

## New Timeline for Special Guardianship Order assessments

### Timeline for Special Guardianship Order Assessments within 12 weeks.

SGO's came into practice in 2005 with the first order being granted in January 2006. They were introduced to provide, 'an alternative legal status for children that offers greater security than long term fostering but without the absolute legal severance from the birth family that stems from an adoption order.' (Special Guardianship Guidance DFES 2005). The Court **can not** grant an SGO without receiving a special guardianship report completed by the Local Authority. Requirement of the Children Act 1989 states that Local Authorities should consider placing a child within the family before considering placement with non-related carers. The legal framework established Special Guardianship Orders as a private law order. The conditions that give eligibility to apply for an order are wide ranging and the circumstances are not by any means confined to children who are in public care.

Where Hertfordshire County Council has received notice from an applicant or a request for a report from the Court; it should send written information about the steps it proposes to take in preparing the report to the prospective Special Guardian and make information available to the parents of the child in question. This should include information about Special Guardianship support services and how to request an assessment of needs for support.

- Hertfordshire have produced their own Special Guardianship leaflet for carers.
- Hertfordshire have created one day training for prospective Family and Friends carers and Special Guardians, which is called 'Under One Roof' and a leaflet has been produced which outlines the content of this day.

When notification of a new SGO assessment is received, both of the above leaflets are sent out, alongside an application form.

## **SGO Process:**

- LA receives a letter of intent to say the applicant intends to apply for an SGO for a named child or a court has ordered an SGO assessment as part of the family proceedings.
- Family and Friends teams must be *immediately* informed of intent to apply or the direction given from court.
- LA has three months (12 weeks) to complete the SGO report.
- Each part of the service completes their respective sections of the report and meets to discuss the overall recommendations for the conclusion.
- All Special Guardianship forms available on COMPASS  
[ [More results from compass.hertsc.gov.uk/pp/csfpolproc/16066493](https://compass.hertsc.gov.uk/pp/csfpolproc/16066493) ]

WEEK	TASK  Approx date line	Suggested actions to improve timeline.
<p><b>One</b></p>	<p><b>Referral received:</b>  <b>Week One</b> – SGO information pack is sent to prospective Special Guardian (PSG) by Friends and Family SSW.                      SGO information pack will include:-</p> <ul style="list-style-type: none"> <li>• Covering letter detailing SGO process</li> <li>• SGO application form <b>CS0252F28</b></li> <li>• Consent for checks <b>CS0252F29</b></li> <li>• AH10 medical Form</li> <li>• SGO finance form CSF4350</li> <li>• SGO leaflet</li> <li>• Leaflet regarding ‘Under One Roof’</li> </ul> <p>SSW or ISW will go through the SGO pack with PSG/Carers, explain the SGO process and collect completed forms. A 2<sup>nd</sup> visit to be arranged to begin gathering evidence for the SGO</p>	<p>It is good practice for the supervising social worker (SSW) or independent social worker (ISW) to meet with the child’s social worker about any family case history and workers own responsibilities for planning the completion of the SGO report as listed below.                      Case discussion should be appropriately recorded on LCS.</p> <p><i>It should be noted that some applicants decide not to follow through with the process and will want to withdraw from the SGO assessment. A letter of withdrawal and reasons for the applicant’s withdrawal must be written by the applicant, copied and sent to the child’s social worker and Hertfordshire CLU. This can happen at any stage of the process.</i></p>

