

DURHAM COUNTY COUNCIL



**SPECIAL GUARDIANSHIP
SUPPORT POLICY
2018/19**

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1. Assessment for Support Services

In all cases where an application for a Special Guardianship Order is made to the court, the authority will carry out an investigation into the suitability of the prospective special guardian and the needs of the child. In carrying out such an investigation it may become apparent that support from the authority, or arranged by the authority, is necessary to promote the child's welfare.

All children who were Looked After by the authority at the time of the application for a Special Guardianship Order, or immediately before the Special Guardianship Order was made, will be assessed for support services, following which the authority will produce a 'notice of assessment' and where there is an ongoing need, a Support Plan, setting out the support it will provide.

Support may be provided in many ways such as advice, mediation, therapeutic support or financial, providing one-off payment for a 'settling-in' grant or where there is a recurring financial expenditure. The purpose of this support is to ensure that the child's needs are met and the relationship between the child and special guardian is preserved. Lack of support, financial or otherwise, should never be the reason why a special guardianship arrangement fails.

If it appears that, a child who is the subject of the Special Guardianship Order may have a need for support from another agency, such as health or education they will be consulted with in preparation of the [SGO Support Plan](#).

If the authority decides that it is not necessary to carry out an assessment of the need for support the special guardian, will be notified and given an opportunity to make representations as to why such an assessment should be carried out. Any such representations must be received within 28 days of receipt of the notification of the decision not to carry out an assessment. If representation is received, such representation will be considered by the SGO Panel.

2. Provision of Support

The authority must make provision for a range of Special Guardianship support services (Section 14F of the amended Children Act, 1989).

Special Guardianship support services are defined as:

- Financial support (Reg 3(1)(a));
- Services to enable children, Special Guardians and parents to discuss matters relating to the special guardianship (Reg 3(1)(b));
- Assistance including mediation in relation to contact between the child and their parents, relatives or significant others with whom the child has a relationship that the authority considers to be beneficial to the welfare of the child (Reg 3(1)(c));
- Therapeutic services for the child (Reg 3(1)(d));

- Assistance to ensure continuance of the relationship between the child and the Special Guardian, including training to meet any special needs of the child, respite care, and mediation (Reg 3(1)(e));
- Counselling, advice and information (Sec 14F(1)(a) of the Children Act 1989).

Support services should not be seen in isolation from mainstream services and it is important to ensure that families are assisted in accessing mainstream services and are aware of their entitlements to tax credits and social security benefits.

(a) Support Plan

Where an assessment identifies the need for 'on-going' support services, a Special Guardianship Support Plan must be completed using the *SGO Support Plan Template and also identifying access to other support services set out in the Support Services Guidance*.

The Special Guardianship Support Plan will need to be agreed by Team Manager and approval sought by the SGO Panel.

Once the necessary approval has been obtained, the SW worker must send the proposed plan to the person requesting support, and allow 28 days for that person to make representations about the proposed plan. The SW should also give information to the person concerned about who to contact to obtain independent advice and advocacy. *This will be provided by the Relative Experience Project **insert e-mail/telephone number.***

Where representations are received, they should be referred to the Team Manager and submitted back to the SGO Panel to decide whether to amend or confirm the Plan. The allocated social worker must then write to the person concerned setting out the final Plan.

<p><i>NB: Particular attention must be given to the content of the Support Plan in relation to the financial information of the SG and ensure that this confidential information is not shared with birth parents when submitted to Court.</i></p>
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3. Provision of Financial Support

Carers who are proposing to care for a child under a Special Guardianship Order or who are caring for a child under a Special Guardianship order can request an assessment for support, including financial support. Durham County Council may provide support to a Special Guardian, or prospective Special Guardian, in order to maintain or achieve permanence for a child or young person, via Special Guardianship. This policy applies where Special Guardianship support has been assessed to be in the best interests of the child or young person

Regulation 7 states 'Financial issues should not be the sole reason for a special guardianship arrangement failing to survive. The central principle is that

financial support should be payable in accordance with the Regulations to help secure a suitable special guardianship arrangement where such an arrangement cannot be readily made because of a financial obstacle’.

