Permanence Options Tables

The tables below may be of use to understand permanence planning for different ages of children and young people when relatives are and are not available. This should be used as a GUIDE ONLY to support your judgement, decision and gathering.

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| **AGE UNDER 7 YEARS** | | **AGE 7 - 10 YEARS** | | **AGE 11 YEARS+** | |
| No kinship care arrangements available | Kinship care arrangements are available | No kinship care arrangements available | Kinship care arrangements are available | No kinship care arrangements available | Kinship care arrangements are available |
|  | Family Group Conference must be arranged in these situations |  | Family Group Conference must be arranged in these situations |  | Family Group Conference must be arranged in these situations |
| **Permanency Plan includes Twin Track or Parallel Planning until it is clear that return to birth family is not possible** | | | | | |
| Adoption Long Term Fostering (needs Head of Service approval if child is under five) | Formal Approved Kinship Foster Care  **•** Special Guardianship Order  **•** Child Arrangements Order  **•** Care Order – possibility of mover to SGO/RO  Where the child is 0 - 3 years, if at the end of the legal process if carer is not able to consider SGO/RO then the adoption route must be followed. | Adoption Long Term Fostering Special Guardianship(with existing foster carer) | Formal Approved Kinship Foster Care  **•** Care Order – possibility of move to SGO./RO  **•** Special Guardianship Order  **•** Child Arrangements Order | Long Term Fostering Special Guardianship (with existing foster carer) | Formal Approved Kinship Foster Care  **•** Special Guardianship Order  **•** Child Arrangements Order  **•** Care Order – possibility of mover to SGO/RO |

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|  | **PRIVATE FOSTERING** | **KINSHIP CARE(informal)** | **KINSHIP CARE (formal foster care)** | **UNRELATED FOSTER CARE (and residential care)** | **CHILD ARRANGEMENTS ORDER** | **SPECIAL GUARDIANSHIP ORDER (SGO)** | **ADOPTION** |
| **Route into the caring arrangements** | This is a private arrangement whereby the child is being cared for, for 28 days or more(or the intention is that the arrangement will last for 28 days or more), by anyone who does not have parental responsibility, and who is not a close relative.  Close relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a stepparent.  This child is not a cared for child. | The relative has chosen to take on the care of the child and this is an arrangement between the parent(s) and the extended family or friend. The Family member or friend does not have parental responsibility, and the arrangement was not made by the local authority.  The child is not a cared for child  Relative may perceive the parents to be unable to care for the child  Or the parents may be dead or otherwise not available (e.g. in prison)  Or there may be an agreement between relatives due to difficult family circumstances. | The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care.  The child is a cared for child and so the local authority must approve the relative or friend as a local authority foster carer.  The child may be accommodated voluntarily with the agreement of the parents or may be subject to a Care Order, Interim Care Order or Emergency Protection Order | The child is a cared for child being accommodated by the local authority under Section 20 Children’s Act1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority.  Alternatively, the local authority may choose to place a child into residential care where thesis considered to meet the child’s assessed needs. | (a) The child may be at risk of becoming cared for and a friend or relative applies for an order, or  (b) The child may have been cared for and their foster carer or other relative/friend applies for an order  (c) In some circumstances, application can be made without the support of the parents or the local authority. Relatives may apply for an order after the child has lived with them for one year or given leave of the court to apply for SGO.  Or there can be benign reasons, e.g. after parent death and in line with a prior agreement with the birth parents and the carer. | | Cared for children; the LA may decide that the child should be placed for adoption.  They can only do so with the consent of the birth parent or by making an application fora placement order made by a court.  A foster carer can apply for an adoption order after one year of caring for the child.  Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years or with leave of the court. |
| **Family time** | Private arrangement with birth parent or person with PR | Private arrangement with birth parents or person with PR | As set out in the care plan with details of frequency and supervision clarified.  We have a duty to promote time with the child’s family. | | Private agreement Or as defined by the court or discretion of the person with PR. | Agreed as part of SGO or at discretion of the SG with PR.  May be subject to a Section 8 Contact Order | As agreed as part of the adoption order.  Legally at the discretion of the adopter. |