	<p>assessment.</p> <p style="text-align: center;"><b><u>Social Workers Responsibilities:-</u></b></p> <ul style="list-style-type: none"> <li>• <b>SGO information pack</b> – F&amp;F social worker</li> <li>• <b>SGO court report sections 4, 5 and 6</b> – SSW from F&amp;F Team or ISW (separate forms for each child, if part of a sibling group)</li> <li>• <b>SGO court report sections 1, 2 and 3</b> – CSW</li> <li>• <b>SGO court report sections 7, 8, 9 and 10</b> – completed jointly between CSW and F&amp;F social worker/ISW.</li> <li>• <b>Assessment of Need</b> - CSW (sibling groups can be included on one assessment of need document)</li> <li>• <b>SGO Finance Form</b> – SSW or ISW from F&amp;F team to follow up with PSG/carers</li> <li>• <b>SGO Support Plan</b> – SSW from F&amp;F team/ISW to</li> </ul>	<p>Independent Social Workers are required to follow the same process as SSW. They will need to be given support in accessing packs and understanding the SGO timeline etc.</p> <p>The Local Authority are able to commission an ISW to complete the SGO report of their behalf, the court <b>CANNOT</b> direct an ISW and any direction made should be legally challenged by CLU.</p> <p>Every prospective carer has the right to apply for an SGO financial assessment. If carers complete this form in the first week, this will avoid unnecessary delay.</p> <p>If the assessment of needs document is completed early on, relevant information can be transferred to the SGO support plan.</p>
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	<p>follow up with PSG/carers</p>	
<p><b>Two</b></p>	<p><b>Week 2 - Assessment begins.</b></p> <p>The assessing F&amp;F SSW or ISW will be responsible for ensuring carers have completed the financial assessment form CSF4350 at this first visit.</p> <p>SSW/ISW to offer an SGO consultation inviting carers and CSW. This meeting should take place no later than week seven. This meeting is not legal advice, but can provide applicants with means of accessing free legal advice or gaining legal advice with a solicitor who is registered on the family panel advisory board. The Local Authority will only consider funding legal advice, where the SGO report is positive. The SGO consultation is used to help formulate the support plan and identify any issues early on that can be addressed within the SGO report. Having a consultation is good practice.</p>	<p>Allocated F&amp;F supervising social worker to undertake first visit in this week.</p> <p>Carers need to be seen a minimum 4-5 sessions to complete the assessment and given an opportunity to address issues that arise from the assessment. It should be noted, carers that are unknown to the Local Authority might require more assessment sessions.</p> <p>Allocated SSW to identify key areas for statutory checks: family member and regular visitors requiring DBS checks, identify adult children, ex-partners, name of school for any children in the family, check if there is health visitor involvement. The process and format of the assessment to be discussed with the applicant and timeline for the assessment discussed. Court process discussed with applicant by SSW.</p> <p>In the majority of SGO applications it is not necessary for carers to be party to court</p>

		proceedings.
<p><b>Two/Three</b></p>	<p>Assessment of need CSF3968 is completed by the child’s social worker (sibling groups can be recorded onto one form) and forwarded to SSW who will then forward the SGO finance form and Assessment of Need document to Hertfordshire Finance County Hall  <a href="mailto:CS.Allowances@hertfordshire.gov.uk">CS.Allowances@hertfordshire.gov.uk</a></p> <p>This will ensure that the financial support is confirmed by week 8. Finance will forward the calculations for the SGO financial assessment to the F&amp;F Service Manager - Chris Cooper. The Financial decision should be included within the completed Support Plan.</p> <p><b>Please note the finance team cannot process an SGO finance application, without a completed assessment of need.</b> It is the CSW who is responsible for completing this form.</p>	<p>SSW to arrange for statutory checks to be completed with the applicant including DBS, H&amp;S and Pet questionnaire and bring back to the office for processing.</p> <p>SSW to begin to make enquiries of the referees as this process can be timely. Arrange visits to referees to take place between weeks three to five, once written assessment forms have been received from referees.</p> <p>Liaise with the health authority (carer’s GP) to ensure that health checks are returned immediately. SSW must ensure medicals have been forwarded to Herts medical advisors no later than week 5. If this is likely to cause significant delay include the GPs recommendations into the SGO Court report and inform legal our medical advisor has not returned their comments, but offer reassurance SSW will forward on to Court once returned. Concerns have arisen that medical advisors in the South of the County only make decisions on statutory checks once a month. This can cause significant delay.</p> <p>All risk assessments where there is a ‘trace’ are completed by the Team Manager.</p>

<p><b>Four/Five</b></p>	<p>SSW visit to family, some intensive visits maybe appropriate to gather information for the assessment.</p> <p>Regulation 12(2) /Reg 6(1)(b)SG(W)R sets out the importance of interviewing those who requested the assessment, the child and any other person who may be significant to the issues being explored.</p> <p>Referee interviews are completed and written up (6 references are collected; SSW chooses 3 suitable/relevant referees and interview by week three/four). References are summarised within the body of the report and reports should state if the reference is positive and supportive of the application. References should <b>not</b> be attached to the report as appendices.</p> <p>Adults in the home are interviewed and adult children living elsewhere are interviewed.</p>	<p>SSW to write assessment up as information is received to save time.</p> <p>Contact CSW for any updates or family information.</p> <p><i>Both the F&amp;F SSW or ISW and CSW must continually discuss their conclusions and recommendations and evidence any significant difference of opinions before report is finalised for Court. If any disagreements in recommendations are highlighted at this stage, it would be good practice to arrange a professionals meeting with relevant Team Managers.</i></p> <p><i>Regulation 5 SGR 2007 It states ‘In many cases, it may be appropriate to pause and give time for reflection, particularly in those cases where the order is being made of the Courts own motion. Reports must evidence work that has been done in order that a sustainable permanent placement can be evidenced’.</i></p> <p><i>If there is any unforeseeable delay in the SGO assessment, it is imperative practitioners keep CLU (Hertfordshire’s legal department) informed. In order to request an extension it is advisable your request is</i></p>

