

**ROCHDALE METROPOLITAN BOROUGH COUNCIL
CHILD CARE SERVICES
PROCEDURE**

PROCEDURE RELATING TO SPECIAL GUARDIANSHIP

Related statutory and good practice includes:

Local Authorities Social Services Act 1970
Children Act 1989
Adoption and children Act 2002
Special Guardianship Guidance 2005 (DfES)
Special Guardianship Regulations 2005 (DfES)

The full text of these Regulations and Guidance can be found at
www.dfes.gov.uk/adoption/lawandguidance

PROCEDURE		TASK ALLOCATION
1.0	Introduction	
1.1	This Procedure in relation to Special Guardianship should be read in conjunction to with Rochdale Metropolitan Borough Council's (MBC) Special Guardianship Support Policy.	All staff to note and follow
1.2	The Adoption and Children Act 2002 introduced Special Guardianship and Special Guardianship Orders.	All staff to note and follow
1.3	A Special Guardianship Order is an Order made by the court appointing a non-parent person or persons to be a child or young person's Special Guardian.	All staff to note and follow
1.4	A Special Guardianship Order can provide a firm foundation on which to build a lifelong permanent relationship between a child or young person and their carer, alongside providing the child or young person with legal security. It also preserves a basic link between the child and their birth family.	All staff to note and follow
1.5	A Special Guardianship Order secures the relationship between the child or young person and the Special Guardian(s). It enables the child or young person to live with the Special Guardian(s) and the Special Guardian(s) to become actively involved in decision making by giving them 'enhanced' Parental Responsibility.	All staff to note and follow
1.6	If there is conflict between the parent(s) and Special Guardian(s), then the Special Guardian's opinion takes precedence.	All staff to note

1.7	A Special Guardianship Order enables a Special Guardian to have day to day decision making and to exercise parental responsibility to the exclusion of all others with Parental Responsibility, except another Special Guardian.	All staff to note
1.8	At the time of making a Special Guardianship Order, the court may also give leave for the child or young person to be known by a new surname and/or give permission for the child or young person to be taken out of the United Kingdom for periods longer than 3 months. Otherwise, the Special Guardian must obtain the written consent of every person who has parental responsibility for the child or leave of the Court beforehand.	All staff to note
1.9	A Special Guardian cannot give sole consent to a child or young person in whose favour the Order is made to that child or young person being adopted.	All staff to note
1.10	A Special Guardian retains Parental Responsibility for a child or young person until they become 18 years of age.	All staff to note
1.11	When considering whether to make a Special Guardianship Order, the court will address the question of the child or young person's welfare throughout their life and will have regard for the Welfare Checklist under Section 1(3) of the Children Act 1989	All staff to note
1.12	If there are any existing Orders under Section 8 of the Children Act 1989, for example a Contact Order, Residence order (made prior to 22.4.2014), a Child Arrangement Order or a Prohibited Steps Order, the Court will consider this at the same time as the application for Special Guardianship Order. If there are any such Orders, the application to vary or discharge the Order must be made in the court that originally made the Order.	All staff to note
1.13	A Court can make a Child Arrangement Order at the same time as a Special Guardianship Order, to maintain the child or young person's contact with their parent(s).	All staff to note
1.14	No decision will be made by the Local Authority as to the suitability of the application for a Special Guardianship Order prior to the completion of an assessment of the: <ul style="list-style-type: none"> • Child or young person's individual needs • Prospective Special Guardian(s) • Special Guardianship Support Needs in relation to the application- see also Section 9 	All staff to note
1.15	A Special Guardian must take reasonable steps to inform a	All staff to note

	parent if a child or young person dies.	
2.0	Varying or Discharging a Special Guardianship Order	
2.1	Unlike an Adoption Order, a Special Guardianship Order can be varied or discharged before the child or young person reaches 18 years of age.	All staff to note
2.2	It is possible for the Local Authority to apply to the court to vary or discharge a Special Guardianship Order if the Local Authority is the Local Authority named in a Care Order in relation to the child or young person made before the Special Guardianship Order was made.	All staff to note
2.3	A Special Guardian can apply for a Special Guardianship Order to be varied or discharged, as can anyone who had a Residence Order (granted prior to 22.4.14) or a Child Arrangement Order in their favour prior to a Special Guardianship Order being made.	All staff to note
2.4	If a child or young person, parent or step parent who has acquired Parental Responsibility, a Guardian or any individual who has Parental Responsibility immediately before the making of the Special Guardianship Order but no longer has it, or any other with Parental Responsibility wishes to vary or discharge the Order, they need to obtain the leave of the court beforehand.	All staff to note
2.5	Where an applicant is not a child and the leave of the court is required, the court may only grant leave if it is demonstrated that there has been a significant change in circumstances since the Special Guardianship Order was made.	All staff to note
2.6	If a question arises during proceedings (including adoption proceedings) about the welfare of a child or young person who is already subject to a Special Guardianship Order, the court may make, vary or discharge the order in the absence of an application.	All staff to note
3.0	The Circumstances in Which a Special Guardianship May be Appropriate	
3.1	Special Guardianship provides legal permanence for a child or young person for whom adoption is not appropriate and provides the Special Guardian(s) with clear responsibility for taking decisions to do with the child or young person's upbringing.	All staff to note
3.2	Special Guardianship allows for a child or young person to no longer be Cared For by the Local Authority, if they were subject to a Care Order prior to the Special Guardianship	All staff to note

