

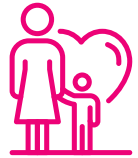
SGO

Special Guardianship Order



Special Guardianship Order, is it right for me?

Special guardians are carers appointed by the court to provide permanent care for a child who is not their birth child. It is designed for children who can remain involved with their parents but need another adult to care and make decisions for them. It is a way of providing a secure family life for a child while they are growing up and can last until the child turns 18.



The courts will grant a formal court order which allows the Special guardians to gain an enhanced form of parental responsibility. This means they can use their parental responsibility to the exclusion of others, they will have responsibility for the day-to-day decisions as well as all the important decisions about the child or young person such as where they live, go to school and can consent to medical treatment. Special guardians should still consult parents and others with parental responsibility about important decisions for the child. But they can make final decisions about most things if needed.

There are some restrictions:

- Changing the child's surname.
- Removing the child from the UK for more than three months
- situations where the consent of everyone who hold parental responsibility is required by law e.g. consent to a child being sterilised or circumcision of a male child.
- Give consent for the child to be considered for adoption or adopted.



Walsall Council

Who can apply to be a Special Guardian?

- any guardian of the child
- any individual who is named in a child arrangements order as a person with whom the child is to live
- a local authority or independent fostering agency (IFA) carer with whom the child has lived for a period of at least one year immediately preceding the application
- a relative with whom the child has lived for a period of at least one year immediately preceding the application
- any person with whom the child has lived for three out of the last five years
- where the child is in the care of a local authority, any person who has the consent of the local authority
- anyone who has the consent of all those with parental responsibility for the child
- the child lives with you because of a Child Arrangements Order (CAO)
- you have the agreement of anyone named in a CAO as someone who the child will live with
- any person, including the child, who has the leave of the court to apply



You must be over 18 and must not be the child's birth parent. You can apply jointly with one or more people. Joint applicants do not need to be married.

Can the order be varied or discharged?

A special guardianship order can be varied or discharged, so it does not give the same permanent and final legal security that adoption does. Also, unlike adoption it ends when 18 years old. If birth parents disagree with a special guardianship order being made, the court will take into account their views, but if the court is satisfied the child cannot be cared for in the long term by their parents and that a special guardianship is the best option available to meet the child's needs, then the order can be made.

Before you apply

You must give notice to children's services of your intention to apply for an SGO at least three months before you make your application. Children's services will write a report on your suitability as a Special Guardian and send it to the court after you apply. The court can't make a decision until they receive it.

- You can give this notice simply by writing a letter saying that you plan to apply for an SGO. Keep a copy of your letter.
- Which children's services department you write to depends on whether the child is already looked after. If they are, then you must inform that children's services department. If not, it will be children's services where you live.



When children's services receive notice of someone's intention to apply for an order, the social worker must start an assessment. This assessment will look at their suitability to become a special guardian. The court cannot make a special guardianship order unless it has received a report from children's services about whether the applicant would be a suitable special guardian.

The assessment process

A social worker will be allocated and asked to complete an assessment over 12 weeks. You will be visited at home on a number of occasions during the assessment and you will be asked about your medical, criminal, employment, family and relationship history and will be asked for references.



The assessment also takes into account:

- 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.
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Special Guardianship Support Plan

Alongside the assessment a support plan will be created. It sets out the support to be provided to a) the child/young person, b) the Special Guardian and their family and c) the child/young person's birth family.

The Support Plan has been split into several areas of need (health, education, emotional and behavioural development, identity, family and social relationships, family time/contact and financial and practical support) and should be used to set out core information about the child/young person, the Special Guardian, the birth family and also those who will be providing input and support into plan. As part of the support plan the Special guardians will be asked to appoint a testimonial guardian to care for the child in the event of their death. Testamentary Guardianship - childlawadvice.org.uk

What is agreed in the support plan and then approved by the court, has to be put in place by the local authority, so its worth taking the time to make sure its right for you and your family. We would advise you seek legal support if not already done so.

Seeing parent and other family members



When the Family Court makes a special guardianship order, it will also need to think about who the child should spend time with or be in touch with. This includes who the child should see, how often and other such arrangements. This is often referred to as contact arrangements or family time. There is an expectation that special guardians will be able to arrange and supervise family time if needed. In extreme circumstances where the parents/family member are deemed as a risk, letterbox contact can be facilitated by the local authority or a support worker can be put in place to supervise the family time (funding needs to be requested for this to be approved).

