

Birmingham Children's Services

Connected Person Foster Carers & Special Guardianship Order (SGO) Assessments

Policy and Guidance

This paper complements the document '[Guidance for working with families where there is concern about the care of a child](#)' and explains how we should work with children and their families when a child may need to be cared for away from their parents.

The family should be given the opportunity to support parents to keep the child within the family. 'It is not appropriate for Children's Services to be selecting the family member or making decisions about how family members care for the child by drawing up working agreements or putting restrictions on contact, etc.'

Children's Services need to empower, not direct, parents to take responsibility for ensuring that their son/daughter is safe. Consideration should be given to holding a Family Group Conference to help the family come to their own care decisions. We must work with families to identify potential relatives or friends who can offer support (including full time care) during the CIN and CP process so that should a child need to come into care the connected person can be assessed in advance, potentially avoiding emergencies or care proceedings. (See below for process)

To achieve child centred and timely care planning, we will ensure that assessments of potential 'family placements' are completed in anticipation of a child needing to be cared for by BCC.

When a child needs to come into the care of BCC we should have an understanding of the likely exit plan. In order to achieve this all options for permanence need to start being thoroughly explored as soon as child protection concerns come to light.

Children subject to Child Protection or Child In Need Plans are being tracked and monitored through supervision and therefore any significant risk which has arisen requiring a child needing to be cared for by the Council will in most situations be predictable. Formal Pre-Proceedings under the Public Law Outline gives parents every chance to change their behaviour and demonstrate they can provide safe care arrangements for their children.

In assessing what is in the child's best interest the focus must be on the needs of the child now, and in the future. A key part of all assessments must be the analysis of the capability of any potential caregiver to offer good permanent care, through all the stages of childhood to at least 18.

All potential carers offering permanence will need an understanding of the impact of the early care on the emotional and behavioural development of the child. The accessing of support services in times of need must be encouraged regardless of the type of order or relationship to the child.

'Any permanence order issued should significantly improve a child's outcomes, not marginally'. (ADCS Sept 2015)

Potential Family Options

This guidance outlines the varied circumstances in which children and young people are cared for by family and friends and the Local Authority's responsibility in each of these situations.

Private Family Arrangements

Close family frequently care for children/young people to support birth parents. The Local Authority does not have a role in such arrangements, unless it is requested, and then the L.A should not intervene for any length of time unless there are concerns about the child's welfare.

In these circumstances the L.A may be approached to consider making a Child In Need Assessment and to provide services to support the child including financial support under Section 17 of the Children Act 1989. However all parental and financial responsibility for the child remains with the parent/s.

There are occasions where a Social Worker will support or facilitate parents to seek family members to care for a child in circumstances where the parent/s is struggling to meet their child's needs adequately.

A family can be supported to consider and identify alternative arrangements for a child and support for parents via a [Family Group Conference](#). At the Family Group Conference, a plan agreed by parents will be formulated by the family that can be implemented in the event of parents not being able to provide protective care.

It is important that absent parents (often fathers) and their extended family are encouraged as soon as possible to be engaged and involved in decision-making about their children.

These arrangements are often referred to as private arrangements and parental responsibility remains with parents. There is no ongoing role for Children's Services. The Social Worker in these circumstances has supported the parent to make a safe choice for their child and should not need to remain involved for any length of time. However if the parent's situation is such that any aspect of the child's daily life is being dictated by the Local Authority, e.g. contact with a parent or where the child lives, then it cannot be considered to be a family arrangement.

Private Fostering

A Private Fostering arrangement is where a child is cared for by people who are not 'close relatives' for more than 28 days, following an agreement between the parent and carer. Close relatives are defined as Step-Parents, Grandparents, Brothers, Sisters, Uncles or Aunts.

The Local Authority must be informed as they have a number of responsibilities to fulfil in order to assess the private fostering arrangement by visiting the carer and child and ensuring the arrangements are adequate. Parental responsibility, including financial responsibility, is retained by the parents.

Need for a Regulated Placement (Coming into Care)

If the Local Authority becomes involved in orchestrating the placement in any way, for example: imposing restrictions on who can/cannot care for a child; monitoring the placement; imposing supervised contact; or entering into signed working agreements, this is no longer a private arrangement and becomes a formal arrangement or placement and requires the child to be placed in a regulated placement, i.e. a Local Authority approved foster placement.

If a connected person with a significant role in the child's life has been identified in advance and had initial approval (see procedure below), then the child should be placed with the connected person. If not, then the child will need to be placed with a mainstream carer while the assessment of the connected carer is completed.

