

## Jim Wade

### *Special Guardianship in Practice*

Jim Wade is a Senior Research Fellow in the Children and Young People's Social Work Team at the Social Policy Research Unit, University of York. He has a background in youth and community work, and social work with teenagers. Since entering research in 1990 he has published on a broad range of child welfare issues including leaving care, young runaways from home or care, and unaccompanied asylum-seeking children.

Jim was speaking to Caroline Thomas, Academic Adviser to the ARi about *Special Guardianship in Practice* (part of Study 1) which provided a critical assessment of the early implementation of Special Guardianship in eight local authorities.

The report of *Special Guardianship in Practice* is written by Jim Wade, Jo Dixon and Andrew Richards. It has been published by BAAF.

Caroline: OK, Jim. What for you was the most rewarding aspect of this particular research project?

**Jim:** I think for me the most rewarding aspect was to see how well special guardians and children were getting along. Although it was still relatively early days for many of them, it was encouraging to see how well they were coping sometimes in quite adverse circumstances. There were troubles along the way. But also the degree to which there was a demonstrable kind of high level of commitment to the children in their care and the desire to provide a permanent family for them. These were very encouraging aspects for me.

I mean, most of the carers that were involved in our study were relatives, mainly grandparents who were resuming care often for very young children. And we know from the wider research on kinship care that the kind of commitment that relatives show towards children within the extended family and the sense of family obligation is often a key driver for resuming a caring role. These aspects can often provide – can overcome adversities in order to help placements to endure and so we would hope in the longer run that this would play out as well within special guardianship settings.

Caroline: And what about the most challenging aspect of the study?

**Jim:** Well, the most challenging was actually being able to do it. I think that the kind of research we do is becoming rather harder. We're in an environment now where kind of ethical – quite rightly really – the kinds of ethical and data protection considerations make it much more difficult for us to have direct contact with people that we're trying to obtain information from. And so it's much harder for us to encourage their participation and it takes longer. But I think in relation to special guardianship, there's also another dimension to this which is that one of the key purposes of special guardianship is to provide a normalised family life for children.

And it was clear within our study that many guardians wanted to make their own way and were pleased to be free of the kind of constraints that are inevitably imposed by local authorities when children are looked after. So there may have been a sense in which they wanted to be free of us too and were more reluctant to participate and to re-live past moments in their lives that were probably quite difficult.

Caroline: What would you consider to be the most powerful finding from this study?

**Jim:** It's important to say that our study was a descriptive and exploratory account of how special guardianship was being implemented.

Caroline: In its early days as well.

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**Jim:** And very much in its early days. That kind of work doesn't lend itself to a kind of single powerful message. I think what I would say is that although special guardianship was meeting many of the objectives that have been set for it, the take up of special guardianship at that time was probably not in line with those expectations. The take up from unrelated foster carers caring for older children was quite low. The vast majority of carers at that point were relatives, mainly grandparents, and often caring for very young children. As a consequence, decisions were often being taken that were quite long term permanence decisions for children who were young, quite vulnerable and obviously from troubled family backgrounds. And most of these cases were arising in the public law arena, either as a kind of means of returning children to the family from care or preventing them going into the looked after system. This was a key motivation for many of the guardians who took part.

And I think these questions – these raise a number of questions from this study. Questions about the potential stability of placements as both guardians and children age. About whether the current procedures for obtaining an SGO are sufficiently robust to ultimately safeguard children in the longer term. And also about the resources that may be required to support special guardianship families, many of whom have experienced difficulties in their lives and may need services for a longer period of time.

