for the child or the leave of the court must be given:

- to cause the child to be known by a different surname
- to remove the child from the United Kingdom for longer than three months

## Record keeping

Records will be kept for all service users in accordance with the recording policy. Any paper files will be stored securely and will be retained according to the File Retention Policy. When accessing the service, all service users will be provided with information explaining to them about their records and how to request access to their personal information held on file.

## Information sharing

An information pack, including leaflet about Special Guardianship Order support, comments compliments and complaints leaflet and the consent to share information form should be given out at the first home visit and explained to the family by the social worker. This will explain how and when we would share information with other agencies with the consent of the carer.

## Complaints

All service users will be informed of their right to make a comment, compliment or complaint about the services they are receiving and will be told how to do this. They will also be given a leaflet explaining the Council's complaints procedure at the first home visit.

## Part Five: Leaving and After Care Services

A young person subject to a Special Guardianship Order may be eligible for advice and assistance under s.24 Children (Leaving Care) Act 2000 if they were looked after by Reading Borough Council before the Order was made and upon fulfilling the conditions outlined below (s24(1A)CA 1989).

The young person must be 16 but not older than 21. Where the young person is under 18, the Order must still be in force. Where they are over 18 and under 21 the Order must have been in force when they reached 18(24(1A)CA 1989).

Under sections 24A and 24B, the relevant authority<sup>7</sup> is required to advise and befriend and to give assistance. Financial assistance may be given where the young person is in full time further or higher education, is under the age of 25 and qualifies for advice and assistance, or would have done if he was under 21, assistance in relation to securing vacation accommodation [section s24A(2) and (3), and 24B of the Children Act 1989]

## Part Six: Implementation and Monitoring

As special guardianship is already being used, it is expected that all staff are briefed on the contents of this document and that particularly they note the changes in agreeing packages of support. The managers will be responsible for monitoring the timeliness of assessments and reports going to Court.

The Family and Friends section will be responsible for monitoring the delivery of support packages Post-Order and for undertaking assessments where requested Post-Order. In some cases, the level of support to be offered may be minimal.

### Timescales

- Three months written notice must be given to the local authority of the intention to apply for a Special Guardianship Order.
- The social worker therefore has a maximum of 12 weeks to undertake the assessment and an assessment of the support needs, write the report and to share it with the prospective special guardians.
- The notice of the proposal about the support to be offered must be issued to the Special Guardianship Order carer **28 days** prior to the decision being made to give sufficient time for representations to be made.
- Financial support cannot start until the Order has been granted.
- Financial Support must be reviewed at least annually

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<sup>7</sup> The relevant authority is the authority in whose area the person has asked for help

## Appendix 1: Services for which people seeking Special Guardianship support services are entitled to be assessed

Person being assessed	Services for which they are entitled to be assessed						
	Services to enable discussion of matters relating to Special Guardianship	Assistance in relation to arrangements for contact	Therapeutic Services	Services to ensure the continuation of relationship	Services to assist in cases of disruption	Counselling, advice and information	Financial support
Local Authority Looked after child	●	●	●	●	●	●	
Special Guardian of a local authority looked after child	●	●		●	●	●	●
Child of Special guardians				●	●	●	
Natural parents or guardians of a local authority looked after child	●	●				●	
A relative (or someone with whom the local authority consider the child to have a beneficial relationship) of looked after child.		●				●	
Natural sibling of a child for whom Special Guardianship is being sought		●				●	
Prospective Special Guardians						●	

### **Support services for children**

There are a number of therapeutic and counselling services available for children within Reading. The Reading Children's Services Solutions (Access to Resources) Panel considers requests for resources and will make arrangements for the commissioning of appropriate services based on the assessed needs of the child within the placement.

Other services may include referral to CAMHS, liaison with Education, and group work. Access to independent advocates may also be arranged.

### **Support services for Special Guardians**

The type of services available may change frequently. Family and Friends workers will consider the range of support available including access to training and peer support.

### **Support services for birth parents**

When a plan of Special Guardianship is agreed for a child, birth parents should be given information about support services by the Child's Social Worker.

Birth parents can be given access to a range of services enabling them to discuss matters relating to the Special Guardianship of their child including assistance in relation to contact arrangements.

### **Support services for the families of Special Guardians**

The Special Guardian's family members may be eligible for counselling or other support services.

