

Kinship / Viability Assessments

During care proceedings, parents are encouraged to put forward alternative carers for assessment in the event the court decides the child(ren) cannot remain in the care of the parents long term. The alternative carers put forward can be either family or friends.

The local authority will undertake Viability Assessments of those individuals put forward. These assessments will explore the individuals history, understanding of the child's needs and their ability to provide adequate care for the child.

Those being assessed to care for a child do not usually require legal advice until the outcome of the assessment is known.

Should the assessment conclude with a negative outcome, the local authority will not recommend further assessment. It is possible to challenge a negative assessment, however this requires exploration and legal advice. You will need to provide a copy of the assessment to a solicitor who will then advise on whether there are merits in challenging the assessment and the process that you would need to follow in order to do so.

If the assessment has a positive conclusion, it is likely the local authority will recommend and commence undertaking a Special Guardianship Assessment. We refer you to our fact sheet regarding Special Guardianship Orders for more information.

Disclaimer: The material contained in this fact sheet is for general guidance only. It is specific to the law of England and Wales, and represents a brief outline of the law current as at the date of the fact sheet. It is not intended to constitute, or to be a substitute for, legal advice specific to your case. Information up to date as at 13 May 2019.

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