



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

Designing a new right to paid leave for kinship carers

February 2026

Contents

The journey so far	3
Designing a new right	5
5 key principles	7
A model for kinship care leave	9
Our policy approach	11
Section 1. Why pursue a policy approach through the parental leave system?	11
Section 2. Why propose 2 separate pay and leave entitlements?	13
Section 3: Why mirror existing family leave and pay entitlements?	15
Section 4: What will influence the costs to employers and the government?	16
Considerations in our policy design	19
Section 5. When and how would kinship carers provide notice to their employer?	19
Section 6. How could informal kinship carers be included?	20
Section 7. How would kinship carers provide evidence to their employer?	21
Section 8. What are some of the other specific considerations for kinship carers?	23
Section 9. How might this work in situations where children's services are involved?	25
Summary and next steps	28

The journey so far

For more than 15 years, we've been developing the evidence base on the impact which the absence of statutory pay and leave has on kinship families – and we've led the campaign to change this.

Last year, our *Making work pay for kinship carers* research found that nearly half (45%) of working kinship carers had left their jobs after stepping up to care for a relative or friend's child – and the vast majority (80%) had given up longstanding careers and not returned to any form of paid work since. Only 3% of kinship carers were able to access any form of discretionary paid leave.¹ These figures have remained remarkably stubborn for too long; similar levels of labour market withdrawal can be found amongst kinship carers responding to our 2009 survey.²

After taking on the care of a baby or child, often in an emergency situation, kinship carers have no specific right to leave or pay from employment. We know from our *Forced Out* research the devastating consequences this leads to. Kinship families are pushed unnecessarily into poverty and the benefits system and children are robbed of the opportunity to form strong attachments and experience the stability they need after significant trauma, separation and loss. The gap in the law also continues to punish employers and the state, preventing valuable colleagues – especially women – across our hospitals, schools and communities from remaining in the labour market.³

Together, we've been able to make some meaningful change. Since 2023, our *Kinship Friendly Employer scheme* has supported leading employers such as Tesco, John Lewis and B&Q to deliver paid leave policies for kinship carers in their workforces. Our *#ValueOurLove* campaign has continued to mobilise thousands of kinship carers across the country to engage with their MPs, local authorities and employers. In 2022, the Independent Review of Children's Social Care rightly echoed our recommendation for a right to paid kinship care leave, and we've had significant cross-party parliamentary support since from the Education Committee, Women and Equalities Committee, and others.⁴



But despite this momentum, government action to date has been seriously limited. Alongside the National Kinship Care Strategy, published in December 2023, the Department for Education released *guidance for employers on supporting kinship carers in the workplace*. But to date, not a single employer we've supported through our Kinship Friendly Employer scheme has ever heard of, let alone seen, this information. Whilst there has been a willingness from governments to champion this issue, meaningful strategy and action has failed to match the rhetoric.

However, a new opportunity arrived last year. Following our campaigning, the needs of kinship carers were included by the government alongside other working parents for the first time in the

¹ Kinship (2025) *Making work pay for kinship carers*. This is based on Kinship's 2024 annual survey of more than 1,300 kinship carers across England and Wales.

² Grandparents Plus (2009) *Family and Friends Care: recognition, respect, reward*

³ Kinship (2023) *Forced Out: delivering equality for kinship carers in the workplace*

⁴ For more information on what's happening now, what's happened previously, our verdict and what we think should happen next for kinship care leave (and other kinship care policy areas), please visit our [kinship care policy tracker](#).

scope of its [review of the parental leave and pay system](#).⁵ Launched in July 2025 and set to run for around 18 months, the review fulfils a manifesto commitment and will set out a roadmap for the future of the parental leave system. This explicitly includes consideration of “*whether support available meets the needs of other working families who do not qualify for existing leave and pay entitlements, such as kinship carers*”.⁶

As such, the review offers a huge opportunity for government to address a longstanding injustice. Labour governments have a history of pioneering legislation in this space, having first established rights to maternity leave and adoption leave. Introducing a new right to paid leave for kinship carers would align with this current government's focus on bolstering employment rights and delivering reforms to children's social care that place the power of kinship care and family networks at the heart of the system.