	Order being made.	
3.3	A Special Guardianship Order can be made for any child or young person and must always be considered, particularly so in relation to a younger child who requires alternative permanency but for whom adoption is not appropriate or achievable.	All staff to note
3.4	<p>Special Guardianship may be more suitable than adoption when:</p> <ul style="list-style-type: none"> • An older child or young person would likely struggle with the status of being adopted • The child or young person has a positive relationship with the parent(s) or members of the family, and/or the Special Guardian and parent(s) have a good relationship • There is a close relationship between the Special Guardian(s) and the parent(s), for example, grandparents • More than occasional contact is planned between the child or young person and their parent(s) or other birth family members • There is a need to maintain cultural links and the need is greater than any prospective adopters ability to provide this link • A person wishing to offer permanency to a child is from a minority ethnic group and who holds a cultural or religious difficulty about adoption as it is set out in law • A child or young person is an unaccompanied asylum seeker in need of a secure and permanent home but with strong attachments to their family abroad • The child or young person stands to otherwise inherit a significant amount of money 	All staff to note
3.5	A Child Arrangement Order may also be considered as a means of providing alternative permanency, particularly for an older child or young person. Under such an Order, the carer(s) will acquire parental responsibility equal to that of the child or young person's parent(s) and agreement will have be reached about the upbringing of the child or young person. A Child Arrangement Order is best suited therefore to circumstances whereby it is evident that positive working together exists between the parent(s) and the proposed	All staff to note

	carer(s). A Child Arrangement Order will terminate when a young person reaches 16 years of age (unless the Order specifically states otherwise).	
3.6	For a child or young person subject to a Care Order (or in exceptional circumstances if a child or young person is Accommodated), long term fostering can be considered as a means of achieving permanency. Whilst under such an arrangement, the child or young person would remain Cared For by the Local Authority but may not experience the sense of belonging that an alternative arrangement such as a Special Guardianship Order can provide, this may be most appropriate in an individual child or young person's circumstances. Long term fostering will require matching to be considered at Fostering Panel, but is unlikely to be the most suitable means of achieving permanency for a younger child.	All staff to note
4.0	The Application for a Special Guardianship Order	
4.1	The Local Authority does not apply to the court for Special Guardianship Order, it is the prospective Special Guardian(s) who does this, however it can be a recommendation of the Local Authority to the court that a Special Guardianship Order within the applicants favour is made within proceedings.	All staff to note
4.2	<p>A court may make a Special Guardianship Order in respect of the child or young person where the child or young person has previously been made subject to a Care Order and to any person who has the consent of the Local Authority, or on the application of:</p> <ul style="list-style-type: none"> • A Local Authority Foster Carer with whom the child or young person has lived for one year immediately preceding the application. • Anyone who holds a Residence Order (prior to 22.4.14) or Child Arrangement Order with respect of the child or young person, or who has the consent of all those in whose favour a Residence Order or Child Arrangement Order has been made. • Anyone with whom the child or young person has lived for three out of the last five years (and the child has not ceased living with them for more than 3 months before the application). • Anyone who has the consent of all those with parental responsibility for the child or young person • Any person including the child or young person who 	All staff to note

	<p>has leave of the court</p> <ul style="list-style-type: none"> Any guardian (e.g. one appointed by the parents in their will) of the child or young person 	
4.3	A Special Guardian must be at least 18 years of age and must not be the parent of the child or young person.	All staff to note
4.4	An application for a Special Guardianship Order may be made by an individual or jointly by two or more people.	All staff to note
4.5	Joint applicants do not need to be married.	All staff to note
4.6	<p>A person who wishes to apply for a Special Guardianship Order (where there are no current care proceedings involved) must give the Local Authority three months written notice of their intention to apply.</p> <p>The exceptions to this are:</p> <ul style="list-style-type: none"> Where the Local Authority is currently involved in care proceedings and the child or young person is subject to an interim care order and the Local Authority as part of its permanence planning recommended that they be considered as a prospective Special Guardian(s). If the child or young person is already subject to a Care Order to a Local Authority and the applicant has the consent of the Local Authority named in the Order. If a person has leave of the court to make a competing application for a Special Guardianship Order when an application for an Adoption Order has already been made (so preventing the competing application delaying an Adoption Order hearing). 	All staff to note
5.0	<p>Action on Receipt of a Notice of an Application for a Special Guardianship Order in Relation to the following children;</p> <ul style="list-style-type: none"> A Child or Young Person Not Subject to a Care Order A Child or Young Person Not Subject to Care Proceedings A Child or Young Person is Subject to a Care Order (From Previous Care Proceedings) 	
5.1	Rochdale MBC is only required to undertake a Special	All staff to note

