

# **SLOUGH BOROUGH COUNCIL**

## **SPECIAL GUARDIANSHIP POLICY AND PRACTICE GUIDANCE**

**This policy and practice guidance has been drawn up in order to comply with the Children Act 1989, as amended by Section 115(1) of the Adoption and Children Act 2002 and the Special Guardianship Regulations 2005.**

### **Policy:**

- Slough Borough Council, when requested by the court or prospective Special Guardians to do so, will assess their suitability to be Special Guardians.
- Slough Borough Council will also assess the eligibility of prospective Special Guardians for support services, when this is requested by them and/or the court and will inform the prospective Special Guardians in writing whether or not they are to be provided with support services.
- Slough Borough Council will undertake a means test in accordance with the format suggested by the DfES to ascertain the eligibility of the prospective Special Guardians for financial support.
- The assessment of the prospective Special Guardians and their support plan will be referred to the Council's Kinship Care Panel for scrutiny and any recommendations.
- Slough Borough Council will provide support to Special Guardians in the form of an allocated social worker, a support group (which will also involve occasional activities for children) and, where a means test has declared them eligible, financial support. Additional individual services will be provided where these have been indicated in the Special Guardian's Support Plan, to the Special Guardians, the child and the parents.
- Slough Borough Council will undertake an annual review of the support services, including financial support where appropriate, that are being provided to Special Guardians.

# **SPECIAL GUARDIANSHIP ORDERS**

## **Practice Guidance**

### **1. Referrals**

#### **a) From the general public**

Notification from the general public that they are seeking assessment in respect of their wish to apply for a Special Guardianship Order will be received by the Referral and Assessment Team. The Customer Service Officer will acknowledge receipt of the referral to the applicants and inform them that their request is being passed to the Family Assessment and Support Team. The CSO will open a file in the child's name, allocating the case, by name, to the Team Manager of the Family Assessment and Support Team and the case will be transferred immediately to the FASTeam.

#### **b) Internal referrals**

Where a potential carer who knows a child already allocated to a Social Worker indicates that they wish to apply for a Special Guardianship Order, they will need to notify the child's Social Worker in writing of their wish to be assessed. Their Social Worker will then make a referral to the Team Manager of the FASTeam.

#### **c) Foster carers**

Referrals from foster carers who are with independent fostering agencies will be treated the same way as internal referrals. Slough Borough Council foster carers will also need to notify the local authority in writing and can do this through their Supervising Social Worker, who will also undertake their assessment.

### **2. Preparing the report for the Court**

Under the Special Guardianship Regulations 2005, the local authority must prepare a report for the court in accordance with the Schedule under Regulation 21. In addition, if the child is looked-after, the local authority must undertake an assessment of the needs of the applicant, the child and the child's parents. If the child is not looked-after, the local authority does not have a duty to undertake an assessment but may wish to do so.

#### **a) Referrals from the general public**

The case will be allocated to a worker within the FASTeam who will undertake any assessment, if required, and write the report for the court in accordance with the Special Guardianship Order Regulations.

#### **b) Internal referrals**

Both the assessment, if required, and the report will need to be undertaken jointly by the child's Social Worker and the worker allocated to undertake the assessment of the applicant in the FASTeam.

The child's Social Worker will undertake an assessment of the needs of the child and their parents. The FASTeam Social Worker will undertake an assessment of the needs of the applicant and, in addition, their ability to meet the child's current and future needs and provide a permanent home for them.

The child's Social Worker will prepare the report for the court in accordance with the Schedule as specified in the Special Guardianship Order Regulations. The FASTeam Social Worker will write Section 4 of the report. (This section refers to the ability and suitability of the applicant to care for the child.)

#### **c) Slough Borough Council Foster Carers**

The same procedure as for (b) Internal Referrals applies with the exception that all those tasks allocated to the FASTeam Social Worker will be undertaken by the foster carer's Supervising Social Worker.

### **3. Support Plan**

The local authority must offer support services to Special Guardians, should their assessment identify these if the child is looked-after at the time of the assessment. They may offer these if the child is not looked-after.

The Support Plan must be shared with the prospective Special Guardians and they should be given an opportunity to respond to this. The local authority may decide to alter the plan, following representation from the prospective Special Guardians. If the local authority decides not to change the plan, they must give the prospective Special Guardians the reasons for this.

#### **a) Referrals from the general public**

The FASTeam Social Worker will discuss the needs of the child (whatever their status), their parent and the applicant with the Team Manager and draw up a Support Plan.

### **b) Internal referrals**

The FASTeam Manager, the FASTeam Social Worker and the child's Social Worker will meet to discuss the support needs of the child (whatever their legal status), their parent and the applicant. Following this meeting, the FASTeam Social Worker will draw up a Support Plan.

### **c) Slough Borough Council Foster Carers**

The FASTeam Manager, the Supervising Social Worker and the child's Social Worker will meet to discuss the support needs of the child, their parent and the applicant. Following this meeting the Supervising Social Worker will draw up a Support Plan which the FASTeam Manager will agree and sign.

## **4. Kinship Care Panel**

The completed assessment and support plan will be presented to the Kinship Care Panel for their recommendation. The format for this will be a modified version of the Schedule that is provided for the court. Section 1: information about the child, Section 2: information about the child's family and Section 3: the wishes and feelings of the child and others will be completed by the child's Social Worker. Section 4: information on the special guardian will be completed by the FASTeam Social Worker (or the Supervising Social Worker) with the addition of a concluding recommendation by the FASTeam Social Worker (or supervising Social Worker) as to why the carer should be approved and the reasons for this.

The Support Plan will also be presented to the Kinship Care Panel.

The FASTeam Social Worker or, in the case of SBC Foster Carers, their Supervising Social Worker, and the child's Social Worker will attend the Kinship Care Panel. The Kinship Care Panel will make a recommendation as to a) whether or not Slough Borough Council will support the applicant's wish to be a Special Guardian and b) the support services that are being proposed. This recommendation will be sent to the Assistant Director for their decision.

## **5. Availability**

In the event that the FASTeam is unable to accept a referral due to pressure of work, the referral will be placed on a waiting list. If an assessment as a Special Guardian is urgent, the agreement of the relevant Group Manager will need to be sought to paying an independent worker to undertake the assessment. Consideration could also be given to the child's Social Worker undertaking the assessment themselves, if appropriate.

## **6. Case Holding**

Following the making of the Special Guardianship Order, the child will be transferred to the FASTeam (unless the case is already being held there). The FASTeam will offer support to the child, the parent and the Special Guardian until the child is 18 years old.

## **7. Reviews**

Special Guardians are entitled to a review of any support services provided by a local authority.

An annual review will be undertaken by the allocated Social Worker and his or her manager. If the Special Guardian is also receiving financial support, this will be reviewed at the same time.

## **8. Leaving Care Services**

Children who have been looked-after immediately before the making of the Special Guardianship Order are entitled to leaving care services once they have reached the age of 16 but not the age of 21. These services are to be provided by the authority which was accommodating them at the time the Order was made.

If a situation arises where it is appropriate to offer leaving care services to a child and they qualify for these in accordance with the Special Guardianship Regulations, the FASTeam will refer them to the Pathways Team.

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