



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

Kinship

Submission to the Education Committee's
children's social care inquiry call for evidence

December 2024

Introduction

Kinship carers are family or friends who step up, often during an unexpected crisis, to care for a child when their parents aren't able to. This may be because the parent has died, is unwell, has gone to prison, is experiencing problems with drugs and alcohol, or are neglectful or abusive. Kinship carers are usually grandparents, aunts or uncles, brothers or sisters, a stepparent, stepbrother or stepsister, or someone who isn't related but knows the child well. Whatever their relationship to the child, in that moment a commitment is made. To bring love and hope to a child who has experienced trauma, no matter what.

It is estimated there are more than 141,000 children living in kinship care in England and Wales – three times the number in unrelated foster care.¹

Some kinship carers will have a legal order securing the family arrangement which provides them with parental responsibility, such as a special guardianship order or child arrangements order made following care proceedings or secured privately through the family court. Others will be kinship foster carers where the child is 'looked after' and has been placed with them by the local authority. However, the majority of kinship families are likely to have only informal arrangements in place made privately within the family.²

The written evidence submission below provides an update to our previous submission to the former Committee's inquiry (CSC0025, published 6 February 2024) and so should be read and considered alongside this. Below we focus on new evidence, published data, and further actions taken by the government and others since January 2024, summarising our assessment of progress and our recommendations across a range of kinship care policy areas.

For more information on the current status, our verdict and what we think should happen next, please visit our regularly-updated kinship care policy tracker: kinship.org.uk/kinship-care-policy-tracker.

¹ Office for National Statistics (ONS) (2023) [Kinship care in England and Wales: Census 2021](https://kinship.org.uk/news/new-census-2021-analysis-of-kinship-households-published/) Released 26 September 2023, ONS website, article. For more information on the Census figures and what they can and can't tell us, visit: <https://kinship.org.uk/news/new-census-2021-analysis-of-kinship-households-published/>

² More information on the different types of kinship care can be found on our website at: <https://kinship.org.uk/what-is-kinship-care/>

Summary

- The new government has acted to maintain the momentum for kinship care reform following the publication of the first ever National Kinship Care Strategy by the previous government in December 2023. Actions taken by the government since our previous written submission include outlining plans in the Autumn Budget to invest £40 million to trial a kinship allowance in up to 10 local authorities, publishing its *Keeping children safe, helping families thrive* policy paper in November 2024 which reinforces kinship care as a priority and commits to legislating to put the recent Virtual School Heads extension on a statutory footing, and supporting improved local authority practice through updated statutory guidance on kinship care and the appointment of a National Kinship Care Ambassador.
- However, the government must go further and faster to ensure all kinship families get the financial, practical and emotional support they need and deserve. This will necessitate significant further investment and plans for legislation as part of the forthcoming multi-year spending review. It makes sense to invest in kinship care: it delivers good outcomes for children across education, health and employment by maintaining family links, and delivers significant savings for the public purse at a time of critical challenge for local authority finances. In the long term, the government has an opportunity to build a new kinship care system which recognises the unique needs, strengths and experiences of kinship families.
- A priority next step must include accelerating the kinship allowance trial to roll out financial support to kinship carers across England in order to end the perverse incentive which pushes children unnecessarily into the foster care system as the only way to access guaranteed support. The government must also introduce a right to statutory pay and leave for kinship carers at least on a par with that for adoptive parents following its review of the parental leave system, and use the Children's Wellbeing Bill and other means to deliver new entitlements to educational and mental health support for children raised in kinship care as part of its mission to break down the barriers to opportunity.
- The risk of inaction is significant: more than 1 in 8 kinship carers told us in our 2024 annual survey that they were concerned they may not be able to continue caring for their kinship children in the next year if their situations didn't improve, owing predominantly to challenges with household finances and managing their children's social, emotional and mental health needs.³
- The sequencing of reform is also crucial: the government must ensure all kinship arrangements outside the care system are well-supported *before* incentivising the further placing of children into arrangements with family and friends. Current activity risks pushing more families into systems which are not designed to meet their needs nor which have the ability to adequately support them, risking family stability and children's outcomes.

³ Kinship (2024) [Make or Break: annual survey of kinship carers 2024](#)

Updates since our previous written evidence submission

1. Recognising kinship care

Current Kinship policy tracker status: **good progress**

- 1.1. Following the election of a new government in July 2024, kinship care remains a key priority for the Department for Education within its children's social care reform programme. The government's policy paper – *Keeping children safe, helping families thrive* – published in November 2024, reinforces that “where children cannot remain at home and it is in their best interests, we should support children to live with kinship carers or in fostering families, rather than in residential care”.