	Guardianship Assessment in relation to an applicant (or applicants) who live within Rochdale MBC area, unless the application is in relation to a child or young person Cared For by Rochdale MBC or who is subject to care proceedings initiated by Rochdale MBC.	
5.2	When notice of a proposed application is received by Rochdale MBC in relation to a child or young person who is not subject to current Care Proceedings, the applicant(s) must give the Local Authority 3 month's written notice before filing an application with the Court. This is to allow the Local Authority sufficient time to conduct an assessment.	All staff to note
5.3	On receiving notice of a proposed application, the child or young person's Social Worker (CSW) should complete a written Request for Legal Advice/Representation to Rochdale MBC Legal Services requesting a Legal Planning Meeting in order that written legal advice including with regard to the validity of the application – See Appendix D.	Child/young person's Social Worker
5.4	The CSW will need to attend any Legal Planning Meeting with their Practice Manager and to submit a PLO 9 Record of Legal Planning/Gateway Meeting Report beforehand – See Appendix B.	Child/young person's Social Worker and their Practice Manager
5.5	If the application is valid, the applicant (or applicants) live within Rochdale MBC area and the application is being made in relation to a child or young person who is not Cared For by Rochdale MBC or subject to care proceedings, the CSW and an allocated Fostering Social Worker (FSW) are responsible for undertaking the Special Guardianship assessment on behalf of Rochdale MBC.	Child/young person's Social Worker and Fostering Social Worker
5.6	The CSW and the FSW are required to investigate and make a Family Assessment Report (Appendix F) to court about the suitability of the applicant(s) to be a Special Guardian. The report needs to address all matters as prescribed in the Schedule of Matters To Be Dealt With in Report For The Court as detailed within Regulation 21 of the Special Guardianship Regulations (2005,DfES) – See Appendix G	Child/young person's Social Worker and Fostering Social Worker
5.7	The CSW Social Worker and FSW will need to evidence within the report to court that all those who have Parental Responsibility for the child or young person are aware of the application or if not, for example, if their whereabouts are not known, what steps have been taken to locate them.	Child/young person's Social Worker
5.8	In undertaking the assessment the FSW will need to ascertain if the applicant(s) fully understand the implications of becoming a Special Guardian and to advise them to seek independent legal advice. .	Fostering Social Worker

5.9	<p>The Family Assessment and any associated Special Guardianship Support Plan will require the countersignature of the Head of Service for Cared for Children before it can be regarded as finalised.</p> <p>The Head of Services for Cared For Children is the budget holder in relation to any financial support proposed as part of a Special Guardianship Support Plan.</p>	All staff to note
5.10	The Head of Service – Child Protection and Care Proceedings Team may give consideration to approaching and/or making arrangements with another Local Authority or appropriate body to undertake an assessment on behalf of Rochdale MBC, for example, if the application is in relation to a child or young person not Cared For by Rochdale MBC and whose proposed Special Guardians live some distance away.	All staff to note
5.11	Rochdale MBC is not required to complete an assessment of Special Guardianship Support needs if the application is not in regard to a child or young person Cared For or subject to care proceedings by the Rochdale MBC.	All staff to note
6.0	A Special Guardianship Assessment in Relation to a Child or Young People Subject to Current Care Proceedings	
6.1	If a child or young person is subject to care proceedings and may require permanency other than with a parent, the Local Authority has a duty to consider relatives or significant others as a potential means of providing such permanency.	All staff to note
6.2	An assessment of suitability with regard to a relative or significant other as prospective a Special Guardian can initially take place in parallel with a Family and Friends Fostering assessment. Such an assessment is undertaken using the Family Assessment Report – See Appendix F.	All staff to note
6.3	If a child or young person lives within Rochdale MBC area and is subject to a Care Order or care proceedings initiated by another Local Authority, that Local Authority retains responsibility for undertaking any Special Guardianship assessment.	All staff to note
6.4	Where a child or young person is Cared For by or subject to care proceedings initiated by Rochdale MBC and may require permanency other than with a parent, the CSW should obtain written legal advice via a Legal Planning Meeting – See also Section 5.3.	Child/young person's Social Worker
6.5	If Rochdale MBC receives notice of a proposed Special Guardianship application in relation to child or young person	Child/young person's

	Cared For by Rochdale MBC, the CSW should refer the matter for a Legal Planning Meeting in order to obtain written legal advice. (See paragraph 5.3)	Social Worker
6.6	The child or young person's Social Worker will need to attend any Legal Planning Meeting with their Practice Manager and submit a PLO 9 Record of Legal Planning/Gateway Meeting Report 2 days before the meeting takes place - See Appendix B.	Child/young person's Social Worker and their Practice Manager
6.7	As part of the permanency planning for the child, the CSW will undertake an initial screening of Family and Friends who wish to be considered as carer(s) for the child or young person. This is to be done using the Initial Screening for a Connected Persons Assessment/Family Assessment - See Appendix A. If the recommendation of the Initial Screening for a Connected Persons Assessment/ Family Assessment is to progress an assessment, CSW to refer to Fostering Duty Team via Rochdale MBC Integrated Care System (ICS) within 5 working days of such a decision being made. In making the referral the CSW must make clear any timescales as determined by the Court process or otherwise.	Child/young person's Social Worker
6.8	The Fostering Practice Manager is responsible for allocating a FSW to jointly work with the CSW to undertake an assessment and complete the relevant sections of a Family Assessment Report (Appendix F) to the court about the suitability of the applicant(s) to be a Special Guardian(s) – See Appendix C - Guide to Additional Information Required for the Different Family Assessments.	Practice Manager - Fostering
6.9	A request is required to be made to Fostering Business Support to send; a covering letter, applications form, letter to GP (per applicant), medical form/s and DBS check form.	Fostering Social Worker
6.10	The CSW & FSW are required to undertake a joint visit to the applicants and confirm the information provided in the Initial Screening for a Connected Persons Assessment/Family Assessment and to begin to obtain information to complete sections 2 (searches), 3 (Applicants & Household), & 4 (Children) of the Family Assessment Report (Appendix F)	Child/young person's Social Worker and Fostering Social Worker
6.11	Important: At this stage of the assessment to follow on as a Special Guardianship or Family and Friends Fostering Assessment	

