

# Investigating Special guardianship: Findings from Research

---

**Jim Wade**  
**University of York**

# Background

---

- ◆ From 31 December 2005, SGOs introduced as new private legal order to provide permanence for some groups of children unable to live with birth parents
- ◆ We undertook an initial exploratory study covering first two years of implementation (2006-2008)
- ◆ But, very little evidence about how SG working out for children, families and local authorities in medium term
- ◆ DfE therefore funded the current research to provide answers to some important questions

# Study aims

---

- ◆ Describe characteristics, experiences and support of special guardians and children subject to SGOs (including experiences of disruption)
- ◆ Assess progress of children some 3-6 years after the SGO was made and factors associated with doing well
- ◆ Identify key issues in local authority policy and practice in relation to SG

# Methods

---

## National survey work

- ◆ A brief national survey of all local authorities in England to scope extent of SGO use
- ◆ Analysis of LAC children moving to SG using the 903 dataset

## Intensive study in 7 LAs (of 230 SG families)

- ◆ A follow-up survey of special guardians 3-6 years after SGO made (n=115)
- ◆ Audit of social work case files for a larger sample of SG cases (n=224)
- ◆ Interviews with 20 special guardians and 10 children
- ◆ Interviews with LA managers and national stakeholders (n=23)

# National survey - key points

---

- ◆ Since 2006, in excess of 20,000 SGOs – rising year on year
- ◆ Around one third of these concern non-LAC children – mostly SGOs made to relatives known to LA
- ◆ No evidence (2006-2012) that this had been at the expense of use of adoption or residence orders
- ◆ As intended, SG providing a permanence pathway for a broader range of children (children leaving care through one of these pathways had risen from 17% to 24% by 2012)
- ◆ However, sharp decline in Placement Orders in past year or so reminds us this pattern can change

# Looked after children moving to SG: Further analysis of the 903 dataset

---

## Findings

# Purpose

---

## Aims

- ◆ Describe the characteristics of children leaving care through SGOs
  - ◆ Explore breakdowns in SG arrangements (defined as re-entry to care) and factors that may predict it
- 
- ◆ Provided case level 903 data for all 5,936 identified as ceasing to be LAC for SG between Jan 2006 and March 2011 – from all English LAs

# Key findings - characteristics

---

- ◆ SGOs are mainly used to provide a long-term home for younger LAC (average age at SGO 5.5 years)
- ◆ They offer a route out of care for some older children as intended (17% aged 10 or over at SGO)
- ◆ Predominantly but not exclusively used for those placed with family and friends
- ◆ Compared to adoption, SGOs are more likely to be used for BME children (24% v. 15%)



# Key findings– investigating breakdown

---

## Limited definition of breakdown

- ◆ From 903 data we are limited to start of a new care episode after first SGO made
- ◆ Will not pick up children who move to another area and re-enter the system there
- ◆ Breakdowns may also occur more informally – with children moving within the family network or outside it

# Disruption rates

---

- ◆ Across sample as a whole, a little over 1% per year returned to care (in same LA)
- ◆ Amongst those aged 10+ at SGO, this rose to no more than 7% over 3 years (as against less than 4% for sample as a whole)
- ◆ Risk of breakdown is higher than for post-order adoption (0.72% vs 5.7% over 5 years) but lower than for residence orders (14.7% over 5 years) (Selwyn et al., 2014)

# Key messages from 903 data

---

- ◆ No evidence that high use of SG had reduced use of adoption.
- ◆ May cover a somewhat different range of children, including more older children, more BME and more initially placed with family and friends.
- ◆ The rate of breakdown appears low – even for higher risk groups
- ◆ However, breakdown is a limited test of outcome. Many children were still young, placements may have disrupted in a different way or may have lasted but children unhappy.

# The intensive study

---

## Findings from surveys and interviews

# Purpose

---

## Aims

- ◆ Describe the experiences of SG families over a 3-6 year follow up period
  - ◆ Assess the progress of children and factors associated with doing well
  - ◆ Identify key issues in LA policy and practice
- 
- ◆ Sample of 230 families with SGOs (2006-2009).
  - ◆ Case file audit (224), survey of SGs (115), interviews with SGs (20), children (10) and practitioners (23)

# Patterns of take-up

---

- ◆ Predominance of kinship carers
  - ◆ Majority of all applications for LAC from relatives
  - ◆ Majority grandparents or aunts/uncles; almost ½ were lone female carers.
- ◆ Take-up by unrelated foster carers remains low
  - ◆ Reasons have not changed over the years
- ◆ ‘Private’ applications appear very low (survey 3%)
  - ◆ Vast majority of cases occurring in public law arena
- ◆ Some evidence of growth in ‘edge of care’ cases (survey 23.5%) – further growth?
  - ◆ PLO and early identification of relatives
  - ◆ Court judgements (Re B, Re B-S) and adoption

