

Contact us to find out more - we are here to help:

For further information please visit www.kinshipcarersliverpool.co.uk where you will find a range of further guidance, information leaflets and resources related to:

- Local Legal Advice Services including free Law Clinics & specialist legal advisers in Liverpool.
- Our Activities Programme for Kinship Carers, Kids & Families
- Information & Links about Legal Orders related to Kinship Care
- Money & Benefits Advice & Links
- Early Help & Wellbeing Information
- Schools and Learning Resources & Links
- Signposting to national Kinship Websites & Guidance

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Kinship Carers Liverpool

Special Guardianship Orders- A Guide for Kinship Carers

We advise you to take specialist legal advice at the earliest possible stage about your options & implications related to becoming a kinship carer. Not doing so may have far-reaching implications in terms of the financial & support services you can access at a later stage.

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Q. What is a Special Guardianship Order (SGO)

A. Special Guardianship is a formal court order which allows parental control over a child by individuals other than the parent. This could be a grandparent, close relative or even a family friend. Special Guardianship is a court order which:

- Secures a child's home with someone who is not their parent, on a long-term basis, and;
- With a few exceptions to the rule, a special guardian can make all the major decisions about the child's upbringing, and the Special Guardian does not have to consult with the parents about these decisions.

You can apply for a SGO if you have a Child Arrangements Order/Residence Order for the child; the child has lived with you for at least three of the last five years; you have the consent of the local authority if the child is in care; you are a relative of the child and the child has resided with you for at least one year immediately pre-dating an application for a Special Guardianship Order.

Q. How are arrangements made for Special Guardianship?

A. You apply to the court for the order. You can apply through a solicitor or apply yourself as a 'litigant in person'. It's worth checking whether legal aid is available in your case. You will have to tell your local authority's Children's Services Department that you intend to apply for an SGO and go through an assessment process to be sure that an SGO is in the child's best interests. This process (a Viability Assessment is similar to a foster carer assessment).

Special Guardianship Orders (SGO)

Do the arrangements have to be approved?	The local authority (LA) has to assess your suitability but the court decides. LA must investigate the matter & prepare a report for court dealing with the suitability of you/the applicant to be a special guardian.
How long do the arrangements last	Age 18 unless varied or discharged by the court before the child reaches 18 years.
What are the rights & responsibilities of kinship carers with an SGO?	Parental responsibility (PR) shared with parents but special guardian is able to make virtually all decisions about the child unless a court overrules them.
What are the rights & responsibilities of parents?	PR shared with special guardian, but the guardian is able to make virtually all the decisions about the child unless the court overrules them.
What support is there?	If child was 'looked after' prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to provide support.
Is there any Financial Support?	Special Guardianship Allowance is discretionary & means-tested. Support more likely to be provided if a child was previously 'looked after' by the local authority. You can claim Child Benefit and Child Tax Credit if not being paid to parent. You may be able to apply to Adoption Support Fund for additional support and for Pupil Premium Plus – see our website for details.