



Stockton-on-Tees
BOROUGH COUNCIL

Children's Service's
Policy, Procedure and Practice Guidance

Big plans for the young people of our Borough

KINSHIP CARE POLICY

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1. Introduction

The Kinship Care policy applies to all children living in kinship (family and friends) arrangements regardless of their legal status. Family and friends' carers (such as grandparents, aunts, uncles or an adult (s) who are not biologically linked but are connected to the child.) play a unique role in helping children and young people who are unable to live with their parents, to remain with people they know and trust. For some children this may mean they are "cared for" by the Local Authority whilst living within a kinship carer. This policy sets out how Stockton on Tees Borough Council supports family and friends' carers and the children they care for.

2. Our values and principles

Stockton On Tees Borough Council has a duty to safeguard and promote the welfare of all children and young people living in the Borough who are in need. The Local Authority is committed to supporting parents and carers to enable children to be brought up within their own family network where it is safe to do so.

Research would suggest that children who live within kinship care frequently enjoy more positive outcomes when compared to similar children in foster care. Children within kinship care are generally reported to feel secure, happy and feel a sense of belonging within their family. Research also evidences high levels of commitment from Kinship carers, their strong bonds with the children, the pleasure they find in the children themselves and the satisfaction they derive from caring. Consequently, we want to help children who cannot live with their parents to stay with family and friends or connected people. These kinship placements can allow children to maintain positive links with their heritage, and their sense of identity and self-esteem can be maximised. The Local Authority typically only considers alternative care arrangements when there is no other satisfactory way of promoting the welfare of children and young people or of protecting them from harm.

Family and friends often start to care for children as a short-term arrangement, but these can become open-ended or even permanent. Such changes in family circumstances can present challenges for both the child and the carer. Stockton on Tees Borough Council is committed to ensuring a comprehensive range of support is in place which enables family and friends to provide appropriate care for the child or young person which reflects their individual circumstances and needs.

The Local Authority can become formally involved in family and friends care arrangements for several reasons, for example:

- It has a legal duty to provide support if the child is assessed as a child in need.
- If the Local Authority has agreed that the child needs to become "a child in our care" either by remaining with family members or a connected person (s) or being "placed" with a foster carer employed by the Local Authority or Independent Fostering Agency.
- The Local Authority has applied to the Court for a legal order which has been granted, giving the Local authority parental responsibility.

In all cases, the primary consideration in determining support will be the needs of the child and we will consider children's wishes and feelings in all relevant processes.

3. Legal Context

Most kinship carers act informally, with the agreement of the parent, but there are a number of different legal options which kinship carers can consider to secure care arrangements formally. The advice of a social worker or a solicitor may be helpful when deciding which option is most applicable to your circumstances. A summary of these is set out below:

3.1 Informal Family Care

These arrangements typically involve a close relative or friend choosing to take on the care of the child or young person. The Local Authority will not have been involved in the arrangement and the child is not a child in our care.

The Local Authority does not have a duty to assess informal family and friends care arrangements, unless it appears to the authority that services may be necessary to safeguard or promote the welfare of a child in need in their area or the child should legally be assessed for example under Private Fostering Arrangement.

3.2 Private Fostering

This is a private arrangement where a child under 16 (or under 18 if disabled) is cared for by someone who does not have parental responsibility and who is not a close relative, for 28 days or more. This takes place with the agreement of their parent.

[Private Fostering Procedure](#)

3.3 Family, Friends and Connected Foster Care

Under Section 20 of the Children Act 1989 the Local Authority has a duty to provide accommodation for any child in need within Stockton as a result of:

- (a) there being no person with parental responsibility for the child.
- (b) the child having been lost or abandoned; or
- (c) the person who has been caring for the child being prevented (whether or not permanently, and for whatever reason) from providing the child with suitable accommodation or care.

Children or young people who are provided with accommodation by the Local Authority are referred to as "Children in our care". The child or young person can be cared for on a voluntary basis where there is consent from the parents (Section 20). Where parents do not agree to the care arrangement, but the Local Authority still believes it is in the child's best interests to be cared for outside of their parent(s) care, the Authority may apply to the court for a legal order so that the child can become cared for.

When providing accommodation to a child who is cared for, the Local Authority will where appropriate, consult with both the child and the wider family and consider whether it is in the child's best interest to be placed into the care of family, friends or another connected person who has a pre-existing relationship with the child.

Children who are Children in our care can be placed into the care of a family member or friend, provided a viability assessment concludes that this would be safe, viable and in the child's best interests (the assessment determines whether the living arrangements are suitable for the child and are defined in the Fostering Regulations). In these circumstances the family or friend can be temporarily approved under Regulation 24 of the Care Planning, Placement and Case Review Regulations as a Kinship foster carer for a 16-week period and in exceptional circumstances, this may be extended for a further 8 weeks. During this period, the family/friend/connected person(s) providing Kinship Foster Care will be paid a Fostering Allowance for the child identical to that received by registered Foster Carers.

