



For family or friends who
step up to raise a child.

Employment Rights Bill

Written submission to Bill Committee, November 2024

Summary

- Although the current Employment Rights Bill could help improve workplace experiences for kinship carers, proposed legislation does not include the new right to paid employment leave they need and deserve.
- **More than 8 in 10 kinship carers tell us they are forced to leave work permanently or reduce their hours** after taking on the care of a relative or friend's child. A lack of workplace rights and support is pushing kinship families into poverty and the benefits system, and exacerbating labour market challenges in health, social care and education.
- We want to see the introduction of **a statutory right to paid kinship care leave**, at least on a par with adoption leave and pay. As a minimum step, the Bill should include **kinship care leave within the terms of reference for the forthcoming review of parental leave**.
- In the meantime, our **Kinship Friendly Employers** scheme is working with pioneering employers including Tesco, John Lewis and B&Q who have introduced their own paid leave policies for kinship carers, but employers say they need the Government to do more too.
- We would be happy to give oral evidence to the Bill Committee during their considerations.

Background

Currently, kinship carers do not have any specific entitlements at work. Depending on the type of kinship arrangement they have and whether or not this confers parental responsibility, they may be able to utilise other limited entitlements available to support parents and those with caring responsibilities, such as unpaid parental leave, Time Off for Dependents, or flexible working.

When they take on the care of a child, adoptive parents quite rightly have an entitlement to adoption pay and leave, similar to maternity leave, which . No similar right is available to kinship carers who step up to care for a relative or friend's child, often in an emergency and with no other financial or practical support. This issue was raised by MPs during Second Reading of the Bill.

Current status

There are no plans to introduce statutory paid employment leave for kinship carers.

In May 2022, the [Independent Review of Children's Social Care](#) recommended that paid leave on a par with adoption leave should be introduced for special guardians and kinship carers with a child arrangements order where the child would otherwise be in care. A similar recommendation was also made by the [House of Lords Children and Families Act 2014 Committee](#).

In response, the previous Government's [Stable Homes, Built on Love](#) strategy published in February 2023 committed to "*explore additional workplace entitlements*" for kinship carers and provide an update in the National Kinship Care Strategy. However, no further commitments were made in this Strategy, published in December 2023. Instead, the Department for Education [published information for employers](#) which sets out best practice for supporting kinship carers at work, including how to adapt internal HR policies and improve cultures of support.

The case for kinship care leave

Kinship has led the campaign for a right to paid employment leave for kinship carers for more than a decade. Last year, our [Forced Out report](#) revealed the devastating consequences which a lack of employment support is having for kinship families and for the state:

- **More than 4 in 10 kinship carers (41%) told us they had to leave work permanently and a further 45% were forced to reduce their working hours after they became a kinship carer.**
- More than one-third of kinship carers experienced an income drop of more than 50% after they stepped up to take on the care of a child.
- 28% of kinship carers had to claim benefits due to changes in their employment status after they took on their caring role.
- More than half of kinship carers said a right to paid leave on a par with adoption leave and pay would have prevented them from leaving work or changing their employment status.

[Read our Forced Out report](#)

The result of this forced and unnecessary withdrawal from employment is often **significant financial hardship and poverty for kinship families**, poor health and wellbeing for kinship carers, and reduced stability for children. It is vital for children entering kinship care to have a period of protected time with their new caregivers to settle in after immense trauma, separation and loss.

A lack of paid leave is also splitting up siblings: in our most recent [2024 annual survey of kinship carers](#), 17% of kinship carers said they had been unable to take on the care of a brother or sister to a kinship child already in their care, and more than half of this group said that a lack of paid employment leave and/or workplace support contributed to this.

Finally, it also has significant consequences for the state. An absence of support **pushes many kinship carers into the benefits system:** this year, our [Make or Break report](#) found that nearly half of working-age kinship carers (46%) were receiving Universal Credit. Prior to taking on the care of a child, kinship carers are also overrepresented in the health, education and social care sectors. As such, their withdrawal from the labour market is likely to be **exacerbating significant workforce challenges in our schools, hospitals and communities.**

"I had to take unpaid leave from my job, then take a career break, I had a job which I had to give up and then had to go to job centre to get benefits to support my family. If I had maternity or adoption pay, I wouldn't have had to do that. It's really important that the Government's plans to support working families introduces statutory paid leave for kinship carers like me."

