

Information leaflet

Accessing financial support

Once a Special Guardianship Order (SGO) is granted you have the same right to benefits and tax credits as a birth parent. It's your income that will be used for means-tested benefits and grants until your child turns 18 years-old.

You're also entitled to apply for help specifically for special guardians and might be able to receive help with childcare, education-related needs and therapy if your child needs it.

Financial help from Children's Services

All special guardians are entitled to apply for the means-tested Special Guardianship Allowance but not all who apply will receive it. It includes one-off costs as well as regular on-going support. The allowance is set in line with your local authority's foster payments and takes into account child benefit and child tax credit. The allowance is reviewed annually, can be reduced or stopped and is sometimes only issued for a specified period of time.

The allowance is part of a framework of additional support local authorities should provide for special guardians. Your local authority must tell you about the support available and provide you details about how you can ask for an assessment.

As well as the allowance the other services you can ask for help with include:

- Support with contact arrangements. They might be able to provide support around supervision or cover travel or activity costs.
- Mediation services. Mediation can be used to resolve difficulties which can arise during contact or where you and the child's parents disagree about important decisions.
- Support to build your relationship with your child. This can include training such as specialist parenting programmes or respite care.
- Therapeutic services for the child. This can cover counselling or therapy to help with challenging behaviour.

All special guardians are entitled to ask for an assessment of their support needs but this does not mean you will have one or that support will be provided. If your child was 'looked after' before you were granted the SGO then an assessment must be carried out. However if your child wasn't 'looked after' immediately before the SGO was granted the local authority does not have to carry out an assessment. The child's parents, a special guardian, the child, a relative of the child or other person with a relationship with the child can request the assessment.

If the local authority refuses to assess you, or if they do assess you but decide not to provide support, they must tell you why and give you 28 days to respond. If turned down again you are entitled to make a complaint.

If you're given support you'll receive a draft plan which you can comment on within 28 days. After 28 days your plan will be finalised and you will be given confirmation of what support you will receive and the name of the person within Children's Services who is overseeing your plan.

If you feel that your child needs to be assessed as they require extra help with their development you can ask for them to be assessed under section 17 of the Children Act 1989 as a 'child in need'.

Information on benefits for special guardians

Special guardians are entitled to the same benefits as birth parents. You're entitled to claim child tax credit and child benefit though the amount you get is dependant upon your income.

It's important to note that benefits will be changing as Universal Credit will replace other benefits in 2018.

There are a few points you should consider if you are claiming benefits:

- If you apply for child benefit make sure no-one else already has an additional claim open. You will have priority but may need to prove that the child now lives with you.
- If you receive Special Guardianship Allowance this will not be counted as income when working out means-tested benefits.
- If you work and have childcare costs you might be entitled to make a claim for Working Tax Credit towards these costs.
- If you were a foster carer before being granted the SGO and were receiving income support you will need to update your details as you will no longer be seen as 'employed' as a foster carer.
- You should check if your benefits allowance now reaches the benefits cap. There are exemptions such as families with a disabled child.
- Pension claimants who are special guardians are exempt from the 'bedroom tax' and benefit cap as they're not in work and can claim for child benefit and child tax credit.
- If your child has been receiving Disability Living Allowance (DLA) you may need to start managing this.

You may be entitled to Guardian's Allowance, which is different to Special Guardianship Allowance. You might qualify for this if your child is in your care because one or both parents died. It won't affect your pension credit or any means-tested benefits you're claiming.

As mentioned some benefits are being replaced by Universal Credit in 2018. Universal credit is currently being piloted in trial areas but the number of people claiming it will rise sharply in the autumn when it is due to be rolled out to 50 new areas. By late 2018 all new claims will be for Universal Credit. The benefits that it will replace are:

- housing Benefit

- income-related Employment and Support Allowance (ESA)
- income-based Jobseeker's Allowance (JSA)
- Child Tax Credit
- Working Tax Credit
- Income Support

Your local Citizens Advice will be able to provide a full benefits check.

Other financial support

You or your child might be entitled to other financial support to help with things such as childcare and extra support in schools.

