

Special Guardianship Orders: Preventing Disruption

The introduction of Special Guardianship Orders (SGOs) brought with it anxieties that they could be used where adoption would have been a better permanence plan for the child, leading to a high breakdown rate. However, the picture emerging from the current studies is more mixed; firstly it is clear that authorities have been using SGOs in very different ways; some mainly place children with kin whereas others make more frequent use of stranger foster placements and secondly, those authorities that encourage greater use of SGO's seem also to be making more use of adoption and are reducing the numbers in their care system at the same time.

In their follow up study Wade et al (2015) identified that almost four-fifths of young adults had remained living in the Special Guardianship home during early adulthood; however, they also noted that one-in-three young people who had lived with an unrelated foster carer had moved on post-18, compared to less than one-in-five of the young adults who had been placed with kin. Children who had a stronger bond with their carer at the time of the SGO were more likely to remain in placement at follow up.

Between April 1st 2005 and 31st March 2011, 5,291 Special Guardianship Orders (SGO's) and 5,771 Residence Orders (ROs) were made. Selwyn's study found information on 121 SGOs and 415 ROs that had disrupted and, based on a definition of disruption as a return to care in the same authority, identified a disruption rate of just under six per cent over five years post-SGO. This is considerably higher than the rate found for Adoption Orders, but much lower than that for Residence Orders. After a SGO disruption the majority of children returned to the care system and were placed in unrelated foster care with only a few placed in kinship foster care (6 per cent) or residential care (8 per cent).

Disruptions of SGOs were found to occur much more quickly than was the case for adoptions, 75 per cent within two years compared to just 14 per cent of adoption, and two thirds of SGO disruptions occurred with children under the age of 11. In comparison, the majority of adoption disruptions occur more than five years after the Adoption Order (See research paper 'What do we know about adoption disruptions <http://reconstruct.co.uk/docs/research/228AdoptiondisruptionresearchpaperAugust15.pdf>). It may be that adoptive parents find the teenage years more difficult to manage compared with guardians or carers, but it is more likely that adoptive parents persevere and remain committed to children for longer than special guardians.

The findings from Wade et al indicate that children who are older at placement, those who are not emotionally close to their carer prior to the SGO and, to a lesser degree, those who exhibit serious behaviour problems are vulnerable to placement disruption. Selwyn et al also found that those who enter care due to family reasons such as acute stress, family dysfunction, socially unacceptable behaviour, low income, absent parenting; coupled with more moves in care and the special guardian not being a kin carer were all independently significant factors in predicting disruption. Selwyn found that for children on SGOs and ROs, disruptions were not much affected by age, however Wade found that being a teenager was by far the most important predictor of disruption and that age at placement and the older they were at the time of the SGO are significant risk factors. Some caution is also urged as disruption figures may not be complete for young adults who have moved out of the home but not re entered care.

Predictors of Special Guardianship Order Disruption

Reason for entry to care: Children who came into care due to family reasons such as acute stress, family dysfunction, socially unacceptable behaviour, low income, absent parenting were nearly twice as likely to face a disruption compared with children who came into care due to abuse or neglect.

Type of guardian: Children who were placed with unrelated guardians were nearly three times more likely to experience a SGO disruption compared with children placed with kin on a SGO. The risk also increases if children are not placed with the carer who was looking after them in the care system.

Number of moves in care before placement: For each move a child had in care before being placed with the guardians, the risk of disruption increased nearly 1.5 times.

Wade et al (2014) explored a small sample of 24 cases, nineteen of which ended before the young person had reached the age of 17. Nine were being cared for by the local authority at follow-up, four had gone on to live with other relatives, five were living with one or both of their birth parents and five were known to be living independently. Half of the placements that disrupted prematurely concerned children placed with special guardians who had not been their former foster carer, and fewer of these children had strong bonds with their carer; evidence of social, emotional and behaviour problems were reported in over 50% and in six cases these problems were classified as serious.

Some of the cases broke down because the carer was no longer willing or able to care for the child, often as a result of being unable to manage their behaviour problems. In others cases the child left the placement voluntarily to live with other family members. Unfortunately, these moves often resulted in further instability for the child.