Temporary Kinship Foster Carers must still be formally assessed, to determine their longer-term suitability. The registered process will involve several visits to complete the assessment and will also involve undertaking background checks, medical histories etc. It should be noted that temporary approval does not mean that the Kinship Carer is formally approved as a short-term Foster Carer, as fully registered Foster Carers must pass an enhanced assessment process which commits them to

ongoing training and ensures they keep detailed records about the children they are caring for. Short term approval is achieved following the presentation of the assessment at Fostering Panel and Panel making a positive recommendation, and the Agency Decision Maker (ADM) endorsing the panel's recommendation with regards to this.

There might be situations whereby the viability assessment identifies that the prospective kinship carer cannot be temporarily approved as a foster carer under Regulation 24 having considered key areas as set out in Schedule 4 of the Care Planning, Placement and Case Review Regulations. However, it might be concluded that the care arrangement is still in the child's best interests. Consideration will need to be given to the options available to the Local Authority in such circumstances. Legal advice will be sought, particularly in care proceedings, and advice given to the applicant.

Carers who are not given temporary or full approval as foster carers can no longer be paid a fostering allowance, however a separate allowance to support the child / children in their care will be considered. In these circumstances, the carer, the child's parents and the allocated social worker will work to establish whether it is appropriate for the child to remain with the carer and agree a long-term care plan for the child. If it is subsequently concluded that it is still appropriate for the child to remain with the carer, this will need oversight from the Agency Decision Maker. In such cases this arrangement will be subject to regular review under Care planning to ensure there is robust oversight and they remain safe and appropriate .

Decision making regarding longer term plans will be based on what is in the child's best interests. In circumstances where fostering allowance can no longer be paid the Local Authority may consider offering transitional financial support until care proceedings are concluded and carers can claim the appropriate state benefits. Once proceedings are concluded, financial support may be available dependent on the child's circumstances

– please see the sections on financially supporting Child Arrangement and Special Guardianship Orders.

3.4 Child Arrangements Orders (previously known as Residence Orders) and Special Guardianship Orders

Relatives, friends or other connected persons providing care to a child might wish to make the arrangement long term to provide permanence for the child. In these cases, carers may make an application for a Child Arrangement Order or a Special Guardianship Order. Applications for a Child Arrangement Order or a Special Guardianship Order can be made privately or with the support of the Local Authority if the child is a Child in our Care. When a carer assumes parental responsibility via the granting of a legal order for a child in such circumstances, he or she is no longer deemed "a Child in our Care".

A Child Arrangements Order can arise in any of the following circumstances:

1. As a result of private law proceedings where the local authority is not looking after the child and is not considering looking after the child.
2. As a result of private law proceedings brought by family members who are caring for the child as an alternative to the child becoming a Child in our Care. Such an application will usually be supported by the local authority, which may contribute to the court fees and / or other legal costs.
3. At the conclusion of an application for discharge of a Care Order, where the child's Final Care Plan is permanency with the Foster or Connected Person carers long-term and the child's assessed needs can be met by the carers without the continuing need for a Care Order.
4. At the conclusion of care proceedings, where the outcome of the decision-making process is that the child's Final Care Plan is for the child to be permanently cared for long-term with

family members, but the child's assessed needs do not require the child to be subject to a Care Order.

Child Arrangements Orders usually last until the child is age 16 however in some circumstances, can be made until the child reaches 18 years should this be directed by the court

Carers with a Child Arrangement Order share parental responsibility with the child's mother and the father (if he has parental responsibility) enabling the carer to determine issues such as where the child lives and giving them responsibility for day-to-day decision making regarding the child's welfare. Carers with a Special Guardianship Order, also share parental responsibility with the child's birth parents, however, Special Guardians have enhanced parental responsibility enabling them to have more control over decision making in relation to the child. A special Guardianship Order will be granted until the child reaches 18 years.

4. Types of Support and Services

The Local Authority also recognises that to provide safe and effective care, kinship carers may need additional specialist support. If care arrangements are in danger of breaking down or the child has additional needs, examples of advice and support include mediation and counselling services helping children maintain family time with parents, other relatives or important adults, therapeutic support; early help support as required.

It is important to note that where parental responsibility is shared, then parents retain responsibility for financially supporting their children, typically carers can claim child benefits, child tax credits and additional working tax credits where appropriate. Carers will be supported to seek advice and support from Welfare Rights to ensure they are claiming all the financial support they may be entitled to. Finally, the Local Authority acknowledges that carers who take on the care of a child may face unexpected financial struggles and that there may be circumstances when Kinship carers might need some additional financial support. Further details on when the Local Authority might financially assist carers are set out later in this Policy, but it is important to note that there is not an automatic entitlement to financial help from the Council.