The payment of financial support is at the discretion of the Council and is subject to assessment of need and cannot be relied upon as a regular source of income. State benefits and tax credits are available to special guardians in the same way as they are for any parent and the authority has a key role in supporting SG carers to access all benefits to which they may be entitled to.

The Local Authority must take account of any other grant, benefit, allowance or resource available to the person in respect of his/her needs as a result of becoming a Special Guardian of a child. Any financial support paid by the Council is not designed to replace benefits and tax credits.

4. When can Financial Support be considered

Regulation 6 of the 2005 Regulations states:

Financial support may be paid to a special guardian or prospective special guardian:

- a. To facilitate arrangements for a person to become the special guardian of a child where the local authority consider such arrangements to be beneficial to the child’s welfare; or
- b. To support the continuation of such arrangements after a special guardianship order is made

5. Criteria for Financial Support

Durham County Council has the power to provide financial support to enable applicants to become Special Guardians, or after the order is made, to enable the Special Guardianship to continue, where the assessment determines that a Special Guardianship Order is beneficial to the welfare of the child or young person. Reg 6(2) allows financial support to be paid if one of the following circumstances in a. to d. applies:

- a. Where the Local Authority consider that it is necessary to ensure that the special guardian or prospective special guardian can look after the child;
- b. Where the Local Authority consider that the child needs special care which requires a greater expenditure of resources than would otherwise be the case because of illness, disability, emotional or behavioural difficulties or the consequences of his past abuse or neglect;
- c. Where the Local Authority consider that it is appropriate to contribute to any **legal costs** including court fees. This could include court fees associated with the application for a Special Guardian Order or any application to vary or discharge such an order; an application for an order under section 8 of the Children Act 1989; or an order for financial provision to be made to or for the benefit of the child;

- d. Where the Local Authority considers it appropriate to make a contribution to the expenditure necessary for the purpose of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport and provision of clothing, toys and other items necessary for the purpose of looking after the child.

Payment of financial support under (b) is intended where the child's condition is serious and long-term. For example, where a child needs a special diet or where items such as shoes, clothing or bedding need to be replaced at a higher rate than would normally be the case with a child of similar age who was unaffected by the particular condition (para 39).

In many Special Guardianship arrangements, contact between the child and their relatives or others with whom the Local Authority considers the child to have a beneficial relationship is very important. Where assistance with travel costs is required, this may either be given in cash under Regulation 3(1)(b) or, if such costs are on a recurring basis, as part of any financial support provided under Regulation 6(2)(b) to support the arrangements for ensuring the Special Guardian can look after the child (para 41).

Remuneration for former Foster Carers (who received a payment for skills)

Regulation 7 states where the Special Guardian or prospective Special Guardian previously fostered the child and they received an element of remuneration, this being payment for skills, the authority has the discretion to continue to pay that element of remuneration for two years from the date of the Special Guardianship Order (SGO). The decision to include an element of remuneration (payment for skills) must be taken before the SGO is made and the assessment must determine that such remuneration is necessary to facilitate arrangements for a person to become a SG.

Reg 7(2) confirms that any remuneration ceases to be payable after two years from the making of the SGO, unless Durham County Council (DCC) considers continuation to be necessary, having regard to the exceptional needs of the child/young person or any other exceptional circumstances (see eligibility criteria). The payment during the two years will be the age related Fostering Allowance, plus the level of payment in respect of payment for skills that the foster carer previously received for the child before the SGO. The SG carer will be supported to access benefits, including child benefit.