		<i>supported with evidence.</i>
<p><b>Six/Eight</b></p>	<p>SGO consultation meeting is held no later than week seven. Consultation meeting will provide support and advice on any matters relating to Special Guardianship Orders and give all parties involved time to prepare the SGO support plan. This meeting is attended by the child’s social worker, the supervising social worker or independent assessing social worker.</p> <p>This meeting will consider the level of support required in relation to the placement, whether it is realistic, affordable and sustainable and whether the placement meets the child’s identified and assessed needs until he/she is 18.</p> <p>The SGO support plan should be considered by practitioners as a working live document which must evidence working in partnership with related agencies i.e health and education. Where the plan proposes to provide services which are the responsibility of health and education, the local authority must consult with those services before it prepares the plan. The plan must evidence the carers and child(s) (where appropriate) wishes and feelings. Clarity of purpose is essential for the delivery of effective services and inter-agency co-operation is key to this. Refer to SGO support plan guidance, for additional advice about information and advice available.</p>	<p>Details of any financial support must be added to the SGO support plan.</p> <p>If there are significant financial considerations these must be escalated to Chris Cooper Family and Friends Service Manager.</p> <p>Chris Cooper to be alerted to any requests for initial set up, so these can be agreed and added to the support plan.</p> <p>Under Regulations 15 &amp; 16 of the SGR 2005 and Regulation 8 SG(w)R 2005 notification of decisions, assessments and support plans must be shared with applicants. The notification must allow a reasonable time period for the applicant to make their representations and it is suggested that this is normally 28 days.</p> <p>Where Local Authority exercises its discretion not to assess, it must set out its reasons in writing and allow 28 days representations. Applicants also have the option to decline an assessment for support, which should be clearly recorded.</p>

	<p>Prospective special guardians should be given 28 days to consider the support services identified in the plan; this will enable them to make any necessary adjustments or requests before signing and being submitted in court.</p> <p>Completed SGO support plans should be shared with the PSG by SSW and signed by the PSG's.</p> <p>Family and Friends Team Managers Lorna Forde and Zoe Tubb must sign before plans are submitted in court.</p>	<p>In addition to the statutory notice, the local authority should provide the applicant with contact details for relevant sources of independent advice and advocacy.</p>
<p><b>Nine /Ten</b></p>	<p>F&amp;F SSW/ISW to send the completed sections of the report to CSW and between them are responsible for collating a completed report that can be sent to both Team Managers. Both Team Managers for the F&amp;F SSW and the CSW need to read, reflect and amend their social workers sections before agreeing the final report.</p> <p>Team Managers are responsible for quality assuring the document before this is sent to the Service Managers.</p>	<p>Carers must be given the opportunity to read through the SGO court report, and it is not advisable to give carers a copy or allow them to read negative references. Workers are advised to record any positive or negative feedback on LCS.</p> <p>Any significant care planning or financial implications need to be resolved prior to authorising the SGO report and support plan, particularly if this is going to have significant impact upon the PSG accepting the granting of an order, such as housing, allowances, school fees.</p>
<p><b>Ten/Eleven</b></p>	<p>The finalised SGO report is sent to both Service Managers for the child and the carer by the SSW or CSW.</p> <p>Where possible there should be discussions between Service</p>	<p>The use of electronic signatures can help speed up this part of the process.</p> <p>All versions of the SGO report must be numbered to</p>

	<p>Managers to discuss the report and final care plan.</p> <p>Both Service Managers must sign the finalised report before submission to court.</p>	<p>ensure that the final corrected document is submitted to Court.</p>
<b>Twelve</b>	<p>Report filed with legal</p>	
<b>Post Order</b>	<p>Once the Court hearing has been concluded and the SGO granted, the SSW must notify the Service Manager, Team Manager for the F&amp;F team and CS Allowances. The email notification will include the order date, name of carer and the name of child.</p> <p>No foster carer or CAO payment should cease until the SGO payment has been actioned by the F&amp;F Service Manager.</p> <p>SSW is responsible for updating the carer's record on LCS. SGO case transfer summary document must be completed and forwarded to SGO post order worker – Denise Marshall, who will action a handover letter and offer appropriate post order support services to carer.</p> <p>Hertfordshire are responsible for the support plan for three years post order, if the child was looked after in Hertfordshire prior to the SGO. Thereafter the responsibility for monitoring and reviewing the support plan will be with the residing local</p>	<p>CSW is responsible for updating the child's LCS record and formally notifying any other local authority, whereby a special guardianship order has been granted to a Hertfordshire, child now residing in their county.</p> <p>CSW will cease the child's CLA status, if applicable, on LCS, using the code to signify that an SGO has been granted.</p>

	<p>authority. Hertfordshire will continue to be financially responsible for the SGO allowance until the end of the order, or the child claims benefits in their own right or the annual finance review evidences significant changes in carer's finances.</p>	
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