4.1 Family Group Conferences/Family Network Meetings

A family group conference is an approach to planning and decision-making which builds on the strengths, skills and experience of the wider family as well as professionals. Stockton on Tees Borough Council uses family group conferences (FGC) to help find solutions to difficulties a family might face in bringing up and caring for children. Examples of when a conference or family network meeting could be used include issues with family relationships, family time, children's behavioural difficulties and school attendance. Involvement will ultimately be determined by the family itself but may include those family members caring for the child and extended family, friends, neighbours and community members if they are considered to be part of a child's "family". This service can be accessed by contacting Children's Social Care or speaking to your social worker.

4.2 Early Help

The majority of kinship arrangements work well and meet the needs of the child with the support of universal agencies such as health and education and housing services. It is important, however, that any difficulties are responded to early. Families may need advice and assistance during the early stages of considering whether to care for a relative or a friend's child, in order to weigh up the options and to consider what support services they might require. This advice can be obtained from a variety of sources, including the Family Work Team; Family Rights Group; Kinship. Contact details are provided at the end of this policy.

The Family Work Team can provide support, advice and information to carers who have been granted a Special Guardianship Order (SGO) or Child Arrangements Order (CAO) or those who are currently being supported by social care and are considering either order to secure a child's long-term future with them. Early identification of carers ensures that the support is in place prior to any order been

granted. This can evidence to the court the longer-term support offer for the family via the team, reducing the need for Family Assistance Orders/Supervision Orders and Care Orders

With the Family Work Team Senior Family Workers work directly with families, children and young people to empower and enable them to address presenting needs. The level of support and duration of intervention will be determined following completion of a Special Guardians Needs Assessment/Single Assessment (undertaken by Social Care) an Early Help Assessment or following a request for support via Social Care.

The team provide help and support, where it has been identified that there are single or multiple identified needs within the family, that would require the interventions of a Senior Family Worker. This can be light touch, intensive support, or support via a network group for carers, which will be determined depending on the needs of the family and will form part of the child and family's plan. There is a dedicated telephone support line for carers also available.

Partner agencies such as Health, Education and Housing have a key role to play in identifying and supporting children who are living with kinship carers. Services need to be aware of and sensitive to the needs of these children and their families and give priority to access services wherever possible.

To enable family and friends to offer appropriate care for children and young people who cannot live with their parents, access to a range of high quality universal and targeted services may be needed. Support services should not be withheld because a child living with a kinship carer is not a looked after child.

There are also a wide range of resources available to support children in the local area, including Children's centres, early year's provision, day care and out of school services, schools and colleges, health services, leisure facilities and youth support services. Kinship carers are encouraged to access all the universal services available both locally and nationally.

4.3 Housing

Stockton on Tees Borough Council is committed to ensuring that no child should become 'a child in our care for' because of inadequate housing. Housing services provided by the Local Authority and its partners can make an important contribution to promoting kinship care arrangements by assisting carers to secure suitable housing. Housing Authorities and registered social landlords are engaged to ensure that their policies recognise the importance of the role performed by Kinship carers and that whenever possible, kinship carers living in unsuitable housing are given appropriate priority to move to more suitable accommodation if this will prevent the need for a child to become cared for. Tees Valley Homefinder policy incorporates measures to ensure that preventative actions can be taken to avoid the need for a child to become "a Child in Our care"

4.4 Education

Stockton on Tees Division council recognises the importance of continuity of education for children and young people. Advice and guidance on educational matters for children cared for by family and friends will be provided, by directing carers to the most appropriate helplines or services.

Young people aged 16 -19 in Kinship placements may be entitled to the Government funded bursary scheme.

Priority schools' admissions are available for those children who were in Local Authority care but who are now placed with their family under a Child Arrangements Order, Special Guardianship Order or Adoption Order.

In 2024 the role of the Virtual School Head Teacher was expanded further, in addition to adapting the strategic role, as part of their non-statutory function, virtual school heads should expand the provision

of advice and information, on request, to all kinship carers with special guardianship orders and child arrangement orders, regardless of whether their child was previously looked after by the local authority.

In Stockton, the Virtual School provide the following in relation to this duty:

- An Advisor that can offer strategic advice for this cohort.
- Support, guidance and training to schools and social workers regarding Kinship Care. This would include making visible the disadvantages that this cohort face and experience, and promote practice that supports engagement and attendance
- Support and guidance through our website to professionals and parent/carers, including Frequently Asked Questions (FAQs)
- A Virtual School Caseworker who can offer advice and guidance, on request, to kinship carers.