	as per management decision obtained. See also Process Chart – Connected Persons/Family Assessment at Appendix E.	
6.12	The identification information for the DBS checks will require confirmation by sight of original supporting documentation e.g. a passport. At the same time confirmation needs to be sought by discussion with the applicants as to whether SAFFA (if applicant is/has been in armed services) or Certificate of Good Conduct (if lived abroad) will be required.	Fostering Social Worker
6.13	To complete section 2 (searches) Family Assessment Report and give to Fostering Business Support to activate.	Fostering Social Worker
6.14	To send out reference requests to all referees including personal and where applicable; employment, previous partner and school/ nursery, health visitors- See also Guide to the Information Required For the Different Family Assessments at Appendix C.	Fostering Social Worker
6.15	To request via Business Support that the Assessment or Review of Financial Support pack is sent to the prospective Special Guardian(s) – See Appendix H. If, due to timescales, it is preferential that the FSW hand delivers the Assessment or Review of Financial Support pack, the FSW is responsible for ensuring that on Business Support are aware that this has taken place and of the arrangements for its return in order that Fostering Business Support can undertake the financial assessment. Fostering Business Support undertake the financial assessment in order to provide a baseline for consideration of any financial support being provided as part of an SGO Support Plan.	Fostering Social Worker
6.16	To complete section 4 of the Family Assessment Report (children’s details) and send a copy to the FSW.	Child/young person’s Social Worker
6.17	To undertake further visit(s) as required in order to complete section 3 of the Family Assessment Report (applicants & household) and sends a copy to the CSW.	Fostering Social Worker
6.18	The CSW & FSW are required to meet to discuss the assessment thus far and to agree on a joint recommendation. CSW to present Sections 1, 2 (completed in part dependent on checks returned), 3 and 4 to their Practice Manager with the joint recommendation. In the event of the CSW and FSW being unable to agree on a recommendation, the respective Practice Managers to discuss and come to a joint decision. Where required, the	

	Practice Manager of CSW to refer matter to their Head of Service for a decision.	
6.19	A joint recommendation is made as to whether or not a Special Guardianship Order should be supported in respect of the child or young person. If not, any alternative permanency plan needs to be made in respect of the child or young person by the CSW and her Practice Manager.	Child/young person's Social Worker and Fostering Social Worker
6.20	To consult with the IRO for the child or young person and any decision made needs to be endorsed by Legal Care Planning Meeting and at the child or young person's LAC Review .	Child/young person's Social Worker
6.21	To make a referral to the Adoption, SGO, RO & Child Arrangement Order Financial Support Panel (which meets weekly) via Fostering Business Support – see Request to Adoption, SGO, RO and CAO Financial Support Panel (Appendix I)	Child/young person's Social Worker
6.22	To complete an initial draft of the Special Guardianship Support Plan . In completing the draft advice can be obtained from the SGO Support Team – See Appendix J for a Special Guardianship Support Plan template and Appendix K for a Special Guardianship Support Plan Exemplar .	Child/young person's Social Worker
6.23	To complete Section 5 (Birth Family) of the Family Assessment Report and sends a copy to the Fostering Social Worker.	Child/young person's Social Worker
6.24	To complete Section 6 (Finances) and Section 8 (Summary and Recommendation) of the Family Assessment Report and sends a copy to the Child's Social Worker.	Fostering Social Worker
6.25	To request a Special Guardianship Support Meeting via a Contact on ICS to Post Adoption Support. Attached to the request copies of the draft Sections 1,2,3,4,5, 6 and 8 and also the draft Special Guardianship Support Plan – See also Section 12 and Appendix H .	Child/young person's Social Worker
6.26	To file a Statement with Legal Services if in Court proceedings and the outcome of the assessment is negative.	Child/young person's Social Worker
6.27	To attend the Adoption, SGO, Residence & Child Arrangement Order Financial Support Panel where any financial support arrangement is considered by Head of Service for Cared for Children – See also Section 11 .	Child/young person's Social Worker and their Practice Manager

