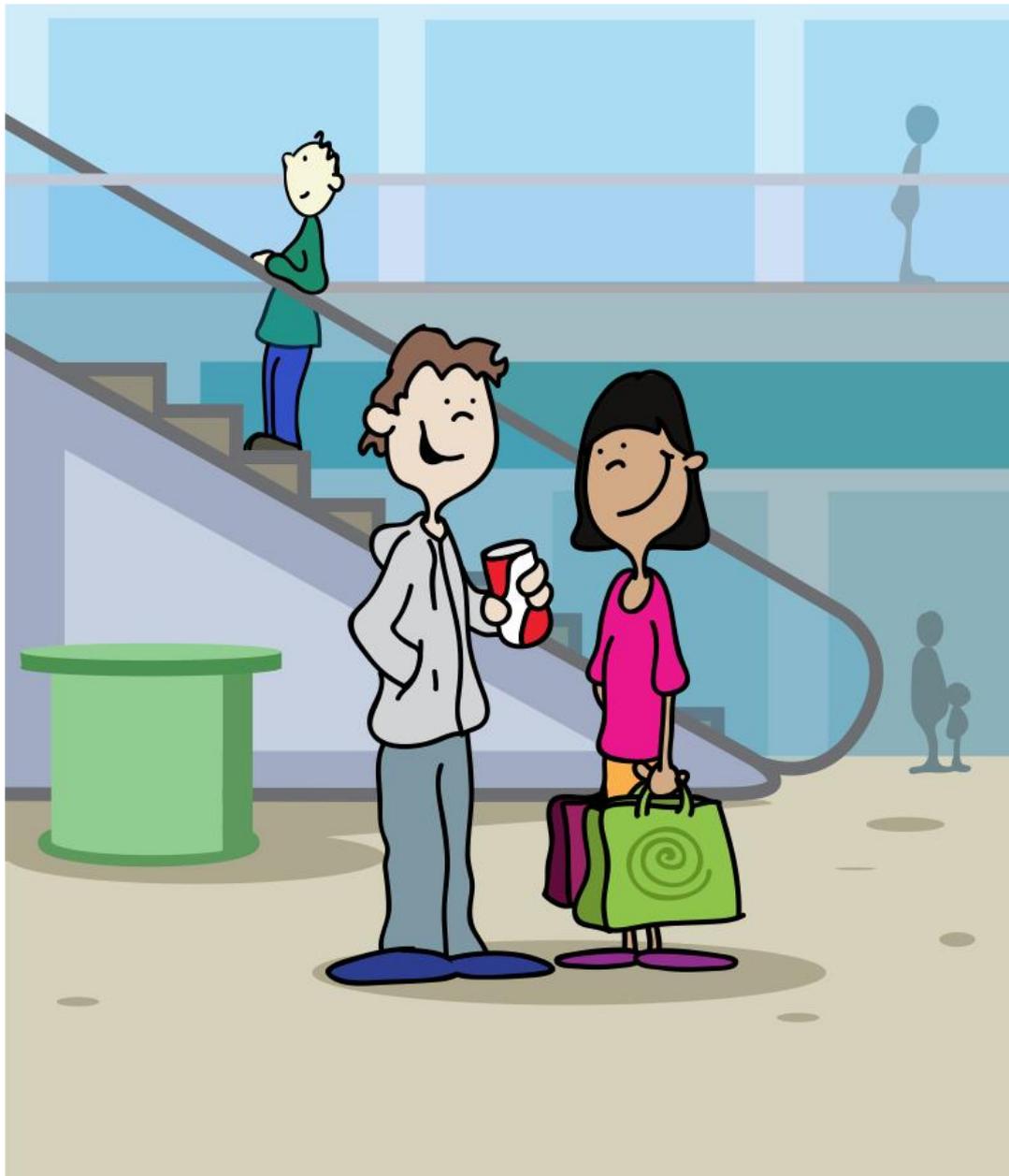


Special Guardianship Orders

Young Person's Guide



Your Guide to Special Guardianship Orders

If you are reading this guide then it means that someone has asked to be assessed and would like to become your Special Guardian and for a Special Guardianship Order to be made for you to live with them. This guide will give you more information about what a Special Guardianship Order is and what this will mean for you.

What are Special Guardians and Special Guardianship Orders?

Special Guardians are adults who care for children and young people in their home. The Special Guardianship Order lasts until you are 18 years of age and so the Special Guardian remains your Guardian until then. Only a Court can make a Special Guardianship Order. The Family Court is where this decision is made; it is not the same as where people go who have done bad things.

Special Guardianship is a way of giving a young person a safe and secure family life while they are growing up. The Order is made when the Court has decided that a young person cannot live with their parents.