4.5 Support Groups

Kinship Carers may sometimes feel isolated when they take on this role, particularly when they are dealing with the complex needs of vulnerable children for which they had not planned. Getting together with others in a similar position can often be an invaluable source of support in itself. Support Groups are a valuable way of helping carers to access information about services which will help them to care for the children, as well as ensuring that they are treated with understanding and respect and receive emotional support. Therefore, Stockton on Tees Borough Council will continue to work with its partner agencies and the voluntary and faith sectors to find ways to encourage peer support and access to Support Groups. There are currently Support Groups for our Kinship carers that are delivered across the borough (see Kinship website for further details)

4.6 Family Time

Family time between a child and their parents must be supported and promoted unless this is deemed not to be in the child's best interests. It is recognised that the management of family time can be challenging for Kinship carers.

The Local Authority is committed to providing support to carers in managing family time arrangements which may include practical support. The Local Authority expect most families to make their own family time arrangements, however the Local Authority may provide assistance which would form part of the agreed care plan / SGO support plan. In the majority of cases this support would be transitional in assisting families in developing arrangements that they are able to sustain. However, after a Special Guardianship Order or Child Arrangement Order has been granted, assistance and support in this area can be actively sought by seeking advice and guidance from professionals who might already be working with the child and their kinship carer(s) or by contacting the Family Work Team or Kinship Team.

For children living with Kinship carers under a legal order that was granted within private law proceedings, or an informal family arrangement, the organisation of family time is a matter for the family to manage. However, advice and support can still be accessed from the Council. Where a child is a Child in our Care and placed with a Kinship carer, the person caring for the child should be consulted in respect of the arrangements and will be expected to comply with the family time plan that is agreed between the Local Authority, the parents and the multi-agency team involved with the child. Details of the support to be offered around family time should be added to the carers support plan or Care plan.

4.7. Stockton Kinship Support offer

Stockton on Tese Borough Council offers a variety of support and training programmes for Kinship carers, including:

- Monthly support groups

- Monthly focus/training groups
- Activity/family days during school holidays
- Quarterly Kinship care newsletter advising Kinship families of events, activities and training opportunities. Diana is this something your team could support.
- Individual support from Family support team when necessary.
- Information sessions regarding Kinship care
- Support from Kinship Supervising social workers for connected carers and Special Guardians
- Access to training

5. Financial Support

As Section 4 of the Policy makes clear, parents retain responsibility for financially supporting their children even in situations where a child is being cared for by a family or friend. Carers should always seek to avail themselves of any benefits and tax credits they may be entitled to and agencies such as Welfare Rights, Citizens Advice and the Money Advice Service will be able to assist carers to make claims for the relevant and appropriate benefits and financial support.

Connected carers will not be entitled to claim benefits for a child when they remain a child in our care, however they will receive allowances.

Whilst the Local Authority does not routinely provide financial assistance, Section 17 (6) of the Children Act 1989 allows services provided by a Local Authority to include the “giving of financial support”.

The following sections sets out in more detail the circumstances when Stockton on Tees Borough Council may consider offering additional financial support, but it is important to note that assuming responsibility for a child via a Child Arrangement or Special Guardianship Order is a significant commitment which brings with it additional responsibilities. Unless the child has significant and lifelong needs and this results in additional costs being incurred, financial support offered by the Local Authority will always be means tested in the first instance. Then a financial assessment completed to determine the level of financial support agreed. In all circumstances any financial support allowance will be reassessed then the child reaches 16 years. Decisions made will always consider not detriment to the child.

5.1 Section 17 Children Act 1989 / Family Support Payments

Financial support provided under Section 17 is awarded on a discretionary basis when a child has been assessed as a child in need, and it is deemed that additional support is necessary to address that need. This can apply to any child including children in informal care arrangements and those being privately fostered.

Financial support under Section 17 will typically only be paid in circumstances where the child's identified need cannot be met through the existing benefits system or via the support referred to in Section 4. For example, payments for one-off purchases of equipment, clothing and furniture needed by carers to care for a child in a crisis situation when it has not been possible to secure support or help from sources such as the Benefits Agency, Welfare Rights or a charity.

In addition to the purchase of small one-off items, short term financial subsistence can be considered in **exceptional** circumstances, for example where the Local Authority would have had to accommodate the child/young person under Section 20 of the Children Act if no financial assistance was provided.

For example, a Carer may need financial help for a short period whilst they are applying for benefits, similarly, a Carer assuming responsibility for a baby or young child who was previously a child in our care, may need some initial help to purchase equipment such as bedding, furniture, pushchair etc.