6.28	SGO Support Planning Meeting is Chaired by the Practice Manager – Adoption/SGO Support. Attendees include CSW, Fostering SW, SGO Support Worker and the prospective special guardian(s), Fostering Social Worker. The meeting is to agree the proposed SGO Support Plan and for the support plan to be signed by the parties.	Child/young person's Social Worker, Fostering Social Worker, Practice Manager – Adoption/SGO Support
6.29	To send the proposed SGO Support plan to the Head of Service for Cared for Children for authorisation. See also Process Chart – Connected Person Assessment/Family Assessment at Appendix L.	Child/young person's Social Worker
6.30	The completed joint Family Assessment will also require the signature of the Practice Managers for the Children's Social Worker and the Fostering Social Worker and the countersignature of the Head of Service for Cared For Children.	Child/young person's Social Worker and Fostering Social Worker
7.0	Progressing the Health Histories as required in Accordance with Matters to be Dealt with in the Report to the Court	
7.1	In relation to an assessment undertaken with a child or young person who is not Cared For by the Local Authority the Fostering Social Worker will need to obtain the written consent of a person holding parental responsibility in to request a written medical report in relation to themselves and the child from the child's GP.	Fostering Social Worker
7.2	A Medical Report from the prospective Special Guardian(s) GP is required in relation to any prospective Special Guardian(s) which details the medical history and health status. It is important that Medical Reports are progressed at the very early stages of an assessment as these can take a number of weeks to be completed.	Fostering Social Worker
7.3	In order to progress the required Medical Report, the FSW should make a request to Fostering Business Support that a Family Assessment Medical Report Pack be sent to the applicant(s).	Fostering Social Worker
7.4	The Family Assessment Medical Report Pack contains: <ul style="list-style-type: none"> • A letter outlining the process to the prospective Special Guardian(s) (AA4) • A letter for the attention of the GP (AA5) • A Bank Details Request form for the attention of the GP 	All staff to note

	<ul style="list-style-type: none"> • The Medical History Form for completion by the GP • A pre-paid and pre-addressed envelope for the GP and addressed to the Local Authority's Medical Advisor's secretary • A pre-paid envelope for the GP to return his business bank details and confirmation that the medical has been carried out 	
7.5	A health history and description of the child or young person's health, including any treatment that the child or young person is receiving is required as part of the Family Assessment.	All staff to note
7.6	Cared For children and young people are subject to an Initial Health Assessment on becoming Cared For and Review Health assessments on at least an annual basis. These assessments should be utilised to inform the child or young person's health history as required as part of the assessment.	All staff to note
7.7	In relation to a child or young person who is not Cared For written permission from the child or young person's parent(s) need to be sought in order to enable the Local Authority Medical Adviser to consider the implications of the child or young person's parental medical history.	Child/young person's Social Worker
8.0	Progressing a Disclosure and Barring Check in Relation to a Special Guardianship Assessment	
8.1	To progress a Disclosure and Barring Service (DBS) Check in relation to prospective Special Guardian(s), anybody 18 or over and resident in the prospective Special Guardian(s) household or anybody who is likely to have any regular unsupervised contact with the child or young person.	Fostering Social Worker
8.2	To meet with each adult in regard to whom a DBS check is required and to assist them as required in completing the DBS Check form, including having sight of the original documentation required and as identified on the DBS Check form.	Fostering Social Worker
8.3	The FSW is required to forward the completed DBS Check to Fostering Business Support for progressing.	Fostering Social Worker
8.4	The FSW is required to inform Fostering Business Support if a DBS Check is no longer required, for example, if the applicant(s) have withdrawn. This avoids progressing unnecessary potentially invasive checks in relation to former applicants.	Fostering Social Worker

9.0	Special Guardianship Support in Relation to a Child or Young Person who Not Cared For When the Special Guardianship Order was Made.				
9.1	The Special Guardianship Regulations make a distinction between when an assessment must be provided in respect of a 'relevant' child or young person; A 'relevant' child or young person is one who was Cared For by the Local Authority prior to a Special Guardianship Order being made.		All staff to note		
9.2	It is expected that the financial support needs of Special Guardians and children or young people not formerly Cared For, will usually be met through universal provision or under Section 17 of the Children Act (1989), without additional financial support being provide by the Local Authority.		All staff to note		
9.3	<p>In exceptional cases an assessment for Special Guardian support may be undertaken in relation to a child or young person not formerly Cared For, if it is considered appropriate and/or has been requested in writing by the prospective Special Guardian.</p> <p>If a Special Guardian or prospective Special Guardian has requested a Special Guardianship Support assessment and Rochdale MBC determines not to carry out such an Assessment the Local Authority will allow the prospective Special Guardian 28 days to make representation in relation to the decision- See also Section 13.9.</p>		All staff to note		
9.4	An Assessment of Special Guardian support need in such circumstances would be required to be undertaken by the child or young person's Social Worker allocated on receipt of the request (if this is the decision of the Legal Care Planning Meeting) and the allocated Fostering Social Worker.		Child/young person's Social Worker and Fostering Social Worker		
9.5	Where the request for a service concerns an adult, for example, a parent seeking advice regarding contact with a child or young person subject to a Special Guardianship Order, the service would usually be restricted to the provision of advice and information.		Child/young person's Social Worker or SGO Support Team (Duty) as appropriate		
9.6	<p>The Local Authority is required to make a range of services available to meet the needs of people affected by Special Guardianship. The table below outlines what these services are.</p> <table border="1" data-bbox="284 1899 1150 2000"> <tr> <td data-bbox="284 1899 715 2000">Type of Support which may be required</td> <td data-bbox="719 1899 1150 2000">How the need may be addressed</td> </tr> </table>		Type of Support which may be required	How the need may be addressed	All staff to note
Type of Support which may be required	How the need may be addressed				

