

Best Practice Guide:

Special Guardianship Orders

Achieving Permanence for Children

Ensuring Safety, Stability, and Legal Security

Wright Street Walkthrough Survey



October 2024

Background to the Best Practice Guide

In 2023, Derby and Derbyshire Safeguarding Children Partnership (DDSCP) undertook two Rapid Reviews (Working Together to Safeguarding Children Statutory Guidance (2023), chapter 5, page 136) about two unconnected children who were suspected to have died as a result of abuse or neglect.

The Rapid Reviews found that Child in Need arrangements was an overarching learning area across both cases. Special Guardianship Orders and Personal Health Budgets were identified as individual learning areas.

The Rapid Review Panel decided that developing three best practice guides based on the findings of the Rapid Reviews and by drawing on the expertise of practitioners and the experiences of children & their carers would:

- Provide practitioners across agencies with a set of best practice principles to support and enhance their work with children and families in addition to following relevant legislation and local procedures.
- Help to achieve the shared multi-agency aims of meeting the needs of children and increasing their safety and wellbeing.

The DDSCP facilitated practitioner groups to discuss the practice associated with the three learning areas. The groups were attended by a variety of practitioners from a range of agencies and included front line staff and senior managers. Their input alongside that of children & their carers has helped to create this best practice guide which has been endorsed by senior leaders across the DDSCP.

The best practice guide provides a framework for practitioners working collaboratively across all agencies to help improve outcomes for children and their families in the areas of assessment, planning, intervention, review and evaluation and exit planning.

Online versions of the Child in Need, Special Guardianship Orders & Personal Health Budgets Best Practice Guides can be found here:

2.2 Local Best Practice Guidance

What is a Special Guardianship Order?

A Special Guardianship Order (SGO) is a private law order made by the Family Court under the Children Act 1989 as a way to provide greater security and stability for children who cannot live with their parents. An SGO is usually considered when a Local Authority has become involved with concerns relating to a child and wishes to support their upbringing in a different way to adoption or foster care.

The suitability of a prospective Special Guardian (who is usually someone that the child has a close relationship with such as a grandparent, relative or family friend) is considered by the Family Court alongside the child's needs. The Local Authority produces a report to help the Family Court make a decision about whether an SGO is appropriate. If an SGO is granted, the Special Guardian has parental responsibility for the child until they are 18.

Working Together to Safeguarding Children Statutory Guidance (2023) outlines that supporting children (including those who are subject to an SGO) is a shared responsibility where successful outcomes depend on strong partnership working between parents or carers and all practitioners working with them.



Assessment

Think about whether the prospective Special Guardian(s) will be able to provide long term stability & help the child to thrive



"Throughout the SGO assessment X was supportive, understanding and compassionate and helped me to make sense of the whole process"



- Identify agencies to support the assessment: consider their information & whether they support an SGO
- Consider timescales: discuss any barriers to completing a thorough assessment with a manager
- Aim to build a trusting & open relationship with the prospective Special Guardian(s): clearly explain the assessment process and their future role & responsibilities
- Consider how strong the relationship is between the prospective Special Guardian(s) & the child
- Aim to understand the features & dynamics of the prospective Special Guardian(s)' family relationships
- Think about how any adversity experienced by the prospective Special Guardian(s) may affect the child
- Look for indicators that the prospective Special Guardian(s) understand the child's early life experiences
- Explore relations between prospective Special Guardian(s) & birth parents: can difficulties be managed?
- Identify the child's potential future health needs & consider what support the prospective Special Guardian(s) may need to meet them
- Consider how resilient the prospective Special Guardian(s) are to managing change and responding to the child's evolving needs & possible challenging behaviours over time
- Think about whether the prospective Special Guardian(s) can meet the child's diversity & cultural needs
- Consider the motivation of the prospective Special Guardian(s) to care for the child: are they committed?
- Analyse the challenges faced by the family: think about housing, finances, employment & health
- Explore the wider family network: do the prospective Special Guardian(s) have support from others?
- Consider how other children in the family may be affected by introducing the new child: listen to their views
- Assess the prospective Special Guardian(s)' emotional health: do they need support? Can they implement strategies at difficult times?
- Do references from former partners & other background checks from the Police & the Disclosure and Barring Service support the likely success of an SGO?
- Consider the circumstances of the birth parents: are there parallel care proceedings & what is the impact of those? What risks are posed by birth parents? Do birth parents support an SGO?
- Identify factors which mitigate any risks to the success of an SGO
- Share the assessment with the prospective Special Guardian(s), parents & the practitioner group
- Reflect with a manager & the practitioner group: is an SGO the best outcome for the child? Has their placement with the prospective Special Guardian(s) been tested sufficiently? Should other permanence plans be considered?



Planning

Think about whether the plan for permanence will meet the child's needs & keep them safe and secure



"Each time we went for a meeting, they explained why we were there, what we were doing in the plan and what stage we were at"