Requests for payments which exceed £50:00 must be accompanied by an assessment by the social worker and requests for any ongoing financial support will be considered by the Council's SGO / Kinship Panel.

Each case and family circumstance will be unique, but whenever ongoing financial payments are being considered, these must be accompanied by an assessment of the child's needs.

5.2 Kinship Foster Care – Financial Support

Kinship carers are carers providing temporary foster care to a specific "Child who is a child in our care". A nominated officer within Children's services can grant temporary approval for an initial period of 16 weeks if a viability assessment concludes that this is safe, viable and in the child's best interests. In exceptional circumstances, this may be extended for a further 8-week period.

Once the carer is approved as a temporary foster carer, they will receive the Council's standard Foster Care Allowance to help meet any costs associated with caring for the child.

The Council's fostering allowance rates are linked to recommended National Fostering Rates which incorporate elements of remuneration to foster carers who pursue the role as a full-time career, as such, **the Council's fostering rates should not be viewed as accurately reflecting the costs of bringing up a child.**

It should be noted that temporary kinship foster care arrangements can only extend for a maximum period of 24 weeks. If during this period it becomes clear that the child cannot return home, the Local Authority must explore alternative care options or seek Agency Decision Maker oversight if there are reasons preventing the kinship carer from being approved as a short-term foster carer which would enable the care arrangement to remain regulated whilst permanence planning is achieved.

It is appreciated that kinship carers may wish the fostering arrangement would continue in the longer term but decisions around whether a child should remain a Child in Our Care for his or her childhood, must be balanced with children's needs for stability and permanence. Children cared for on a long-term basis have all decisions around their future made by the Local Authority, whilst carer's views will be considered as part of any decision-making process, carers are unable to make any independent decisions on behalf of the child as they do not hold parental responsibility.

Finally, in order for a temporary kinship carer to become an approved kinship foster carer for a named child, the carer must meet the agreed Fostering Standards and be formally approved in line with attending Fostering Panel and the Agency Decision Maker endorsing the panel's recommendation in this regard. Kinship foster carers (temporarily or fully approved) are expected to fulfil all expectations of the fostering role which include providing daily recordings, attending kinship carer training and engaging in visits/meetings with a supervising kinship social worker.

As highlighted previously within this policy, children enjoy more positive outcomes when their future is secured and where they are claimed. Care planning for the child or children placed with the kinship carer will always look to achieve this goal and if it becomes clear that a child cannot return home, the Local Authority must explore alternative care options. In such cases where proceedings have concluded, and the child remains subject to a S3 1. Care orders these arrangements should be reviewed 6 monthly under Care planning to consider whether permanency can be achieved by way of a less restrictive order such as Children arrangement order or Special Guardianship order.

5.3 Child Arrangement Order Allowances (previously known as Residence Orders Allowances)

The Children Act 1989 gives a local authority discretionary power to make payments towards the cost of maintenance and accommodation of a child who is subject of a Child Arrangements Order in relation to residence. This does not apply where the person with whom the child lives or is to live with is the parent of the child or husband or wife or civil partner of a parent of the child.

There is no legal duty to assess Child Arrangement Support needs for those kinship carers who apply for this order however Stockton on Tees Borough Council will offer similar assessment of support

needs and similar services to those that are offered under a Special Guardianship arrangement for those children who were Children in our Care prior to the making of the Child Arrangement Order or where we have instigated care proceedings and we have supported the making of the application for a Child Arrangement Order.

Stockton on Tees Borough Council cannot remunerate family and friends for providing care, but as with Section 17 / Family Support Payments and Special Guardianship Orders, the Local Authority will assess families and may consider offering financial support to a carer with a Child Arrangement Order if the needs of the child warrant additional help.

The majority of carers will be entitled to Child Benefits and carers are also expected to claim any other benefits and tax credits they may be entitled to when they assume parental responsibility for a child. The Council's Welfare Rights Service is available to assist carers in making appropriate benefit claims. All children who are being secured in the care of a kinship carer under a Child Arrangement Order and were a child who was a child in our care prior to permanence being achieved in line with this Order, will be entitled to a formal assessment to determine if a child's needs warrant additional financial help.

Schools can also claim additional financial support via the Pupil Premium Grant for children who were previously a child in our care. Carers struggling to meet costs such as school meals, uniforms and activities may receive help via schools to help offset these expenses.

It is envisaged that, the additional benefits, tax credits alongside any existing resources available to carers should be sufficient to sustain most care arrangements however in exceptional circumstances, Stockton Council may offer additional discretionary financial support to carers with a Child Arrangement Order.

