



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

Children's Wellbeing and Schools Bill

Second reading, House of Lords, 1 May 2025

Summary

- The Bill recognises the vital role that kinship carers play and strengthens welcome reforms which improve support for kinship carers. **However, some the government's stated policy objectives associated with the Bill's provisions are unlikely to be realised without additional reform**, and the Bill ultimately falls short of delivering the vital educational and mental health support which children in kinship care urgently need.
- **Future legislation should seek to equalise educational and mental health support between children in kinship care and children in care**, recognising their similar experiences of trauma, separation and loss. Nearly a third (31%) of kinship children have diagnosed or suspected social, emotional and mental health needs (SEMH), comparable to other children's social care groups. Currently, support for children in kinship care is based largely on the type of kinship arrangement and the child's journey into kinship care, rather than their needs.
- A lack of appropriate therapeutic support risks significant consequences for families and for the state. In Kinship's 2024 annual survey, **13% of kinship carers said they were concerned about their ability to continue caring for their child(ren) in the next year** if their situations didn't improve; the most common reason for this was difficulties managing children's social, emotional and mental health difficulties.
- Frustratingly, the Bill's progression comes at the same time as the government is choosing to erode one of the few options for therapeutic support available to some kinship families. **Per child funding for support through the adoption and special guardianship support fund (ASGSF) has been reduced by 40% in 2025-26**. This choice is directly weakening provisions in the Bill which seek to improve signposting to therapeutic support.

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.

Our verdict

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.

A new legal duty and more comprehensive guidance around content and delivery of this information should help kinship carers to better understand and access available support. However, as outlined by Kinship's Associate Director of Policy and Public Affairs [when providing oral evidence to the Education Committee](#) last month, the local offer's impact will be to [magnify the lack of support](#) available to kinship

families, particularly those with informal arrangements or where a legal order was made in private proceedings.

The kinship local offer is being introduced in a context different to that of other local offers for children with SEND or for care leavers where there are more well-established systems of both statutory and wider support to signpost kinship carers to; Kinship is the largest provider of advice and support services for kinship families and delivers a national programme of training and support in England.

It's vital that the government and local authorities use the opportunity provided by the local offer requirement to improve the level of financial, practical and emotional support available to kinship families. Otherwise, *"there isn't a huge amount of point signposting to support which doesn't exist"* – a comment picked up by the Education Committee in their own published scrutiny of the Bill.

This is particularly true in the context of the government's frustrating decision to reduce the level of support available to kinship families through the adoption and special guardianship support fund (ASGSF). The Bill suggests the local offer should include signposting to "services relating to health and wellbeing" (and information about the ASGSF is the only specific content included in the therapeutic support section of information on the kinship local offer within kinship care statutory guidance). As such, the very support which local authorities are expected to signpost to is now being eroded.

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.

Our verdict

Again, this strengthening of an existing extension is welcome and it's good to see the Bill recognise the importance of enhanced educational support for this group. However, the impact of this reform will be weakened substantially by the accompanying lack of tools and funding available to support the virtual school head in discharging this duty.

Unlike other groups of children who are supported by the VSH, newly eligible kinship children are not eligible for pupil premium plus, nor are they included in statutory data collection on educational outcomes; only those kinship children already eligible for VSH support as a result of being currently or previously looked after are. This limits the potential for VSHs to properly work alongside schools and other educational settings to provide enhanced support for kinship children, and understand the impact this has on their educational progress and attainment.

Ultimately, 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. Please see below for more information on the reforms we would like to see.

Family group decision making (clause 1)

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

Our verdict

However, the government's impact assessment is confused in how it anticipates the policy may impact on the number of children living in kinship care and their outcomes. It also fails to understand the mechanics of the current children's social care system, and particularly how children are placed with kinship carers in different types of kinship arrangement when the local authority is involved and where it is deemed a child cannot live with their parents.

Children who are placed in kinship foster care *are* looked after in local authority care and are not 'diverted' from care; increasing the number of children living in kinship care may not necessarily mean *decreasing* the number of children in care.

