

Special Guardianship

A person becomes a special guardian for a child when a court makes a special guardianship order (SGO). This gives them parental responsibility for the child and allows them to make all the day-to-day decisions in caring for the child or young person and for taking any other decisions about their upbringing, for example their education. A special guardian may exercise parental responsibility to the exclusion of others with parental responsibility, such as the birth parents, and without needing to consult them in all but a few circumstances.

Unlike adoption, under a SGO the parents remain the child's parents and retain parental responsibility, though their ability to exercise their parental responsibility is extremely limited.

Special Guardians are entitled to take parental leave and have a right to ask for flexible working in the same way as other parents. (Adoption leave is not available to Special Guardians).

(HR Policy Team, January 2008)