Situations where additional financial help could be considered include:

- Where a child is assessed to have significant needs (physical, emotional, health or educational), including cases resulting from past experience of abuse or trauma, where the child's needs can't be addressed via funding and support available via universal services.
- Cases where the Local Authority has agreed that pre-school age children need childcare or nursery provision and the costs of this provision can not be funded from the resources available to the carer, via tax credits or other sources.
- Carers who have had to cease employment (or cease seeking employment) or take unpaid leave from employment in order to care for a child or to settle a child into his/her new situation which presents an alternative to the child being cared for. In these cases, the Local Authority may consider providing support for a temporary period.

Whenever financial support is being considered, a formal assessment will be undertaken looking at the child's needs, the resources available to the carer to meet those needs and detailing what any funding will be used for.

Assessments will be considered by the SGO / Kinship Panel. Cases will be presented by the assessing social worker and Supervising Social worker for the carer (where one is allocated) and Panel will determine if financial support is required and if so at what level. Child Arrangements payments will typically not exceed the weekly baseline fostering allowance. However, will be considered on an individual basis for each child.

To ensure any financial support offered by the Local Authority compliments financial support available via benefits and tax credits any Child Tax Credits and Child Benefit a carer receives will be taken into consideration in determining the level of allowance that may be paid. The financial assessment process is detailed in Section 6, but when payments are offered:

- They will be supported by a written agreement so that all parties are clear about what is being provided, why and the duration of the agreement.

- Typically, unless the child has a significant long term health condition, it is expected that payments will be for a transitional period of no more than 2 years in order to meet any needs arising from the child's move into the household.
- All payment and associated plans will be reviewed on an annual basis (or sooner if the circumstances warrant) so that the Local Authority can determine whether the payment remains necessary in order to support the child.

5.4 Special Guardianship Orders (SGO)

Kinship Carers who obtain a Special Guardianship Order for a child who was previously 'a child in our care' have a right under the Special Guardianship Regulations 2005 to ask the Local Authority for a formal assessment of the child's needs including financial support.

As set out previously with Section 17 and Child Arrangements Order payments, the primary consideration in determining entitlement to any SGO payment will be the needs of the child. If after assessing a child's needs, the Local Authority agrees support is warranted, details of the support services the family can expect (including financial support) will be set out in detail in the child's support plan.

Most carers with a Special Guardianship Order will receive Child Benefits; carers are also expected to claim all other benefits and tax credits they may be entitled to when they assume parental responsibility for a child.

Carers who work but receive lower wages may receive similar sums and may also be entitled to additional working tax credits. The Council's Welfare Rights Service will assist carers in making appropriate benefit claims so that carers have a clear idea on the level of support available to them at the point they agree to assume responsibility for a child.

It is envisaged that, the additional benefits, tax credits alongside any existing resources available to carers should be sufficient to sustain most care arrangements however in some circumstances, Stockton may offer additional discretionary financial support to carers with a Special Guardianship Order.

Situations where an SGO allowance may be considered include:

- Of this provision can't be funded from the resources available to the carer.
- Carers who have had to temporarily cease employment (or cease seeking employment) or take unpaid leave from employment to care for the child or to settle the child into his/her new situation which presents an alternative to the child being cared for. In these situations, the Local Authority may provide support for a temporary period.

Whenever financial support is being considered for a Special Guardian a means test should be completed by welfare rights followed by , a formal assessment of the child's needs must be carried out by a Social Worker, the assessment will look at the child's needs, will incorporate a detailed assessment the resources available to the carer to meet those needs and will set out what any funding will be used for.

Completed assessments will be considered by the SGO / Kinship panel who will determine what financial support is needed to meet the child's needs. Any payments that are agreed for a Special Guardian will:

- Be clearly set out in the child's support plan so that all parties are clear about what is being provided, why and the duration of the support.
- Typically, all payments will be agreed until the child reaches 16 years at which time a reassessment of financial needs will be completed upon the request from the Special

guardian. In order to abide by Special Guardianship Regulations, all payments and associated plans will be reviewed on an annual basis by Welfare Rights (or sooner if the circumstances warrant) so that the Local Authority can determine whether the payment remains necessary in order to support the child. In light of these Regulations the Local Authority is typically unable to give any long-term guarantee around payments. The maximum level of support payable to Special Guardians typically links directly with the allowance paid to mainstream foster carers. However, the Kinship Finance and Support Panel will determine an appropriate level of financial support based on the information in the assessment. In order to ensure offers of additional financial support compliment support available via benefits and tax credits, any Child Tax Credits and Child Benefits carers receive will typically be taken into consideration when determining the level of support.

Further details of the financial assessment process are set out in Section 6.

5.5 Legal Costs

Stockton may also provide financial help to Kinship carers who wish to apply for a Child Arrangement Order, Special Guardianship Order or an Adoption Order. This will only be considered where the application is supported by the Local Authority.