Why a Special Guardianship Order?

There are a lot of reasons why young people cannot live with their parents. For example:

- Some parents just find it too hard to be parents and even with support they are not able to give the young person what they need.
- Some parents have been unkind to their children and hurt them, which means that they can no longer look after their children.
- Where parents have asked a relative or close friend to look after their children. This might be because they have an illness or have other problems.
- Where a young person's parents have died.

Sometimes Foster Carers can ask to keep looking after you and ask for a Special Guardianship Order to do this. Your family members and/or other important people in your life can ask to look after you in the same way.

Some young people think that they can look after themselves, because it might be what they are used to, but this means that they do not always get what they deserve. For

example, when they were living at home with their parents, they might not get regular food, a warm and safe place to sleep and chances to do things they enjoy.



Who can apply to be a Special Guardian?

Special Guardians must be at least 18 years of age. People can apply on their own or with their husband, wife, boyfriend or girlfriend. Couples do not need to be married to be assessed.

The following people can apply for a Special Guardianship Order:

- Any person put forward by young person's parents who may be able to look after them properly. These people will be assessed to see if they are suitable.
- A Local Authority Foster Carer who the young person has lived with for at least one year before the application is made.
- Anyone who has a Residence Order or a Child Arrangements Order for the young person, or who has the agreement of all those who have a Residence Order or a Child Arrangements Order for the young person.
- Anyone who has the agreement of all those with parental responsibility for the young person (this could include parents, step parents or guardians).
- Any guardian of the child (i.e. a guardian appointed after the death of one of the young person's parents).

Anyone else would have to apply to the Court for permission to be allowed to apply for an Order.



What a Special Guardian will do for you?

When you live with your Special Guardian your parents will still be your mum and dad but you will live with your Special Guardian. Your Special Guardian will be expected to look after you until you are an adult (legally you become an adult at 18 years of age). Your Special Guardian will take on all the legal responsibilities of parenting you until your 18th birthday.

Your Special Guardian will make the most of the important decisions for you, for example:

- What school you will go to.
- Who you spend time with.
- Decisions about your health and medical treatment.

Even though your Special Guardian will have parental responsibility for you, your parents will still have a legal link to you and will keep their parental responsibility for you; this means the Special Guardian and your parents will share this. It will be your Special Guardian that will make all of the decisions for you and they will be expected to talk to your parents about the decisions they make for you.

When a Special Guardianship Order is made and if you were 'Looked After' by the Local Authority, then you will no longer have to have Looked After Children Reviews and you will not have to have a Social Worker anymore, unless you need one.



There are some things that a Special Guardian is not allowed to do and they are:

- Changing your name unless your parents or the Court gives permission.
- Take you out of the UK for more than three months.
- There are some situations where the agreement of everyone who holds parental responsibility for you is needed by law, e.g. certain medical procedures.

Where will the decision be made?



The Court is where important decisions like this are made. The Court where decisions like this are made are called 'the Family Court.' This is a very different Court to where people have to go for doing 'bad things'. Judges and Magistrates make important decisions for children and young people.

It is only these people who can make Special Guardianship Orders. It is also only these people who can change Special Guardianship Orders or end them.

The Court will tell another kind of Social Worker, called a Children's Guardian who works at CAFCASS (Children and Family Court Advisory and Support Service), to ask you what you think and how you feel about the plans being made for you. You will also be given your very own Solicitor; they are trained in working with families. They are there to also listen to what you have to say.

Your Solicitor and Children's Guardian will ask you what you want the Court to know about what is happening for you and how you feel about this. If you do not want what you have said to your Solicitor and Children's Guardian to be shared with your parents, Special Guardians or Social Worker, then they will make sure it is only the Judge that has your information. The Children's Guardian is expected to tell the Judge what they think is the best plan for you; sometimes this might not be the plan you would hope for and they will explain their reasons to you. This information will help the Judge to make a decision about if a Special Guardianship Order should be made for you.

Not everybody can become a Special Guardian. Social Workers, Children's Guardians and Judges have to be sure that the people who want to become Special Guardians will look after you properly, so they ask them lots of questions and look into how they live and how they care for their children, if they have any.

If the Judge is happy that all their questions have been answered and that you will be safe and happy with the adult who wants to be your Special Guardian, then they will make the Special Guardianship Order.



Remember the most important thing is that YOU are happy. If you are not happy or don't feel safe, you can talk to your Social Worker or one of the other adults involved at any time.

What will change?

The main thing that will change for you is that you will know you will be living with your Special Guardian.

If your Foster Carer is going to be your Special Guardian, then you will know them already and not much will change, except that you will know that you will be staying with them and you won't have to move.