### **Support services for Relatives (or a person with whom the local authority consider the child to have a beneficial relationship)**

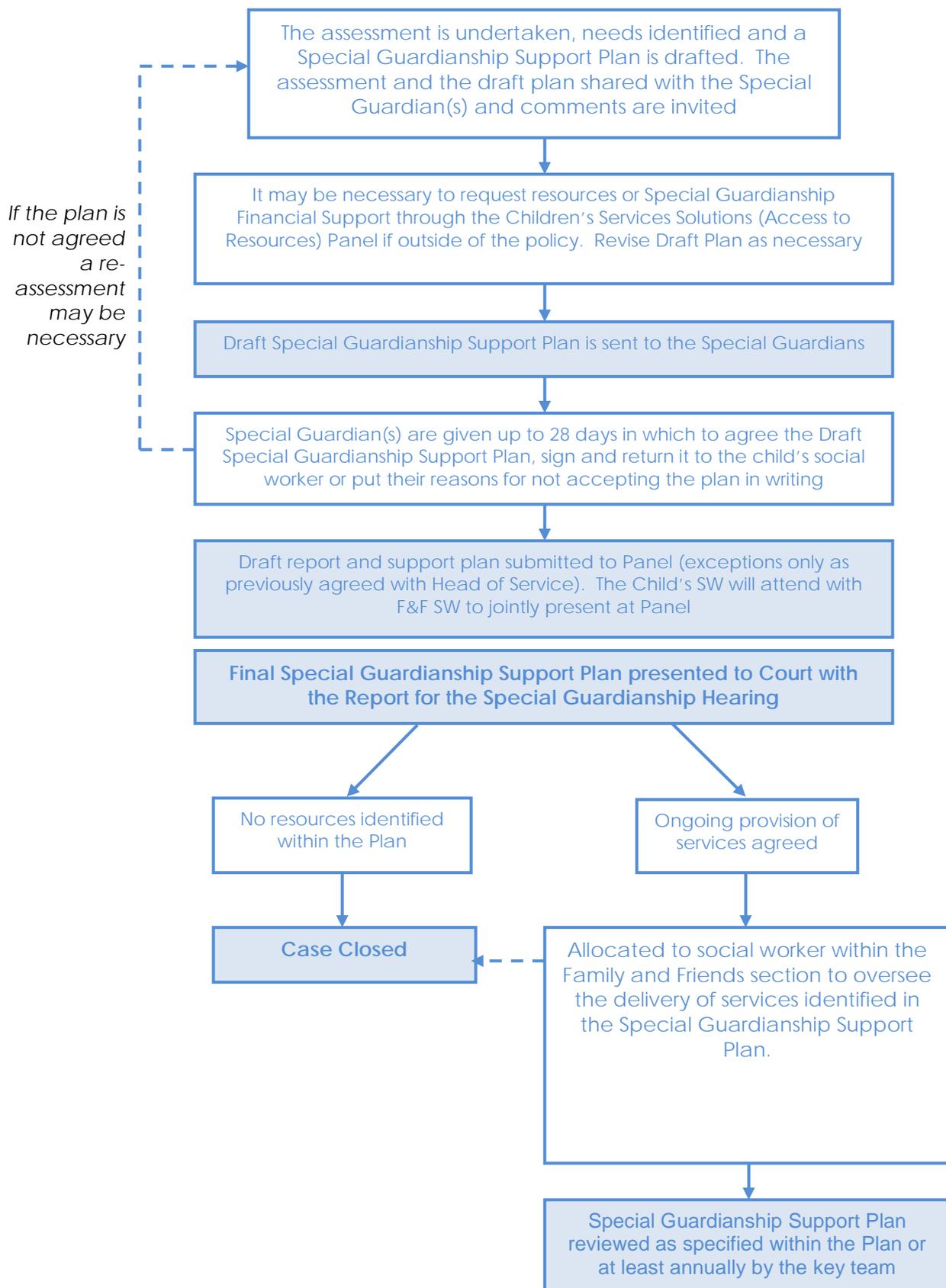
Relatives or people who have a beneficial relationship with the child may be eligible to be assessed to enable them to access contact services and counselling, advice and information services in relation to Special Guardianship.