2. Financial allowances

Current Kinship policy tracker status: **slow progress**

- 2.1. The government confirmed in the Autumn Budget a £40 million investment to trial a new kinship allowance in up to 10 local authorities in England commencing in 2025; this forms a key part of early efforts to improve children's social care as part of Phase 1 reforms until 2026.⁴ No further information is yet available on the kinship allowance trial, including which groups of kinship carers are eligible, which local authorities are involved, or how the allowance will be delivered. The previous government's proposed financial allowances pathfinder (which never commenced) was due to target special guardians where the child was previously looked after in up to 8 local authorities.
- 2.2. We know from our own evidence that poor financial support for kinship arrangements outside the care system is preventing kinship carers moving from kinship foster care (where the child is looked after in local authority care), despite their desire for permanence and parental responsibility. Our *Out of Order* paper, published in September 2024, found that more children were looked after and staying longer in kinship foster care than ever before – a 24% increase from 2019 to 2023 – whilst movement to other more permanent arrangements from local authority care had stalled.⁵
- 2.3. The most recent figures published by the Department for Education for the year ending 31 March 2024 confirm this trend is continuing⁶, with significant implications for families and for local authorities – and their budgets. The current system acts to perversely incentivise children to enter and remain in kinship foster care: we found that as many as 4 in 10 children in kinship foster care were not expected to move to other kinship arrangements, most commonly due to the lack of guaranteed financial support and the likely impact of this change on kinship families' eligibility for additional help.⁷
- 2.4. Legislating to introduce a national, non-means tested financial allowance at least equivalent to the national minimum fostering allowance would support more children to be cared for by relatives and friends outside of the foster care system, bringing enormous benefits to children, families and the public purse. There is a strong economic argument for investing in well-supported kinship care arrangements outside the care system: for every 1000 children looked after in well-supported kinship care rather than local authority care, the state saves £40 million and increases the lifetime earnings of those children by £20 million.⁸

⁴ HM Treasury (2024) [Autumn Budget 2024](#)

⁵ Kinship (2024) [Out of Order: The case for boosting financial support for kinship arrangements outside the care system](#)

⁶ Department for Education (2024) [Children looked after in England including adoptions: Reporting year 2024](#)

⁷ Kinship (2024) [Out of Order: The case for boosting financial support for kinship arrangements outside the care system](#)

⁸ Grandparents Plus [now Kinship] (2020) [Kinship Care: The Opportunity](#). Nicol Economics.

- 2.5. This is crucial given the links between financial insecurity and kinship care: our 2024 annual survey found that kinship carers were four times more likely than other UK adults to have had a direct debit, standing order or bill they weren't able to pay in the last month, and more than twice as likely to be using food banks. Nearly half of working-age kinship carers (46%) were receiving Universal Credit. Financial worries are strongly associated with a risk to family stability: more than 1 in 8 kinship carers (13%) told us they were concerned they might have to stop caring for their kinship children in the next year if their situations didn't improve, rising to nearly 1 in 4 (24%) for those who were finding it very difficult to manage financially.⁹
- 2.6. We urge the Department for Education to work at pace to confirm plans for the kinship allowance trial so that kinship carers across England can understand how it might impact them. However, we ultimately want to see a commitment made by the government to legislate to introduce financial allowances nationally for kinship carers. The Department for Education and the Ministry of Housing, Communities and Local Government should jointly support a significant bid to HM Treasury as part of the multi-year spending review for additional funding to implement this, moving further and faster and building on available interim evidence from the kinship allowance trial.
- 2.7. In the interim, the government should encourage and support local authorities to deliver improved financial support to kinship carers and ensure the pilot does not paralyse parallel progress which can be made by local authorities.¹⁰ To support this, the Department should commit to updating special guardianship guidance to reduce current unacceptable variation in the delivery of financial support. Our research has revealed how poor practice and sometimes unlawful interpretation of means testing guidance currently contributes to special guardians receiving nearly £40 per week less per child in their care than they would do under a kinship foster care arrangement, rising to more than £54 per week for those with child arrangements orders.¹¹

