



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

# Children's Wellbeing and Schools Bill

## Summary

- The Children's Wellbeing and Schools Bill recognises the vital role that kinship carers play and strengthens welcome reforms which improve support for kinship carers. However, it falls short of delivering the vital educational and mental health support which children in kinship care urgently need.
- **Our evidence shows that only around half of kinship children (54%) are getting the support they need in education.** Children in kinship care have a prevalence of SEND similar to children in local authority care, but are less likely to be receiving formalised support through an education, health and care (EHC) plan.
- **Nearly a third (31%) of kinship children have diagnosed or suspected social, emotional and mental health needs (SEMH).** Support is based largely on the type of kinship arrangement and the child's journey into kinship care rather than their needs, and many kinship carers are battling to access therapeutic support.
- We want to see the Government **equalise educational and mental health support between children in kinship care and children in care**, recognising their similar experiences of trauma, separation and loss.

## What does the Bill mean for kinship families?

### Kinship local offer (clause 5)

The Bill introduces a legal duty on local authorities to publish up-to-date and accessible information about the services they offer to kinship families in their area through a 'kinship local offer'. This strengthens the requirement introduced in updated [statutory guidance for local authorities on kinship care](#) published in October 2024.

Making the kinship local offer a legal requirement through new legislation is welcome. In our 2024 annual survey, a third of kinship carers [rated the information provided about kinship care by their local authority](#) as 'very poor', and only 7% of kinship carers told us in 2023 that they [had seen their local authority's existing family and friends care policy](#) – something local authorities have been required to deliver since 2011.

### Virtual School Head extension (clause 6)

The Bill also puts the recent extension of virtual school head (VSH) support for children in kinship care, operational since September 2024, on a statutory footing. This follows a commitment made to legislating for this in the government's [Keeping children safe, helping families thrive](#) policy paper, published in November 2024.

Again, this strengthening of the existing extension is welcome, but the Bill does not introduce any additional educational support for kinship children which recognises their needs and experiences similar to those of children in local authority care. See below for the additional reform needed.

### Family group decision making (clause 1)

The Bill also introduces a new duty on local authorities to deliver family group decision making (FGDM) for children at risk of entering care. This will help ensure that wider family networks can be more effectively involved in decision making about the children they love and support the identification of potential kinship carers if required to deliver care in the future.

However, the government must consider further reform to end the perverse incentive which then necessitates children's entry into local authority care in order to deliver well-supported kinship care arrangements if deemed in the child's best interest following any family group decision making process.

Whilst it is right that kinship care options with family and friends are prioritised when a child must enter the care system, we must not simply see increasing the number and proportion of children looked after in kinship foster care as a measure of success. Our research highlights that too many kinship families feel unable to move from kinship foster care to more suitable permanent kinship arrangements, such as special guardianship, due to a lack of guaranteed support, with significant implications for those families and for local authority budgets.

### Definition of kinship care (clause 5)

Finally, the Bill outlines for the first time in primary legislation a definition of kinship care. This follows the 'government definition' of kinship care introduced by the previous government in the National Kinship Care Strategy in December 2023 and further developed in recent kinship care statutory guidance.

A comprehensive definition of kinship care in legislation is welcome to improve visibility and clarity, but this will not in isolation improve the negative experiences which many kinship carers face in engaging with services and professional without additional awareness-raising and training. In itself, a definition will not deliver better support for kinship families, nor is it an essential condition for this. Most government action to improve support continues to target specific groups of kinship carers, such as special guardians or those raising children who were previously looked after, undermining the definition's value.

### The case for further reform

The Children's Wellbeing and Schools Bill ultimately falls short of delivering the vital educational and mental health support which children in kinship care urgently need.

#### There is a lack of educational support for children in kinship care.

#### Only around half of kinship children are reported to be getting the support they need in education.

Children looked after in local authority care, as well as those who were previously looked after, rightly receive additional support through the Virtual School and designated teacher to help them progress well in school, and are eligible for additional funding through Pupil Premium Plus.

*"It's a constant fight to get the right support in a school setting. I feel as if I am not listened to as a kinship carer. I also believe there is stigma attached to the children or teachers do not have the relevant training in supporting children like ours."*

*Aunt and special guardian*

However, the same support isn't extended to all kinship children: **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.** A complex and unfair hierarchy dictates whether kinship children receive help with their learning, despite their similar needs and experiences to their peers in care.