### **Support services for users with physical, sensory and learning impairments, communication difficulties and those for whom English is not their first language**

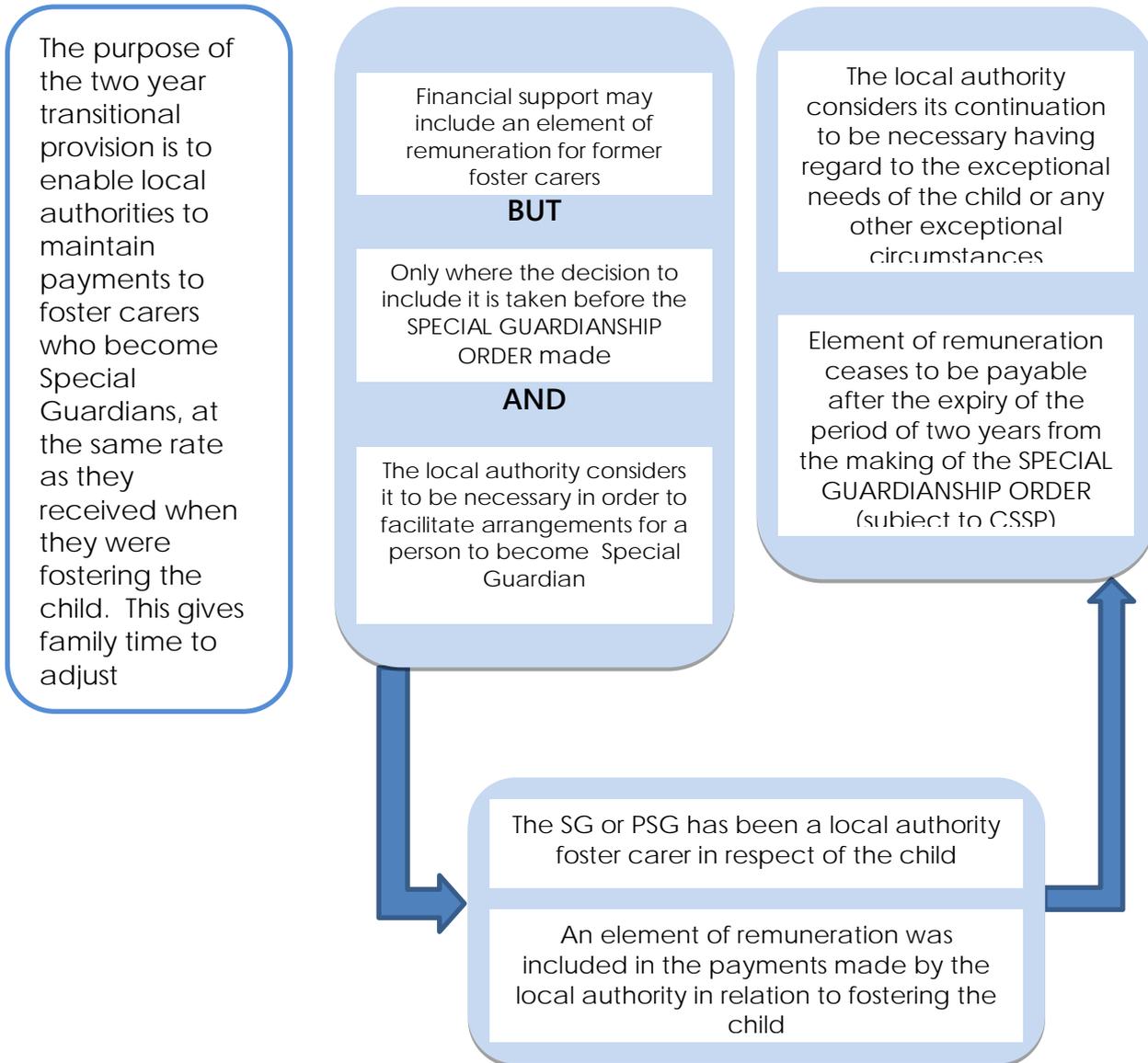
Translation and interpreting services should be considered by the assessing social worker.

Where possible services to be provided will be at a venue accessible to the service user. Services commissioned from other agencies will wherever possible take into account the accessibility of buildings and will provide services at a venue which is suitable for any service user.

