

Becoming a special guardian

www.havering.gov.uk/specialguardianship



Havering
LONDON BOROUGH

Becoming a special guardian

If a child can no longer live with their parents or, after a period in care, there is no realistic prospect of a return to their parents, a permanent alternative family needs to be found for that child. In some situations, people who the child knows may want to consider becoming a special guardian to offer the child a permanent home.

What is special guardianship?

Special guardianship is a court order. It gives a child permanent, legal security in a family that has parental responsibility for them obtained through the granting of a special guardianship order (SGO).

What is parental responsibility (PR)?

Parental responsibility (PR) is usually with birth parents, the making of a special guardianship order gives PR to the special guardian for the child. This means that the special guardian shares PR with the child's parents. Special guardians are able to make all the decisions relating to the child and their day-to-day life without consulting the birth parents. These include where the child will live or where they will go to school, and who they will continue to have contact with.

Is there anything that a special guardian cannot do?

- You cannot change the child's surname.
- You cannot take the child out of the UK for more than three months.
- You cannot agree to adoption of the child without the agreement of all others with parental responsibility.

A special guardianship order gives a child security and strikes a balance between their need for a safe, stable and caring home throughout their childhood, and to maintain links with their birth family.

Who can become a special guardian?

- If the child is known to the council and you have been identified by the child's parents as a possible carer for the child.
- If you are the child's grandparent, aunt, uncle, brother or sister (including half siblings or by civil partnership) or step-parent, and the child has lived with you for a year – you must be over 18 years old.
- If you are connected to the child and there is a pre-existing relationship.
- You are a local authority foster carer who has had the child placed with you for at least a year.
- The child has been living with you for three out of the last five years.

How long does the order last?

A special guardianship order lasts until the child reaches 18.

Assessing you to become a special guardian.

A detailed assessment report is required by the court. To become a special guardian you will need to be assessed to establish if you are suitable to be granted this order to care for the child throughout their childhood. The report is shared with you and is then presented to the court.

The court needs to know that special guardianship is in the best interests of the child and they will be well looked after throughout their childhood. The assessment report helps the court to make this decision.

An assessing social worker will schedule a series of visits with you to complete the report which will usually take about ten weeks.

If the child has been looked after you will be advised to consult a solicitor. The Council can fund legal advice when agreement has been given by the Council's special guardianship adviser.

Suitability to be a special guardian

- You must provide at least three referees who are prepared to meet with the assessing social worker.
- Checks with social services, your employer and your children's schools (if applicable) will be carried out.
- Health checks – You will also need to undergo a medical with your GP.
- Police checks are completed on all household members and very regular visitors aged 18 and over.

The assessment – what is involved?

- As with all assessments concerning the care of a child, all family members will be spoken to and it is sometimes necessary to speak with previous partners.
- You will be required to evidence your financial position, income and expenses. Debt is not a barrier to becoming a special guardian, but how debt is managed is important.
- An important aspect of the assessment is your own experience of your parents and being a parent. It may be that you have never been a parent before and thinking about how you might prepare for caring for a child will be part of the assessment.
- The assessment will help you understand the experiences of the child you are coming forward to care for. The child's experiences and the reasons that lead to them becoming looked after may be difficult to listen to and accept, but it is important that you understand the child's needs.
- During the course of the assessment you will be provided with more information about the reasons why the child's parents cannot care for them.





The child's birth parent/s

Arrangements for children to see their birth parents when they are no longer living with them are called contact. Arrangements for future contact will be discussed during the assessment and any support required will be addressed.

Support

The assessment will look at your support needs. A support plan will be prepared and agreed with you before the report is given to the court. This will include what support is available, for how long and review arrangements of the support. It may include some financial support which is means tested and on some occasions a settling in grant for the child may be paid. Any financial support paid will be reviewed on an annual basis and will be paid in accordance with Havering's financial policy.

Havering is developing its support services for special guardians. This includes arrangements with PAC-UK an agency for Adoption, Permanency and Support who offer up to six free counselling and advice sessions for special guardians and access to their advice line. Havering will also signpost you to other support services that may be available to you. Updates and further information can be found at www.havering.gov.uk/specialguardianship

The court

Prospective special guardians are expected to attend court where the matter of granting the special guardianship order will be heard. Legal proceedings concerning children should be completed in 26 weeks.

Making a complaint

Havering Council provides a wide range of services, and we aim to deliver these services to the highest possible standards. We recognize that there may be times when things go wrong and that you may not always be completely happy.

If you are not satisfied then we need to know so that we can correct things and learn from our mistakes.

Contact:

- www.havering.gov.uk/complaints
- Telephone: children's complaints officer 01708 433038
- Email: social_services_info_complaints@havering.gov.uk