#### There is a high prevalence of SEND amongst kinship children, but less formalised support.

**Nearly half of kinship children in England are reported to have a special educational need or disability (SEND).** This includes 31% with diagnosed or suspected social, emotional and mental health needs (SEMH) and more than 1 in 10 with diagnosed Autistic Spectrum Disorder (ASD). As a result, kinship children are around five times more likely than all children to be learning in a special school.

**Kinship children in England are over three times more likely to have an education, health and care (EHC) plan than all pupils.** However, despite prevalence of special educational needs similar to children looked after in local authority care, far fewer children than would be expected given this prevalence receive through the SEND system. This gap between need and formalised support means the ongoing crisis in the SEND system is likely to be disproportionately disadvantaging children in kinship care.

*"I learnt about adverse childhood experiences and thought 'that's what this is' and realised he needed to learn healthy ways to manage his feelings. The local authority finally organised for him to see an occupational therapist. But we were stunned when she thought he would become violent and advised us to think about placing him in a secure specialist unit. I cried my eyes out. This wasn't support!"*

**Sarah, aunt and kinship carer to her nephew**

### Children in kinship care are struggling with their mental health.

**More than half of kinship carers say their kinship children have mental health difficulties.** Our 2024 annual survey of kinship carers found that 13% of kinship carers worried about their ability to continue caring for their children, with nearly three quarters (72%) of those selecting managing kinship children's social, emotional and/or mental health difficulties as a reason for this concern – the most common reason given.

A lack of entitlements and system pressures is pushing families to do whatever they can to secure appropriate therapeutic and emotional support: around 1 in 8 kinship carers have paid for therapeutic support for their children out of their own pockets, rising to 1 in 5 for informal kinship carers or those with a legal order secured in private proceedings.

Only previously looked after children cared for under a special guardianship or child arrangements order are eligible to apply for therapeutic support from the Adoption and Special Guardianship Support Fund (ASGSF), excluding many kinship families who could benefit. **We found that only 1 in 7 eligible kinship carers had accessed support via the Fund**, and that assessments or support were often less effective as they didn't recognise the unique experiences of kinship children.

[Read our \*\*Forgotten\*\* report](#)

### What we want to see

There are opportunities to strengthen the provisions made in the Children's Wellbeing and Schools Bill so that they better support kinship families, and we would welcome working with Bill Committee members and others on specific amendments and presenting further oral evidence to the Committee.

Ultimately, we hope to see future legislation and the forthcoming multi-year spending review in Spring 2025 further prioritise kinship care reform which reaches all kinship families. The government has previously indicated in both the Autumn Budget 2024 and its Keeping children safe, helping families thrive policy paper that more comprehensive children's social care reform – including to kinship care – would be forthcoming.

Kinship's **#ValueOurLove campaign** is pushing the government deliver legislation which harmonises the existing patchwork of support for kinship children and guarantees equalised levels of support between children in all forms of kinship care and children looked after in local authority care.

The UK government should:

- move away from further stepped extensions of **Virtual School Head support** accompanied by annual grant funding and instead deliver legislation and guidance which cohesively outlines how appropriate advice and support should be made available to all kinship families.

- extend eligibility for support via **Pupil Premium Plus** to include all children in kinship care, and issue new guidance on how local authorities and schools can best deliver support tailored to this group.
- extend **priority school admissions** to all children in kinship care.
- consider an **automatic entitlement to an EHC needs assessment** for children in kinship care as part of future SEND reform in England.
- ensure all kinship families can access appropriate long-term **emotional and therapeutic support**, including that which supports with contact, family relationships and identity. This could include **extending eligibility and scope** of the Adoption and Special Guardianship Support Fund, or developing a bespoke version of the Fund designed with the unique needs, strengths and experiences of all kinship families in mind.

[Visit our kinship care policy tracker](#)

## 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. Kinship carers are most commonly grandparents, but they can also be older siblings, aunts, uncles, cousins and family friends.

[Learn more about kinship care](#)

## Further information

Please visit our [kinship care policy tracker](#) and read our *Forgotten report* for more information on what's happening now, our verdict, and what should happen next to improve educational and mental health support for kinship children.

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

## 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.

## Contact

Sam Turner, Associate Director of Policy and Public Affairs: [sam.turner@kinship.org.uk](mailto:sam.turner@kinship.org.uk)