6. Method of Payment

(Regulation 8) Financial support may be paid either:

- i) **periodically**, if it is provided to meet a need which is likely to give rise to recurring expenditure; or
- ii) by a **single payment**; or
- iii) if the local authority and the Special Guardian or prospective Special Guardian agree, by **instalments**.

7. Assessment of Need for Financial Support

If the financial assessment determines an allowance might be payable, it will only be paid if it is assessed as necessary to meet the needs of the child as set out in 3a. and 3b. above.

If a Special Guardianship assessment is being conducted prior to the Special Guardianship Order being made, the responsible Social Worker, where appropriate, should request a financial assessment from the Financial Assessment Team. This will ensure that equitable advice and standards are applied across all requests for financial assessment.

If the financial assessment is requested following the making of the Special Guardianship Order, the SW will initiate a new assessment.

In determining the amount of any financial support, the financial assessment will take account of any other grant, benefit, allowance or resource which is available to the person in respect of his or her needs as a result of becoming a Special Guardian for the child/young person. **(See Financial Process)**

The Authority will normally use its weekly in house fostering allowance (based on the age-related fostering allowance) as its baseline for calculating transitional financial support and determining the amount payable, using the Department of Education Means-Test Model which will take into consideration:

- a) the financial resources available to the Special Guardian or prospective Special Guardian
- b) the amount required by the Special Guardian or prospective Special Guardian in respect of his or her reasonable outgoings and commitments (excluding outgoings in respect of the child)
- c) the financial needs and resources of the relevant child.

Para 66 states that the following support can be provided without the need for a means-test:

- The initial costs of accommodating a child who has been Looked After;
- Recurring travel costs in contact arrangements;
- Any special case requiring greater expenditure due to illness, disability, emotional or behavioural difficulties or the consequences of the past abuse or neglect of a child previously looked after;
- Where they are considering including an element of remuneration in financial support payments to ex-foster carers – so that local authorities can maintain the amount paid to a foster carer who goes on to become a special guardian for the transitional period (two years).

The only circumstance in which the local authority **must** disregard means is when they are considering providing financial support in respect of legal costs, including fees payable to a court (para 68).

Once it has been determined that there is a need for financial support which requires a means-test, the Financial Assessment Team will be requested to undertake a financial assessment to determine how much the Special Guardian will receive in financial support. **(See Financial Assessment Process)**

The [Financial Framework](#) sets out a summary of financial support payments.

8. Decision to provide Financial Support (SGO Panel)

The decision to provide financial support must be sought from the SGO Panel which acts as a quality-assurance and approval mechanism and ensures that the SGO Court Report, Support Plan and financial assessment (where appropriate) are completed to the required standard within the required timescales. Exceptionally, where time does not allow for this, the designated Strategic Manager (Child Protection & Disabilities) should have sight of the reports and agree these in advance of submission to court.

Following changes to the Support Plan, reviews and receipt of appeals, the appropriate documentation (including a financial assessment) must be submitted to Panel following which the appropriate TM will inform the SG in writing of the outcome of the Panel's decision.

In summary the SGO Panel will have 4 main roles:

- To oversee the process of completing assessments is undertaken within the given timescale;
- To ensure that proposals for financial support are discussed;
- To assure the quality of the assessment and report;
- To recommend the level and type of support (if any) to be offered by Children's Services.

SGO Panel Membership:

- Strategic Manager (Child Protection & Disabilities) – Panel Chair
- Operations Manager (Child Protection & Disabilities)
- Appropriate Team Manager

Team Managers/SWs will be asked to attend on an ad-hoc basis to present cases as appropriate.

Following the decision of the SGO Panel and the SG wishes to appeal against this decision this will be reviewed by the Appeals Panel.

