



**Haringey** Council

## REPORT TEMPLATE

Agenda item:

**[No.]**

**Corporate Parenting Advisory Committee**

**On 20 October 2009**

Report Title: Special Guardianship Orders	
Forward Plan reference number (if applicable):	
Report of: The Director of Children and Young People's Service	
Wards(s) affected: <b>All</b>	Report for: <b>Non key decision</b>
<b>1. Purpose (That is, the decision required)</b> 1.1 Update on progress in the use of Special Guardianship orders	
<b>2. Introduction by Cabinet Member (if necessary)</b> 2. n/a	
<b>3. Recommendations</b> 3.1 Members of the Corporate Parenting Advisory Committee are asked to note the contents of the report	
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<b>4. Chief Financial Officer Comments</b> 4.1 The financial implications of these activities are monitored as part of the council's monthly budget management process.	
<b>5. Head of Legal Services Comments</b>	

There are no specific legal implications arising from this report.

## **6. Local Government (Access to Information) Act 1985**

6.1 [List background documents]

6.2 [Also list reasons for exemption or confidentiality (if applicable)]

## **7. Consultation**

7.1 Chris Chalmers, Senior Team Manager for the Adoption and Permanency Service and Roy Choudhury, Interim Head of Service, Children in Care Resources, have contributed to this report.

## **8. Background**

8.1 A report was presented to CYPCC on March 10 2009 regarding special guardianship. Clarification was provided in relation to the legal context of this order. To recap briefly, special guardianship is a court order that can be obtained by carers as an alternative option to legally secure permanence for children. A special guardianship (SG) order gives the special guardian legal parental responsibility for the child which is expected to last until the young person is 18. However, unlike adoption orders, these orders do not sever the child's legal relationship with their birth parents, although their ability to exercise parental responsibility is extremely limited.

Our target figure for special guardianship orders for 2009-2010 is linked to adoption orders. The joint outcome is set at 28 legal orders for children in care this year. To date there are 10 SG orders and 7 adoption orders. Two of the SG orders are for children in need who have not been in care to the local authority. There are a further 6 SG orders expected before the end of the financial year for children who are not in care. An additional 13 SG orders are anticipated in the same time frame for children in care. A further 3 adoption orders are likely to be made by the end of 2009-10. The service should be in a good position to exceed the target and to bring the total to 31 orders plus a further 8 for children in need.

Almost all the SG orders have been made, or will be made, to family members. Within the total number there are only 3 foster carers who have taken on SG orders. In recent reviews of placements across the Children in Care Service it has become clear that there is more potential for a greater number of foster placements moving to SG orders. As stated in the March 10<sup>th</sup> report, support to special guardians is being strengthened and developed, particularly with regard to allowances to carers. In adoption carers have generally spent years preparing financially for the arrival of a child in their family. Special guardians are in the main family members of the young person, for whom the arrival of additional children is unplanned by them thereby only making the placement viable with funding.

Procedures which inform the day to day work in special guardianship are about to be added to the CYPCC electronic data base. This should ensure that there is consistency

in practice within this area. Alongside this Chris Chalmers, STM Adoption and Permanency will be attending consultation meetings at British Agencies for Adoption and Fostering to share practice issues which arise from the challenges local authorities across the country are experiencing in the context of special guardianship. This should ensure that Haringey CYPS is closely involved with any new developments in this field nationally.

## **9. Conclusion**

9.1 The use of special guardianship orders is now embedded in permanent placement practice in Haringey. This affords more young people the opportunity for legal security which avoids the stigma of being a child in care. Steps are now being taken to allow more foster carers the opportunity of applying for SG orders in respect of those children for whom this would be an appropriate plan.