3. Kinship care leave

*Current Kinship policy tracker status: **no progress***

- 3.1. There are no current plans to introduce statutory paid employment leave for kinship carers as is available to adoptive parents. The government's Employment Rights Bill does not contain provisions to enhance employment rights for kinship carers, although amendment NC14 tabled by Steve Darling MP at committee stage seeks to include a new clause to deliver kinship care leave.
- 3.2. More than 8 in 10 kinship carers told us they had been forced to give up work permanently or reduce their hours after taking on the care of a child. Our evidence shows that a lack of employment support unnecessarily pushes kinship families into poverty and the benefits system, robbing families of crucial protected time to help settle children into their new homes after experiencing trauma, separation and loss, and exacerbating workforce pressures in our hospitals, schools and communities.¹²
- 3.3. We want to see the Department for Business and Trade work closely with the Department for Education to introduce a statutory right to paid kinship care leave, at least on a par with adoption leave and pay. At minimum, the terms of reference for the forthcoming review of the parental leave system must include an assessment of the value of introducing paid leave for kinship carers. Introducing kinship care leave would align well with other initiatives

⁹ Kinship (2024) [Make or Break: annual survey of kinship carers 2024](#)

¹⁰ Kinship (2022) [Developing Good Practice in Financially Supporting Special Guardians: a guide for local authorities](#). Commissioned by the Adoption and Special Guardianship Leadership Board.

¹¹ Kinship (2024) [Out of Order: The case for boosting financial support for kinship arrangements outside the care system](#)

¹² Kinship (2023) [Forced Out: delivering equality for kinship carers in the workplace](#)

to support people with parental and caring responsibilities to remain in the workplace when they would like to, including flexible working provisions included within the Employment Rights Bill and the introduction of leave entitlements for other specific groups such as unpaid carers.

- 3.4. The Department for Education is introducing its own pay and leave offer for their kinship carer staff, and we encourage other governmental departments to follow their example. Our Kinship Friendly Employer scheme is continuing to work with leading employers such as Tesco, John Lewis Partnership, B&Q and Card Factory to support them to introduce their own paid leave policies for kinship carers and improve the support they offer to kinship carers in the workplace.¹³ 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.

4. Information, training and support for kinship carers

*Current Kinship policy tracker status: **good progress***

- 4.1. The previous government's *Stable homes, built on love* strategy committed to investing in a national training and support offer for all types of kinship carers across England. Kinship is currently delivering this service which includes a menu of training workshops and learning events, both in-person and online, alongside extensive information, advice and guidance and our Kinship Compass¹⁴ – a free interactive online tool that provides local and national independent information, support and advice by location.¹⁵
- 4.2. We are also continuing to build and strengthen peer support groups of kinship carers having established more than 145 across England through our national peer support service, funded by the Department for Education.¹⁶ We are working to sustain and where necessary support these groups to rebuild as the lives of kinship carers become more complex.
- 4.3. It is vital that the government continues to invest in these services, which are providing a lifeline to many kinship carers – including those with informal arrangements – who are otherwise isolated and struggling without the information and support they need. This is particularly important given growing demand for our advice and other support services for kinship carers.
- 4.4. There are some signals that kinship carers' experiences with local authority support and information provision is improving, albeit from a low base. We found that kinship carers in 2024 were 8pp more likely to rate the support received by their local authority as excellent or good than in 2023, and 7pp less likely to say it was poor or very poor. Similarly, kinship carers in 2024 were nearly 6pp more likely to say that the provision of information from their local authority was excellent or good than in 2023, and nearly 8pp less likely to say it was poor or very poor. However, this still means that nearly half of kinship carers (47%) rate the information provided by their local authority about kinship care as poor or very poor.¹⁷
- 4.5. New kinship care statutory guidance includes a requirement for local authorities to publish accessible, up-to-date information on the support they provide to all types of kinship family through a 'kinship local offer'. This is welcome and will help to ensure improved quality of

¹³ For more information on Kinship Friendly Employers, please visit: kinship.org.uk/get-involved/kinship-friendly-employers

¹⁴ To use Kinship Compass, please visit: <https://kinship.org.uk/support-and-advice/kinship-compass/>

¹⁵ For more information on the Kinship training and support service, please visit: <https://kinship.org.uk/for-professionals/working-with-kinship-carers/our-programmes/kinship-training-and-support-service/>.