Appeals Panel Membership:

- Strategic Manager – Placement Efficiency
- Strategic Manager (to be confirmed)

9. Notice of Decision

After approval has been sought and a decision made to provide financial support, the Special Guardian will be provided with a 'Notification of Entitlement' letter, sent by the Children's Services Payment Team which sets out the following information:

- The method of determination of the amount of financial support
- Whether financial support is to be paid in regular instalments and if so, the frequency of payment;
- Where financial support is to be paid as a single payment, when the payment is to be made;
- The amount of financial support;
- The period for which the financial support is to be paid;
- When payment will commence;
- Arrangements and procedure for review and termination.

Any notice must be given in writing.

10. Review of Financial Support

Regulation 17 requires that where the local authority provides special guardian support services, other than financial support paid periodically, it must review the provision of such services and this is set out in the SGO Policy.

Regulation 18 requires that where the local authority provides financial support payable periodically, it must review the financial support:

- a) Annually, requesting appropriate documentary evidence;
- b) If there is any change of circumstances or breach of any condition (see **Terms & Conditions Agreement**);
- c) At any stage in the implementation of the plan.

11. When does financial support cease?

The duration of financial support is payable up to two years but this is dependent upon the assessed needs of the child, having regard to the exceptional needs of the child/young person or any other exceptional circumstances. If the local authority proposes, as a result of the review, to reduce or terminate financial support or revise the plan, before making that decision the local authority must give the person an opportunity to make representations. For that purpose it must give the person notice of the proposed decision and the time allowed for making representations, but the local authority may suspend financial support pending that decision if they think it appropriate.

The review and any representations must be submitted to the next appropriate SGO/Appeals Panel who will decide whether to vary or terminate payment of the financial support or whether to seek to recover all or part of any financial support that has been paid; and where appropriate, revise the plan. The Team Manager must inform the SG of the decision in writing.

Terms & Conditions

Regulation 10 provides that financial support that is to be paid periodically is not payable until the special guardian or prospective special guardian agrees to the following conditions. As the local authority has the discretion to impose any appropriate condition this will apply for the purpose of any financial support provided.

As outlined within the **Terms & Conditions**, financial support will always cease to be payable to the Special Guardian or prospective Special Guardian if the child or young person:

- a) ceases to have a home with him or her; or
- b) ceases full-time education or training and commences employment; or
- c) qualifies for income support or job seeker's allowance in his or her own right:
or
- d) attains the age of 18 years, (unless he or she continues in full-time education or training, when it may continue until the end of the course or training he or she is then undertaking)

The Special Guardian or prospective Special Guardian must agree to:

- a) inform the local authority immediately if the Special Guardian changes his or her address, the child/young person dies, or there is a change in the financial circumstances of the Special Guardian or the needs or resources of the child, or if any of the events occur which would lead to the cessation of the support.
- b) complete and supply the local authority with appropriate annual financial documentation of his or her financial circumstances, the financial needs and resources of the child or young person, and his or her address and whether the child/young person still has a home with him or her.

The Special Guardian must also sign the 'Terms & Conditions' Agreement and adhere to the conditions set out within this Agreement.

Durham County Council may suspend or terminate the payment of financial support, and seek to recover all or part of the financial support paid, if any of the above conditions are not complied with, but where the non-compliance is the failure to provide annual financial documentation, the local authority is under a duty to send the Special Guardian a written reminder of the need to provide this documentation and to give the person 28 days within which to comply.

Notice of any change of circumstances of the Special Guardian or the child/young person may initially be given orally, but must be confirmed in writing within 7 days.

12. Making Representations/Appeals Process

If the carer(s) wishes to make representations and appeal against a decision or wants the terms of a decision to be reconsidered, he/she would need to appeal in writing and send the Appeal to the Children Services Payment Team within 28 days of receipt of the letter. The letter must clearly provide full details of the additional costs incurred as a result of ceasing financial support.

Applicants who remain dissatisfied with the decision will be entitled to use the Council Complaint's Procedure.