# Flowchart 1: Special Guardianship Support Plans (Pre-Special Guardianship Order)



## Flowchart 2: Remuneration to former foster carers



*(The role of special guardianship: Best practice in permanency planning for children (England and Wales) 2011, Simmonds J, BAAF)*

## Appendix 2: Financial Assessments

<b>SPECIAL GUARDIANSHIP ORDER carer</b>	<b>Source of Income</b>	<b>Assessment</b>	<b>Rate</b>	<b>Notes</b>
Previously mainstream LA foster carer	Income Support / Universal Credits	No assessment	Payment at maximum fostering rate (fostering child allowance rate + remuneration element i.e. foster carer fee)	The remuneration element can be paid up to 2 years. NO deductions for Child Benefit for up to 2 yrs. Pre-order Panel direction re longer term payment – final long term decision as per assessment at 2yrs
Not previously mainstream LA foster carer (IFA)	Income Support / Universal Credits	No assessment	Payment at maximum fostering child allowance rate – no remuneration element	NO deductions for Child Benefit.
Previously Kinship/Family & Friends foster carer	Income Support / Universal Credits	No assessment	Payment at maximum fostering child allowance rate – no remuneration element	No deduction for Child Benefit
Those carers who have not been subject to Reg 24 assessment prior to court making SGO	Income Support / Universal Credits	No assessment	Payment at lower fostering child allowance rate – no remuneration element	No deduction for Child Benefit and 4 weeks additional not paid
Previously mainstream LA	Not on Income Support /	Financial assessment	As per assessment	The remuneration

foster carer	Universal Credits			element can be paid up to 2 years. Pre-order Panel direction re longer term payment. No deduction for Child Benefit for up to 2yrs .
Not previously mainstream LA foster carer (IFA)	Not on Income Support / Universal Credits	Financial assessment	As per assessment - no remuneration element	Deduction for Child Benefit
Previously Kinship/Family & Friends carer	Not on Income Support / Universal Credits	Financial assessment	As per assessment – no remuneration element	Deduction for Child Benefit
Those carers who have not been subject to Reg 24 assessment prior to court making SGO	Not on Income Support / Universal Credits	Financial assessment	As per assessment - no remuneration element	Deduction for Child Benefit and no extra 4 weeks for birthdays holidays and festivals to be paid.
<b>NB</b>				<b>4 additional weeks for birthdays, holidays and festivals p.a not paid for any of the above</b>

## Appendix 3: Reading Fostering, Special Guardianship Order Maximum Allowances (2015/2016)

Age	Fostering / Family and Friends (includes the payment equivalent to an additional 4 weeks to cover costs associated with birthdays / holidays and festivals)	Special Guardianship
0-4	£153.82	£ 142.86
5-10	£175.21	£ 162.73
11-15	£218.12	£ 202.58
16-17	£265.35	£ 246.66

## Appendix 4: DfES standardised model means test



20120823 - DfES  
Standardised Means

# Appendix 5: Financial Assessment Form For Child Arrangement, Adoption and Special Guardianship Allowances

<b>FINANCIAL ASSESSMENT FORM FOR: CHILD ARRANGEMENT ADOPTION ALLOWANCE SPECIAL GUARDIANSHIP ALLOWANCE</b>
---

NAME OF CARER (S)	

ADDRESS

NAME OF CHILD(REN)	
	D.O.B.

If you are in receipt of income support please provide your income support reference number below and sign the declaration at the end of this form before returning. IS reference number _____	
---	--

<b>INCOME - PLEASE COMPLETE USING WEEKLY AMOUNTS</b>

Basic Pay	£
Drawings if Self Employed	

Regular overtime - Bonuses	
Employers' sick pay (after compulsory deductions)	
Incapacity benefit	
Statutory maternity, paternity and/or adoption pay and/or maternity allowance	
Bereavement benefit	
Working tax credit (if paid directly and not as part of pay and excluding any childcare element paid)	
All pension payments being received	
Income Support/Jobseeker's Allowance per household	
Child tax credit per household	
Please list the child benefit for each child in the household that you are currently in receipt of (excluding child(ren) who are the subject of this assessment application) below:	
Name of child(ren)	
	D.O.B.
Any other Benefits (please list)	
<b>Other sources of income</b>	
Income from capital, savings and investments	
Income from boarders/lodgers	
Income from Properties	
Maintenance payments received for any child in household	

Existing adoption or special guardian 'allowances' paid for any child	

**Income relating to child(ren) is assessment**

Savings Account	
Trust Fund	
Property	
Other Legacy	
Any other Income	
Do not include payments from Criminal Injuries Compensation Awards	

**FAMILY EXPENDITURE - PLEASE COMPLETE USING WEEKLY AMOUNTS**

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**Home**

Mortgage payments (capital and interest) including any endowment payments linked to mortgage	
Rent (after any housing benefit payable)	
Council tax	