¹⁶ For more information on the national peer support service, please visit: <https://kinship.org.uk/for-professionals/working-with-kinship-carers/our-programmes/national-peer-support-service/>

¹⁷ Kinship (2024) *Make or Break: annual survey of kinship carers 2024*

information and signposting. However, kinship families need much more than a refreshed requirement to deliver what should already be in place; local authorities have been required since 2011 to deliver a family and friends care policy promoting and supporting the needs of children living with kinship carers, regardless of the type of arrangement, but last year only 7% of kinship carers told us that they had seen their local authority's policy.¹⁸

- 4.6. Ongoing contact with family networks is a key strength of kinship care but can also be a source of intense stress and conflict for children and their kinship carers. Our *Forgotten* report, published in August 2024, found that more than 1 in 4 kinship carers reported being dissatisfied or very dissatisfied with their children's current contact arrangements, and 3 in 5 kinship carers said their children experienced difficulties with the emotional impact of contact. Only 1 in 8 kinship families received local authority support with contact, predominantly those in kinship foster care, and a further 1 in 4 families didn't receive support but felt this was needed.¹⁹

5. Educational support for children in kinship care

*Current Kinship policy tracker status: **slow progress***

- 5.1. Following a commitment made in the National Kinship Care Strategy last year, the remit of Virtual School Heads now includes, as of September 2024, a wider group of children in kinship care beyond just those currently or previously looked after. The government's recent *Keeping children safe, helping families thrive* policy paper, published in November 2024, noted that future legislative changes would put this extension on a statutory footing.
- 5.2. Kinship's groundbreaking *Forgotten* report revealed for the first time this year how a complex, inadequate and often inaccessible landscape of support for kinship children's education and mental health is resulting in significant challenges for kinship families.²⁰ We found that children in kinship care:
 - have a similar prevalence of special educational needs and disabilities (SEND) to children in other social care groups, such as those looked after in local authority care: 31% of kinship children have diagnosed or suspected social, emotional and mental health needs (SEMH) and they are five times more likely than all children to be learning in a special school.
 - are over three times more likely to have an education, health and care (EHC) plan than all pupils, but this remains far fewer than would be expected given their elevated prevalence of SEND. As such, the gap between need and formalised support means the ongoing crisis in the SEND system is likely to be disproportionately disadvantaging children in kinship care.
 - aren't getting the support they need in education, with a complex hierarchy of eligibility – dependent largely on the type of kinship arrangement and whether or not the child is or was previously looked after – dictating whether or not they receive help with their learning. 2 in 5 kinship carers told us they weren't aware of their kinship children receiving any form of educational support, rising to 3 in 5 for those with informal arrangements.
- 5.3. The Department for Education should use the Children's Wellbeing Bill and future legislation to harmonise the existing patchwork of support for kinship children in England and guarantee equalised levels of support between children in all forms of kinship care and

¹⁸ Kinship (2023) [Breaking Point: kinship carers in crisis](#)

¹⁹ Kinship (2024) [Forgotten: Support for kinship children's education and mental health](#)

²⁰ Kinship (2024) [Forgotten: Support for kinship children's education and mental health](#)

children looked after in local authority care. This should involve coordinating duties and remits across the triangle of support available through the Virtual School, Pupil Premium Plus and the designated teacher, extending eligibility to a wider group of kinship families to provide a clear and comprehensive offer of support.

- 5.4. In the interim or in addition, the government should take steps to improve educational experiences and outcomes for children in kinship care, including by:
- working with local authorities and schools to maximise the number of kinship children who receive support funded by Pupil Premium Plus by boosting awareness amongst eligible kinship carers of the process for declaring eligibility through the School Census, and explore the feasibility of an alternative opt-out system for previously looked after children using linked data from the SSDA903 return.
 - amending the School Admissions Code to extend priority admission rights to all children in kinship care.
 - encouraging and supporting further and higher education providers to extend support for care-experienced students to those who have spent time in kinship care, and ensure clarity amongst sector bodies such as UCAS and the Office for Students around a definition of kinship care experience.
 - ensuring future SEND reform and investment considers an automatic entitlement to an EHC needs assessment for children in kinship care and recognises the elevated prevalence of SEND amongst this cohort.