Those children who remained living with their carers spoke of their wish to stay with them, even some of those who also hoped to be reunited with their parents. For some children, the stability of their placement had provided security, confidence and a sense of belonging, but others felt less secure about their place within the family.

Interpreting the Findings

Firstly the positive finding on the effect of kin should be regarded with some caution; the definition of breakdown was return to the care system and kin carers are almost certainly more likely than stranger carers to react to the potential breakdown of a placement by seeking an alternative within the wider family rather than in the care system.

Secondly guardians did not always tell the local authority that their child was no longer living with them and this may mean that the incidence of breakdown is higher than recorded; the fact that a placement has not disrupted does not necessarily mean that the placement has not ended or, if still there, that the child is happy and doing well. For example, the child may have moved to live with other family members or, if old enough out of the family altogether to live alone or with non-related adults or friends without the knowledge of the placing authority. Younger children may have been in placements where they have been acutely unhappy but unable to move. Teenagers are also better placed to disrupt a placement than very young children where they are unhappy and a move to independence is not always voluntary. The move to independence and a placement disruption are not therefore mutually exclusive.

However, the apparent breakdown rate for the whole sample was very low, although this may have partly reflected the definition of 'breakdown' as a known return to the care of the same local authority. Risk factors for breakdown on this definition seemed to be similar to those that are found elsewhere in the care system such as age, number of previous placements, whether placed with kin or whether starting a new placement. It was true that the rate of known breakdowns was higher among those who were not kin and also where the SGO was not with the previous carer but the rate of breakdown seemed to be low even among high risk groups and the fears of a high rate of breakdowns may have been exaggerated. For example, children who were aged over ten at the time of the SGO, were not living with kin and did not go to the same carer should be high risk. Yet out of 60 children who met this definition in Wades study only 2 (3.3 per cent) were known to have returned to the care system within the period of the study.

What Makes a Difference?

Studies assessing factors associated with kinship foster care disruption have found that placements with grandparents tend to be more robust when compared to other family and friends placement. For example, Farmer and Moyers (2008) found that while eight per cent of placements with grandparents disrupted over two years, this was the case for 27 per cent of those with aunts and uncles and 30 per cent of those with other relatives or family friends. This may be associated with the presence or otherwise of other children in the household, which can have a negative impact and which is less likely to occur in grandparent placements.

Support for Guardians

Many special guardians did not live in the local authority originally responsible for their child and for those living some distance away there were clear variations in the levels of support provided to them and often poor or non-existent relationships with the local authority. Guardians were not always confident on how best to access help and even for those who did receive support the results were not positive. Post-disruption support provided by the local authority was also variable; many special guardians were often still very upset by the circumstances in which their child had left their home, unless it had been part of a planned and positive move to independent living.

Practice Points:

- Weigh up information such as age of child, strength of child-carer bond, evidence of behavioural problems when considering the merits of a SGO and designing packages of support;
- A strong bond between child and carer prior to the SGO acts as a protective barrier against the effects of emotional and behavioural difficulties and is associated with later placement stability, so fully assess the protective factors and support available & where these are weak be cautious about moving straight to an SGO;
- Carers who have not previously fostered the child are more likely to breakdown; think about a test period within the care system;
- Children living with former unrelated foster carers show more anxieties and insecurities about their sense of belonging and permanency within the family which may be putting these placements at risk particularly during the transition into young adulthood;
- Being a teenager is the strongest predictor of potential breakdown: older children are more able to challenge and behaviour problems are also most likely to emerge during adolescence;
- Not knowing how to access and take advantage of support is an additional barrier for kinship carers who have not previously fostered and they need help to feel confident and knowledge of how the system works;
- Access to post-eighteen leaving care services should be written into the support plan.

The strength of the pre-existing bond between child and carer and its mitigating effect on behavioural disturbance was intended to be one of the key strengths of Special Guardianship, at the assessment stage, therefore, close attention to the quality of these relationships is very important. Caution needs to be exercised where there is evidence that this relationship is weak and consideration should be given to an intermediate step where relationships can be monitored and tested before moving to a full SGO.

Finally, based on the current findings, the evidence that the majority of children have benefited from stable placements with special guardians suggests that this is a valuable alternative to care or adoption.

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