	Financial support.	Ensure Special Guardian claims relevant Universal Benefits. Provision for financial support within Section 17 Children Act 1989.	
	Services to enable people affected by special guardianship to discuss matters relating to special guardianship including children, prospective special guardians, special guardians and parents.	Signposting, for example to: British Agency for Adoption and Fostering Children's Legal Centre Grandparents Association	
	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.	Advice Signposting, for example to: Relate Family Mediation Legal Advice	
	Therapeutic Services for the child	Signposting or referral to local services that supports the emotional wellbeing of children and young people.	
	Assistance for the purpose of ensuring the continuance of the relationship between the child and his special guardian or prospective special guardian.	Will depend on level of need identified.	
	Counselling, advice and information	Will depend on need. Signposting for example to the Women's Centre	
10.0	Special Guardianship Support in relation to a Child or Young Person Cared For by Rochdale MBC		
10.1	The child or young person's Social Worker is responsible for the preparation of a draft Special Guardianship Support Plan to accompany the Family Assessment Report - See Appendices F, J & K for Family Assessment Report,		Child/young person's Social Worker

	Special Guardianship Support Plan and exemplar of a Special Guardianship Support Plan.	
10.2	<p>Financial support may be payable to a Special Guardian where:</p> <ul style="list-style-type: none"> • It is necessary to ensure that the Special Guardian can look after the child or young person. • The child or young person needs special care which requires a greater expenditure of resources than would otherwise be the case e.g. because of illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect, and the condition is serious. • The Local Authority considers it is appropriate to contribute to any legal costs, including any court fees, of a Special Guardian with:- <ul style="list-style-type: none"> (i) The making of a special guardianship order or application to vary or discharge the order; (ii) Application for a specific issues order; (iii) An order for financial provision to be made to or for the benefit of a child. • The Local Authority considers it appropriate to make a contribution to the expenditure necessary for the purpose of accommodating and maintaining the child or young person, including the provision of specific household equipment or an adaption to the home. • The Special Guardian is already approved as a Connected Persons or Foster Carer already caring for the child or young person. The foster can be approved by Rochdale MBC or, where relevant, by an Independent Fostering Agency (IFA). 	All staff to note
10.3	<p>In order for the Local Authority to consider the above, the child/ young person's Social Worker will request Fostering & Adoption Business Support send out to the applicants a Financial Support Assessment Pack. This includes the Initial/Annual Statement for the applicants to progress – See Assessment or Review of Financial Support - Appendix H.</p> <p>This will take the form of a Means Test undertaken in accordance with the Local Authority's prevailing Policy and Procedures in this regard.</p>	Fostering Social Worker

10.4	In establishing a baseline for calculating financial support, the Local Authority will require original written evidence from the applicants and their signed agreement to the conditions outlined within Assessment or Review of Financial Support .	All staff to note
10.5	Completion of an assessment of financial circumstances requires the prospective Special Guardian(s) to provide original written evidence of their financial circumstances.	All staff to note
10.6	Non-compliance with the completion of the Assessment or Review of Financial Support , may result in a financial support not being provided.	All staff to note
10.7	Any financial support provided by the Local Authority proposed may complement but will not duplicate financial support available through universal State Benefits, for example, Child Benefit or Tax Credits.	All staff to note
10.8	<p>Any financial support that it is to be paid periodically to the Special Guardian(s) is on the basis that the prospective Special Guardian agrees that they will inform Rochdale MBC immediately if:</p> <ul style="list-style-type: none"> • there is a change of address; • any significant changes to their financial circumstances or the financial needs or resources of the child or young person which may affect the amount of financial support payable; • the child or young person ceases to live them; • the child or young person ceases full time education or training and commences employment; • the child or young person qualifies for State Benefits in their own right; • the child or young person attains the age of 18 unless they continue in full time education or training; • the child or young person dies <p>Any financial support will be subject to review.</p> <p>The Special Guardianship Support Plan needs to stipulate the above and the fact that if these conditions are not complied with the Authority will without warning terminate the support - Special Guardianship Support Plan Exemplar (Appendix K).</p>	All staff to note
10.9	If it is anticipated that financial support, whether 'one off' or on-going is likely to be appropriate, a proposal outlining the parameters of any financial support needs to be agreed by the Head of Services for Cared For Children at the Adoption, Special Guardianship, Child Arrangement Order Finance Panel . This must take place prior to the	All staff to note