If you are living with an aunt or uncle or grandparents who will become your Special Guardians, not much will change, but you will know that you can stay with them and you won't have to move.



You might not be living with the person who wants to be your Special Guardian and so the adults will make sure you have the chance to get to know them before moving to live with them.

You will meet your Special Guardian as many times as you need to before you move in with them. You will also be given photos of them and sometimes a DVD. Once you feel happy and settled with them you will go and live with them. If you have not lived with the people who want to be your Special Guardian, then a different Order will be made to give you time to get to know your Special Guardian and for them to get to know you. After a few weeks,

the Social Worker will then ask the Court to look at what is happening for you, and if things are going well for you and your Special Guardian, the Court will be asked to make the Special Guardianship Order then. This would be the last time your information would be looked at by the Court.

Before moving to live with your Special Guardian you may have lived with foster carers. Foster carers are specially trained to look after young people and they will keep you safe and happy until your plan is decided.

Both you and your foster carers might feel upset when you leave them but they will also be happy you are going to live with a family who want to look after you while you are growing up.

You might feel sad when you think about moving / not living with your parents or foster carers but your Social Worker and Foster Carer will help you to talk about these feelings.



Details of the adult who wants to be your Special Guardian

Name(s).
Who are they?
Do you already know them?

What do you know about them?

What more would you like to know?

What would you want the Special Guardian to know about you, such as things you like to do, favourite music or games?



What is going to happen next?

If you cannot live with your parents, you might already be living with someone who wants to be your Special Guardian. This could be someone you already knew when you were living with your parents like a family friend or family member. Or, it could be a foster carer who you met when you could no longer live with your parents.

Who will organise the Special Guardianship Order?

Ever since you stopped living with your parents or people knew about the worries about your parents looking after you, all of the people involved in your life, like your parents, Social Workers and Foster Carers, have been meeting to make a plan that makes you feel happy and safe. These meetings are called Child in Care Review meetings and you can go along to them as it is important to say what you think and feel.

Your Social Worker might be the one who gave this guide to you. They can explain things as many times as you would like.

What is a Social Worker?

A Social Worker is from the Council's Children's Services and helps young people when there are serious problems. This sometimes means finding a safe place for the young person to live.



You can write the name of your social worker here:

My social worker is.....

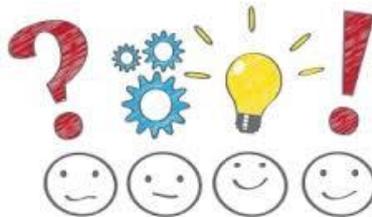
Their telephone number is.....

Your Social Worker and your Children’s Guardian (who is asked to work with you by the Judge) will talk to you about what you want to happen. It’s ok to feel scared, upset, angry or happy about all the changes that are happening.

Everybody will want you to live with a family who will always love and care for you and for you to be happy. Your Social Worker will talk to you and be interested in hearing about what makes you happy or sad and the things you like and also the things that you don’t like.

Your Social Worker can also answer questions that you may have and if they don’t know the answer to any questions, then they can try and find the answer for you.

One of the ways in which your Social Worker can help is to help you understand why you cannot live with your parents and what will happen next for you. You may already feel that you know everything that you want to know but sometimes they can help fill in any gaps.



Is there anything you would like to ask your Social Worker?

Space to write down any questions you have	Answers to your questions
	

Who else is involved in deciding about a Special Guardianship Order?

Lots of people are involved in finding you a forever family to grow up in. You can talk to any of these people about your feelings and worries and they will listen to you and explain what's happening.

Some of the main people are:

- **You! You're the most important person**
- Your parents.
- Your Social Worker.
- Your Children's Guardian who is sent from the Court.
- Your Solicitor; the Court asks for you to have your very own Solicitor.
- The Magistrate or Judge at the Court.
- Your Parents.
- Your Foster Carer(s).
- Your Special Guardian(s).
- Your Independent Reviewing Officer [they chair your LAC Reviews].

Your Social Worker will always put you first, and they will want you to talk to them or someone you trust about what you want and how you feel.

If you are not happy with the Special Guardian chosen for you, talk to someone you can trust and tell your Social Worker about it. It is very important that you tell them how you feel so they can do something about it.



Looked After Children Reviews

Deciding where you should live and what your plan should be is very serious.

If you are Looked After, then you will have been having reviews.

Ever since you came into care, all of the people involved in your life, like your parents, Social Workers and Foster Carers, have been meeting to plan you a life that is happy and safe. These meetings are called Review meetings and you can go along to them as it is important to say what you think and feel.

The adult who chairs your Review meetings is called an **Independent Reviewing Officer**.

My Independent Reviewing Officer is.....

Their telephone number is.....