It's time to harness the strong public and employer support for improved family-friendly workplaces and finally close this unfair gap in the law.

⁵ Kinship (2025) [Kinship celebrates inclusion of kinship carers within government's parental leave review](#) [1 July 2025]

⁶ Department for Business and Trade and Department for Work and Pensions (2025) [Government review of the parental leave and pay system terms of reference](#) [1 July 2025]

Designing a new right

Our approach to policy development has brought together lived and learned expertise from kinship carers, workplace leaders and others.

To maximise the chances of the review leading to a right to paid leave for kinship carers, we committed to further building the evidence base on the difference this could make for kinship families, employers, and the state. We also set out plans to deliver a new phase of participatory policy development activity to explore some of the outstanding thorny questions around how policy design and implementation might work for this cohort.

Whilst we have long highlighted the inequity and unfairness in employment support between kinship carers and adopters, we knew further work would be needed to design a new right which recognised kinship families' unique and varied circumstances.

To enable us to do this, we've worked alongside kinship carers, employers, HR and employment law experts, local authority practitioners, government officials, trades unions and other sector colleagues. This included hosting an [innovative policy hackathon event](#) in November 2025, supporting mixed groups through 3 facilitated ideation 'sprints' to define the problem, collaborate to offer solutions, and refine group proposals based on feedback.



Through December 2025 and January 2026, we also delivered a series of online workshops for kinship carers to contribute their views and experiences, promoted via our social media channels, Kinship Community and existing groups, including the #ValueOurLove campaign steering group and peer support group leaders network. We also sought input from experts who could 'strength test' our proposals based on their own experience as, or supporting, leading employers, and share their insights around how they might land in the current policy and political landscape.

Alongside this, we also [collected new evidence from a survey of more than 1,200 kinship carers](#) to further explore what the absence of employment support means for them and their households. We found that 4 in 10 (40%) kinship carers who couldn't continue working as before were plunged into the benefits system. 26% told us they struggled to afford living essentials due to their new caring responsibilities, whilst 28% had to borrow money and 25% fell behind on paying bills. In addition, 69% said not having paid leave increased stress in the household, 58% said it affected their mental health or emotional wellbeing, and 10% said it led to them having a breakdown from the stress.⁷

All of this work builds on our iterative and evidence-led approach to policy development, powered by both lived and learned experience, and demonstrated through other policy outputs such as our regularly-updated [kinship care policy tracker](#). We want to be bold and show our working and thinking clearly so others can help us to strengthen our recommendations to government.

⁷ Kinship (2026) [4 in 10 kinship carers are plunged into benefits system after taking on the care of a child without paid parental leave](#) [11 February 2026] This survey was open over December 2025 and January 2026 and received 1,245 responses from kinship carers across England and Wales.

As such, *Designing a new right to paid leave for kinship carers* proposes a model for kinship care leave based on the findings from this work. It also offers an overview of the different challenges and opportunities we've explored through our policy design process, an honest appraisal of the trade-offs involved, and the rationale behind the proposals we make and the approach taken. We hope this supports the team leading the government's parental leave and pay review, as well as the wider sector, employers and others, to consider what needs to change.

This process is not complete with the publication of this paper; we will continue to develop and refine our proposals in response to feedback and as further evidence emerges as we believe this is the best way to deliver lasting meaningful change for kinship families. At the end, we outline some suggested next steps and areas requiring further exploration.

Note: *Whilst the UK government's parental leave and pay review considers parental leave entitlements across Great Britain (employment policy is devolved to Northern Ireland), this paper uses evidence from Kinship and other sources with a focus on England and Wales, and considers how a new set of entitlements could operate within the English policy and practice landscape in particular. Further policy development work should consider the application of this to the Scottish context.*

5 key principles

Here are the most important things which policymakers should consider in the design of any new right to kinship care leave.