PROCESS & PROCEDURES

13. Initial Visit to Prospective Special Guardian/Special Guardian (discussion of Support Services)

At the 'Initial Visit' stage the SW will provide the prospective SG with the information leaflet '[Becoming a Special Guardian](#)' and provide help to access any benefits which they are entitled to by putting a referral into Welfare Rights **(D10)** *proposed link to WR*; this will usually include child benefit and tax credits such as Child Tax Credit and Working Tax Credit. It may also include disability or other benefits on behalf of themselves or the child. Advice and consultation should be made available to Special Guardians and this may include sign posting to relevant agencies that may support applicants with accessing relevant entitlements and/or additional support, for example 'The Relative Experience Project' (**insert e-mail referral**).

The '**Recording of Visits**' [checklist](#) must be completed at both the 'initial visit' stage and the annual review to confirm the appropriate information/guidance has been provided and discussed in detail. The checklists at each stage should be signed/dated by both the SW and the prospective SG/SG and placed on the child's file within the appropriate locality office.

It is very important at the outset that the prospective carers are clear about financial support arrangements - what they are, how long they will last, means-testing, reviews. Social workers must **NOT** give verbal or written commitments or promises on financial support. All financial support arrangements will require the relevant assessment to be completed and subsequent approval will always be required by both the Team Manager and the Special Guardianship Panel.

14. Financial Means-Test

Where financial support has been identified as part of either the Outcome of the Assessment and/or Support Plan or as part of a financial review and requires a means-test, a referral to the Financial Assessment Team is required, allowing 5-6 weeks for the completion of a financial assessment. Appendix 3 sets out the key processes for seeking a financial assessment.

Referral to Financial Assessment Team (New/Review)

The SW will send a referral form ([SS499](#)) to the Financial Assessment Team (Green Lane) via e-mail:

Finance.Assistants.Initial.Assessment.Team@durham.gov.uk by completing Section A of the SS499 Referral Form with the following information:

- Particulars of the carer;
- Details of the child/children for whom an allowance is sought;
- Other family members – **NB this is an important field as allowances are made within the calculation for other family members living at home;**
- Date of the SGO/RO Panel (if known);
- Any other relevant information (court dates, etc.);
- Details of the worker making the referral.

NB: A Financial Assessment will not be progressed without the completion of a financial referral form SS499.

Conducting a Financial Assessment/Financial Review

Upon receipt of the financial referral (SS499) the Finance Assistant will send an appointment letter to carer confirming date/time the FABO will conduct a Financial Assessment over the telephone, within 10 working days of receiving the referral.

This information will be recorded on 'Appointments' and 'Case Notes' on SSID.

The FABO will undertake the financial assessment using form SS500 – 'Assessment of Special Guardianship/Child Arrangements Order Allowances' and will identify on this form, the appropriate documentary evidence to be submitted by the carer to confirm income/expenditure during the assessment. The completed SS500 form will be sent to the carer for signature, requesting the appropriate documentary evidence together with the 'Terms & Conditions for Financial Support' Agreement. The duly signed forms and documentary evidence should be returned within 10 working days.

Should any of the above information not be returned within the 10 working days a further written reminder will be sent to the carer, informing them that 28 days from the date of this reminder, no further payments will be made (SGO Reg 10). FABOs will diary in 28 days and inform AO (FS) of any failure to supply this information, whereby a letter will be sent by AO (FS) to carer to confirm payments will cease immediately and TM informed.

NB: Failure of the carer to engage in the financial assessment, provide documentary evidence or further confirmation of additional benefits received, will result in payments ceasing and the TM being notified.

Upon receipt of the above information, the FABO completes Section B of the SS499 Referral Form with:

- Details of income and expenditure used for the calculation, confirmed by receipt of appropriate documentary evidence (if the financial support is approved, this information will be provided in the Notification of Allowances letter sent to the carer).
- The financial calculation.