What we offer after your SGO has been granted

SGO support is there if/when you need it, but you need to request it. A worker will contact you annually to confirm finances and check things are going ok, but special guardians do not need to wait for this to raise and concerns or tell us about any changes, you can request this at any point you feel necessary.

Advice, guidance and sign posting



There is a team of SGO support workers dedicated to supporting special guardians and birth parents.

Contact number: 01922 652680
Email: ConnectedCarersSGODutyTeam@walsall.gov.uk

Family time (contact)

You may wish to seek advice and support around barriers or difficulties with family time, eg relationship issues impacting upon the SGO household. If this is the case advice and support can be offered by the SGO support worker, and in some cases an SGO review will be necessary to inform an update to the SGO support plan.

Mediation

It may be that you, birth parents or children subject to the order require support in respect of strengthening family relationships, or establishing, re-establishing or maintaining family time arrangements. The SGO support worker can offer mediation, advice and support. This may include helping the family to draft a family time agreement. Special guardians and birth parents can seek legal advice on family time if necessary, but this would be privately funded.

Financial



Advice on available grants can be sought. You can request support to apply for relevant benefits as required. Advice will be provided about an SGO allowance at the enquiry stage / during the SGO assessment process. You can also request a financial assessment if there's a significant change in financial circumstances or the child's needs or circumstances.

For SGOs granted in another local authority where financial support is already in place you'll be signposted back to the originating local authority as they remain responsible for any financial support granted at the time of the order.

Access to training

If you require specific training this can be explored with the SGO support worker. This may include attending local authority foster carer training (for previous foster carers), or training delivered through via the SGO Team or other professional agencies.

Networking

The SGO support worker will arrange coffee mornings/networking opportunities.



SGO newsletters

SGO newsletters are sent quarterly and aims to keep you updated on any new local support services or wider support available. It is also a reminder that SGO support is available from the local authority. If you provide your email address you will also be emailed any information that we think may be helpful for you to know as a special guardian.

Walsall Virtual School

The virtual school acts as a local authority champion to promote the progress and educational attainment of looked-after children so they achieve educational outcomes comparable to their peers. Ensuring that they receive a high-quality education is the foundation for improving their lives.



For any queries please contact the virtual school for further information and support **phone:** 01922 652837
Email: walsallvirtualschool@walsall.gov.uk
Website: <https://wvs.sch.life/>

Pupil Premium

Introduced in 2011, the Pupil Premium is a sum of money given to schools each year by the government to improve the attainment of eligible children. This is based on research showing that children from low-income families perform less well at school than their peers.

Often, children who are entitled to Pupil Premium face challenges such as poor language and communication skills, lack of confidence and issues with attendance and punctuality. The Pupil Premium is intended to directly benefit the children who are eligible, helping to narrow the gap between them and their classmates.

Pupils who may be eligible include

- Children in receipt of free school meals, or those who have been eligible for free school meals in the past six years
- Children recorded as being from service families
- Pupils who were 'looked after' and left care under a special guardianship order

Non-eligible pupils

Schools don't have to spend Pupil Premium so that it solely benefits eligible pupils. They can use it wherever they identify the greatest need. For example, they might spend it on pupils who don't get free school meals but:

- Have or have had a social worker
- Act as a carer

Using Pupil Premium funding to improve teaching quality is the most effective way to improve outcomes for disadvantaged pupils. By doing so, schools will inevitably benefit non-eligible pupils as well.

Speak to the school for information, or find out more from the Gov.UK website and The parent's guide to the pupil premium.

Priority school admissions/support in school

Children who have previously been looked after must be given priority for admission to the school of their carer's choice. Therefore, if changing schools or transitioning to secondary school, special guardians should make it clear on any admission forms that a child was previously looked after and is now subject to an SGO. There should be a designated teacher within the school who should be the initial point of contact to promote the child's education. They have responsibility for ensuring that school staff understand and are supportive of children who were previously in the care system and subject to an SGO.

The Adoption Support Fund (ASF) (whilst still available)



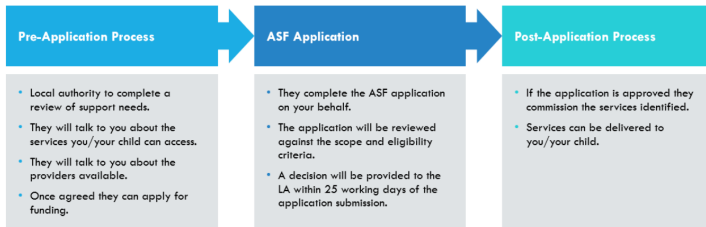
The ASF provides funds to local authorities to pay for essential therapeutic services for eligible children (whilst the title only mentions adoption, it can also be accessed for children who have previously been looked after and are subject to an SGO or child arrangements order). If this is felt to be required, special guardians can request an SGO assessment of need to explore the need and eligibility.