	prospective Special Guardians being informed of the 'proposed' financial support see the Adoption, SGO, Residence Order and Child Arrangement Order Financial Support Panel Process (Appendix E).	
10.10	Leaving Care Services - Time spent under a Special Guardianship Order is relevant when considering the child or young person's entitlement to leaving care services. Section 24(2) of the Act defines 'a person qualifying for advice and assistance'. This includes a young person aged 16 to 20 who, immediately before becoming subject to a Special Guardianship Order was Cared For by Rochdale MBC. This needs to be considered and where relevant included in the Special Guardianship Support Plan see Special Guardianship Support Plan Exemplar (Appendix K).	All staff to note
10.11	Educational Support - A School is eligible to receive financial support in the form of Pupil Premium Plus in relation to a child or young person who was Cared For by the Local Authority immediately prior to a Special Guardianship Order being made. The Pupil Premium Plus can be applied for by the relevant School in relation to any such child or young person from Reception to Year 11 and is paid to the School on an annual basis subject to the School notifying the relevant Authority. This is dependent upon the Special Guardian(s) providing evidence to the School that the child or young person is subject to a Special Guardianship Order. This needs to be considered and where relevant included in the Special Guardianship Support Plan see Special Guardianship Support Plan Exemplar (Appendix K).	All staff to note
10.12	The Responsible Local Authority - Where the child was looked after immediately prior to the making of the order case responsibility rests with the Local Authority where the Child was Looked After for 3 years from the date of the Order. The responsibility for the Special Guardian Support Services transfers to the Local Authority where the child or young person lives when 3 years from the date of the Order is exceeded, other than in relation to any financial support required. This needs to be considered and where relevant included in the Special Guardianship Support Plan see Special Guardianship Support Plan Exemplar (Appendix K).	All staff to note
10.13	Siblings – Sibling relationships are often the most enduring of all family relationships and it is important when undertaking the Family Assessment Report (see Appendix F) and drafting the Special Guardianship Support Plan (see Appendix J) that sibling relationships	Child/young person's Social Worker and Fostering Social Worker

	are carefully considered.	
10.14	Contact – post SGO contact with all relevant family members and significant others, needs to be carefully considered within Family Assessment Report (see Appendix F) and when drafting the Special Guardianship Support Plan (see Appendix J) . In order to achieve positive outcomes for the child it is essential that there are clear and mutually understood parameters in relation to contact with the child’s needs being held paramount.	Child/young person’s Social Worker and Fostering Social Worker
10.15	Former Foster Carers – The Local Authority is committed to ensuring that financial matters are not a barrier to a child or young person’s foster carers applying for a Special Guardianship Order, if the Local Authority is otherwise of the view that this would be in the individual child or young person’s best interests. The Local Authority is able to offer a ‘financial cushion’ to former foster carers - See Special Guardianship: A Guide for Foster Carers (Appendix M) .	Child/young person’s Social Worker and Fostering Social Worker
11.0	Adoption, Special Guardianship, Residence Order and Child Arrangement Order Financial Support Panel	
11.1	The Panel is chaired by the Head of Services For Cared for Children. Head of Child Protection and Care Proceedings and the Practice Manager – Adoption/ SGO are also Panel members. The Panel has access to legal advice. The Business Support Manager – Adoption and Fostering is responsible for administration arrangements in relation of the Panel.	All staff to note
11.2	The Panel meets weekly and further details of the date and time can be obtained from Fostering & Adoption Business Support.	All staff to note
11.3	The remit of the Panel is: <ul style="list-style-type: none"> • to consider any proposal for financial support by the Local Authority in relation to Adoption, Special Guardianship and Child Arrangement Orders; • to undertake an annual review all such existing financial support arrangements in relation to children and young people subject to such Orders. 	All staff to note
11.4	The CSW and their Practice Manager are required to attend the Adoption, Special Guardianship and Child Arrangement Financial Support Panel to present any proposal for financial support in relation to a Special	Child/young person’s Social Worker and their Practice Manager

	Guardianship application.	
12.0	Special Guardianship Support Planning Meetings	
12.1	<p>A Special Guardianship Support Planning Meeting needs to be arranged by the child/young person's Social Worker via Fostering Duty and after consideration of any financial support has been undertaken by Adoption, Special Guardianship and Child Arrangement Order Financial Support Panel.</p> <p>The Special Guardianship Support Planning Meeting is chaired by the Practice Manager Adoption/SGO Support and attended by the Child's Social Worker, Fostering Social Worker, an SGO Support Worker and the prospective Special Guardians.</p> <p>Any other allocated Worker, for example the Supervising Social Worker for a Foster Carer (if not the Fostering Social Worker) will also need to be invited.</p> <p>The aim of the Special Guardianship Support Planning Meeting is to consider the draft Special Guardianship Support Plan which sets out the:</p> <ul style="list-style-type: none"> • Services to be provided, including any agreed financial support. • Time scales for provision. • Name of the person nominated to monitor the provision of services in accordance with the plan. • The requirements placed upon the prospective Special Guardians 	Child/young person's Social Worker, Fostering Social Worker and Practice Manager Adoption/SGO Support
12.2	<p>If the Local Authority has decided at the Adoption, Special Guardianship and Child Arrangement Order Financial Support Panel that financial support is to be provided, the Special Guardianship Support Plan will need to state:</p> <ul style="list-style-type: none"> • The amount of financial support • The frequency with which payment will be made • The period for which financial support is to be paid • When payment will commence • Where financial support is to be paid subject to conditions, those conditions, the date by which the conditions have to be met and the consequences of failing to meet the conditions • The arrangement and procedure for review, variation and termination of financial support <p>See Decision Record – Adoption, SGO, RO and CAO</p>	Child/young person's Social Worker

