

Appendix 2. Policy for the Payment of Special Guardianship Order and Child Arrangement Order Allowances

	Scheme For Special Guardians	Scheme for Child Arrangement Order Holders
Eligibility Criteria for Assessment	<p>In considering whether to make SGO allowances the Local Authority will take into account the following criteria</p> <ul style="list-style-type: none"> • That immediately prior to the Special Guardianship Order being made, the child was looked after by the Local Authority for a period of at least 3 months and the Special Guardianship order application is part of his/her care plan and has been confirmed with the Independent Reviewing Officer through the review process. • The child is subject to a Special Guardianship Order as part of a disposal of Care Proceedings or as a direct alternative to care proceedings, whether or not the child was looked after by the Local Authority for a period of at least 3 months. • Where following an assessment of the circumstances of the child and carer, the Head of Service agrees that the case is exceptional e.g. 	<p>In considering whether to make CAO allowances the Local Authority will take into account the following criteria</p> <ul style="list-style-type: none"> • That immediately prior to the Child Arrangement Order being made, the child was looked after by the Local Authority for a period of at least 3 months and the RO application is part of his/her care plan and has been confirmed with the Independent Reviewing Officer through the review process. • The child is subject to a Child Arrangement Order as part of a disposal of Care Proceedings or as a direct alternative to care proceedings, whether or not the child was looked after by the Local Authority for a period of at least 3 months. • Where following an assessment of the circumstances of the child and carer, the Head of Service agrees that the case is exceptional e.g. involves a carer suffering extreme financial hardship or one who has

	<p>involves a carer suffering extreme financial hardship or one who has had to leave paid employment as the only way of caring for the child. Applicants must be resident in UK</p>	<p>had to leave paid employment as the only way of caring for the child. Applicants must be resident in UK</p>
Means Test	<p>DfES means test is applied unless carer is in receipt of Universal Credit. This establishes whether carer is entitled to receive an allowance.</p> <p>Proof of income and expenditure is required</p> <p>Takes into account the financial resources of the carer(s) including any financial benefits arising from the placement of the child, his/ her reasonable outgoings and the needs of the child.</p> <p>Parents of the child who are in paid employment will be expected to contribute to the care of the child and if they refuse, the carer would be expected to pursue payments through the CSA.</p> <p>The allowance paid will not exceed the age related basic fostering allowance that would have been paid at the date of the placement of the child.</p> <p>Child Tax Credit and Child Benefit received from the DWP will be deducted from the</p>	<p>DfES means test is applied unless carer is in receipt of Universal Credit. This establishes whether carer is entitled to receive an allowance.</p> <p>Proof of income and essential expenditure is required</p> <p>Takes into account the financial resources of the carer(s) including any financial benefits arising from the placement of the child, his/ her reasonable outgoings and the needs of the child.</p> <p>Parents of the child who are in paid employment will be expected to contribute to the care of the child and if they refuse, the carer would be expected to pursue payments through the CSA.</p> <p>The allowance paid will not exceed the age related basic fostering allowance that would have been paid at the date of the placement of the child.</p> <p>Child Tax Credit and Child Benefit received from the DWP will be deducted from the basic allowance. Any maintenance payments for the</p>

	<p>basic allowance. Any maintenance payments for the child will be deducted from the basic fostering rate. For carers in receipt of IS, CB will not be deducted.</p>	<p>child will be deducted from the basic fostering rate. For carers in receipt of IS, CB will not be deducted.</p>
<p>Additional Payments e.g. Set up costs</p>	<p>Consideration may be given to one off payments for equipment, furnishings, set up costs etc. under S17 of the CA on the basis that approval will be required prior to any item being purchased.</p> <p>Anything beyond that falling within the remit of the wording above, would need to be considered as a one-off discretionary payment, decided on a case by case basis and in any event only if it was considered as essential to enable the child to remain living with the carers and prevent that child from needing to be accommodated by the local authority.</p>	<p>Consideration may be given to one off payments for equipment, furnishings, set up costs etc. under S17 of the CA on the basis that approval will be required prior to any item being purchased.</p> <p>Anything beyond that falling within the remit of the wording above, would need to be considered as a one-off discretionary payment, decided on a case by case basis and in any event only if it was considered as essential to enable the child to remain living with the carers and prevent that child from needing to be accommodated by the local authority.</p>
<p>Support for legal costs</p>	<p>The LA will consider making a contribution towards the legal costs of the carer when applying for a SGO if the child is a LAC or is subject to pending care proceedings, or the</p>	<p>Only considered when child is at risk of significant harm in care of his parent(s), carer cannot be publicly funded (via the Legal Services Commission), parents are contesting the making</p>

