

Investigating Special guardianship: Findings from Research

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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
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- ◆ 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
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- ◆ 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/>