

TOGETHER FOR CHILDREN, ADOPTION SUNDERLAND

Special Guardianship Passport

This passport provides information about Special Guardianship and the support services offered by Together For Children, Adoption Sunderland, who provide these services on behalf of Sunderland City Council.

What is a Special Guardianship Order?

A Special Guardianship Order (SGO) is a legal Order granted by the court which gives a person or people, parental responsibility for a child. The person or persons are known as the child's 'Special Guardian(s)' on granting of the Order by the Court. When making decisions for a child, the Special Guardian(s) have overriding parental responsibility over all others with parental responsibility including birth parents.

Applications for a SGO can be made by an individual or by two or more persons. The individual making the application must be at least 18 years of age.

The Legal Framework

If a child was 'Looked After' before a SGO was granted, the child may qualify for advice and assistance under the Children Act 1989, as amended by the Children (Leaving Care) Act 2000 and the Adoption and Children Act 2002.

For Special Guardianship, to qualify for advice and assistance, Section 24 (1A) of the Children Act 1989 provides a list of criteria to meet. Please see the Special Guardianship 2016 guidance for further information.

Those individuals interested in becoming a Special Guardian must give their Local Authority **3 months written notice** of their intention of applying for an Order.

What are Special Guardians entitled to?

An amendment to the Special Guardianship Regulations (2005) guidance was introduced in February 2016. The Special Guardianship (Amendment) Regulations 2016 details support services all Local Authorities have a duty to provide to Special Guardians and they include:

- Financial support
- Therapeutic support services
- Assistance support services such as training opportunities
- Information, advice and counselling
- An assessment of need and subsequent reviews.

What Support Services do Together For Children, Adoption Sunderland offer to Special Guardians?

This leaflet provides information about support services available to Special Guardians and as such will be regularly reviewed. Together For Children, Adoption Sunderland offer a range of support services for Special Guardians which include:

1. An assessment of Need and Support Plan

The following regulations are detailed in the new government guidance:

Regulation 11: Assessment for Special Guardianship Support Services

A child, the Special Guardian or prospective Special Guardian and parent are entitled to a special guardian support services assessment at their request. This is if the child is 'Looked After' or was previously a looked after child before the SGO was granted.

Regulation 17: Reviews

Local Authorities are required to review support services in order to evaluate the effectiveness of such services and to ascertain if changes need to be made.

2. Financial Support

When a social worker is working with a child and a Prospective Special Guardian, financial support will feature prior to the Order being made. Post Order, a Special Guardian can request a support assessment to look at this if there are some financial issues. Financial support is means tested. Child Benefit and any Child Tax Credits awarded for the child(ren) are deducted. If financial support is provided then this will be subject to an annual financial review and as such, is subject to change.

The following will be considered for the purposes of a support assessment:

Projected family income

Child's long term physical illness

Child's disability

Emotional or behavioural difficulties experienced by a child

A child receiving therapeutic support

A child's age at placement (not at granting of the Order)

Did the Agency place a child with his/her siblings?

A child's special requirements in relation to his/her ethnic origin.

Special Guardians can continue to receive means tested financial support until the child reaches 16 years of age. If the child remains in education or training, this will be reviewed at this stage.

Where a child was **not 'Looked After'** by the Local Authority immediately before the granting of the SGO, financial support is means tested from the outset. The means test is based on the

applicants' income/expenditure and the needs of the child. (Child Benefit and Child Tax Credits are taken into account when calculating the financial support).

For further information regarding financial support please contact the Adoption Team Duty Number, 0191 5612221. The Agency has a helpful booklet available also.

Please see **Regulation 13: Assessment for Financial Support** in the Special Guardianship 2016 guidance for further details.

3. Therapeutic Services

Special Guardians are advised to contact their GP, Health Visitor or School Nurse about accessing universal therapeutic services in the first instance. Where a service is not available, following a request from the Special Guardian, an assessment of the child(ren)'s needs would be undertaken by a social worker from the Adoption Team, consideration will be given to making an application to the Adoption Support Fund, which applies to children who have previously been looked after.

4. Special Guardianship Support Group

A Support Group accessible to all Special Guardians is run by More Than Grandparents each Thursday from 12.30pm until 2.30pm, details below.

5. Information, advice and counselling

Grandparents Plus run an advice line, details below.

Special Guardianship Amendment 2016 Guidance States:

Regulation 5: Services for Persons Outside the Area

The assessment and provision of services remain the responsibility of the Local Authority where the child was last Looked After for 3 years from the date the Special Guardianship Order is granted. Once the 3 years has expired, the responsibility lies with the Local Authority where the Special Guardian(s) live.

If the child was not previously looked after, the Local Authority responsible is where the child resides. If the child moves, the responsibility is with the Local Authority where the child relocates to.

Regulation 14: The Plan

Special Guardianship support services which are provided to a person on more than one occasion require a plan from the Local Authority (this excludes support services in the form of advice and/or information).

Regulation 15: Post assessment – notice of outcome of assessment

The Local Authority must inform the Special Guardian of the outcome of the assessment and the decision as to whether to provide services. The Local Authority will provide a period of 28 days for representatives to be received before a final decision.

Pupil Premium Plus

This is additional funding given to schools for those eligible children which helps raise their educational attainment. Those children who were Looked After immediately before the SGO was granted are classed as an 'eligible child'. The Adoption Service can offer support to you when discussing this with the child(ren)'s school if required.

Please visit this website for further information: <https://www.gov.uk/government/publications/pupil-premium-2015-to-2016-allocations/pupil-premium-2015-to-2016-conditions-of-grant>

Who Can I Contact If I Need To Ask a Question or Need Further Information?

If you have any questions, need advice or information please do not hesitate to contact the Adoption Service either via phone or email?

Duty number: 0191 5612221

Email: adoption@togetherforchildren.gov.uk

Useful Websites

Below are a list of websites Together For Children Adoption, Sunderland Service advise Special Guardians or prospective Special Guardians to access for further information.

- Together For Children, Sunderland Adoption-
<https://www.togetherforchildren.org.uk/families/adoption>
0191 5612221
- More Than Grandparents Sunderland-
An independent charitable incorporated organisation led by and for kinship carers. The group meets every Thursday from 12.30pm to 2.30pm. For more information email morethangrandparents@gmail.com or contact Mel Nichols on 07501191338
- The Family Rights Group –
www.frg.org.uk
0808 801 0366
- The Grandparents Plus website –
www.grandparentsplus.org.uk
0300 123 7015
- NSPCC (National Society for the Prevention of Cruelty to Children) –

- Barnardo's –
www.barnardos.org.uk
0208 550 8822
- The Fostering Network –
www.thefosteringnetwork.org.uk
020 7620 6400
- Coram BAAF (British Association of Adoption and Fostering) –
www.coram.org.uk
0300 222 5775
- After Adoption –
www.afteradoption.org.uk
0800 0568 578
- The Relative Experience Group –
<https://relativeexperience.wordpress.com>
0191 2572504

Other relevant government department advice and statutory guidance

- The Special Guardianship Regulations 2005
(<http://www.legislation.gov.uk/uksi/2005/1109/contents/made>)
- The Special Guardianship (Amendment) Regulations 2016
(<http://www.legislation.gov.uk/uksi/2016/111/made>)
- Explanatory Memorandum and the Amendment Regulations
(<http://www.legislation.gov.uk/id/uksi/2016/111>)