6. Therapeutic support for kinship families

*Current Kinship policy tracker status: **no progress***

- 6.1. Our *Forgotten* report, published in August 2024, found that kinship children²¹:
- have an elevated prevalence of mental health needs arising from experiences of trauma, separation and loss. More than half of kinship carers said their kinship children had mental health difficulties, compared to around 1 in 5 of all children aged 8 to 16 years old in England.
 - are struggling to access the mental health support they need given the complex hierarchy of eligibility and little tailored support which recognises their unique experiences and needs. Around 1 in 8 kinship carers had paid for therapeutic support out of their own pockets, rising to 1 in 5 for informal kinship carers and those with a legal order secured in private law proceedings. More than a quarter of kinship carers said their children hadn't received emotional or therapeutic support but that it was needed.
 - are not consistently receiving appropriate life story work or help with navigating family identity, contact and relationships, despite the complexity of many family situations. Nearly 4 in 10 kinship carers said their children hadn't received this but that it was needed.
- 6.2. The most recent figures on applications to the Adoption and Special Guardianship Support Fund (ASGSF), published in September 2024, show that applications from kinship families are increasing but remain considerably lower than for adoptive families. Special guardianship applications represented 17% of all applications in 2023-24 despite more

²¹ Kinship (2024) [Forgotten: Support for kinship children's education and mental health](#)

children leaving care to special guardianship than adoption each year since 2019. Just 46 applications from eligible families with child arrangements orders were made in the previous two years.²²

- 6.3. This year, we found that only 1 in 7 eligible kinship carers had accessed support via the Adoption and Special Guardianship Support Fund.²³ No changes to scope or eligibility of the Fund are currently in progress, nor is the status of the Fund known beyond March 2025. The National Kinship Care Strategy renamed the Fund, but this oddly continued to omit families where a previously looked after child is being cared for under a child arrangements order despite this group having also been eligible since April 2022.
- 6.4. The government should take steps to ensure all kinship families can access appropriate long-term emotional and therapeutic support tailored to their unique needs and experiences. This could include developing bespoke services modelled on a version of the ASGSF but designed with kinship families in mind and available to all kinship families regardless of the type of kinship arrangement or the child's journey into kinship care.
- 6.5. This is vital given the urgent need to improve the support offered to kinship families to manage children's social, emotional and behavioural difficulties. Of the 13% of kinship carers who worried about their ability to continue caring for their children in the next year, the most common reason selected by nearly three quarters (72%) of respondents was managing their kinship children's social, emotional and/or mental health difficulties.²⁴
- 6.6. In the interim, the scope of and eligibility for any renewed ASGSF should be extended to a wider group of kinship families, including those where the child was not previously looked after, and include non-therapeutic support where this would be of significant benefit. The Department for Education's planned research into the therapeutic support offered by the Fund to kinship families as committed to in the National Kinship Care Strategy should proceed at pace to inform future delivery and development.

7. Improving local authority practice

*Current Kinship policy tracker status: **good progress***

- 7.1. The government published new kinship care statutory guidance in October 2024, replacing the existing family and friends care guidance last updated in 2011. This guidance "*does not place any new statutory requirements on local authorities*" but "*repositions previous guidance into a clear framework supported by updated factual information and legal guidance*". In particular, it confirms that local authorities should support kinship foster carers if necessary to attain the National Minimum Standards and consider their situations differently to mainstream foster carers, and introduces a requirement for local authorities to produce a kinship local offer (see 4.4).
- 7.2. If children can't live with their parents and enter the care system, it's right that we prioritise kinship care options with relatives and friends when in their best interests, and practice should recognise the different needs, strengths and circumstances between kinship and mainstream fostering. However, given our evidence which reveals how progression to kinship arrangements outside of the care system has stalled despite already growing numbers of children in kinship foster care, it is important that we get the policy sequencing right: that means ensuring support is there for kinship families *before* incentivising placing

²² Mott Macdonald and Department for Education (2024) [Adoption and Special Guardianship Support Fund \(ASGSF\) Annual Data Insights](#)

²³ Kinship (2024) [Forgotten: Support for kinship children's education and mental health](#)

²⁴ Kinship (2024) [Make or Break: annual survey of kinship carers 2024](#)

more children in kinship foster care arrangements and a system which isn't designed for their unique circumstances (see 2.2 and 2.3).

