

Special Guardianship Orders Policy Consultation 2020 Survey Report

December 2020



1. Background and Methodology

Shropshire Council identified the need to make changes to its policy document 'Financial Support for Children Subject to Special Guardianship Orders'. The purpose of the policy is to provide information to practitioners, Special Guardians and prospective Special Guardians about the financial support available to support families offering a permanent home to a child through Special Guardianship. A draft updated policy was prepared for consultation. The updated document reflects national developments such as welfare payments, emerging good practice from other local authorities, and feedback from local people.

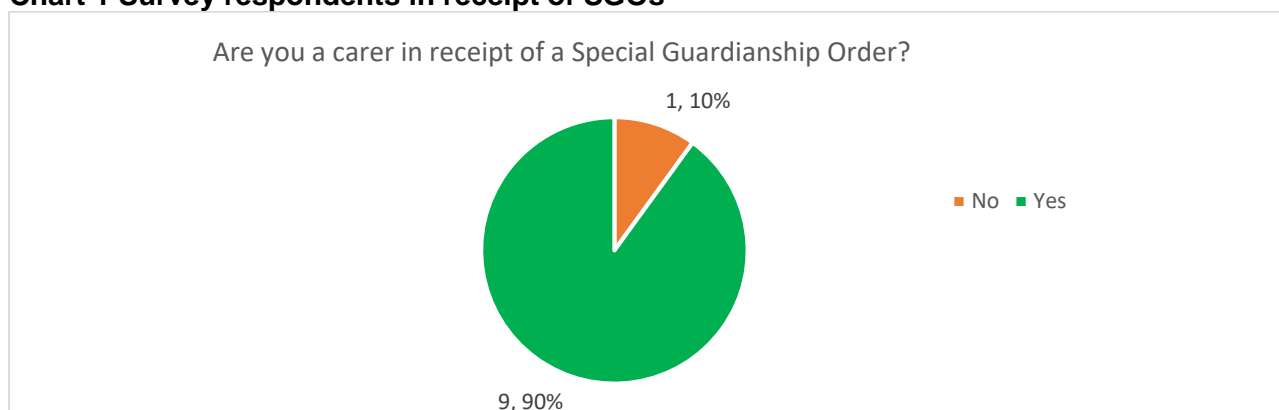
The consultation on the draft policy ran from 3rd November to 12 noon on the 14th December (approximately 6 weeks). Feedback was encouraged via an online survey or through the submission of responses by email or post. The consultation was widely communicated through a public press release and Shropshire Council's newsroom, through local newsletters and through direct invitation to respond by issuing letters to those individuals considered to be directly impacted by the policy.

Despite the delivery of a communications plan and widespread communications activity, only 10 survey responses and 2 written responses were received. 1 survey was submitted by post and 9 surveys were completed online. It is also noted that at least one respondent completed both the survey and supplied a written response. Feedback suggests that some people found the draft policy difficult to comment on and that their interest lies more in understanding the individual impact on their own circumstances. This is understandable and has been recognised and appreciated by the project leads. The process of individual reviews will enable those more detailed conversations to occur.

2. Survey respondents

Due to the small number of responses received this report will not include the usual equality, diversity and characteristic monitoring information. This information is removed to ensure anonymity but has been considered by lead officers. It is possible to note that 9 of the survey responses were from carers with a Special Guardianship Order in place and 2 are current foster carers. This is reassuring because it means that the feedback is from those the consultation needed to reach and means that the feedback gives a good indication of some of the comments and questions other carers may have.