1. The complexity of kinship care demands a different approach.

For too long, kinship families have been pushed into systems and processes designed with adoptive and foster families in mind. We must learn from this and ensure that the unique qualities of kinship care – and the needs, experiences and strengths of kinship families – are considered in the design of any new right to paid leave.

Kinship care spans a wide variety of circumstances and arrangements; no two families have the same journey. There are also complexities more common to kinship care situations, such as the lack of notice and early uncertainty, which does make policymaking for this cohort more difficult. But that's a challenge we mustn't shy away from. Otherwise, we risk continuing to fail kinship carers and their children, and our policies and systems will continue to overlook particular cohorts most in need of support, including informal kinship families and Black and Asian kinship carers.

2. There is a key role for the parental leave system.

There is a marked gap in the parental leave system today. The government's review, with its focus on fairness and equity, offers a significant opportunity to correct this and include kinship carers alongside other working 'parents' both at the point they step up to care for a relative or friend's child and into the future.

It makes sense for the parental leave and pay system to deliver something; it offers benefits which other policy solutions couldn't. It enables greater reach to less formalised kinship families, establishes consistency of approach, embraces the role of employers with clear statutory backing, supports improved recognition, awareness and navigation of advice, information and support, and much more. There's power in the parental leave system to deliver meaningful change for kinship carers, and its presence in their lives would enable – rather than undermine – the effectiveness of other systems which impact on their lives.

3. Others still need to play their part.

There is no 'silver bullet' policy which will deliver all of the employment support that all working kinship carers will need. The challenges they face are multifaceted and we cannot outsource the solution to the parental leave system alone. It is well placed to do some things but not others, and this why any new leave and pay entitlement will still require other areas of government, local authorities, employers, the voluntary sector and other actors to play their part.

In particular, for those kinship families who are being supported by the local authority, children's services must improve their consideration of employment in any package of support and in the discharge of their duties. Employers must continue to step up and recognise where they can support their kinship carer employees both within and beyond any statutory framework.

4. Policy design challenges are not insurmountable.

There may not be an easy fix, but thankfully nearly all of the factors which might complicate the design of a new leave and pay entitlement for kinship carers have – at least in isolation – already been considered and worked through in the design of other forms of leave for those with parental or caring responsibilities. This includes but isn't limited to a typical lack of notice or evidence, the

need for flexibility given early uncertainty, an absence of formal parental responsibility, and more. Many of these challenges aren't new for both employers and government, and they have familiarity in dealing with these complexities sensibly and with compassion. It's entirely possible.

To support this, we should mirror existing models and/or their features wherever possible. This allows us to balance maximising the suitability and impact of any new set of entitlements for as many kinship carers as possible, whilst also offering something realistic and pragmatic for employers and ultimately deliverable for government. As appealing as it might be to design something completely bespoke and novel, this comes with significant risks.

5. The foundation must be improved awareness and recognition.

A new right to statutory pay and leave would deliver nothing if kinship carers, local authorities and employers were not aware of its existence. To maximise impact, we need a step change in awareness and recognition of kinship families and their needs, circumstances and experiences. Despite significant improvements in recent years through improved public understanding and growing numbers of Kinship Friendly Employers, it is difficult to overstate the very different context for kinship care when compared to other people raising children.

Nobody who becomes a parent or adopts a child is unaware they're a parent or an adopter, but many kinship carers won't know that what they're doing has a name, let alone get the advice and information they need to understand their rights and entitlements. Very few employers and agencies know what kinship care is; the government's limited guidance on this has failed to deliver. But employer knowledge and support could play a significant role in reaching kinship carers when they first step up, reducing stigma and ensuring kinship carers can recognise and advocate for themselves.

Any new right should be designed with this context in mind, and needs to be accompanied by work to ensure those who are kinship carers – and those who support them – are aware of and can access it.