In all such cases the usual process for seeking agreements to bring a child into care will need to be followed: i.e. presentation at Area Resource Panel.

If the Police remove a child under Police Protection Powers under Section 46 of the Children Act 89 then the child must be treated as a "looked after" child and, if the child does not return to parents immediately, the child must be placed in a regulated placement.

Coming into care

The common pathways for children to come into care are:-

- Section 20 of Children Act 1989 – voluntary accommodation at the request of parents – parents retain parental responsibility for the child; and
- Police Protection (PP), Emergency Protection Order (EPO) or Interim Care Order (ICO) where a child is suffering or likely to suffer significant harm – LA share parental responsibility with those who hold parental responsibility.

When planning for a child's future all potential options for permanence need to be explored concurrently and, if possible, this exploration should start before the child is in care. When considering a placement with relatives the merits of each specific order and type of family i.e. Adoption/Special Guardianship Order (SGO)/Child Arrangement Order (CAO) must be considered. The merits of each must be given

equal consideration. Clear evidence will be required for the child of the decision making pathway which influenced their permanence plan. The plan for the child cannot be changed without consultation with the Independent Reviewing Officer.

Parallel planning is important for the child to ensure permanence is achieved as soon as possible. Connected persons should be assessed alongside the assessment of a possible return to parent/s. In addition other permanence options, including Adoption away from the birth family, should also be pursued in case it is decided that family options are not in the child's best interests.

We have a responsibility to identify suitable potential connected carers within the child's existing network of family and friends, but it is important that care arrangements with family and friends are realistic and not entered into until appropriate assessments have been undertaken.

Throughout the assessment process there must be evidence at key points that all permanence options are weighed up as to their strengths in relation to what will serve the child's best interest throughout their childhood.

PROCEDURE

Assessing Connected Carers to provide permanence for the child.

Stage 1 - The Application

The child's Social Worker will establish the views of parents about whom they would like to care for their child and this will be given due consideration.

The child's Social Worker via the [connected persons application form](#) will ascertain:

1. What relationship and regular contact the child has to the proposed carer;
2. What support the proposed carer has provided to the child and family in crisis;
3. What accommodation the proposed carer will be able to provide for the child;
4. What are the applicant's aspirations for the child;
5. A very brief summary of any health or social issues that we need to be aware of at the earliest point.

Once the Area team is satisfied and can evidence that:

- The connected person is a close relative of the child who has been involved in the child's life thus far;
- The connected person is a significant person who has been closely involved in the child's life thus far;
- Any other adult who lives in the prospective connected person's house is also fully committed to taking on the care of the child.

and

- The connected person is reasonably able to make a long-term (at least until the child reaches 18) commitment to care for the child via Adoption, SGO. or Child Arrangement Order.
- The connected person has the capacity in their own family to meet the child's long term needs, including having appropriate accommodation (i.e. the child should have a bedroom).
- The connected person is able to arrange and manage contact between the child and the child's birth family where appropriate during the child's minority.

The child's Social Worker will send the application to the connected persons team and together they will complete the viability assessment of the applicant.

Stage 2 - Viability

The viability assessment must be of a high standard.

This is an initial assessment of suitability contributed to by the child's Social Worker and the Connected Persons Team Social Worker. The child's Social Worker's role is to consider whether the prospective carer/s can meet the needs of the child and the Connected Persons Team Social Worker's role is to consider the adults as carers. The standard of care for an assessment of a connected person must be the same as the standard of care that would be expected of any assessment for adopters or foster carers. The viability assessment should be completed within 10 days of the referral to the Connected Persons Team. Initial consideration must include the prospective carer's own children and the likely impact of another child in the family upon them.

The viability assessment will be completed on the BAAF Form C; this will form the basis of the full report should the application progress.

The Connected Persons Team will undertake checks: DBS, Medical, Local Authority, Social Media, and determine at least 3 personal references. If possible they will also speak to any ex-partners of any potential connected person carer.

The child's Social Worker should discuss with the applicant the child's needs and how the child's needs will be addressed within their current family, how contact will be arranged and supported, including supporting the child's relationship with their birth parents and siblings.

The child's team will complete the social history of the child and his/ her family so that the connected persons team can make the link to the reality of caring for the child in the fuller assessment.

The connected persons team will explore with the applicant/s the various legal routes and potential fostering applications bearing in mind the age and permanence plan for the child. Where two adults are living together in a household our expectation is that both will become Special Guardians, or Connected Persons Foster Carers.

The Connected Persons team will assess the initial understanding the applicant/s have of the implications of providing permanence for the child and make an analysis of the likelihood of this being a good permanence option for the child.