Chart 1 Survey respondents in receipt of SGOs

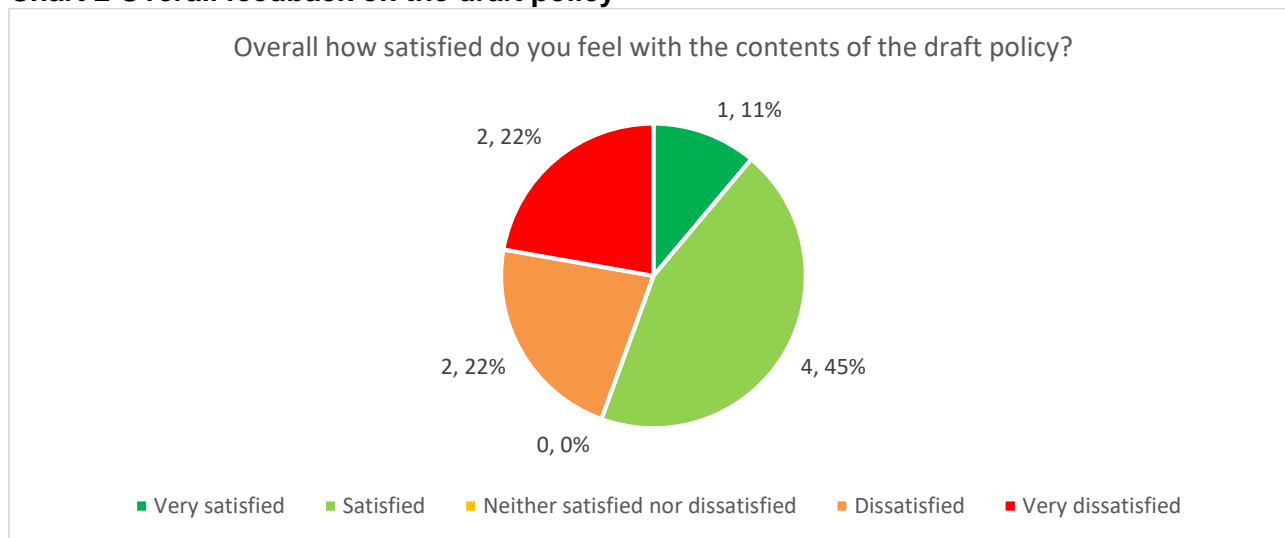


It is important to note that all 10 of the survey respondents had read and considered the draft policy document before responding to the survey. The comments made were considered and based on a good understanding of the content of the draft policy document.

3. Overall feedback

Overall the opinion on the draft Special Guardianship Orders policy was mixed. 5 survey respondents were satisfied or very satisfied with the draft and 4 were dissatisfied or very dissatisfied. The design of the survey sought to draw out more information and this is explored in the next section alongside the more detailed written consultation responses.

Chart 2 Overall feedback on the draft policy



4. Detailed feedback

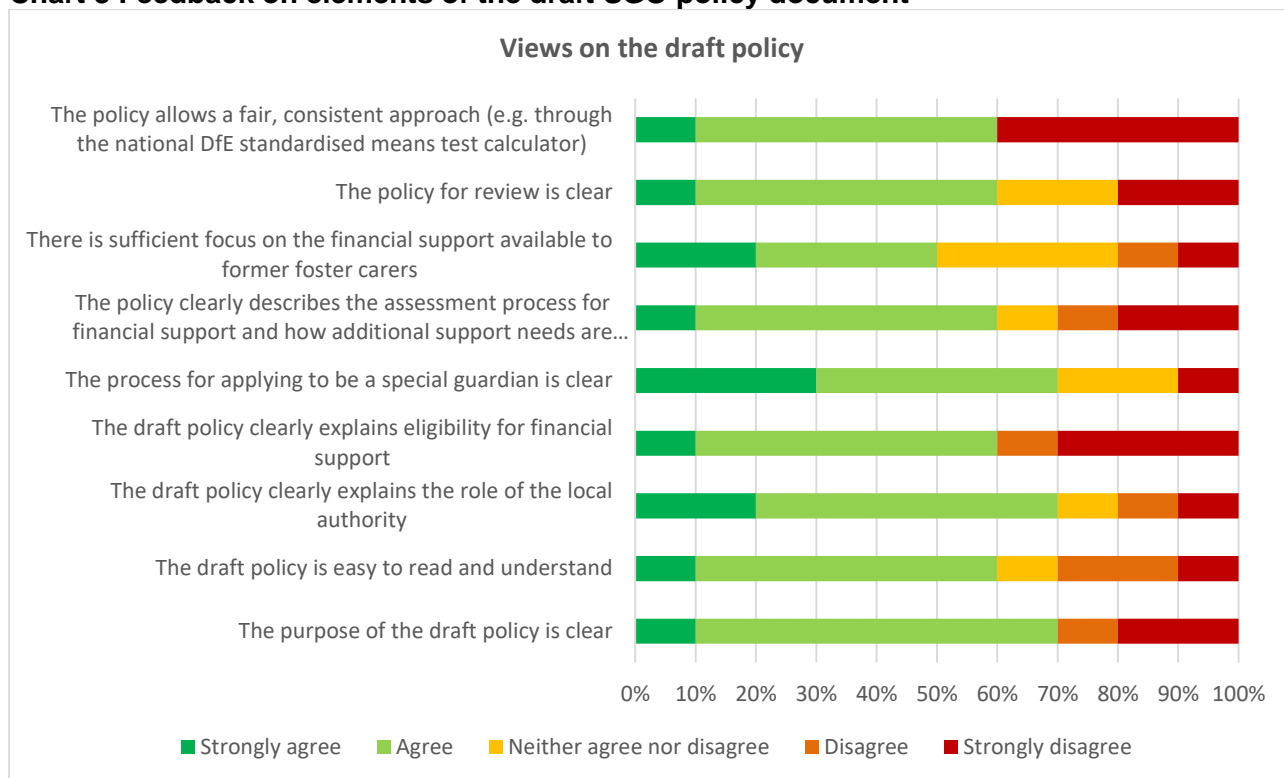
The survey included 9 statements designed to encourage feedback on particular elements of the draft policy document. The comments were designed to check understanding or content and were:

- The purpose of the draft policy is clear.
- The draft policy is easy to read and understand.
- The draft policy clearly explains the role of the local authority.
- The draft policy clearly explains eligibility for financial support.
- The process for applying to be a special guardian is clear.
- The policy clearly describes the assessment process for financial support and how additional support needs are considered.
- There is sufficient focus on the financial support available to former foster carers.
- The policy for review is clear.
- The policy allows a fair, consistent approach (e.g. through the national DfE standardised means test calculator).

Chart 3 provides the feedback received. In the same way that the overall feedback was mixed, the more detailed feedback also highlights different opinions. The most positive feedback was for the statement 'the process for applying to be a special guardian is clear'. 7 agreed and only one person disagreed. Feedback was also generally positive for the statements 'The draft policy clearly explains the role of the local authority' and 'The purpose of the draft policy is clear'. 7 survey respondents agreed with these statements. The areas of concern were for 'The draft policy clearly explains eligibility for financial support' and 'The policy allows a fair, consistent approach (e.g.

through the national DfE standardised means test calculator)'. For each of these statements 4 people either disagreed or strongly disagreed.

Chart 3 Feedback on elements of the draft SGO policy document



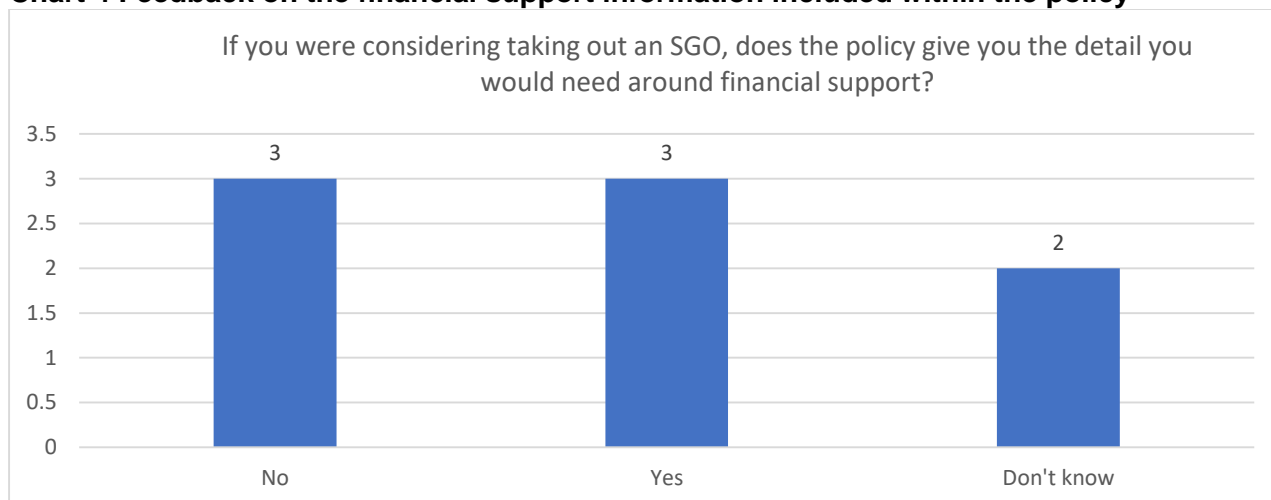
Survey respondents were asked to add comments if they had disagreed or strongly disagreed with any of the statements. 3 comments were provided and extracts, highlighting the main concerns are shown below. (Please note that although this report only uses extracts from comments, all comments have been considered in full).

- *“My main concern is that as far I can see, the DfE standardised means test does not cater for a comprehensive review of expenditure. Each SGO carer family will have different degrees of or ideas/needs about what they provide for their family and this needs to be considered. In our case we have spent a considerable amount of our savings to provide benefits for our familyAny significant reduction in support will greatly affect us.”*
- *“The only thing unclear is the rates shown with or without child benefit deducted.”*
- *“The policy and the document fail to clearly define the differential in total costs or total expenses when determining the difference between SGO and looked after children in foster care. ...The policy does not contain any measures as to how SGO can be reviewed, from: financial, family breakdown, young offenders, homelessness, education, qualifications etc. etc.”*

The 2 written responses fit with the opinions highlighted above but are explored in more detail below.