A model for kinship care leave

We propose 2 new statutory entitlements for working kinship carers who step up to care for a relative or friend's child.

They are designed to operate largely independent of each other, with kinship carers accessing either or both as their family circumstances, eligibility and needs dictate.

Phase 1 kinship care leave and pay

Modelled on Neonatal Care Pay and Leave, this is designed to provide new kinship carers with the 'breathing space' they need when a baby or child is about to or has just come into their care, often unexpectedly.

The Phase 1 entitlement aims to deliver some shorter term relief from the demands of work to enable kinship carers to come to terms with the situation, access independent advice and information about their arrangement options and eligibility for support, navigate this period of uncertainty, and take steps to deal with the immediate emotional and practical upheaval typically associated with the early days of a kinship arrangement.

It would:

- provide kinship carers with **up to 12 weeks of leave and pay**, available to be taken flexibly and responsively in blocks of at least one week at a time.
- be **available to all kinship carers**, regardless of the type of kinship arrangement (i.e. including informal kinship carers).
- **extend to the partner** or spouse of a kinship carer where they are also providing care.
- require **no specific documentary evidence**, although kinship carers would be expected to provide a written declaration confirming they meet the eligibility requirements to access statutory pay.

Phase 2 kinship care leave and pay

Modelled on existing maternity, paternity, Shared Parental and adoption leave and pay, this is designed for kinship carers who have, or are expecting, to take on the long term or permanent care of a baby or child.

The Phase 2 entitlement aims to deliver the longer period of protected time parents or carers typically need to bond with a child and help them settle, whilst maintaining their household's financial security and preventing unnecessary permanent labour market withdrawal.

It would:

- provide a kinship carer with **up to 52 weeks of leave** (and up to 39 weeks of pay).
- be **available to all kinship carers** who expect to be the primary caregiver for a relative or friend's child on a long term or permanent basis.
- be accompanied by a right to an **equivalent of paternity/secondary adopter leave** and pay for secondary kinship carers.
- require **no specific documentary evidence**, although section 7 outlines various options and our recommendation for a similar written declaration process to access statutory pay.

Whilst both entitlements have been designed to mirror existing entitlements to other forms of leave and pay as they currently operate, we echo the recommendations made by others for the government's review to deliver enhanced levels of statutory payments, available for longer durations, which better deliver financial security for recipients and their families. Currently, the standard rate for statutory maternity, paternity, adoption, shared parental, neonatal and parental bereavement pay is £187.18 per week, set to increase to £194.32 for 2026-27.⁸

We also support mechanisms which would enable self-employed kinship carers to access both Phase 1 and Phase 2 entitlements wherever possible, similar to Maternity Allowance (MA) for those unable to access Statutory Maternity Pay (SMP). 15% of kinship carers who were in paid work immediately before they took on the role were self-employed.⁹ Currently, there is no right to statutory paternity leave and pay or adoption leave and pay for those who are self-employed.

We also recommend that both Phase 1 and Phase 2 entitlements are accompanied by relevant employment rights and protections associated with similar family leave and pay entitlements, including but not limited to protection from dismissal, protection from detriment, protection from redundancy, accrual of holidays and other terms and conditions protections, and the right to return to the same job. They should also be introduced as 'day one' rights to align with changes made to paternity leave and unpaid parental leave from April 2026 through the Employment Rights Act.¹⁰

In addition, the government's parental leave and pay review should lead to all kinship carers being recognised alongside other working parents within the eligibility criteria for any other relevant family leave (and pay) entitlements available on an ongoing basis. For example, only kinship carers who have parental responsibility for their kinship child(ren) are eligible for unpaid parental leave.

The government should recognise all kinship carers within all relevant ongoing parental leave entitlements, and employers should support kinship carers to understand and make use of these as the primary caregiver for a child. This is particularly important as kinship carers are more likely than other parents to benefit from such entitlements given the increased likelihood of children having additional needs, complexities in living and contact arrangements, and ongoing engagement with children's services or the family court.