**Other outgoings**

Loan repayments for essential purposes (State Reason)	
Maintenance payments	
Court orders	
Private pension contributions	
National insurance if self employed	
Reasonable child care costs including nursery fees (after any childcare element paid as part of the working tax credit)	

Signed (Carer 1)

Signed (Carer 2)

Date Completed

Appendix 6: Reading Borough Council Special Guardianship Support Plan (including summary document for Birth Family) – as updated September 2016

 <b>Reading</b> Borough Council Working better with you	
<b>SPECIAL GUARDIANSHIP SUPPORT PLAN</b>	
<b>CHILD'S INFORMATION:</b>	
Name:	
Date of Birth:	
Placing Local Authority:	
<b>SPECIAL GUARDIAN'S INFORMATION:</b>	
Name(s):	
Address:	
Postcode:	
Local Authority:	
<b>APPROVING LOCAL AUTHORITY:</b>	
Name:	
Date of Support Plan:	
<b>WORKER RESPONSIBLE FOR CREATING, COORDINATING AND MONITORING THE PLAN:</b>	
Name:	
Agency:	
Address:	
Postcode:	
Telephone:	
Email address:	
Manager's Name:	
Manager's email:	
<b>TEAM RESPONSIBLE FOR REVIEWING THE SUPPORT PLAN</b>	

<b>AND ARRANGEMENTS:</b>	
Agency:	
Address:	
Postcode:	
Telephone:	
<b>WORKERS OFFERING SUPPORT TO THE FAMILY (THEIR ROLE AND TIMESCALES)</b>	
<p>(Name of F&amp;F worker) - Social Worker Family &amp; Friends Team, Family Placements, will support the family for a period of up to one year post order if needed, in order to support (Name of SG carer) with the placement and the care of (Name of child/ren). (Name of F&amp;F worker) will offer one visit every month for the first six months post order. After this period there will be a review to determine the frequency of ongoing visits and support needed.</p>	
<p>(Name of SG carer) can have telephone contact between visit either with their allocated worker or the Family &amp; Friends Duty Worker.</p>	
<p>(Name of child's social worker) will continue to visit the family for at least three months after the making of the Special Guardianship Order. She/he will visit once every four weeks.</p>	
<p>Should the court consider the granting of a Supervision Order appropriate, this will give the Local Authority the duty to advise, assist and befriend the family for the period covered by the Supervision Order. This support would be managed via the Child In Need procedures.</p> <p>(delete if not appropriate to case) However, the Local Authority does not request a Supervision order to be granted in addition to the Special Guardianship Order requested.</p>	

<b>RESPONSIBILITIES:</b>	
<p>It is the responsibility of Reading Borough Council to review the Support Plan annually.</p>	
<p>It is the responsibility of the Special Guardian to inform Reading Borough Council of any of the following changes:</p> <ol style="list-style-type: none"> <li>1) change of address</li> <li>2) change of financial circumstances</li> <li>3) change of household composition</li> <li>4) if the child/young person leaves the household</li> <li>5) if the child/young person dies</li> </ol>	
<p>While it is the responsibility of Reading Borough Council to ensure that the correct allowance is paid, it is the responsibility of the Special Guardian to alert the Local Authority to any overpayments that are made.</p>	

Reading Borough Council reserves the right to claim back any overpayments that are made.

### LEGAL:

(Name of child/ren) is currently living with (Name of person child/ren is living with), his/her/their (relationship of carer to child/ren), under (detail of any legal orders in place or arrangement the child is cared for).

The matter is listed for an (detail of next hearing Issues Resolution/Final Hearing) on (date of next hearing), it is hoped a Special Guardianship Order will be granted in favour of (Name of SG carer) as part of this hearing.

As part of the process of the application for the Special Guardianship Order (name of SG carer) has been advised to seek legal advice and provided with a list of Law Society Children Panel Solicitors.

As Special Guardian in respect of (name of child/ren), (name of SG carer) should make provision for him/her in her/his will by naming a person who will become their Guardian if he is still under the age of 18 years.

In the unfortunate event that the named person has to take over as Special Guardian at short notice then they will need to present to court at the earliest opportunity in order to be granted Parental Responsibility and ensure continuity of care for (name of child/ren).

(Name of SG carer) is advised that if she/he wishes to travel outside of the UK for a period of less than three months then she/he must take a copy of the Special Guardianship Order to the Air or Sea Port in order to demonstrate that she/he has parental responsibility for (name of child/ren).