- A summary of financial support (this information will also be used in the 'Notification of Entitlement' letter and the breakdown is required to put the provision on SSID).
- Any notes for panel e.g. where a decision is required as to whether particular expenditure can be included as eligible expenditure within the calculation.
- Information highlighting any possible/future benefits to be paid to the carer. The FABO should inform the carer that this may result in a further financial re-assessment **(FABO will undertake a further review following confirmation from the AO (FS) when a payment is set up and seek confirmation of additional benefits received by the carer – See Appendix 4).**
- The FABO's name and contact number.
- Date of Financial Assessment.

The FABO will e-mail the SS499 Referral form back to the SW and record on SSID case notes the date SS499 Referral form is completed/returned and any issues/concerns.

The FABO will also forward the signed and dated 'Term & Conditions of Financial Support' Agreement directly to the AO (FS). **Until this signed agreement has been received, no payment will be made.**

Benefits

Where the family's **only source of income is:**

- **Income Support;**
- **Guaranteed Pension Credit;**
- **Employment Support Allowance (only Income Based);**
- **Job Seekers Allowance (only Income Based);**
- **Universal Credit (where appropriate).**

A payment will be awarded without applying the standardised means-tested financial assessment, however, documentation confirming all benefits will still be required to provide an overview of SG's financial circumstances.

Benefits Check

During the Financial Assessment stage, FABOs will highlight with the carer(s) 'possible/future entitlement to additional benefits', where appropriate, and the requirement to undertake a further recalculation of financial support by completing SS499 (Section B (iii)). FABOs will undertake a further review following confirmation from AO (FS) that payment is to be set up and will contact carer to request confirmation of these additional benefits (see Appendix 4).

In the meantime payments will be based on the original calculation and the appropriate adjustments will be made when a further recalculation is undertaken. Any overpayments will be deducted from future payments.

The FABO will inform AO (FS) who will send a revised Notification letter to the carer(s) identifying any adjustments and will ensure payments will be amended

on SSID. Copies will be sent to both TM and SW and a copy placed on child/YP's file within the locality office.

Should confirmation of benefits not be returned within the 12 weeks deadline a further written reminder will be sent to the carer, informing them that 28 days from the date of this reminder, no further payments will be made (SGO Reg 10). FABOs will diary in 28 days and inform AO (FS) of any failure to supply this information, whereby a letter will be sent by AO (FS) to carer to confirm payments will cease immediately and TM informed.

Setting up a Financial Provision on SSID

Upon receipt of the SS499 and [Children's Services Payment Request Form](#) from the SW, the AO (FS) will set up the financial provision on SSID.

The Children Services Payment Request Form must be completed by the SW with emphasis being placed on providing a 'Start' and 'End Date' for the payment to start/cease to avoid any overpayments (a review date must also be provided one year from the start of the allowance, if not required earlier). The TM and/or Operations Manager will be made aware if the SW fails to complete the form or does not provide the requested details, as this may result in payments to the carer being delayed.

The AO (FS) should ensure the 'projected end date' field should be used to input this date **not** the 'actual end date' field as this would not allow for future amendments to the level of payments.

Only when all the above information has been received along with the duly signed '[Term & Conditions' Agreement](#) will payments be processed by the AO (FS) and financial support paid.

15. Terms & Conditions

The carer will be sent, from the Financial Assessment Team, a '**Terms & Conditions'** agreement before Financial Support will be Paid Periodically' or by instalments along with SS500 to confirm/sign both the financial assessment and their agreement to receive financial support.

The 'Terms & Conditions' agreement sets out the responsibility of the carer to notify the SW/TM or relevant AO of any changes to the child/young person(s) living arrangements, changes in their circumstances or their/carer(s) financial circumstances (Notification of Entitlement Letter sent to carer also confirms this responsibility).

Details in respect of a change in financial circumstances should be forwarded immediately to the Financial Assessment Team to recalculate the allowance and any further changes will need to be addressed by the SW/TM who must inform the AO (FS) immediately, if payments should be adjusted/cease.