⁸ Department for Work and Pensions (2026) [Proposed benefit and pension rates 2026 to 2027](#) [12 January 2026]

⁹ Kinship (2025) [Making work pay for kinship carers](#).

¹⁰ GOV.UK (2025) [New laws bring the world of work into the 21st century](#) [18 December 2025]

Our policy approach

Here are the some of the challenges and opportunities we've explored through our policy development process and the rationale behind the proposals we make.

Section 1. Why pursue a policy approach through the parental leave system?

There's a reason why we have a parental leave system. The government says these entitlements play a key role in *"helping parents balance their work and home lives"* and contribute to 4 key objectives against which its parental leave and pay review is considering the current system: supporting maternal health, promoting economic growth through labour market participation, giving babies and young children the best start in life, and supporting parents to make balanced childcare choices.¹¹

Kinship care currently does not feature within the parental leave and pay system, although some kinship carers may be able to utilise some entitlements designed for any employee with caring responsibilities where circumstances and eligibility allow (e.g. unpaid parental leave).¹² Where kinship carers do receive specific employment support as a result of stepping up to care for a relative or friend's child, this comes on a discretionary basis from employers and/or from local authority children's services – but this isn't commonplace.

This approach isn't sustainable. It's welcome that the government's parental leave and pay review has recognised this gap in the law; it has included *"fairness and equity"* across different types of parents as a cross-cutting consideration and will explore whether support *"meets the needs of those who do not qualify for existing leave and pay entitlements, such as kinship carers"*.

Much of government's justification for the introduction of other family leave and pay rights apply equally to this cohort. Evidence from impact assessments and theories of change for Parental Bereavement Leave, Neonatal Care Pay and Leave and other entitlements outline how *"employees who feel supported are more likely to return to work feeling valued, committed and productive"*, leading to *"improved employee retention"* and a *"healthy workforce with a continued attachment to the labour market"*¹³, as well as wider benefits including more time spent with children which *"has links to greater brain development and strengthening of parental bonds"* and *"improved mental health for parents"*.¹⁴

In 2020, the then government spoke of taking action to support parents when their child is in neonatal care to *"ensure they are no longer in the impossible position of having to choose between keeping their job and spending time"* with their child; a very similar impossible position continues to be occupied by thousands of kinship carers each year.¹⁵ Consideration of kinship care situations within the parental leave and pay system is both obvious and overdue.

It's also important to see a statutory solution to this problem, at least in part. The UK government's Better Regulation Framework (BRF) sets out the system used to support policymaking across

¹¹ Department for Business and Trade and Department for Work and Pensions (2025) [Parental leave and pay review: call for evidence](#) [July 2025]

¹² For more information, please visit kinship.org.uk/support-and-advice/advice-and-information/time-off-work-for-kinship-carers.

¹³ Department for Business and Trade (2025) [Amending new right to unpaid bereavement leave to include pregnancy loss DBT-074-25-CMRR](#) [7 July 2025]

¹⁴ Department for Business, Energy and Industrial Strategy (2022) [Impact Assessment \(IA\): Neonatal Care Leave and Pay BEIS028\(F\)-22-LM](#) [February 2022]

¹⁵ Department for Business, Energy and Industrial Strategy (2020) [Neonatal Leave and Pay: Good Work Plan: Proposals to Support Families: Government Response](#) [March 2020]

government. It is designed to “ensure that government regulation is proportionate and is used only where alternative, non-regulatory approaches, will either not achieve the desired policy outcomes or will achieve them at disproportionate cost”.¹⁶ As part of the BRF, government officials are expected to demonstrate consideration of non-regulatory policy options and outline why a regulatory approach is desirable to achieve the intended outcomes.