The Connected Persons team will make an assessment of the applicant's ability to manage and understand the changing needs of contact and its impact as the child matures. This part of the assessment will be re-visited throughout the fuller assessment, should it proceed, and consider any form of support that may be needed to ensure the child's safety.

The Connected Persons team will complete a genogram and an Eco map with the applicants and make an initial assessment outlining the potential of the applicants to be able to offer permanence to the child.

The findings of the viability assessment will be discussed at a meeting between the child's Social Worker and the Connected Persons Team Social Worker within 10 days of the referral. No child should be placed with the applicant until this process has been completed and signed off by the Team Managers of the child's Social Worker's Team and the Connected Persons Team. In the case of a child already looked after, the views of the IRO should be sought and recorded.

If the applicant and the plan for the child indicate a potential for Adoption, the assessment of the applicant will follow any other adoption application and be progressed by the Adoption Assessment Team. This will enable the viability assessment to be incorporated into the stage one adoption process and picked up by the recruitment team.

Stage 3 - Full Assessment of Connected Foster Carer OR Special Guardian

Where the viability assessment indicates that there are carers who are able and willing to meet the long-term needs of the child, the carers will progress to a full assessment which will last between 12 and 16 weeks. The assessment will be completed on the Form C template by the Connected Persons Team and consider both Fostering and Special Guardianship options in the one assessment.

* NB Children under the age of 7 would not usually have a care plan of long term fostering, so Special Guardianship or Adoption would be the likely care plan unless returning to a parent.

Where the applicants wish to be considered as foster carers (see above) the process will include attendance at the skills to foster training as any other foster carer applicant.

Where the applicant is making an application for an SGO, there is an expectation that they complete a short period of training which will include as a minimum: managing contact, building and understanding attachment, and the impact of early trauma on development and behaviour. This training will be supported by the Adoption team and run by the connected persons team social workers, and carers

who want to become Special Guardians will be expected to attend as part of their approval process.

The training will run in conjunction with the assessment process in both cases.

To be successful as a Special Guardian the applicant's full assessment will need to demonstrate that the care they can offer is of an equal standard of that of any carer being assessed as a Foster Carer or an Adopter. The assessment will include:

- The capacity of the applicant/s to care for the child now and until the child is 18;
- An assessment of the relationship between the child and the prospective Guardian/s;
- The ability of the applicant/s to support the child to overcome the impact of any abuse or neglect in early life;
- The effect on the child into adulthood of being cared for under a Special Guardianship order; and
- The ability of the applicant/s to manage any risk to the child of any pre-existing relationship between the applicant and the child's birth parents.

The applicant/s relationship history must be explored in depth and self-reported information verified by referees.

Availability of physical and emotional space and the ability to assist the child to develop bonds will be part of the assessment.

If the applicant/s have had previous problems of a medical, financial or criminal nature, evidence should be included as to how they have moved forward and what the current situation is, and the likely impact on the child.

All references will include Local Authority checks for all members of the household, employer references, ex-partners spoken to personally, DBS for all those in the household over 18 and, where a positive result is evident, the check must be referred to the Head of Service and their recommendation presented with Court papers.

Where the applicant/s have a child/children living in the household, or elsewhere, the impact of the child (they are being assessed for) coming into their family on the child/ren in the household, or elsewhere, and their welfare must be considered and included in the assessment.

Where the applicant has school aged children the school will be approached for a reference as to parenting capacity. Three personal references will be interviewed in person.

An agreement will be established with the applicant that should the child leave their care, then they will undertake to notify Children's Services. *Children's Services will regard a failure to do this as a serious omission in fulfilling the person's parental responsibility for the child.* As the assessment process will establish a relationship

with the applicant and the Directorate this will be an ongoing partnership for at least 3 months post final Order.

All references and medical checks must be in place and any discrepancies followed through and adequately resolved prior to the report being finalised. All information must be evidenced or triangulated, and not taken at face value.

At the midpoint 6/8 weeks there will be a review meeting to consider the findings of the assessment thus far. This meeting will include the child's Social Worker, the Connected Persons Team Assessor and respective Team Managers, and must include the view of the IRO. This meeting will also consider both the financial and practical support needs of the potential placement and complete the support plan to be presented to the Court with the assessment. Please see Financially Assisted Orders Guidance. The applicants should be fully involved in discussing their potential support needs prior to the review meeting.