Meyrem, aunt and kinship carer

What we want to see

Kinship's [#ValueOurLove campaign](#) is pushing for the Government to introduce a statutory right to paid kinship care leave, at least on a par with adoption leave and pay. This would align with the Government's existing action to ensure those with parental and caring responsibilities are able to remain in and return to work where they want to (e.g. through the [Get Britain Working white paper](#)), and contribute to its missions to grow the economy, raise living standards across the country and create opportunities for all.

The Government has also outlined plans in [Next Steps to Make Work Pay](#) to deliver a review of the parental and carers leave systems. At minimum, the terms of reference for the review of parental leave must include an assessment of the value of introducing paid leave for kinship carers. A [recent written question](#) submitted by Munira Wilson MP and answered by the Minister for Employment Rights, Competition and Markets, Justin Madders MP, suggests this could be in scope of the review.

Kinship Friendly Employers

Our Kinship Friendly Employers scheme provides a free framework and toolkit to help any employer – from any sector and of any size – to introduce policies which retain their staff and support kinship carers in their workforce to maintain their income, job security and career prospects whilst stepping up to take on caring responsibilities for children they love.



To date, we've worked with leading employers such as Tesco, John Lewis, cardfactory, B&Q, Lloyds Banking Group, Correla and many others to introduce their own paid leave policies for kinship carers. However, employers of all sizes tell us that the lack of statutory underpinning for kinship carers in the workplace means they often cannot go as far as they would like to.

[Learn about Kinship Friendly Employers](#)

Consideration of the Bill during Committee stage

The Committee stage of the Employment Rights Bill provides an opportunity for MPs to highlight the absence of a right to paid employment leave for kinship carers within the Bill and make the case for kinship care leave ahead of future legislative stages and the review of parental leave, and for Bill Committee members to move amendments which would improve employment rights for kinship carers. We are eager to work with members to explore doing so – please do [get in touch](#).

"Kinship carers are not recognised within the workplace in the same way as maternity or adoption, employers fail to recognise the impact on individuals and families who take on the role of kinship carer and how time is needed to make relevant adjustments... Kinship care is undervalued in all aspects of society from employment to Local Authority support. As family members we are just expected to be grateful to give up our hopes and dreams for our future and live in poverty to raise the children of our relatives."

Kinship carer and special guardian

About kinship care

Kinship care is when a child lives full-time or most of the time with a relative or family friend, usually because their parents are not able to care for them. There are more than 130,000 children in kinship care in England – that's three times the number in mainstream foster care. Grandparents are most commonly kinship carers, but they can also be older siblings, aunts, uncles, cousins and family friends.

[Learn more about kinship care](#)

Further information

Please visit the [kinship care leave](#) section of our [kinship care policy tracker](#) and read our [Forced Out report](#) for more information on what's happening now, our verdict and what should happen next for kinship care leave.

Please download our [information pack for MPs](#) for everything you need to know about how to support kinship families in your constituency and in Parliament. You can also visit our [kinship care constituency map](#) to learn more about the kinship families in your constituency.

[Learn about our policy and influencing work](#)

#ValueOurLove

Every child needs love. That is why when parents can't look after a child, it's often best if they can be brought up by a grandparent, uncle, aunt, sibling or a family friend. Someone they know, who can provide the love and stability children need, rather than grow up in the care system. This is kinship care.



Kinship's #ValueOurLove campaign is calling on the UK Government to:

- Equalise allowances between foster and kinship families.
- Equalise access to training and support between kinship carers and foster carers.
- Equalise leave between adoptive and kinship families.
- Equalise support between children in kinship care and those in care.

About Kinship

We are Kinship. The leading kinship care charity in England and Wales. We're here for kinship carers – friends or family who step up to raise a child when their parents aren't able to. Together, let's commit to change for kinship families.

[Discover our support for kinship families in your constituency](#)

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