Childcare

All three and four year-olds, and some two year-olds are entitled to 15 hours a week of free early education or childcare during term-time. This works out as 570 hours a year for 38 weeks.

Some parents of three or four year-olds will be eligible to 30 hours of free childcare a week during term time, or 1,140 hours a year. The scheme started nationally in September. To receive this allowance both parents must be working, or the sole parent working in a lone-parent family, and each parent earning at least the equivalent of 16 hours a week at the national minimum or living wage. Either parent must not earn more than £100,000 a year.

Parents can also apply for tax-free childcare if their child is under 12 or under 17 if the child has a disability. You'll need to be employed and earn at least £120 a week and less than £100,000 a year, or receive certain disability-related benefits.

Pupil premium and pupil premium plus

In order to overcome the impact of their early experiences children who are in or have left care including those now with an SGO, are entitled to pupil premium plus which is designed to help bridge the attainment gap.

The school receives the payment directly and can choose how the money is spent. You must tell the school that a SGO is in place in order to receive it.

If your child was not 'looked after' but is entitled to free school meals, they can claim pupil premium. This is aimed at closing the gap between children on lower incomes and their peers.

Help for children with special needs

Benefits available to children with a disability include disability living allowance, carer's allowance, flexible short breaks and direct payments provided as part of an Education, Health and Care (EHC) Plan.

You also have the right to ask for an assessment of your support needs as a special guardian.

Adoption Support Fund

The Adoption Support Fund was set up to help pay for essential therapy services for adoptive families and has since been extended to special guardian families where the child was previously 'looked after'.

The fund is available to children and young people up to and including the age of 18 (or 25 if the young person has an Education, Health and Care plan (EHC)).

Financial help for further and higher education

If your young person goes into further and higher education they may qualify for financial help from college-run bursary schemes for 16-18/19-year-olds, although they don't have a right to it. They will be assessed against your income and not the birth parent's income.

Your young person might be able to apply for a grant towards their university fees. If your young person was 'looked after' before the SGO was made, and is under 25 years-old, they may receive financial support towards fees and accommodation from Children's Services. If aged between 16 and 21 years-old, they should be able to receive advice and assistance from their local authority as they move into independent living. The Children's Service which last looked after them is responsible.

Young people can also be assessed against their own means as an independent student when applying for higher education. To qualify they need to show that their relationship with their parents has broken down permanently. Cases are judged individually by the education authorities.

Key points

- All special guardians are entitled to apply for the means-tested Special Guardianship Allowance but not all who apply will successfully receive it.
- Special guardians are entitled to the same benefits as birth parents.
- Benefits will be changing in 2018 as Universal Credit will replace other benefits.
- Your local Citizens Advice will be able to provide a full benefit check.
- You or your child might be entitled to other financial support to help with things such as childcare and extra support in schools.
- If your child goes into further and higher education they may qualify for financial help from college-run bursary schemes for 16-18/19-year-olds.

Useful links

Citizens Advice Bureau

www.citizensadvice.org.uk

Helpline: 03454 04 05 06

Citizens advice provides free, confidential and impartial advice on a range of subjects. Their service is free and available to everyone.



Coram Children's Legal Centre
www.childrenslegalcentre.com
Helpline 0300 330 5480

Coram Children's Legal Centre (CCLC) specialises in law and policy affecting children and young people. Lawyers and professionals, with experience in child law give free legal information, advice and representation to children, young people, their families, carers and professionals.

Educational Trusts Forum

educational-grants.org/find-charity

A community of organisations which provide grants to help vulnerable children. Their website includes a search function to find educational grants that meet your needs.

Family Rights Group (FRG)

www.frg.org.uk

Helpline: 0808 801 0366

FRG work with parents in England and Wales whose children are in need, at risk or are in the care system and with members of the wider family who are raising children. FRG can provide legal advice where a child was previously 'looked after'.

Grandparents Plus

www.grandparentsplus.org.uk

Helpline: 0300 123 7015

Grandparents Plus runs an advice line for kinship carers. They also offer family events and training for kinship families.

Family Action Head Office 24 Angel Gate, City Road, London, EC1V 2PT

T: 020 7254 6251 F: 020 7249 5443 info@family-action.org.uk www.family-action.org.uk

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