If (name of SG carer) wishes to travel abroad for a period of more than three months then she/he will need to seek permission from the parents or the Court.

The Special Guardianship Order will expire on (name of child/ren) 18th birthday.

### HEALTH:

(Name of child/ren) are up to date/have outstanding immunisations. (If outstanding state when these will be completed.)

(Name of child/ren) are/are not\* registered with a local GP. (If not registered state when these will be completed.)

Detail any other health issues or needs, including outstanding or booked medical appointments, who with, date/time and venue.

<b>EDUCATION:</b>
(Name of child/ren) attend/will be attending (name of school or educational establishment, if under school age state what activities or clubs the child/ren will attend to socialise and learn through play)
(Name of child/ren) has/has no diagnosed special educational needs. (If child does have SENs state details and who is supporting child/ren)
(If no SENs) In the event that (Name of child/ren) was to develop special educational needs (Name of SG carer) will access support through their local education department.
The pupil premium grant may be available to schools to assist children who reside under the auspices of a Special Guardianship Order if the child/ren were looked after by an English or Welsh local authority immediately before the granting of the SGO. Further information can be viewed at <a href="https://www.gov.uk/government/publications/pupil-premium-2015-to-2016-allocations/pupil-premium-2015-to-2016-conditions-of-grant">https://www.gov.uk/government/publications/pupil-premium-2015-to-2016-allocations/pupil-premium-2015-to-2016-conditions-of-grant</a>
If they have any difficulty accessing services, either the allocated worker or a duty worker from the Family & Friends Team can liaise on their behalf to ensure appropriate services are accessed.

<b>EMOTIONAL, BEHAVIOURAL AND SOCIAL DEVELOPMENT:</b>
(Detail any needs and/or services the child/ren currently have/require including who is supporting them and any review dates)
In the event of therapeutic work being needed in the future, (Name of SG Carer) will refer (Name of child/ren) to the local CAMHS service. Support for this referral can be accessed through their GP.
If any difficulty is experienced accessing services, either the allocated worker or a duty worker from the Family & Friends Team can liaise on their behalf to ensure appropriate services are accessed.

<b>IDENTITY AND CULTURE:</b>
(Name of child/ren) is (state child/ren ethnicity)
(Name of child/ren) is (state faith or religion) and observes the following practices
(Details of how SG carer can meet child/ren's maternal and paternal cultural heritage)

<b>CONTACT:</b>
(Details of child/ren's current contact arrangements with mother)
(Details of Local Authority's proposed contact arrangements with mother, including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with mother)
(Details of child/ren's current contact arrangements with father)
(Details of Local Authority's proposed contact arrangements with father including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with father)
(Details of child/ren's current contact arrangements with sibling/s)
(Details of Local Authority's proposed contact arrangements with sibling/s including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with sibling/s)
(Details of child/ren's current contact arrangements with other significant persons)
(Details of Local Authority's proposed contact arrangements with other significant persons including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with other significant persons)
If (Name of SG carer) believes that a contact session is not going well and is distressing (Name of child/ren) then they may terminate the meeting.
If (Name of child/ren) does not wish to attend contact when it is arranged then he/they will not be forced to go.
(Name of SG carer) will encourage (Name of child/ren) to send seasonal greetings and birthday cards to parents and other family members. However if (Name of child/ren) does not wish to send such cards then he/they will not be forced to do so.
If any person consistently lets (Name of child/ren) down by missing contact sessions then (Name of SG carer) can make the decision to stop offering it.
If contact is suspended and the family member wishes to resume contact they must first contact (name of SG carer). It is expected that they will re-start contact by sending cards to (Name of child/ren), followed by phone

calls, followed by direct contact when (Name of SG carer) assesses that (Name of child/ren) is ready to see that person.
The contact arrangements suggested are a minimum recommendation. If (Name of SG carer) decide that it is appropriate to offer more session or longer sessions, depending on (Name of child/ren) needs, they are able to do so. However, (Name of SG carer) should consider any increases carefully as it may have the potential to destabilise the arrangement and impact on (Name of child/ren)'s attachment. Therefore (name of SG carer) would need to be sure any changes are in (Name of child/ren)'s best interests.
It is recognised that as (Name of child/ren) gets older that he/they will begin to make decisions about who he/they wish to see; (Name of SG carer) will guide him/them and help him to make appropriate decisions.
The contact arrangements recommended is intended to promote permanence with (Name of SG carer) and is intended to support reparative parenting and promote family life with (Name of SG carer).
New communication technologies such as email, texts and social networking sites can be a means for children to stay in touch with family members and friends. However these technologies can also offer an easy vehicle for family members and children to make and maintain contact in secret when limited contact is assessed to be in the child's best interest. This is also effectively 'unsupervised' contact which if not managed and monitored may have a negative impact on the child/ren and the stability of their placement. The Family & Friends Team can provide information on internet safety to (Name of SG carer).
The Family and Friends Team offers a piece of work aimed at devising guidelines for contact. All the relevant family members can be invited to attend the meetings in order to draw up the contact guidelines so that everyone understands their responsibilities and contact is promoted as positive and of good quality for (Name of child/ren).