The survey also included a question asking, ‘If you were considering taking out an SGO, does the policy give you the detail you would need around financial support?’. Again, the views are mixed, with an even split (3 comment yes and 3 comment no) and this is clearly highlighted within the results shown in Chart 4 below. 2 survey respondents did not know and 2 did not answer the question suggesting that perhaps there is some uncertainty about the type and/or level of detail that is required around financial support.

Chart 4 Feedback on the financial support information included within the policy



The survey asked what people like best about the draft policy. There were 3 comments. 2 people highlighted that they were pleased a review was taking place and that there was an opportunity to comment and clarify things going forward. One comment was that the draft policy means that a child's allowance could be increased based on the assessment/financial review.

The next section of this report looks in detail at the questions, comments and concerns relating to the draft document.

5. Questions and Suggestions

All of the comments and written responses gathered through the consultation process will now be considered in full. This section of the report attempts to summarise this feedback to allow for a more general understanding of the consultation results. To simplify the results, they are considered under three main headings: a) possible gaps, b) questions and c) concerns.

Possible gaps

Very few gaps have been identified through the consultation suggesting that the draft document is comprehensive. There is a question about numbering (10.1 was missing from the numbering of sections) but the only two possible gaps are highlighted in the following comments:

- "...there appears no ownership of children or young adults whom are legally confirmed under a SGO. A further gap is "when a looked after child" expresses a wish to apply for an SGO because they feel labelled being in "CARE".
- "....It also has no direct cover/support for complications within the SGO family such as redundancy, illness, retirement, bereavement. Recommended suggestions. When fostering children, the financial support is fairly simplistic. Skills payment and payment for the children placed, age dependent, thereafter. This means that it is very easy to decide if you can support a child emotionally, with stability and security but equally whether you can afford it. SGO offers no guaranteed financial security as everything is open to annual review!"

Questions

- If the SGO carer fosters for the local authority will both the skills payment and child's allowance be disregarded?
- If the SGO carer fosters for an external agency will their payments be included in the special guardianship financial support means test model or disregarded?
- Why are SGO children treated differently to fostered - why is their allowance not increased on Birthday's why do they have to wait?
- [In section 7.3] Does this mean if you become unemployed from your £50,000 a year position, 18 months after the SGO has been granted, that you will be entitled to keep the skills

allowance? Obviously this cannot be written into the original support plan so will it be written into a review?

- *In example 3 the family receive no SGO allowance. If either party was made unemployed or retired (meaning reduced income) would Shropshire Council allow them to complete a financial support means test immediately and introduce an SGO allowance, back dating it to the date the party became unemployed?*
- *What is the amount a family can be expected to have as disposable income before the LA deduct amounts from the SGO allowances, as this is not clear from the examples given?*
- *From personal experience a child of 11 has very different needs to a child of 10 [when moving from primary to secondary school].....Do you not consider it could potentially be detrimental to the child not to increase the allowance when they reach significant Birthday's?*
- *Individuals have taken out an SGO under the understanding that they receive an allowance for the child.....what would happen if the carer decides they no longer wish to continue with the guardianship order?*
- *Why would an individual not just apply to adopt a child rather than take out an SGO if they are not going to receive any financial support?*

Concerns

- *Lacks clarity or transparency.*
- *Generalisation of financial assessment*
- *Concern that need to have a review and understand implications of policy (concern means test will result in a reduction).*
- *The financial information is unclear and I think lots of families may lose out financially, potentially causing hardship.*
- *Huge concerns, I cannot see why any Foster Carer would take the additional responsibility before the financial implications.*
- *Individuals have taken out an SGO under the understanding that they receive an allowance for the child. In the finance example 3 the carers will no longer receive an allowance.....Going forward this may deter potential SGO applicants.*
- *I agree that an SGO is not just about finance, however it is very important that carers have sufficient funds to ensure the child's needs remain central.*
- *It is not clear how much disposable income a carer can have before their SGO allowances are impacted.*
- *As a single parent I am anxious about the changes as I was always assured that we would receive financial support. This support means I can be independent and not have to work overtime.*

The comments imply that concerns are largely based on the complexities of individual circumstances and the challenges of trying to understand the implications of policy changes.

6. Summary and Next Steps

The next steps of the process will be to use all the comments gathered to understand where policy changes, clarification and additional information is required. The feedback will be used to help propose any changes before a final policy document is taken to decision makers for approval. When a final policy is in place that will enable the individual reviews to be carried out, focused on individual circumstances and allowing for implications of the policy to be fully understood by carers. As the policy describes, Shropshire Council is committed to working with carers to understand both the beneficial impact of those changes alongside any concerns that may remain.