Close parallels can be drawn between previous government justification for regulatory options for enhancing employment rights and the policy case for a new right to paid kinship care leave. The options assessment for forthcoming secondary legislation to further define a new right to unpaid bereavement leave, included within the Employment Rights Act 2025, explains that “the Government intervenes in the labour market to extend individual employment rights for equity and efficiency reasons. A well-functioning labour market provides necessary rights and protections, to support the wellbeing of employees whilst also empowering business to operate competitively.”¹⁷ There is precedent which establishes where and when this makes sense.

For example, the impact assessment for Neonatal Care Pay and Leave dismisses alternative policy options, such as an awareness-raising campaign or guidance to encourage voluntary provision from employers. It argues that “in the absence of statutory minima, individual employers may not provide a socially optimal standard” and would be “unlikely to offer consistent support... the absence of minimum standards could result in some parents facing undue stress, additional costs and falling out of the labour market due to the difficulty in balancing employment and family-life”.¹⁸

There are several pioneering employers who have stepped up in the absence of any statutory right to introduce their own paid kinship care leave policies, with the support of our [Kinship Friendly Employer scheme](#). However, we hear consistently that, whilst many others would like to do so and recognise the value this would bring to their organisations and workforces, they cannot do so or are at least unable to deliver to the level they would like to without the backing from government as available for other similar leave and pay entitlements.

Comparably, in assessing the introduction of a right to statutory bereavement leave, the government notes that “without such entitlements, there are weak incentives for employers to act and introduce such leave, particularly given the associated costs and lack of legal obligation. Government intervention is therefore necessary to correct this ensure that all employees have access to protected time off to grieve”.¹⁹ Much of the same considerations around consistency, employer needs and risk of non-intervention apply when assessing the benefit of a regulatory approach for the introduction of kinship care leave.

There may be a risk that the drive to formalise a statutory entitlement with specific evidentiary requirements undermines the flexibility which some employers may already be able to offer, reducing their ability to respond to need. However, we believe the benefits of a right to paid leave outweigh the risks given the current landscape for employer support. Many employers already go above and beyond statutory entitlements and offer their discretion to extend or enhance leave and relax certain requirements wherever they feel possible given the relationships built with employees and the contribution they make; this should continue to be encouraged to ensure more kinship carers get what they need at the time they need it most.

¹⁶ Department for Business and Trade (2023) [Better Regulation Framework guidance](#)

¹⁷ Department for Business and Trade (2025) [Options Assessment for New Rights to Unpaid Bereavement leave including Pregnancy Loss DBT-092-25-CMRR \[1 December 2025\]](#)

¹⁸ Department for Business, Energy and Industrial Strategy (2022) [Impact Assessment \(IA\): Neonatal Care Leave and Pay BEIS028\(F\)-22-LM \[February 2022\]](#)

¹⁹ Department for Business and Trade (2025) [Options Assessment for New Rights to Unpaid Bereavement leave including Pregnancy Loss DBT-092-25-CMRR \[1 December 2025\]](#)

Section 2. Why propose 2 separate pay and leave entitlements?

The breadth of kinship arrangements and situations means that identifying a single 'silver bullet' policy solution through the parental leave system or elsewhere is likely not possible, nor desirable. However, there is still a significant role the system can play in delivering positive outcomes for children, families, employers and wider society, whilst enabling other areas of the public, private and third sectors to step in where they are best placed to do so. Government will want to ensure the right systems and sectors are delivering what they are most suited to, with appropriate consideration of funding and accountability.

The Phase 1 entitlement is designed to provide some early 'breathing space' to kinship carers at an immensely difficult time – emotionally, practically and financially – whilst balancing the needs of their employers to manage in situations where there is very little or no notice and uncertainty in the duration of employee absence.

Kinship care situations often arise from extremely difficult family circumstances involving trauma, loss and separation. Nearly 3 in 5 kinship children represented in our 2023 annual survey cohort were unable to live with their parent(s) and entered kinship care as a result of substance misuse issues, and over half (51%) due to neglect. Other common reasons included physical abuse (42%), domestic abuse (39%) and emotional abuse (31%).²⁰ Incidences of parental death or parental absence or abandonment were also common particularly for those children cared for in informal arrangements or where a legal order was made in private proceedings.