It should be noted that carers are expected to source funding from the Legal Aid Agency but, if the Legal Aid Agency requires carers to contribute, assistance with these legal costs can be considered by the Local Authority. The Local Authority will usually only cover the Court application fee.

Where the Local Authority has completed a Special Guardianship Assessment or Connected Carers assessment to inform permanence planning and concludes that it would be in the child's best interests to be secured in the care of a kinship carer, the Local Authority will provide financial assistance to the carer for a legal consultation with an independent solicitor for a maximum of 2 hours.

6. Access to Support

Once a Special Guardianship Order or Child Arrangement Order has been made, kinship carers living in Stockton are entitled to request a revised assessment at any time up until the child reaches the age of 18, if they feel additional support is needed.

Families living outside of Stockton can request support from the Local Authority up to 3 years after the Special Guardianship was made. After this date, responsibility for support falls to the Local Authority for the area in which the Special Guardian now lives, unless the Local Authority agreed to provide ongoing financial support at the point the order was made. In such circumstances the Local Authority will remain responsible for the payment until such time as it is determined that support is no longer needed.

In assessing needs, carers may be asked to assist in the completion of the Financial Assessment. Please note that completing the Assessment Form does not automatically entitle a carer to financial support, but carers will be notified of the outcome of the assessment and the reasons why any decisions have been made. When completing a Financial Assessment form, it is important that carers read and understand the information provided in this Policy. As has already been indicated, ongoing financial support is generally only payable where the child has an exceptional need as defined in Section 5.

7. The Financial Assessment Process

As detailed above, when determining whether a child needs warrant additional financial help, a detailed assessment of the child and the carer's circumstances will be carried out. In considering the needs of the child, factors that will be taken into account include:

- The nature of any identified needs and whether these are being met by existing Health or other Local Authority provision.

- The costs of providing for the child's assessed needs
- The resources (including financial resources) available to the carer.
- Any recommendations made by SGO / Kinship Panel
- The financial needs and resources of the child .The assessment will involve the completion of a detailed financial assessment, the carer will be required to provide supporting evidence so that income (assessed as if the child were placed without the payment of financial support) can be compared with a family's outgoings to determine what (if any) disposable income is available to the carer to address the child's needs.

When determining whether additional support is necessary, it is again emphasised that it is not the role of the Local Authority to maintain carers incomes and that in assuming responsibility for a child entails a degree of commitment and responsibility.

Details of the assessment process are set out below, but typically additional financial support can only be considered if the Kinship Finance and Support Panel agree that meeting a child's needs cannot be met from the resources available to the family.

7.1 Income

All income must be declared and documentation to support the declarations must be provided as follows:

- Net wages or salaries from an employer (for both partners in the case of couples) before any contributions to a company pension scheme.
- When providing monthly salary or weekly wage an average should be taken, (3 months' salary or 8 weeks for weekly wages). Figures should include overtime and any other regular earnings.
- Proof of income in the form of the most recent payslips will also need required Carers who are self-employed must forward an Inland Revenue Approved Statement of Drawings for the previous tax year alongside any application. A statement of expected drawings for the current year may also be asked for, in order to assess current income for the year if it is expected to be substantially different from the previous year, or if a full year's Inland Revenue statement is not available.

7.2 Benefits, Allowances & Pensions

Carers must declare details of all benefits and allowances they receive, including all state and private pensions (including those paid for disabilities), Disability Living Allowance (DLA)/Personal Independence Payment (PIP), Housing Benefit, Sickness Benefit and any Child Benefits and Child Tax Credits linked to child(ren) already in the household.

Monies received under a Maintenance or Separation Order, or from the Child Support Agency are also classed as income under the assessment and will be included in the income calculations.

Households in receipt of DLA / PIP must declare this as income, however, if these funds are not used to contribute towards general household expenses but instead address a specific need on the part of the carer, details of these costs should be listed in the spending section of the assessment.

7.3 Savings and investments

Carers with savings, investments or other assets (including property) valued in excess of £25,001 must declare these, similarly, income from lodgers, tenants, sub-tenants, or rental income must also be declared.

7.4 Financial resources associated with the child

Any financial support offered by the Local Authority must compliment and not duplicate support available to carers from the tax and benefits systems.

Carers are expected to claim child benefits and child tax credits. Similarly, carers with children with a disability should apply for a DLA/PIP and where appropriate to apply for a Carers Allowance.

It should be noted that any carer who fails to declare the receipt of these benefits may have the allowance suspended until appropriate evidence is provided.