Is my child eligible?

The ASF is available to children up to and including the age of 21, or 25 with an education, health, and care (EHC) plan who were either:

- looked after by the local authority before a SGO was made;
- looked after by the local authority before the SGO was made but subsequently changed to an adoption order, or vice versa;
- looked after by the local authority prior to living under a child arrangement order (CAO) to enable the assessment of a potential special guardian. They remain eligible if an SGO is subsequently made.

How does the ASF work?



What can the funding be used for?

Creative therapies (e.g. art, music, drama, play therapy) Creative ways for your child to process their thoughts, feelings and history through therapy.	Extensive therapeutic life story work Helping your child understand and cope with their past trauma and difficulties through therapy.	Family therapy Therapy to help build attachment and improve the relationship between you and your child.
Therapeutic Parenting Group training/individual sessions to support you with skills and techniques to therapeutical parent your child.	Psychotherapy A talking therapy for your child to help them understand and cope with their past trauma and difficulties through therapy.	Specialist Assessments In-depth assessment of your child and family's needs focused on trauma and attachment completed by a qualified clinician resulting in a therapeutic support plan.

Leaving care entitlement

Depending on the child's circumstances and the time they spent in care, the law describes four different groups of care leaver:



- Eligible child
- Former relevant care leaver
- Relevant child
- Qualifying care leaver

All children who were looked after prior to the making of a special guardianship order will be classed as a 'qualifying child' between the ages of 16-21. This entitles them to support and advice from the Walsall Leaving Care Team and may include a pathway plan if required. Key assistance offered includes support around welfare benefits and housing, support in respect of education, training and employment.

If a child reached age 16 prior to the SGO being granted they would be either a 'qualifying child', 'relevant child' or 'former relevant care leaver'. This is dependent on their age and circumstances, and details of their support entitlement can be discussed by contacting the Leaving Care Team on 01922 650555.

What happens if parents and special guardians cannot reach an agreement?



Parents have the right to apply to the Family Court for an order if they do not agree with a decision that is made about how the child is raised.

They could apply for one of the following orders, under section 8 of the Children Act 1989:

- A specific issue order - This is an order that deals with a specific matter, such as what school to attend, or whether a child should receive a particular health treatment.
- A prohibited steps order - This order directs the person named in the order not to carry out a specific act. For example, not to take the child for a certain immunisation.

The court would then decide the question that is in dispute. But if the parent keeps making applications, the Family Court can stop them doing this if it is becoming unreasonable. A parent needs the permission (sometimes known as 'leave') of the court to end a special guardianship order, or to apply for a child arrangements order, saying where the child should live.



Contact us

If you or your Special Guardian have any questions then you can contact the SGO Support Hub.

Walsall SGO Support Hub

Tel: 01922 652680

Email: ConnectedCarersSGODutyTeam@walsall.gov.uk



Other useful support services

Kinship

Tel: 07957184215

Email: karen.parke@kinship.org.uk

Visit: www.kinship.org.uk/

Walsall's SENDIAS Service Special Educational Needs & Disability Information Advice & Support Service

Tel: 0808 802 6666

Email: walsallsendiass@family-action.org.uk

Visit: www.walsall-sendiass.org.uk

Walsall's Virtual school

Lorraine Thompson

Tel: 07825860581

Email: Lorraine.thompson@walsall.gov.uk

Walsall Family Information Service

Tel: 01922 653383

Visit: www.mywalsall.org/fis/

Walsall Bereavement Support Service

Local charity providing free specialist bereavement support to bereaved Walsall residents, including a service called 'The Swing' for children and young people to access.

Tel: 01922 724841/01922 645035

Email: admin@wbss.org.uk

Visit: wbss.org.uk

WPH Counselling and Education Service (Incorporating Walsall Pregnancy Help)

Offer free counselling - self referrals can be made

Tel: 01922 649322

Email: wphcounselling@btconnect.com

Visit: www.wphcounselling.org

Familyline

Tel: 0808 802 6666

Text message: 07537 404 282

Email: familyline@family-action.org.uk