

THE SCHEDULE

Regulation 2

Reports — matters prescribed for the purposes of section 14A(8)(b) of the Act

1. The following matters are prescribed for the purposes of section 14A(8)(b) of the Act.
2. In respect of a child in respect of whom a special guardianship order is sought or a child in respect of whom the court has required a report (referred to in this Schedule as “the child”)—
 - (a) name, sex, date and place of birth and home address;
 - (b) nationality and immigration status;
 - (c) physical description;
 - (d) developmental needs, to include physical, educational and emotional needs and a report on the child’s health;
 - (e) religious persuasion, racial origin and cultural and linguistic background;
 - (f) details of any court proceedings relating to parental responsibility or maintenance for the child or relating to the child’s residence;
 - (g) the extent of the child’s contact with members of his or her family;
 - (h) any placement with foster parents or any other care arrangements relating to the child;
 - (i) education, to include any special educational needs; and
 - (j) the child’s wishes and feelings about special guardianship.
3. In respect of the family of the child—
 - (a) name, date, place of birth and home address of the child’s parents, siblings and any other person the local authority considers to be relevant;
 - (b) nationality and immigration status of the child’s parents;
 - (c) if the child’s parent is a member of a couple, an assessment of the stability of that relationship and, if the parent is married or has entered into a civil partnership, the date and place of marriage or civil partnership;
 - (d) whether the child’s father has parental responsibility for the child;
 - (e) whether either parent is considered by the local authority to be likely to apply for an order under the Act in respect of the child;
 - (f) physical description of the parents, siblings and any other person the local authority considers to be relevant;
 - (g) religious persuasion, racial origin and cultural and linguistic background of the parents;
 - (h) the occupations, past and present, and educational attainment of the parents;
 - (i) the care arrangements in respect of any of the child’s siblings who have not attained the age of 18 years;
 - (j) the views of the parents in relation to the application for a special guardianship order in respect of the child; and
 - (k) the reason why any of the information prescribed above in this paragraph is not available.
4. In respect of the prospective special guardian or, where two or more persons are jointly prospective special guardians, each of them—
 - (a) name, date and place of birth and home address;
 - (b) nationality and immigration status;
 - (c) relationship to the child;

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- (d) a physical description;
 - (e) if the prospective special guardian is a member of a couple, an assessment of the stability of that relationship and, if the prospective special guardian is married or has entered into a civil partnership, the date and place of marriage or civil partnership;
 - (f) religious persuasion, racial origin and cultural and linguistic background of the prospective special guardian and willingness of the prospective special guardian to follow the wishes of the child or of the child's parent in relation to the religious or cultural upbringing of the child;
 - (g) occupations, past and present, and educational attainment;
 - (h) a report on the health of the prospective special guardian;
 - (i) particulars of the prospective special guardian's home, to include details of income, comments on the living standards of the household and any wider family and environmental factors which may impact on the parenting capacity of the prospective special guardian;
 - (j) previous experience of caring for children;
 - (k) any past assessment as a prospective adopter, foster parent or special guardian;
 - (l) reasons for applying for a special guardianship order;
 - (m) parenting capacity, to include an assessment of the prospective special guardian's ability to bring the child up throughout the child's childhood;
 - (n) details of three personal referees, no more than one of whom is a relative of the prospective special guardian, with a report of the referees' views in respect of the prospective special guardian; and
 - (o) details of the proposed living arrangements for the child, if these are intended to change after a special guardianship order is made.
5. In respect of the local authority which compiled the report—
- (a) name and address;
 - (b) details as to whether any of the information referred to in paragraphs 2 to 4 was initially obtained by the local authority otherwise than for the purposes of preparing the report and, if so, the purpose for which, and the date upon which, it was obtained;
 - (c) details of steps taken to verify the identity of the prospective special guardian;
 - (d) details of any past involvement of the local authority with the prospective special guardian, including any past preparation for that person to be a foster parent or adoptive parent;
 - (e) details of any assessment which the local authority has undertaken in respect of special guardianship support services for the prospective special guardian, the child or the child's parent;
 - (f) where section 14A(7)(a) of the Act applies and the prospective special guardian lives in the area of another local authority, details of the local authority's enquiries of that other local authority about the prospective special guardian; and
 - (g) details of the local authority's opinions as to whether the prospective special guardian would or would not be a suitable special guardian for the child.
6. In respect of the conclusions reached in the report—
- (a) a summary prepared by the medical professional who provided the information referred to in paragraphs 2(d) and 4(h) above on the health of the child and of the prospective special guardian;
 - (b) details of the opinion of the person making the report on—

- (i) the implications of the making of a special guardianship order for the child;
 - (ii) how any special health needs of the child may be met;
 - (iii) whether the making of a special guardianship order would be in the best long-term interests of the child;
 - (iv) how any emotional, behavioural and educational needs of the child may be met;
 - (v) the effect on the child's parents of the making of a special guardianship order; and
 - (vi) if appropriate, the merits of the making of a placement order or an adoption order under the Adoption and Children Act 2002⁽¹⁾ or a residence order under section 8 of the Act in respect of the child; and
- (c) details of the conclusions and recommendations of the person making the report on the issue of whether a special guardianship order should be made in respect of the child.

⁽¹⁾ 2002 c. 38.