



- Cabinet Member  Cllr Izzi Seccombe – *“agree report for Cabinet”*
- Other Cabinet Members consulted  Cllr Peter Fowler
- Chief Executive  .....
- Legal  Jane Pollard / Victoria Gould / Richard Freeth – comments incorporated in the report
- Finance  David Clarke, Strategic Director of Resources – *“fine”*
- Other Chief Officers  .....
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  .....

**FINAL DECISION** **YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## The Cabinet – 23<sup>rd</sup> February 2006

### Adoption and Children Act 2002 – Special Guardianship

#### Report of the Strategic Director for Children, Young People and Families

##### **Recommendation:**

That Cabinet agrees a policy to introduce support, including financial assistance, for Special Guardianship Orders that complements the existing schemes for adoption allowances and Residence Order allowances to enable some children and young people to be secured in permanency placements with their carers.

#### **1. Introduction**

- 1.1 The Adoption and Children Act 2002 has had a phased introduction into legislation and this report outlines the significance of the introduction of Special Guardianship Orders for children which became law on 30<sup>th</sup> December 2005.
- 1.2 The significant changes of the Adoption and Children Act 2002 in relation to changes in adoption legislation were reported to Cabinet on 20<sup>th</sup> October 2005.

#### **2. Special Guardianship Orders**

- 2.1 The Special Guardianship Order is a new order identified as ‘a means to provide a 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’.
- 2.2 Thus the introduction of Special Guardianship Orders provides an opportunity to secure permanency for some looked-after children which would allow the Special Guardianship holder to be able to make the day-to-day decisions about the care and upbringing of the child. It is likely that some children in stable foster placements would be eligible for the foster carers to consider applying for a Special Guardianship Order. In addition it might be possible to support relatives to apply for a Special Guardianship Order as an alternative to the child becoming looked after by the local authority.

- 2.3 The legislation on Special Guardianship Orders also enables the provision of advice and guidance to applicants as well as financial support. This support is applicable when the local authority considers that such arrangements to be beneficial to the child.
- 2.4 It is proposed that Warwickshire's allowance and support mirror the scheme currently in place for the payment of adoption allowances and Residence Order allowances. The adoption and residence allowances are linked to the Fostering Network national rates at 75% of the fostering rate less child benefit as this can be claimed direct by the carer. The allowances are on a sliding scale linked to the age of the child, e.g. 0-4 year child allowance is £84.07 per week. This would allow for a consistent approach across all the types of permanency orders.

### **3. Conclusion**

- 3.1 The implementation of the Adoption and Children Act 2002 and the introduction of Special Guardianship Orders provides the local authority with the opportunity of securing permanency for some children outside of the care system where adoption might not be the best option. This would be particularly relevant for older children including those in stable long-term foster placements where the foster carer might wish to secure permanency for the child within their own family.
- 3.2 It should be the policy in Warwickshire to encourage and support foster carers where it is in the child's best interest to secure permanency including the option of Special Guardianship Orders.

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9<sup>th</sup> February 2006