The AO (FS) will make the appropriate changes to the allowance on SSID and notify the carer of any change to financial support, sending copies to the TM/SW who should ensure a copy is placed on the child/YP file within the locality office.

Failure of the carer to comply with these Terms & Conditions may result in the suspension or termination of financial support and the Local Authority may seek to recover all or part of the financial support they have already received.

16. Submission to SGO Panel

New Applications

Once a decision is made to progress a **new** SGO the appropriate actions need to be undertaken, within the required deadlines.

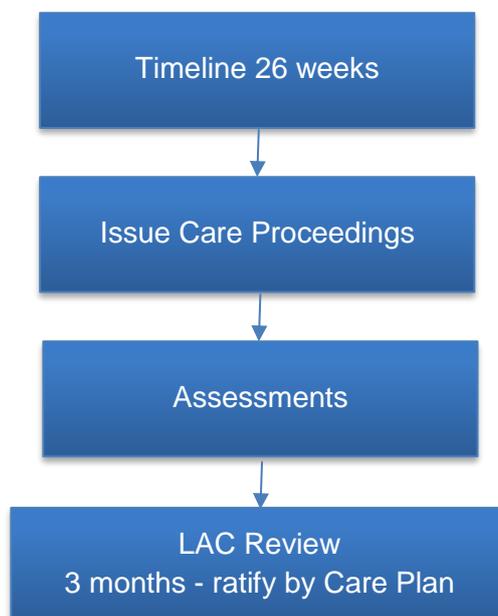
Wherever possible, any case that may require legal action should be dealt with within the [Public Law Outline Process](#). This allows assessment within an agreed framework.

All cases will be finalised within **26 weeks** of issuing.

All assessments must be completed within the timeframe.

SGO applications will be subject to the same quality assurance and scrutiny as other potential orders, by the SGO Panel and consideration to this must be reflected in the Care Planning.

EXAMPLE



Issue	02-01-12	(Final Hearing 01-07-12)
IRH	18-06-12	
SGO Panel	28-05-12	

To progress to Panel the SW must ensure the following documents are e-mailed, no later than 3 days before Panel, to **SGOROPanel@durham.gov.uk** whereby the SW will be informed of the appropriate time to attend Panel. Failure to complete the **'New Application' Proforma** in full (Appendix 2) may result in form being returned and not reaching Panel.

- Completed '**New SGO' Proforma'** (Appendix 2).
- Completed **Court Report**
- Completed **Support Plan**
- Completed **Financial Assessment – SS499**

NB Submission to Panel should be at least two weeks prior to court date.

A decision will be made at Panel to agree/amend the Support Plan and/or level of financial support and in principle the start date (the start date will be the date the order is made by the Court or where further agreement has been sought due to care arrangements).

Once the Order has been approved at court the SW must inform the AO (FS) of date granted at court and forward the following information for payments to be set up:

- Completed Financial Assessment **SS499**;
- Completed **Children's Services Payments Form**.

It is the SW's responsibility to put the appropriate information about the placement and the child's legal status on SSID (refer to the 'Looked After' SSID

Guide or contact the Systems Development Team for further information).

The AO (FS) will complete the following actions and record the date completed in **Section D** of the SS499 Referral Form:

- '**Notification of Entitlement**' letter sent to carer (details of income and expenditure and a summary of the calculation can be found in Section B of the SS499 Referral Form); this will also confirm the method of payment eg periodic, single or via instalments.
- Letter copied and sent to TM/SW, along with completed SS499, both to be filed on child/YP file within each locality office.
- Provision entered on SSID (see Children's Services Payments procedure). The payment on SSID must be broken down to show the Age Related Fostering Allowance, less the child benefit where appropriate, less any adjustment (from the summary in Section B of the SS499 Referral Form).