#### SUPPORT FOR SPECIAL GUARDIAN:

The assessment and provision of services for the SGO arrangement remain the responsibility of Reading Borough Council. The duty of care under Child in Need or Child Protection is the responsibility of the local authority where the child resides post SGO order. If the family move local authority areas within the life of the SGO, consideration will be given as to whether the SGO support plan needs to be updated.
(Name of F&F SW) will be the allocated social worker for (Name of SG carer) for at least one year after the Special Guardianship Order is granted.
It is planned that during the meetings between (Name of SG carer) and (Name of F&F SW), that amongst other topics, the following issues will be discussed: monitoring contact and supporting (Name of child/ren) in adolescence.

<p>(Name of SG carer) will be able to have telephone contact with (Name of F&amp;F SW) or the duty worker for the Family and Friends Team, as and when required. (Name of SG carer) is advised not to leave urgent messages on workers mobile phones but to contact the Family Placements office. Contact Numbers are as follows:</p> <ul style="list-style-type: none"> <li>• Family Placements - 01189 373740</li> <li>• Emergency Duty Team (out of hours emergencies) - 01344 786543</li> </ul>
<p>(Name of SG carer) will be invited to the Family and Friends Support Group. The group meets on a fortnightly basis, alternating between 'Coffee Mornings' which are open for free discussion, and workshops that target training needs for Family and Friends Carers.</p>
<p>Specific workshops can be identified for (Name of SG carer) when new schedules of topics for the support group become available. Carers will be informed of this by letter/circular.</p>
<p>Specific workshops that will be offered are Attachment, Trauma and Resilience, and When Love is Not Enough.</p>

<p><b>INFORMATION FOR SPECIAL GUARDIAN:</b></p>
<p>(Name of SG carer) will be provided with copies of (Name of child/ren)'s birth certificates by a social worker from the children's team.</p>
<p>(Name of SG carer) will be provided with a copy of the Special Guardianship Order by Reading's Joint Legal Team.</p>
<p>A copy of Children's Services Complaints leaflet can be provided to (Name of SG carer) or alternatively direct contact can be made with the complaints team on 01189372905 or <a href="mailto:socialcare.complaints@reading.gov.uk">socialcare.complaints@reading.gov.uk</a></p>

<p><b>FINANCIAL AND PRACTICAL:</b></p>
<p>When the Special Guardianship Order is granted (Name of SG carer) will be offered Special Guardianship Allowance at the rate of £(rate agreed by finance dept) per week in respect of (Name of child/ren). This is the rate of the post order allowance with Child Benefit deducted at the rate of £(state rate of child benefit) which is the rate for a first/second* child.</p>
<p>This allowance is means tested in accordance with Reading Borough Council's policy and procedures and is subject to annual financial reviews.</p>
<p>Providing (Name of SG carer) is still entitled and this entitlement has been secured through means testing in the annual financial reviews then the payment of any SGO allowance could continue on 31st July after (Name of child/ren) 18th birthday's if they are still in education, otherwise it will cease on their 18th birthdays.</p>

The basic rate, prior to any means tested deductions, of Special Guardianship Allowance will increase on (Name of child/ren)'s 5th, 11th and 16th *
The allowance will be reviewed annually to ensure that the correct rate is being paid, that (Name of SG carer) is still entitled to an allowance and that (Name of child/ren) is/are* still living with her.
(Name of SG carer) will be able to apply for Child Benefit, Tax Credits and any other relevant benefits.
The payment of any SGO allowance is subject to review and means tested financial assessments on an annual basis. Failure to provide the information and evidence requested each year will result in the SGO allowance being stopped.