# Children's histories

---

- ◆ Troubled family backgrounds
  - ◆ Majority rated as being at risk of abuse or neglect (63%)
- ◆ Local authority involvement
  - ◆ Almost all families had history of LA involvement (97%)
  - ◆ Most index children had been on CPP (70%)
  - ◆ Most LAC before SGO (74%)
- ◆ Child characteristics
  - ◆ Many children young at SGO (45% under 5)
  - ◆ Almost one-quarter had special needs (24%)
  - ◆ One-half had moderate (40%) to more severe (10%) SEBDs
- ◆ SGOs being used as a private order solution to complex family troubles – leaving or preventing care

# Preparation for SG

---

- ◆ Practitioner concerns at preparation timescales:
  - ◆ Time for reflective analytical assessments
  - ◆ Time to adequately prepare applicants for role as SGs
  - ◆ Assumption behind SG that child would be settled
  - ◆ No provision for a monitored period of settling-in (17% only moved at time of SGO).
- ◆ Guardians had mixed views about past preparation:
  - ◆ Around ½ felt they had not been fully prepared
  - ◆ 2:5 felt they had been subject to some LA pressure (1:5 had felt significant pressure to accept SGO).
- ◆ Some evidence that better preparation associated with
  - ◆ Children being more integrated into family at follow-up
  - ◆ Guardians experiencing less strain in caring for them.
- ◆ Preparation as a feature of good practice.



# Assessing the quality of relationships

---

- ◆ Good assessment practice should assess:
  - ◆ Safeguarding and support needs of child (and their wishes)
  - ◆ Suitability of carers to parent child
  - ◆ Strength of bond between child and carers
  - ◆ Take account of views of all family members (e.g. less than ½ of birth parents supported SGO; other tensions arose).
- ◆ Focus on strength of bond is critical – was a key predictor of later breakdown:
  - ◆ Grounds for caution where child not lived with carer or bond not assessed as being strong. Time to test and monitor relationships before SGO?

# Local authority support for the SGO

---

- ◆ Almost all guardians viewed SGO as the right legal order (95%).
- ◆ True also for large majority of social work and legal parties to application.
- ◆ Positive recommendation by LA in 76% of cases; more guarded support in another 20% of cases.
- ◆ Where LA had concerns, mainly centred on:
  - ◆ Relationship with birth parents; age or physical/mental health of carers, additional needs of children and capacity to meet them.
- ◆ This information is important. Where LAs had serious concerns, was associated with children not doing so well in placement and greater carer strain.

# Stability over the follow-up period

---

- ◆ Risk of breakdown low (even for those at greater risk)
- ◆ Children less likely to experience an SG breakdown if:
  - ◆ They are relatively young at the time of the SGO (admin + survey)
  - ◆ They are placed with relatives at the time of the SGO (admin)
  - ◆ Fewer prior moves in the care system (admin)
  - ◆ SGO is made to a carer with whom the child had been living beforehand (admin)
  - ◆ Where the bond between carer/child at SGO is rated as strong (survey only)
- ◆ Highlights importance of age (early decisions), settled relationships/close bonds, stability and kinship care.
- ◆ Kin care – are these children less likely to return to care? (survey: 8 to care, 5 to parent, 3 to other relatives)

# Measuring the progress and wellbeing of children

---

Three main measures of outcome:

- ◆ Overall progress of child in placement (whole sample)
- ◆ Family integration (SG views on how well child has fitted into fabric of family life) (guardian only)
- ◆ Development and wellbeing scale (how child faring with respect to health, social skills, friends, school, esteem and emotional wellbeing) (guardian only)

# Overall findings on child wellbeing

---

Most children reported to be doing very or quite well at follow-up:

- ◆ 90% of children rated as having done 'very' or 'quite' well in placement - most of those rated poorly were no longer resident.
- ◆ Most children also considered by guardians to be well integrated into the life and routines of the family; few negative reports, but over 1:3 children considered challenging to care for.
- ◆ Most also reported to be making good developmental progress (but 2:5 struggling in education)

# Factors associated with child wellbeing

---

## Overall placement progress better where:

- ◆ Child had fewer emotional/behavioural difficulties
- ◆ The pre-existing bond between guardian and child was strong

## Family Integration score was better where:

- ◆ Child had fewer emotional/behavioural difficulties
- ◆ Guardians felt they had been well prepared for their role
- ◆ Greater support available from guardian's immediate family
- ◆ Frequency of contact with birth mothers was lower

## Developmental progress was better where:

- ◆ Child had fewer emotional/behavioural difficulties
- ◆ They were female and were younger at time of SGO  
(Boys coming to SG at older age more vulnerable to poor outcomes)

# Emotional and behavioural difficulties

---

- ◆ 1:4 children above threshold for clinical symptoms (2.5 times higher than for child population)
- ◆ These children tended to fare worse in relation to all outcomes
- ◆ Guardians coping with highly challenging behaviour were amongst those experiencing most strain and anxiety
- ◆ But quality of child-carer bond may act as critical protective barrier (predicted better overall placement progress) – staying power, ability to defuse/manage these behaviours? Less likely to reject child?
- ◆ Long-term (perhaps intensive) support needed