Stage 4 - Signing off assessment report (Quality Assurance)

The child's Social Worker is responsible for the care plan of the child. The progress of the assessment must be shared with the child's Social Worker throughout so that parallel planning can be active and informed by the connected person's assessment in a timely manner. The child's care plan will be overseen through the Statutory Review Process by the IRO. The Head of Service for the child's Social Worker signs off all Final Care Plans for Children subject of court proceedings, and therefore they will be assuring the Court that the placement with the Connected Person is the best way to meet that child's needs.

The assessment report will be submitted to the Connected Persons Team Manager who will ensure that the assessment is child focused, of good quality, is thorough and analytical in its assessment of the prospective carers and that there is clear evidence to inform the recommendation. No assessment will be submitted to the Team Manager, Panel or Court without all references including DBS and medicals being reviewed and informing the assessment outcome.

Once the Connected Persons Team Manager is satisfied that the assessment is of high standard, the Team Manager for the child will ensure that they too are satisfied with the standard of the assessment and make the decision as to whether or not that is the preferred permanence option for the child. If this decision results in a change of plan for the child, then the IRO must be consulted and, if the IRO requires, the next Statutory Review can be brought forward to consider the Care Plan.

Where the assessment recommends fostering, the usual Fostering Regulations will apply and it will be presented to the Fostering Panel for consideration.

Where the assessment recommends supporting an SG application by a Connected Person, at week 10 of the assessment the plan for the child and the SG assessment will be presented by both the child's Social Worker and the Connected Persons Team Social Worker to the Adoption and Permanence Panel. This panel will consider the appropriateness of the plan, the match and the support plan. The

minutes will be submitted to Court with the reports in order to ensure the Court receives the appropriate standard of information and evidence to assist it to make the best decision for the child.

The Social Worker from the Connected Persons Team will present their reports to the Court regardless of whether a viability or full assessment.

Stage 5 - Placement and Support

The applicant agrees to sign a Standard of Care Agreement should the child be placed with them, similar to that requested of Foster Carers.

In very complex circumstances where a child has suffered a number of moves or other significant traumatic events such as the murder or death of a parent it may be appropriate to consider convening a life appreciation day which would be organised by the connected team, prior to any placement.

Shortly before the Order is made, or once the order is made if the child has not lived with the Special Guardian then the connected team and the child's team should hold a planning meeting to plan a short period of introductions. The introductions should be up to two weeks, dependent upon the age of the child. The child must not move into the Special Guardian's family until the Order is made.

Once the order is made the child will remain open to the child's Social Worker as a CIN for a period of *no less than 12 weeks*, during which time the child should be seen alone at least twice. The SGO team will keep the case open for *no less than six months from the order* visiting at least monthly to encourage an ongoing link with the Directorate.

Following the making of the Order all agencies involved with the child will be notified by the Connected Persons team that the child is placed with the Special Guardian and the date of the Order.

The Connected Persons (Fostering) Team run regular support and training events for connected foster carers that will now include those approved for Special Guardianship. The Connected Persons Team produce a quarterly newsletter advertising events of interest and training events for foster carers and adopters, which will be available to Special Guardians.

Both teams will encourage active involvement with community, relative support groups and training events for Special Guardians.

The post order team will provide more specific support for situations where individual support is required, such as working with schools or managing complex behaviours etc.

All financial support will be reviewed annually, providing a further connection to Children's Services.

Stage 6 - Data/Tracking

The responsibility for maintaining accurate data about numbers of successful and unsuccessful viability assessments and full assessments, and the date of the SGO order will be that of the connected persons team.

If the child's placement with a Special Guardian ends prematurely and the child once again is the subject of Children's Services intervention, then a disruption meeting must be convened by the connected persons team and lessons learned must be the subject of future training for all teams and panel.

Emergency Process

Placement of a child with a connected person in an emergency should not happen. Whilst the approval is taking place the child should be placed with registered foster carers. In exceptional circumstances (such as when a child has already moved to a close relative but without parental agreement, the application will need to be completed with the applicant relative for temporary approval. This can only be with Head of Service/ area resource panel approval and an analysis as to how the crisis occurred will be made to ensure learning and avoidance of repeat situations.

The application in these circumstances will be completed jointly by the child's Social Worker and the Duty Assessor from the Connected Persons Team. The relevant sections of the Form C should be completed and will take into account a number of issues including the following:-

- The nature and quality of any existing relationship with the child.
- Accommodation and space for the child.
- Understanding of risk and safeguarding concerns.
- Any criminal offences – PNC check for all household members 18 or over to be viewed as soon as possible
- Health of the applicant via a GP reference

If a child remains in placement more than four weeks the full carer's assessment as described above should be undertaken.