- 7.3. A National Kinship Care Ambassador, Jahnine Davis, was appointed in October 2024 to advocate for kinship children and kinship carers across government and work directly with local authorities to improve services. We welcome Jahnine's appointment and believe a key priority for her role is holding local authorities to account in their efforts to publish improved local offers and ensure they work alongside local kinship carers to deliver these at pace. However, unlike other areas of children's social care, practice in kinship care is less well developed and approaches can vary considerably between – and even within – different local authorities.²⁵ This will present challenges for the role, especially given the current workforce and financial pressures facing local authorities which makes embedding new ways of working more challenging.
- 7.4. Following a commitment made in *Stable homes, built on love*, Foundations – the national What Works Centre for Children and Families – published a Kinship Care Practice Guide in October 2024.²⁶ We welcome the Guide which outlines well-evidenced practice in supporting kinship families, echoing elements reflected in our own support for kinship carers which enables them to navigate easily to support, and reinforces the value of improving financial support to increase placement permanency and reduce disruption.
- 7.5. Following a commitment in the National Kinship Care Strategy, Ofsted has only made very minor changes to its inspection guidance to include additional reference to "kinship" or "kinship care". We would like to see Ofsted undertake a thematic review of its inspection reports to better understand current practice, and urge Ofsted to consider establishing a separate judgement for kinship care within its inspection framework for local authority children's services (ILACS), similar to the recent reintroduction of this for care leavers. This would better align ILACS with the Department's Children's Social Care National Framework; the relevant weighting of support for family networks and kinship care is markedly uneven between the two, but it is crucial that Ofsted moves with the Department for Education to present a unified picture to local authority leaders on the prioritisation of kinship care given Ofsted's role as a critical lever of policy and practice change for children's services.

8. **Data and research**

*Current Kinship policy tracker status: **slow progress***

- 8.1. In October 2024, the government published the first iteration of its Children's Social Care Dashboard. The relevant indicator for kinship care is the percentage of children who cease to be looked after due to moving into a special guardianship order (SGO) or child arrangements order (CAO).²⁷ This is important given our analysis which shows how movement to more permanent kinship arrangements outside the care system has stalled whilst the number of children looked after in kinship foster care continues to grow at pace.²⁸
- 8.2. Whilst the Dashboard could support improved transparency and understanding about local authority variation in kinship care outcomes and practice, this single indicator alone must not be used to judge performance. Future indicators and use of the Dashboard must not prematurely incentivise the system towards increasing the number and/or proportion of all children unable to live with their parents into kinship care before accompanying reforms to financial and other support for all kinship carers have been introduced; to do so would be

²⁵ Hunt, J. (2021) Practising in kinship care: the perspectives of specialist social workers

²⁶ Foundations (2024) Practice Guide: Kinship Care

²⁷ Department for Education (2024) Children's social care dashboard. Published 11 October 2024.

²⁸ Kinship (2024) Out of Order: The case for boosting financial support for kinship arrangements outside the care system

against the best interests of children and risks undermining welcome new efforts to improve support for families. The sequencing of reform is vital.

- 8.3. No further information has been released on progress with the government's data linking project between the Department for Education and the Ministry of Justice, committed to within the National Kinship Care Strategy in December 2023. This should proceed at pace to improve our understanding of the cohort of children cared for under special guardianship and child arrangements orders.
- 8.4. Overall, the current data picture for kinship care is patchy, incomplete and pieced together through various different datasets and methodologies which don't deliver a robust understanding of the cohort(s), unlike for children looked after in local authority care. This contributes to kinship children's invisibility in policymaking and challenges delivering targeted support. The Department should confirm plans to improve statutory and wider data collection as part of future reform to kinship care; this should include adding a marker within the School Census and extending data linking projects to include departmental datasets beyond the SSDA903 collection to provide analysis of educational outcomes, ethnic disparities and other characteristics.

9. Engaging and supporting family networks

*Current Kinship policy tracker status: **slow progress***

- 9.1. The Families First for Children Pathfinder (FFC) and Family Network Pilot (FNP) continue to test out the delivery of earlier, intensive support for family networks to avoid children entering the care system. The government's recent *Keeping children safe, helping families thrive* policy paper notes that the evidence from these programmes will be used to roll out further reforms. It also confirms the government's intention to legislate to introduce a new duty to extend family group decision making as an offer for all families before care proceedings are initiated.
- 9.2. Although we welcome new legislation to engage and empower wider family networks in the decisions made about a child's care, the government must consider further reform which improves the support offered to kinship families outside the care system and end the incentive for children to be looked after at some point in local authority care as a means to guarantee access to essential financial and other support.
- 9.3. Future policy development should build on findings from the FFC and FNP to explore how local authorities can then best actively support progression – when in the best interests of the child – to other more permanent kinship arrangements such as special guardianship without necessitating entry into local authority care and without negative implications for future support.