Annual Review of Existing Financial Support within Agreed Time Period

Where Special Guardians are in receipt of periodic or on-going financial support, a financial assessment review will be undertaken annually alongside a review of any other support services identified within the Support Plan (where support services have not already been reviewed during the preceding year).

The AO (FS) will inform the TM that the payment is due to be reviewed, 3 months prior to the identified **review date**. The TM will instruct the SW to undertake an annual review of the Support Plan to identify if the needs of the child require continuation of financial support.

Where a decision is made to **continue** financial support, the TM must seek Panel approval and ensure the SW provides the following documentation, including any other information deemed relevant:

- Completed Financial Assessment (SW must complete **Section A** of SS499 and e-mail directly to the Financial Assessment Team Finance.Assistants.Initial.Assessment.Team@durham.gov.uk;
- Revised Support Plan (where required)
- Review Proforma (Appendix 2a) in full and at the same time complete an 'Annual Visit Checklist' using 'Recording of Visits' form (Appendix 1c).

These documents must be e-mailed no later than 3 days before Panel to SGOROPanel@durham.gov.uk and the TM will be informed of the time to attend Panel. Failure to complete the Review Proforma (Appendix 2a) may result in the form being returned and not reaching Panel.

NB: Submission to Panel must be made no later than one month prior to review date and the appropriate Operations Manager will be informed where there is a failure to provide this information within this deadline.

Once Panel approval is sought to continue, a further review/end date will be provided and the **TM/SW** must:

- Send a revised Support Plan to carer setting out a clear rationale for the payment of financial support and duration; (Special Guardian must be provided 28 days to make representations)
- Send a letter to the carer to confirm continuation of payments, confirming further end/review date;
- Send completed Financial Assessment (SS499) to AO (FS).

Following the Panel, the AO (PA) will also inform AO (FS) who will undertake the following actions and record the date completed in **Section D** of the SS499 Referral Form:

- 'Notification of Entitlement' letter sent to carer (details of income and expenditure and a summary of the calculation can be found in Section B of the SS499 Referral Form).
- Letter copied and sent to TM/SW, along with completed SS499, both to be filed on child/YP file within each locality office. Provision on SSID to be updated where there is any adjustment to the allowance.

Where a decision is made to **cease** payments the AO (PA) will inform AO (FS) and **TM** will send a letter to the carer, informing them of:

- The reason for this decision.
- The date the payment will cease, providing 3 months' notice.
- The appropriate method of appeal (see Appeals below).

These annual reviews will continue throughout the period in which financial support is provided.

Ceasing of Financial Support at End of Agreed Payment Period

The AO (FS) will send a [letter](#) to the carer to confirm that payments are due to cease, 3 months prior to end date and a copy will be sent to the TM (**an end date must be entered onto SSID**).

Should the carer feel that there are exceptional circumstances which require additional financial support beyond this period, they will be provided with 28 days to make appropriate representations to provide full details of the additional costs they will incur as a result of ceasing this support. The carer will be required to follow the Appeals process identified below.

NB: Should an Allowance cease, for whatever reason, prior to review/end date the TM/SW should immediately notify the AO (FS) - Children's Services Payments to ensure no further payments are made. Failure to do this may result in an overpayment.

17. Making Representations/Appeals Process

Upon receipt of a representation the AO (FS) will acknowledge receipt of letter and forward to TM, who will undertake a further review/assessment of needs and present documentation to the next appropriate Appeals Panel. All documentation must be emailed to SGOROPanel@durham.gov.uk 3 days prior to Appeals panel. The outcome of the Panel's decision will be recorded on the Review template (Appendix 2a) and signed by Panel Chair.

The carer will be informed in writing of the decision by the TM using 'Outcome of Appeal Letter' (Appendix 8) and AO (PA) will inform the AO (FS) of any requirement to continue/cease payments. Where payments will continue a 'Notification of Entitlement' letter will be sent to the carer to confirm level of payment and duration of entitlement upon receipt of a current Financial Assessment.