Whilst any lump sum payment or Trust Fund held in the child's name must be declared, along with any regular payment received in respect of the child, these will not affect allowance payments

7.5 Spending and Outgoings

In order to determine what (if any) surplus income a family may have available to meet a child's needs, details of all spending by carers should be recorded on the assessment, costs should include:

- Monthly Mortgage / Rental costs
- Council Tax – most Councils charge monthly for ten months only, so if a monthly figure is given, it will be multiplied by ten to give an annual figure. If a rebate is given, the net figure must be declared.
- Other Utility Bills (Gas & Electric)
- Water Charges
- Mobile Phone Costs
- TV / Internet Costs
- Transport expenses (including car payments, petrol etc.)
- Food costs
- Clothing
- Details of any family activities
- Details of any insurance
- Details of any loans, HP agreements etc.
- Any commitments under a Court Order include such things as payments made under a Separation or Maintenance Order.
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In addition to the above details of any other regular expenses not covered in the classifications but which the carer is already committed, or which are related to the placement, should also be declared. Examples include costs associated with a carer's disability and therapies, contact costs associated with the child.

8. Notification and Payment

All proposed ongoing payments of financial support will need approval of SGO / Kinship Panel.

Decisions made by SGO / Kinship Panel including details of any the proposed payments, along with any conditions Panel feels are appropriate, will be sent to carers within 14 working days of panel meetings taking place. Where it has been agreed to support a Special Guardian or proposed Special Guardian, details of the support will also be set out in the Support Plan, which will include details of:

- the services to be provided
- the objectives and criteria for evaluating success
- timescales for provision
- procedures for review
- the name of the person nominated to monitor the provision of services in accordance with the plan.

The intention of the above is to ensure all parties are clear what is being provided and why. Carers who do not agree with Panel outcomes have 28 days to formally respond. Further details of the appeal

process are set out in Section 8, however decisions will also be re-established by offers of financial support will typically be reviewed on an annual basis, but if circumstances change, for example if the child leaves home or if the household finances change because the carer has a new job, carers must notify the Local Authority of the change immediately. Failure to promptly notify the Local Authority of any change in circumstances could result in any overpaid allowances being recouped.

An annual review of circumstances will be completed by Welfare rights to determine that the agreed arrangements remain current. It is the carers responsibility to notify the Local authority if they no longer care for the child or if their circumstances have changed. The Local authority will seek to recoup over payments in such cases.

9. Contact, Appeals and Complaints

Carers will be formally notified of the outcome of all assessments and will have a period of 28 days to consider SGO / Kinship Panel decisions and make any appropriate representations to the Local Authority should they wish to appeal. Appeals be considered initially by the SGO / Kinship panel in the first instance and should be made in writing. All appeals will be considered within 28 days of receipt and families formally notified of outcomes. Appeals should be directed through the child's SW to be presented to panel. Where the child does not have an active SW then the appeal should be directed through the team manager for the Family support team or the team manager of the Kinship team

Any complaints can be directed to:

<https://www.stockton.gov.uk/Customer-feedback-and-complaints>

Alternatively, you can email foiandcomplaints@stockton.gov.uk or telephone on 01642 527521 between 9am to 4pm, Monday to Friday. You can write to us at: Information Governance Team, Corporate Services, Stockton-on-Tees Borough Council, Dunedin House, Columbia Drive, Thornaby, Stockton-on-Tees, TS17 6BJ.

10. Glossary and definitions:

Child In Our Care – the child is 'in care' or 'accommodated' by the local authority.

In care – a court has made an interim care order or care order, or an emergency protection order on the child which gives the local authority the power to remove the child from the care of their parents.

Accommodated – the child is being looked after by the local authority with the agreement of the parents / others with parental responsibility under s20 Children Act 1989.

Connected person (kinship carer) – the term used in regulations and guidance to include relatives, friends, and other persons connected to the child and who are approved as foster carers to look after the child.

Parental Responsibility – the legal right to make decisions about a child's care and how they are raised.

Child in Need – Under Section 17 (10) of the Children Act 1989, a child is a Child in Need if: he/she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority; his/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or the child is a disabled child.

Private Fostering – an arrangement where a child under 16 (or 18 if the child is disabled) who is cared for by an adult who is not a parent or close relative, where the child is to be cared for in that arrangement for 28 days or more.

Close relative – is defined as: grandparent, brother, sister, uncle, aunt or step-parent by marriage or civil partnership.

Child Arrangements Order specifying with whom a child will live. It usually lasts until the child is 18. Parental responsibility is shared with the parents. Carers can apply after caring for the child for one year.

Special Guardianship Order – Like a Child Arrangements Order specifying with whom the child will live, this court order states where a child should live and gives the carer parental responsibility. An SGO gives the carer more authority to make decisions than a residence order.

Family Group Conference – a decision-making meeting in which a child's wider family network come together to make a plan about the future arrangements for the child