

**Children Sub-Committee**  
**30<sup>th</sup> March 2016**  
**Special Guardianship Orders**

## **1.0 INTRODUCTION**

- 1.1 This report provides an update on the progress being made in implementing recommendation 9 of the Scrutiny Review of Safeguarding Children in Wirral, December 2015.
- 1.2 The Scrutiny Review obtained evidence directly from council officers and partners, through observations of a child protection case conference, a meeting of the Local Safeguarding Children Board (LSCB) and through meetings with families who have experience of the safeguarding process.
- 1.3 A total of 20 recommendations were made, each of which are being implemented and will be subject to a further report to this Committee.

## **2.0 RECOMMENDATIONS**

- 2.1 The Children Sub-Committee is requested to note and comment upon the contents of this report. This is to provide evidence that recommendation 9 of the Scrutiny Review of Safeguarding Children in Wirral report is being actioned.

## **3.0 BACKGROUND**

- 3.1 The Scrutiny Review, cited research into Special Guardianship, '*Investigating, Special Guardianship: Experiences, Outcomes and Challenges*' 2014 Department for Education. The research highlighted the positive contribution that Special Guardianship can make to children unable to remain in the care of their birth parents. This is especially significant for those children who have existing relationships with extended family members, and where the preservation of these relationships would benefit the child rather than being severed, as is often the case in adoption outside of the family.

The research also identified that for some very young children who have siblings living with family members, Special Guardianship enables them to establish and maintain those relationships.

- 3.2 The two main areas that the Scrutiny Report Recommendations being addressed in relation to Special Guardianship are: i) Assessment of potential Special Guardians in line with regulations and procedures and ii) Post Special Guardianship support offered throughout childhood.

## **4.0 UPDATE & PROGRESS**

## 4.1 Assessment

Wirral Council, in common with all local authorities are required to seek to identify suitable relatives who may care for a child or children, as early as possible, during Care Proceedings. To this end a well-established approach used nationally and internationally, called Family Group Conferencing (FGC) is used to bring relatives together to agree who will be most able and willing to care for a child, if it is not possible to make arrangements for the child to safely return to their parents care. A Family Group Conference is held at the same time as considering whether the child may return home, in order to make every effort to prevent there being any delays for the child.

- 4.2 Once a relative has been identified through FGC, an assessment of their suitability to care for and safeguard the child will be completed by the fostering service, taking account of information from the child's social worker. The assessment criteria for assessing a Special Guardian differs from a fostering assessment in that a Special Guardianship assessment is based on the specific, individual needs and circumstances of the particular child / children, although, it is important to stress that the ability to keep a child safe is central to both forms of assessment. When assessing a potential carer as a Special Guardian, it is essential that they can evidence their ability to evaluate potential risks in the future in order to protect the child / children.
- 4.3 If the plan for the child is for a Special Guardianship Order to be sought at the end of Care Proceedings, then a report is presented to the Permanence Panel evidencing why Special Guardianship is the appropriate plan for this child and how the applicants are suitable Special Guardians. The Permanence Panel will then make a recommendation to the Agency Decision Maker, who is the Assistant Director of Children's Social Care.
- 4.4 It is often the case that the Court will direct that more than one family member at a time will be assessed and that they will be assessed as potential Foster Carers and Special Guardians at the same time. Although this is difficult to manage from a resource perspective, care is taken that this does not affect the quality of assessments.
- 4.5 The recently published Special Guardianship (amendment) regulations 2016 sets out the requirement for a stronger evidence base for the assessment, stating that an assessment of prospective Special Guardians' parenting capacity must include:
- (i) *Their understanding of, and ability to meet the child's current and likely future needs, particularly, any needs the child may have arising from harm that the child has suffered;*
  - (ii) *Their understanding of, and ability to protect the child from any current or future risk of harm posed by the child's parents, relatives or any other person the local authority consider relevant, particularly in relation to contact between said person and child;*
  - (iii) *Their ability and sustainability to bring up the child until the child reaches the age of eighteen;*

Children's Services in light of the new regulations and supporting court reports is in the process of updating our procedure for Special Guardianship in this respect with associated practice guidance for Social Workers, which will be complete in April 2016.

There will also be a programme of training for social work staff to ensure they are all consistently evidencing any safeguarding concerns in their evidence to Court.

- 4.6 To support the transition towards Special Guardianship for a child / children, Children's Services may recommend to the Court that a Supervision Order is issued in addition to a Special Guardianship Order, to strengthen the authority's responsibilities and duties to support the placement. This is particularly important where there are issues about the supervision of contact between the birth parents and supporting carers, where any risks need to be identified with clear plans in place to manage them.

#### 4.7 **Support**

The regulatory framework of Special Guardianship support was originally modelled on that for post adoption support. With the introduction in the Children and Family Act 2014, and the creation of a national Adoption Support Fund (ASF), this has created a division in the ability to access funding for therapeutic support, depending on which Order has been granted, rather than considerations being based on the needs of the child and family.

- 4.8 Locally in Wirral, support is provided by the Adoption and Permanence Team to Adopters and Special Guardians. A robust support plan is presented to Permanence Panel at the time of making a recommendation for Special Guardianship, which assesses the needs now and the potential needs of Special Guardians in the future. Special Guardians are able to request an assessment of their current support needs which will usually involve signposting to providers to meet their support needs.

- 4.9 The majority of Special Guardians receive a level of financial support for the care of the child and this is included in their support plan. Financial assessments are reviewed annually; however there is not the same mechanism for reviewing general support needs at this time. It is our plan that a framework for doing this will be developed over the next six months; this is likely to have implications about how resources are deployed.

#### 5.0 **FUTURE PLANNING**

- 5.1 In order to capture a wide audience to understand Special Guardian support needs more fully, Focus Groups will be held during May 2016 with Special Guardians to consider the breadth of their support needs, so that they are well supported to enable children to reach their full potential. This is a key pledge for partners in Wirral, contained within the Children, Young People and Families Strategy. Support will include access to training for specific support requirements.

- 5.2 Some Focus Group members will then go on to form a Special Guardianship Partnership Group, working with a range of staff delivering and securing early help and prevention services, as well as children's social care, to develop support and services for Special Guardians further. Planning for this has started with some Special Guardians now.

- 5.3 It is our intention through the Focus Groups and the Partnership Group, to develop support groups, newsletters, social activities and training.

**Sue Leedham**  
**Group Manager – Adoption & Fostering**