**Caroline:** Indeed. If you had to choose one key general message from the research, what would that be?

**Jim:** I think there's evidence that from our study that special guardianship can provide a good solution for some children who need permanence within the family and where adoption is not the most appropriate plan for them. But it shouldn't necessarily be viewed as a cheap option or a cheaper option. Although special guardians frequently emphasise to us the importance of self reliance, of wanting to do their own thing, go their own way, there was considerable evidence of the kind of ongoing needs for support and practical financial assistance and other forms of support. For example, virtually all the special guardians in our study were receiving a regular financial allowance. Around one third of the children were or had been accessing therapeutic services to help them overcome difficulties that stemmed from past damaging experiences in their lives. And getting on for two thirds of special guardians had needed help to manage contact with birth family members, sometimes in circumstances where these relationships were quite fraught. I think that the level of services that were evident were quite a surprise to the local authorities themselves. I don't think they'd anticipated that. And I think the message would be that it's how local authorities respond to those particular challenges that are likely to determine whether special guardianship is going to be a successful order or not in the longer run.

Caroline: We're wanting messages for particular groups of professionals as well. We're wanting you to highlight those. So can you think of a key message, a main message for those working in the family justice system?

**Jim:** I think one message arising, not just from this study but from a number of others, is about the importance for courts in avoiding undue delay when making decisions about special guardianship or adoption or long-term fostering. We know that timely decision making about permanence helps children to achieve it and we also know that undue delays tends to inhibit the possibilities of children finding stability. That's one important message I think. The other would be that when deciding between different permanence pathways, the case law that has been slowly developing around special guardianship has been quite helpful.

For example, judgements have tended to emphasise that there shouldn't be a presumption for special guardianship over adoption in circumstances where children are likely to be living within the family. That each case should turn on its merits. And I think it's right that that should be so. The kind of study would suggest that decisions for special guardianship or for adoption or for any other solution for children should turn on the individual needs of the child and the particular circumstances that they're in at the time and there shouldn't be any presumption either way.

Caroline: And what about children and family social workers? Is there one kind of main message that you could focus on?

**Jim:** Several short ones, if you'll allow me.

Caroline: OK.

**Jim:** I think the messages are about the importance of providing good information and clear pathways for applicants. That wasn't always the case in our study. People need to know who's going to take responsibility, what's likely to happen and what's likely to be available to them. So making those things clear. The second would be to undertake good and timely assessments and to have quality assurance procedures that are likely to help to safeguard children. The third I think would be around the importance of flexible post-order support and to develop support plans that can be regularly reviewed in the light of changing circumstances within families and to keep the door open. I mean, some guardians wanted to go their own way but it's important that where crises do arise in the future, that people find it easy to come back to receive help and are not put off.

Caroline: We'll stop at three.

**Jim:** We could keep going.

Caroline: Can we find a single message for commissioners of children's services?

**Jim:** Tricky. I think the need for consistency. What we've found in our research was that there was big variations between local authorities in their use of special guardianship but also in their willingness to invest in the infrastructure that's required to support it. So that made a deep imprint on the services that were available and to who they were available and for how long. In other words, what you got depended on where you lived and, really, that shouldn't be the case and I think that the pattern of uneven development that has continued around special guardianship is one that needs to be picked up by managers responsible for commissioning services in order to create more consistency.

Caroline: And are there particularly important messages for children and families from the study?

**Jim:** I think it's important for guardians to hear, that taking things in the round, most special guardians in this study felt that special guardianship was meeting their expectations, that it was working out, it was providing the kind of legal security that they hoped it would for children. I think it's important for guardians and children to know that most of the children in this study were doing relatively well. They had built quite strong attachments and close bonds with those who were caring for them and, overall, the findings were quite encouraging, given the caveat that this is still quite an early, you know, stage in their overall journey together.

And the other message is to draw on the advice of legal and advocacy professionals when you think you're not getting a good deal, because some of the special guardians in our study had done that and they were able to broker better packages for them than would otherwise have been the case.

Caroline: And finally, in your view, what are the outstanding issues for further research into special guardianship?

**Jim:** Well, you would expect me as a researcher to say there are many. But I think special guardianship has been a major initiative to bring about permanence for groups of children who wouldn't otherwise perhaps realise it. As yet, we don't really know how successful it's working for these children. We also know the children who are becoming subject to special guardianship are rather different to those who would have been first envisaged. We really, really need to understand much more about the longer term outcomes for those children and about how those outcomes compare to children in adoptive and long term foster families.

Caroline: OK. Thank you very much.