As such, attempts to reduce the number of children in local authority care through FGDM may lead to greater encouragement of less formalised kinship care arrangements. Although this may be right for some, there are significant long-term implications for future eligibility for support for those who are instead encouraged to pursue an informal arrangement or a legal order secured in private proceedings following a family group decision making meeting. This is an important consideration too for the government's planned trial of a kinship allowance and any desire to 'divert' children from care and into other kinship care arrangements.

To help fix this, the government must deliver further reform to end the perverse incentive which 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 care, 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.

Our verdict

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.

In addition, 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

Children in kinship care are struggling with their mental health.

More than half of kinship carers (51%) 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.

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). The government's delayed renewal announcement and subsequent decision to reduce the funding available to each family by 40% in 2025-26 will have a detrimental impact on the Fund's effectiveness, appears economically short-sighted, and **stands in stark contrast to the Bill's efforts to improve signposting to therapeutic support through the kinship local offer (see above).**

It's clear that the welcome steps taken by the government to boost awareness of the ASGSF and increase applications from eligible kinship families, including renaming the Fund following the publication of the [National Kinship Care Strategy](#) in December 2023, are not being supported by commensurate funding to provide the level of therapeutic support needed. This [confused and ill-considered approach](#) to the sequencing of kinship care reform risks pushing more families to breaking point.

"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

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

Only around half of kinship children (54%) 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.

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.

"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

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

Nearly half of kinship children in England (47%) 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.

Read the full report

Forgotten: Support for kinship children's education and mental health

What we want to see

Future legislation must 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 in November 2024 that more comprehensive children's social care reform – including to kinship care – would be forthcoming.

The Department for Education, Ministry for Housing Communities and Local Government, and HM Treasury must use the Spending Review to invest in kinship care. It makes sense to do so; kinship care delivers good outcomes for children and families, and cost savings for local authority budgets. **For every 100 children looked after in well-supported kinship care rather than local authority care, the state saves £4 million per year and increases the lifetime earnings of those children by £2 million.**

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 government should:

- urgently consult with the sector and kinship families and use the Spending Review to set out a long-term future for the adoption and special guardianship support fund (ASGSF), including revisions to its scope and eligibility.
- 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 developing a bespoke version of the ASGSF designed with the unique needs, strengths and experiences of all kinship families in mind
- 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.

In the Commons

Amendments were tabled by Munira Wilson MP at both committee and report stage which would have extended pupil premium plus and priority school admissions to children in kinship care, and established a right to kinship care leave and financial allowances for kinship carers. Although these amendments were not accepted, [the Bill's committee stage debate highlighted](#) the need for additional educational and mental health support for children in kinship care.

"Ministers have already recognised in the Bill the need for additional educational support for children in kinship care. Why are we not treating all children equally, so that it is not just those who were previously looked after who are entitled to additional pupil premium funding or priority admissions? The trauma and needs of children in kinship care are often similar to those of children who were previously looked after. We should extend the same provisions to all children in kinship care."

Munira Wilson MP

In the Lords

The second reading of the Children's Wellbeing and Schools Bill in the House of Lords provides an opportunity for Peers to welcome the Bill's provisions which strengthen information and support for kinship families, but also highlight that further reform will be needed for the government's ambitions to be realised and to ensure all children in kinship care and those caring for them get the financial, practical and emotional support they need.

We are grateful to those who are able to push the government on their commitments by sharing our evidence and analysis, and posing questions – including those below – to the responding minister.

- What assessment has the government made of the impact of reducing the funding available to families through the through the adoption and special guardianship support fund (ASGSF) this year, and can the Minister explain how this decision aligns with parallel efforts to increase awareness of the Fund amongst eligible kinship families, including the Bill's introduction of a kinship local offer duty?
- What assessment has the government made of extending pupil premium plus support to all children in kinship care, including those who weren't previously looked after, to better support the Bill's strengthening of the virtual school head extension?
- What impact does the government expect the Bill's introduction of a requirement to offer family group decision making will have on the number of children living in kinship arrangements, both within and outside of the care system?
- In addition to improving the information and signposting provided to kinship families through the kinship local offer, what steps will the government take to ensure parity of financial, practical and emotional support between kinship families and foster and adoptive families?

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 unrelated 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 our [kinship care policy tracker](#) and read our [Forgotten report](#) for more information. 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](#)

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

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