VISITS AND REVIEWS:	
Three months after the SGO has been awarded there will be a financial review which will take into account any tax credits (Name of SG carer) may be entitled to, if they are not entitled they will need to evidence this with a non-entitlement letter.	
The full support plan will be reviewed at the end of the first year, and any required amendments to the support package will be considered.	
The financial element of the support plan will be reviewed annually for the duration of the order and any adjustments will be made according to the means test completed by the finance department.	
Visits will be offered every month for the first six months* post granting of the Special Guardianship Order. The frequency of visits will be reviewed at this point.	

SIGNATURES:	
Special Guardian:	Date:
Special Guardian	Date
Assessing Social Worker	Date
Assistant Team Manager/Team Manager	Date

## SUMMARY OF SPECIAL GUARDIANSHIP SUPPORT PLAN FOR BIRTH FAMILY INFORMATION

### CHILD/REN'S INFORMATION:

Name:	
Date of Birth:	
Placing Local Authority:	

### SPECIAL GUARDIAN'S INFORMATION:

Name(s):	

### APPROVING LOCAL AUTHORITY:

Name:	
Date of Support Plan:	

### WORKER RESPONSIBLE FOR CREATING, COORDINATING AND MONITORING THE PLAN:

Name:	
Agency:	
Address:	
Postcode:	
Telephone:	
Email address:	
Manager's Name:	
Manager's email:	

### TEAM RESPONSIBLE FOR REVIEWING THE SUPPORT PLAN AND ARRANGEMENTS:

Agency:	
Address:	
Postcode:	
Telephone:	

<b>CONTACT:</b>
(Details of child/ren's current contact arrangements with mother)
(Details of Local Authority's proposed contact arrangements with mother, including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with mother)
(Details of child/ren's current contact arrangements with father)
(Details of Local Authority's proposed contact arrangements with father including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with father)
(Details of child/ren's current contact arrangements with sibling/s)
(Details of Local Authority's proposed contact arrangements with sibling/s including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with sibling/s)
(Details of child/ren's current contact arrangements with other significant persons)
(Details of Local Authority's proposed contact arrangements with other significant persons including supervision, venue, frequency and duration)
(Details of any transition plan to facilitate changes in contact with other significant persons)
If (Name of SG carer) believes that a contact session is not going well and is distressing (Name of child/ren) then they may terminate the meeting.
If (Name of child/ren) does not wish to attend contact when it is arranged then he/they will not be forced to go.
(Name of SG carer) will encourage (Name of child/ren) to send seasonal greetings and birthday cards to parents and other family members. However if (Name of child/ren) does not wish to send such cards then he/they will not be forced to do so.
If any person consistently lets (Name of child/ren) down by missing contact sessions then (Name of SG carer) can make the decision to stop offering it.
If contact is suspended and the family member wishes to resume contact they must first contact (name of SG carer). It is expected that they will re-start contact by sending cards to (Name of child/ren), followed by phone calls, followed by direct contact when (Name of SG carer) assesses that (Name of child/ren) is ready to see that person.
The contact arrangements suggested are a minimum recommendation. If (Name of SG carer) decide that it is appropriate to offer more session or longer

<p>sessions, depending on (Name of child/ren) needs, they are able to do so. However, (Name of SG carer) should consider any increases carefully as it may have the potential to destabilise the arrangement and impact on (Name of child/ren)'s attachment. Therefore (name of SG carer) would need to be sure any changes are in (Name of child/ren)'s best interests.</p>
<p>It is recognised that as (Name of child/ren) gets older that he/they will begin to make decisions about who he/they wish to see; (Name of SG carer) will guide him/them and help him to make appropriate decisions.</p>
<p>The contact arrangements recommended is intended to promote permanence with (Name of SG carer) and is intended to support reparative parenting and promote family life with (Name of SG carer).</p>
<p>New communication technologies such as email, texts and social networking sites can be a means for children to stay in touch with family members and friends. However these technologies can also offer an easy vehicle for family members and children to make and maintain contact in secret when limited contact is assessed to be in the child's best interest. This is also effectively 'unsupervised' contact which if not managed and monitored may have a negative impact on the child/ren and the stability of their placement. The Family &amp; Friends Team can provide information on internet safety to (Name of SG carer).</p>
<p>The Family and Friends Team offers a piece of work aimed at devising guidelines for contact. All the relevant family members can be invited to attend the meetings in order to draw up the contact guidelines so that everyone understands their responsibilities and contact is promoted as positive and of good quality for (Name of child/ren).</p>