	Financial Support Panel at Appendix N.	
12.3	It is the responsibility of the Child's Social Worker to ensure that the final draft of the Special Guardianship Support Plan is signed by the prospective Special Guardian(s), Child's Social Worker and the Head of Services For Cared For children before being finalised, or being filed with any Court Proceedings.	Child/young person's Social Worker
12.4	If in Court proceedings, the Child's Social Worker requests a Legal Care Planning Meeting to endorse the final care plan for the child or young person. - See Appendix D. A copy of the Family Assessment and signed Special Guardianship Support Plan needs to be filed with Legal Services.	Child/young person's Social Worker
13.0	The Review of the Special Guardianship Support Plan	
13.1	Regular reviews enable the Local Authority and the Special Guardian(s) to review the effectiveness of any services provided and to consider whether it is appropriate to continue that service or change the provision in some way.	All staff to note
13.2	The assessment and provision of services for a child or young person subject to a Special Guardianship Order, their Special Guardian(s) and any children of the Special Guardian remains the responsibility of Rochdale MBC, if the child or young person was immediately prior to the making of the Order, Cared For by the Rochdale MBC for three years from the date of the Order being made. This applies irrespective of where the child/young person lives at that time. When the three year period has expired, the Local Authority where the Special Guardian(s) lives is responsible for assessing and providing support services. With regard to the review of Special Guardianship Support Plans, a distinction is made 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 financial support remains the responsibility of Rochdale MBC as the Local Authority who originally agreed it, for as long as the family qualify for payments.	All staff to note
13.3	Any financial support agreed as part of a Special Guardianship Support Plan is required to be reviewed on an annual basis on or about the anniversary of the Special Guardianship Order being made (See Special	Practice Manager Adoption / SGO Support

	Guardianship Exemplar at Appendix J)	
13.4	The Review will include an updated annual Assessment or Review of Financial Support undertaken by the Special Guardian(s) (See Assessment or Review of Financial Support at Appendix H)	Practice Manager Adoption / SGO Support
13.5	Where financial support is being reviewed, the same procedure for financial assessments is followed by the Rochdale MBC as takes place with regards to initial financial assessments.	Practice Manager – Adoption / SGO Support
13.6	Business Support Fostering & Adoption will send to the Special Guardian(s) an Assessment or Review of Financial Support to complete in order to inform the annual review of financial support.	Practice Manager – Adoption / SGO Support
13.7	Within the documentation sent to Special Guardian(s) they will be informed of the requirement to respond within 28 days and a reminder will also be sent to them within this period.	Practice Manager – Adoption / SGO Support
13.8	If the Special Guardian(s) do not provide the Local Authority with the requisite documentation to inform the Review, financial support may be terminated.	Practice Manager – Adoption / SGO Support
13.9	In accepting financial support from the Local Authority, the Special Guardian(s) will have agreed to the Conditions for the provision of such support as outlined in the Special Guardianship Support Plan . If there is a breach in the Conditions agreed with the Special Guardian(s), the Local Authority may seek to recover all or part of payments made. (See Special Guardianship Support Plan Exemplar at Appendix K).	Practice Manager – Adoption / SGO Support
13.10	If, after consideration at the Adoption, Special Guardianship and Child Arrangement Order Financial Support Panel, Rochdale MBC proposes to vary or terminate the provision of financial support, the Local Authority will provide the Special Guardian(s) with written notice of the proposal so that they have a reasonable period of time in which to make representation to the Local Authority, should they wish to do so.	Practice Manager – Adoption / SGO Support
13.11	The notice of the proposal sent to the Special Guardian(s) by Fostering & Adoption Business Support will include the reasons for the proposed decision and information about the Appeals Process.	Practice Manager – Adoption / SGO Support
13.12	The Special Guardian(s) will be informed that they are able to make representation to the Local Authority within 28 days	Practice Manager – Adoption / SGO Support

	of receiving such a notification.	Support
13.13	Appeals Process - The Local Authority will, having regard to the Review, and after considering any representations received within the 28 day period of notice, then decide whether to vary or terminate payment of financial support or whether to seek to recover all or part of any financial support that has been paid: and where appropriate, revise the plan.	Assistant Director – Children's Services

Appendix A

Initial Screening for a Connected Persons Assessment/Family Assessment

Appendix B

PLO 9 Record of Legal Planning/Gateway Meeting Report

Appendix C

Guide to Additional Information Required for the Different Family Assessments

Appendix D

Request for Legal Advice/Representation

Appendix E

Adoption, SGO, Residence Order and Child Arrangement Order Financial Support Panel Process

Appendix F

Family Assessment Report

Appendix G

Schedule of Matters to be dealt with in Report for the Court

Appendix H

Assessment or Review of Financial Support

Appendix I

Request to Adoption, Adoption, SGO, RO and CAO Financial Support Panel

Appendix J

Special Guardianship Support Plan Template

Appendix K

Special Guardianship Support Plan Exemplar

Appendix L

Process Chart – Connected Person Assessment/ Family Assessment

Appendix M

Special Guardianship: A Guide for Foster Carers

Appendix N

Decision Record – Adoption, SGO, RO and CAO Financial Support Panel