# Family relationships and child wellbeing

---

- ◆ Family Integration rated as higher where more support available from guardian's immediate family:
  - ◆ Strengthened inclusion of children, relieved stress
  - ◆ Provided essential services (getting a break)
- ◆ But integration lower where contact with birth mothers higher:
  - ◆ Most carers keen to promote contact
  - ◆ Frequency higher where relationships positive for child
  - ◆ But could induce feelings of divided loyalties in children
  - ◆ Where contact higher, children more likely to speak of reunion and may need help to reconcile feelings
- ◆ Overall, support from informal networks more important to guardians than professional support



# Birth parent relationships

---

- ◆ High frequency contact (1:5 children no contact with either birth parent)
- ◆ Contact with birth mothers rated as positive for 53% of children (higher though less frequent for fathers)
- ◆ Where relationships positive, contact informally negotiated – part of everyday life
- ◆ Where conflicted, implications for feelings of security, permanence and belonging
- ◆ High demand for supervised contact, advice and mediation (around 1:2 had received help)

# Impact of SG on families

---

- ◆ In general terms, SG meeting carers' expectations
- ◆ Pride in achievements:
  - ◆ 'I've had the pleasure of watching my grand-daughter grow up in a loving home around her family, rather than in care.'
- ◆ Impact of assuming parental role:
  - ◆ Adjustment to life plans, loss of employment, financial strain, social life
  - ◆ 'Probably because I'm older, it's a lot, lot harder...This is it, 24:7...I can't even go out'

# Financial support

---

- ◆ Vast majority (87%) had received a regular allowance (71% still doing so at follow-up)
- ◆ 39% received help with legal fees, 56% with settling-in grants or other one-off payments
- ◆ Evidence of variations in approach between LAs:
  - ◆ Allowances more often provided to foster carers (97%) or for children on the 'edge of care' (86%)
  - ◆ 'Informal' kinship carers experienced most inconsistency (50% had an allowance)
  - ◆ In some areas protected for minimum of 2 years, more often for duration of placement
  - ◆ Many carers still worse off (means tests, fringe benefits)
- ◆ More inclusive policies under duress

# Social work contact

---

## ◆ Social work contact:

- ◆ Less than 1:5 had continuous contact over follow-up period
- ◆ 1:3 cases closed at SGO; 3:4 within a year
- ◆ For some closure was abrupt, no choice; for others, negotiated or not wanted
- ◆ Use of Supervision Orders where viability concerns (11%)
- ◆ Closure not always final, evidence of renewal of contact in over one-half of cases – if only briefly

## ◆ Contingency plans

- ◆ At closure, not all needs known
- ◆ Provision for guardians to access support if needed (annual contact, newsletters, named contacts, support groups)

# Support services

---

- ◆ Child services
  - ◆ Therapeutic services – mostly CAMHS (35%)
  - ◆ Child behaviour difficulties (25%)
  - ◆ Support for child's education (32%)
  - ◆ Most often needed in relation to children's complex needs (physical/learning disabilities, SEBD)
  - ◆ 1:3 SGs did not need services; further 1:3 needs unmet
- ◆ Guardian-centred services
  - ◆ LA advice and guidance (78%)
  - ◆ Support with birth family contact (57%)
- ◆ Access to services varied by local authority

# Conclusions

---

- ◆ Overall findings encouraging – most children safe / thriving
- ◆ SG broadly delivering what it promised to SG families
- ◆ Making a valuable contribution to range of permanent placements (especially for troubled children with kin)
- ◆ The risk of breakdown appears low (but age an issue)
- ◆ LAs could encourage more use of it for a wider range of children (appears reasonably safe to do so)
- ◆ Routinely considered for LAC/edge of care children, some LAs resistant to promoting use more widely and information for carers sparse
- ◆ Where numbers justify it, development of specialist services have advantages

# Conclusions

---

- ◆ Importance of good assessment and preparation
- ◆ Strength lies in building on existing bonds/relationships
- ◆ Where these exist, an early decision is preferable (age)
- ◆ Where they do not, should proceed more slowly to assess quality of bonds and parenting (26 weeks!)
- ◆ In other respects, predictors of outcome similar to comparable children (age, instability, EBD etc.)
- ◆ Strength also in contact with parents/wider family, but also source of tension and conflict
- ◆ Services are much too inconsistent (the cost to carers is high) – the question is one of priority
- ◆ Evidence of ‘what works’ (services too often ineffective)

# Reference

---

Wade J, Sinclair I, Stuttard L and Simmonds J (2014)  
*Investigating special guardianship: experiences, challenges and outcomes*, London: Department for Education.

Available: <http://php.york.ac.uk/inst/spru/pubs/2846/>