	<p>application for the order is a direct alternative to such an application and in each case, that the LA supports the application. DCC will expect the claimant to make an initial application to the Legal services Commission for public funding and it is only if this is refused that DCC will consider providing financial support. Any funding would initially be limited to a maximum of 2 hours advice with such advice being charged at current approved LSC rates. Any request for a contribution towards the costs of legal representation within court proceedings, except in exceptional circumstances, will only be considered if the proceedings are contested by any respondents to the application.</p> <p>Not means tested.</p>	<p>of an order, case is not in care proceedings and the LA supports the making of a RO to the applicant.</p> <p>Means tested.</p>
Payment Rates	<p>LA basic foster care rate</p> <p>Minus CB, CTC and any maintenance payments received for the child (except for IS claimants where CB is not deducted)</p>	<p>LA basic foster care rate</p> <p>Minus CB, CTC and any maintenance payments received for the child (except for IS claimants where CB is not deducted)</p>
Duration of Allowances	<p>Payments of allowances will continue until the child ceases to have a home with the Special Guardian, the child starts full time</p>	<p>Payments of allowances will continue until the child ceases to have a home with the Special Guardian, the child starts full time employment,</p>

	<p>employment, the child qualifies for JSA or IS in his own right, the child attains the age of 18.If a child remains in full time education post 18 the LA will consider continuing allowances but any on- going allowance payments would continue to be means tested.</p> <p>The carers will be expected to cooperate with the annual review by completing and supplying to the LA an annual statement of his/her current financial circumstances, proof of all income and expenditure, the financial needs and resources of the child and details of his address and confirmation that the child still lives at that address. Failure by the carer to provide the requisite information may lead to the financial support being suspended or terminated</p> <p>Claimants of IS only need to provide proof that they are in receipt of IS and proof of the amount they receive in the form of CTC</p>	<p>the child qualifies for JSA or IS in his own right, the child attains the age of 18.If a child remains in full time education post 18 the LA will consider continuing allowances but any on- going allowance payments would continue to be means tested.</p> <p>The carers will be expected to cooperate with the annual review by completing and supplying to the LA an annual statement of his/her current financial circumstances, proof of all income and expenditure, the financial needs and resources of the child and details of his address and confirmation that the child still lives at that address. Failure by the Carer to provide the requisite information may lead to the financial support being suspended or terminated.</p> <p>Claimants of IS only need to provide proof that they are in receipt of IS and proof of the amount they receive in the form of CTC</p>
<p>Backdated Claims for Allowances</p>	<p>Usually, requests for back dating of allowances will only be made to the date of the application for assessment for financial support. Requests to back date allowances prior to applications will only be considered</p>	<p>Usually, requests for back dating of allowances will only be made to the date of the application for assessment for financial support. Requests to back date allowances prior to applications will only be considered in exceptional circumstances</p>

	<p>in exceptional circumstances e.g.</p> <p>if the carer can demonstrate that he has suffered significant financial hardship</p> <p>Any back dated payments will be for a maximum of 3 months</p> <p>Carers will always be expected to provide proof of their historical income and out goings.</p>	<p>e.g.</p> <p>if the carer can demonstrate that he has suffered significant financial hardship</p> <p>Any back dated payments will be for a maximum period of 3 months</p> <p>Carers will always be expected to provide proof of their historical income and out goings.</p>
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