- Support the prospective Special Guardian(s) to access legal advice before an SGO starts to be considered in the Family Court & ensure that they are informed & involved at each stage of proceedings
- Form the plan with family members & the practitioner group.
- Decide with the practitioner group how long the local authority may need to support the family after an SGO has been granted
- Set out how often members of the practitioner group should have contact with the family
- Make sure that the plan includes a support network: what can family members offer? How can therapeutic needs be met? Which services, organisations (including education providers) or support groups can help?
- Document in the plan the child's health & family history including any experience of trauma & the support that the Special Guardian(s) may need to address relevant factors
- Document in the plan what may cause an SGO to breakdown: what actions might be needed, when & by who?
- Include life story work in the plan: identify who will undertake it & what the most appropriate approach is
- Clearly set out arrangements for contact between the child & their birth parents & how the prospective Special Guardian(s) will be supported with this
- Check that the plan will meet the child & family's needs: will resources & services be available long term?
- Consider making a safety plan with the family to mitigate & respond to any identified risks
- Think about language: are the intended outcomes of the plan clear and understandable to all?
- Consider whether a child in need plan for all children in the family, or another order may support the SGO
- Check with a manager & the practitioner group that the plan is robust, individualised & will support the child as they grow older. Is the plan sufficient to support the granting of an SGO in the Family Court?
- Share the plan with the family & the practitioner group & check that they understand it
- Check that the practitioner group (including education & health providers) understands the legal status of the SGO & what it means for the child: encourage other agencies to record the status on their systems





Intervention

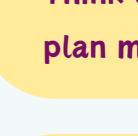
The practitioner group should work together to support the success of the SGO & to help meet the objectives in the supporting plan



"X went to see my Grandson at school, they played games with him, asked him questions about his feelings and checked he was coping"



- Aim for intervention and support to be tailored to and adaptable to the specific and diverse needs and strengths of the Special Guardian(s)
- Consider the setting where intervention & support is delivered, aim for it to reflect the needs of the family
- Intervention and support should include building trust and familiarity with the Special Guardian(s) where there is an understanding that they may have had poor experiences of statutory services in the past and so may prefer approaches which mirror non-statutory services
- Aim to be solution-focused and show commitment to supporting the Special Guardian(s)
- Agree a shared responsibility amongst the practitioner group to be alert to any emerging concerns & risks
- Agree with the family & practitioner group how any changes in risk, need & vulnerability will be communicated
- Be aware of indicators that the Special Guardian(s) may be struggling to cope: has their commitment to caring for the child changed? Can they still fulfill their duties? Consider if any action needs to be taken
- Consider with the practitioner group whether mediation or family group conferencing may help to resolve any difficulties that the family are facing
- Consider with the practitioner group whether respite care is needed to support the success of the SGO
- Signpost the family to additional resources, services & support to increase the likely success of the SGO
- Complete records in a way which captures the child's wishes, feelings & aspirations & shows understanding about their life



Review & Evaluation

Think about whether the SGO is working well or whether the support plan may need to be changed



"There was a stage I didn't cope well, they came to see me straight away and gave advice"



- Use multi agency meetings to identify any emerging issues, to monitor the progress of the SGO & to decide as a practitioner group any actions that may be needed
- Remain aware that the Special Guardian(s) may require additional support building into the plan if the child begins to demonstrate behaviours that challenge their care
- Consider with the practitioner group the issues that the family may face in future: may family relationships alter? May there be changes to housing, employment or finances? What lifestyle changes could there be? may new caring arrangements emerge? Check that the plan remains sufficient to addresses these issues
- Gather evidence that progress is being made towards achieving the objectives in the plan: is support being accessed by the family & is this having a positive impact? Capture the views of those providing the support
- Capture the views of all children in the family: are they happy? Is the SGO having a positive effect on them?
- Ask the Special Guardian(s) & other adults in the family about the progress of the SGO: do they have any concerns?
- Inform all relevant agencies including education & health providers if the SGO status changes

→ Exit Planning

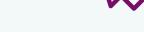
Think about whether the the Special Guardian(s) can sustain long term care & stability for the child



"When they closed the case, they set me up with early help in school and bereavement counselling for my grandson."



- Seek guidance & support from a manager when the practitioner group are considering ending a plan
- Consider the views of family members & practitioners: are there differing opinions about whether the plan should end & what are the main factors? Consider delaying ending the plan until differences are resolved
- Gather evidence from all sources to confirm whether the objectives in the plan have been met
- Consider the family's current circumstances: are there any outstanding risk or needs that require voluntary or statutory support? connect the family to relevant services and interventions
- Check that the support network provided by other family members & friends remains strong
- Check the long term motivation of the Special Guardian(s): are there any current or potential factors which may impact on the future care of the child?
- Identify a lead practitioner to co-ordinate any outstanding support or intervention & make sure that the practitioner group & the family know who this is
- Reflect with a manager on the rationale for ending the plan: is it defensible based on current risk & need?
- If there are multiple plans in place, ensure that the practitioner group is clear about which plan is ending
- Develop a sustainability plan with the practitioner group setting out how the family can maintain change once the plan ends, including what support networks they have and what should happen if circumstances deteriorate. Detail the factors which may mean that the family would require a new plan in future
- Map out the life transitions that the child will make as they grow up & document the likely impact of the SGO at each stage
- Develop a plan to maintain contact with the family, to check that the SGO is still working & to assess whether any new support is needed
- Encourage the Special Guardian(s) to keep in contact with services & make sure that they have contact details for useful organisations including peer support groups
- Ensure that all members of the practitioner group know how to seek advice should they have concerns about the SGO in future



Useful Links

- [Working Together to Safeguard Children Statutory Guidance \(December 2023\)](#)
- [Department for Education – Championing Kinship Care – The National Kinship Care Strategy \(December 2023\)](#)
- [Department for Education – Kinship Care: Statutory Guidance for Local Authorities \(October 2024\)](#)
- [Foundations: Practice Guide – Kinship Care](#)
- [Public Law Working Group: Best Practice Guidance Special Guardianship Orders \(March 2021\)](#)
- [Adoption and Special Guardianship Support Fund \(ASGSF\) and How to Complete an Application](#)

Please scan the QR code to answer 3 questions to help the Derby and Derbyshire Safeguarding Children Partnership evaluate the use of this guide in practice.