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| **Parental Responsibility** | Remains with birth parents | Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child’s welfare and has delegated responsibility unless alternative legal orders are in place e.g. Special Guardianship, Adoption or Child Arrangement Orders. | Remains with birth parents if the child is accommodated under Section 20 CA, or if the child is subject to a care order or emergency protection order, the local authority shares parental responsibility and determines the extent to which it make to delegated to others. | | Shared by parents and holder of Child Arrangements Order. | PR shared with parents and anyone else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusions of all others with PR, apart from another special guardian. Limitations include taking child out of the country or changing the child’s name. | Transfer to adopters and legal relationship with birth parents and siblings is severed. |
| **Approved Basis** | The arrangement is assessed by LA, but the carer is not ‘approved’ as a local authority foster carer. The arrangement maybe prohibited if assessed by the local authority as unsuitable. | None | Approved as local authority foster carers in accordance with Fostering Services Regulations. (If the child is cared for, carers must be approved as foster carers even if close relative). This includes temporary approval if the child needs to be placed in an immediate or urgent circumstance | | Appointed by court following application | Appointed by court following application from the applicant.LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian. | Adoption agency assesses and approves prospective adopters, court makes placement order regarding specific child following ADM approval If a child is not cared for, the notice of intention to adopt must be given to the LA who then carry out an assessment |
| **Duration** | Subject to discretion  of person with PR and  readiness of private foster  carer | Subject to discretion of  person with PR | So long as placement remains in line with the child’s  care plan as determined by LA or the making of an  alternative order (unless Section 20 when parents have the right to move the child from care). | | Age 18 | Age 18 unless varied or discharged by the court before the child reaches 18 years | Permanent lifelong relationship which severs any legal ties with the birth parents and family |

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| **Placement supervision** | It is not a placement, but there are statutory visits to the child by social worker (minimum 6 weekly in first year then 12 weekly | None | Statutory visits to the child by social worker and supervision of foster carers by supervising social worker. | | None | None | When a child is placed for adoption by the LA, the placement is supervised and there are statutory reviews.  Once the adoption order is made, none  Post adoption support will be provided if necessary but after 3 years will become the responsibility of the place of residence which may not be the LA who placed the child. |
| **Support services** | Provision of advice and support as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan, and provide services/support for child/family under Section 17 Children Act 1989 | No entitlement but the LA may assess the child as a child in need, with a child in need plan, and provide services/support for child/family under Section 17 Children Act 1989. | Support to meet the child’s needs including health plan and personal education plan (PEP);  Training and practical support to foster carers in accordance with the Fostering Services Regulations. National Minimum Standards and Children’s Workforce Development Council standards.  Young persons may be entitled to leaving care support services,  Statutory social work.  Placement support to meet the child’s identified need. | | No entitlement (But LA has discretion to provide services/support for child/family under Section 17 Children Act 1989) | If child was cared for after prior to making the SGO. LA must assess for need with special guardianship support service.  Young person may be entitled to leaving care support services if was a cared for child prior to making of the SGO. | Entitlement to assessment for adoption support services, which may be provided at discretion of LA in accordance with Regulations and National Minimum Standards.  Three-year rule applies where for first three years, it is the placing authority who is applicable and after first three years it is the local authority in which the child resides. |
| **Review of placement** | It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits. | None | Statutory reviews of the child’s care plan (minimum 6 monthly) and annual reviews of local authority foster carers’ approval. | | None | None | See above |

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| **Financial support - entitlement** | Can claim child benefit and any other universally available benefits for children if not being paid to the parent.  Financial responsibility to maintain the child remains with holders of PR | Can claim child benefit and any other universally available benefits for children if not being paid to the parent.  Financial responsibility to maintain the child remains with holders of PR.  Guardian’s Allowance payable if both parents have died, or the only surviving parent cannot be found or serving 2 years or more prison sentence | Child benefit or other universally available for children is not payable.  Weekly allowance to meet the costs of caring for the child. This should meet at least the national minimum rate set by the Department for Education. | | Can claim child benefit and any other universally available benefits for children if not being paid to the parent. | Can claim child benefit and any other universally available benefits for children if not being paid to the parent.  Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child cared for prior to order and meets the criteria in the regulations. | Can claim child benefit and any other universally available benefits for children if not being paid to the parent.  Entitlement to assessment for financial support (part of adoption support) if child cared for after prior to order.  Some children will be eligible for an adoption allowance which is means tested and subject to approval by the ADM. Any allowances are reviewed after a 2-year period |
| **Financial support - discretionary** | LA discretion to make one off or regular payments under Section 17 Children Act 1989 | LA discretion to make one off or regular payments under Section 17 Children Act 1989 | Fees are payable under the payment for skills model. | | LA has discretion to pay child arrangements order allowance – usually if child was previously  fostered by the carers, or exceptionally if making Child Arrangements Order prevents child becoming cared for.  Any allowance reviewed annually at a minimum | Subject to assessment as above and for former foster carers can include an element of remuneration, Discretionary regular or one off payments.  Any allowances reviewed annually at a minimum.  The LA has discretion to conduct an assessment where the child was not looked after prior to the order. | Subject to assessment, one off payments or regular adoption allowance may be paid. |