What about Contact?

When the Special Guardianship Order is made it doesn't mean that you forget all the people who are important to you. Your Social Worker will help you remember your life with a book full of pictures and information about you and all your birth family. This is called a Life Story book. You parents and Special Guardian will be asked to put things in your book for you as well.

Some young people keep in contact with their family and one way of doing this can be by letters or meeting up. This is something that your Social Worker can talk to you about and your Social Worker will help you understand about contact plans.

Before the Court makes the Special Guardianship Order, your Social Worker will help you sort out your feelings about seeing your family and who it is good and safe for you to see.

You should try and tell people what you think about your contact plan. It is very important that the adults know how you feel and what you want to happen. It is also important that the adults explain to you why they think your contact plan is best for you. Everybody should

be trying to find a way to keep in touch with your parents, brothers and sisters. This might be sending cards and letters or sometimes by telephone.

You might also want to keep in touch with friends, teachers and other relatives.

Who would you like to keep in contact with? You might want to choose an adult to help you do this.



Now you know more about what a Special Guardianship Order is and more about the adult who wants to be your Special Guardian, can you say / write what you think about a Special Guardianship Order being made?



What happens if I am not happy about this?



If you do not feel happy about the plan made for you and if you would not want a Special Guardianship Order to be made, then please speak to your Social Worker, carer or someone else that you trust. This can be a time when everything feels confusing. It's normal not to be sure about things, which is why the adults around you need to make sure you know who you can speak to and who will be there to help you.

Sometimes, how your parents are feeling about the plan might be difficult for you. You might feel ok about the plan but feel guilty because you are worried about how your parents are feeling. Again, it's important to try and talk this through with your Social Worker if you can or one of your other trusted adults as they can help you work out a way to deal with this.

The plans that are made have to be about keeping you safe and making sure that you are looked after properly. You might not like some parts of your plan.

Some parents will agree to the Special Guardianship Order being made because they know it is the best plan for you; this doesn't mean that they don't love or care about you. It's about your parents understanding the worries and wanting you to be safe and happy.

Some parents are not sure what is best for their children and need workers or the Court to help them decide.

Other parents don't want the Order to be made because they cannot accept that they cannot look after their children and they do not understand the worries and concerns about them. When this happens the Judge will have to make a decision. They listen to what your parents, you, the Social Worker, your potential Special Guardian and Children's Guardian have to say about this and then make a decision about what they think is best for you. The Judge will listen to what you have to say but might not always feel able to make the decision that you want.

It's important that you know who you can talk to and so write down the contact details of adults who you think could help you work through how you feel.



Other useful contact numbers;

The Children's Commissioner for England

The Children's Commissioner for England promotes and protects children's rights in England. The Commissioner does this by listening to what children and young people say about what matters to them and making sure adults in charge take their views and interests into account. Contact details are:

The Office of the Children's Commissioner
Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT

Tel: 020 7783 8330

Email: info.request@childrenscommissioner.gsi.gov.uk

Below are some organisations where there are people who will listen to what you have to say and help you sort out problems. Telephone calls are free, so you can call them from any telephone, including a public telephone box.

Childline

This is a special 24 hour helpline for children who are in trouble or at risk of being hurt or abused. Call free on **08001111** or you can find them on a computer, www.childline.org.uk

National Society for the Prevention of Cruelty to Children – NSPCC

If you are experiencing a bad time at home, or being bullied at school or scared about something, you can ring the NSPCC free on **08008005000** or you can find them on a computer on www.nspcc.org.uk

What about after the Special Guardianship Order is made?

The address of your local Team who can provide advice and guidance about things to do with Special Guardianship Orders is:

North Lincolnshire Adoption and Fostering Service

Church Square House

30 – 40 High Street

Scunthorpe

North Lincolnshire

DN15 6NL

Telephone: 01724 297024

If you would like some help or have any worries, then please ring us (or ask your Special Guardian(s) to) on [01724 297024](tel:01724297024) and we will arrange to come and see you. Ask to speak to the Duty Social Worker.

Making a Complaint

If you are really unhappy with the Adoption and Fostering Service and you have tried to tell us but you don't think that it has been sorted, then you can contact the Complaints Person and she is called Julie Pointon. Contact details are:

The Complaints Representations Manager

North Lincolnshire Council

People Directorate

Hewson House

Station Road

Brigg

North Lincolnshire

DN20 8XJ

Telephone Number 01724 296487

If you remain unsatisfied with our response, you may wish to contact the **Local Government Ombudsman** on **0300 061 0614**.

This information in this guide can be made available in other languages, in large print, Braille or on audiotape. Please phone **01724 297024** if you need any of these or any other help to access North Lincolnshire's services.