10. Defining kinship care

*Current Kinship policy tracker status: **slow progress***

- 10.1. No further action has been taken on a legal definition of kinship care since our previous submission, other than to further continue to clarify and adopt the government's 'working definition' in new kinship care statutory guidance.
- 10.2. We support the idea of a comprehensive definition of kinship care to help to improve the visibility of kinship all types of kinship family across policymaking and public services. This could in turn support more kinship carers to better understand their rights and entitlements and go on to access support, but only alongside additional wider efforts to boost awareness and knowledge amongst key professionals and the public.

10.3. A legal definition will not in isolation improve the negative experiences which many kinship carers face when engaging with services and professionals, including those across education, health, welfare and housing, who do not recognise or understand their family situations, nor have the duty or means to best support them. In addition, it will not in itself lead to better support for kinship families, nor is it an essential condition to have before this is delivered. We would encourage the government to prioritise securing commitments to tangible financial, practical and emotional support, and believe parliament's limited time would be better served scrutinising legislation which delivers this urgently to more kinship families.

11. Family justice and legal aid

*Current Kinship policy tracker status: **no progress***

11.1. No further action has been taken in this space by the government since our previous submission, nor are there any current plans to extend legal aid for kinship carers.

11.2. The evidence from our services and wider research demonstrates the desperate need for improved legal aid as well as the absence of comprehensive support for kinship carers who secure a legal order through private law proceedings²⁹; this is despite the needs and experiences of their children being similar to those supported in and through local authority care.³⁰ As such, we urge the government to extend eligibility and scope of legal aid as recommended by the Independent Review of Children's Social Care, and encourage the Law Commission's forthcoming review to examine the public vs private law route distinction and the impact this has on experiences and resultant support and outcomes for kinship families.

12. Building a new kinship care system

*Current Kinship policy tracker status: **slow progress***

12.1. Although further national reform activity to date has been welcome, more substantial action including additional legislative changes will likely be conditional on securing further investment within the forthcoming multi-year spending review. It is therefore promising that the government clarified in the Autumn Budget 2024 that it will "*set out plans for fundamental reform of the children's social care system*" as part of this second stage of its spending review.

12.2. The government's *Keeping children safe, helping families thrive* policy paper acknowledges that future legislative reform will be needed in kinship care, particularly following the conclusion of the Law Commission's forthcoming review. However, this currently has no commencement date and is set to begin only when resources at the Commission become available following the completion of other projects. This project provides a good opportunity to consider bespoke legal pathways for kinship care arrangements, particularly those which can facilitate well-supported kinship care for children without necessitating entry into local authority care.

12.3. It is crucial that a future system is built through new primary legislation around the recognition that kinship care is fundamentally different to other forms of care for children who cannot live with their parents. Simply extending entitlements or support currently available to foster or adoptive families – without consideration of the unique needs, strengths and circumstances of kinship care – will not deliver what kinship families need or

²⁹ Foundations (2023) [Understanding the variation in support for kinship carers: a survey of local authorities in England](#)

³⁰ Cusworth, L et al (2023) [Uncovering private family law: Exploring applications that involve non-parents \('the other 10%'\)](#). Nuffield Family Justice Observatory

the outcomes intended, nor will it meet the vision for kinship care articulated within *Stable homes, built on love*, the National Kinship Care Strategy, or *Keeping children safe, helping families thrive*.

- 12.4. The government must also ensure local authorities have the core, long-term funding they need through future local government funding settlements to deliver reform and pioneer new ways of working with kinship families. Current workforce and financial pressures make the recalibration of services, practice and culture all the more difficult. Indeed, the Department for Education itself identifies in its annual report and accounts that local authority financial challenges pose a critical risk to the delivery of essential support services and reforms across children's social care.³¹

³¹ Department for Education (2024) [Department for Education consolidated annual report and accounts 2023 to 2024](#)

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.

We are made by and for our community of kinship carers. For too long they have been isolated without the help they need.

Our purpose is to change lives, and change the system.

We support, advise and inform kinship carers. Connecting them so they feel empowered.

Because a child needs the love and warmth of a thriving family.

We develop research, campaigns and policy solutions. Creating positive change across society.

Because for kinship families, love alone is not enough.

And as we see momentum building for change, we keep working with our community and making impact.

Join us. Together, let's commit to change for kinship families.

Contact

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