Whilst recognising they are very different situations, there are obvious parallels which can be drawn between kinship care and the recognition and consideration of 'grief' within the regulatory responses to demands for leave following situations involving the death of a child or partner. The confirmation of a day one Parental Bereavement Leave, including pregnancy loss, spoke of giving parents *"the choice to take time off to grieve"*²¹. When announcing the introduction of Bereaved Partner's Paternity Leave from April 2026, the government recognised the *"previously unfair system where bereaved partners had to rely on the compassion of an employer in order to be granted time off to grieve and care for a child"* and included a quote from campaigner Aaron Horsey who said the new law *"ensures that new parents and their employers have a clear route for support at one of the most difficult moments imaginable... it gives them the time and space they need to grieve, care, and begin to rebuild their lives with dignity"*.²²

The Phase 1 entitlement intends to deliver, at least partially, that same time and space for healing and caring in circumstances kinship carers will describe as the most difficult they have ever experienced. In some cases, they will also be grieving after the death of a loved one at the same time as taking on the care of their child. But for others, there will still be a painful and intense physical and mental response which kinship carers often describe as 'grief'. This follows whatever situation has led the child to be unable to live with their parents, the loss of or damage to family relationships, and the emotional turmoil experienced as they completely reconfigure their day-to-day life and future plans around the needs of a child who has experienced trauma.

We propose 12 weeks primarily to – and very intentionally (see section 3) – mirror existing leave entitlements. It strikes an unavoidably messy and difficult balance between individual and family needs, and both employers' and the state's ability to support. In determining the appropriate duration and structure for Neonatal Care Pay and Leave, the then government concluded that the maximum 12-week period *"balances the needs of business (planning for their employee's absence)*

²⁰ Figures previously unpublished but taken from Kinship's 2023 annual survey of nearly 1,700 kinship carers across England and Wales. For more information on the survey cohort, please read our [Breaking Point report](#).

²¹ Department for Business and Trade (2025) [Options Assessment for New Rights to Unpaid Bereavement leave including Pregnancy Loss DBT-092-25-CMRR](#) [1 December 2025]

²² GOV.UK (2026) [Stronger parental leave rights to give millions of working families the "security they deserve"](#) [11 January 2026]

alongside the needs of parents" and that week-long blocks, in aligning with normal practice in how statutory payments are made, "balances parents' need for flexibility with employers' need for certainty and practicability".²³

Whilst the Phase 1 entitlement would be open to all kinship carers, we recommend that the Phase 2 entitlement is made available to those who have or who are expecting to take on the long term or permanent care of a child. This two-pronged approach intends to provide as neat a solution as possible to reflect that kinship journeys may be both short and long term. It also aims to pragmatically balance the need for equitable support via the parental leave system for those kinship carers with ongoing primary caring expectations similar to that of new parents or adoptive parents with the typical uncertainty around the future of kinship arrangements when they begin – and the government's likely willingness to deliver a more significant statutory leave and pay entitlement until more is known about their durability.

In our 2025 annual survey, nearly three-quarters (75%) of kinship carers said they expected their kinship arrangement was going to be long term or permanent at the time they took on the care of their kinship child or children; only 15% said this wasn't expected and a further 11% said they didn't know. However, this likely overrepresents the extent to which this is the case given those responding to our survey are much more likely to be those long term or permanent kinship carers with formalised arrangements, including special guardians. We know that informal kinship carers have less clarity at the point of taking on the care of a child: more than a third (35%) of this group said they didn't expect their arrangement to be long term or permanent when it began.²⁴

Inevitably, this state of uncertainty may lead to a gap in statutory support through the parental leave system as it is unable to 'hold' all kinship carers in the time between exhausting their Phase 1 entitlement and the beginning of a Phase 2 entitlement in situations where they become eligible. This challenge is compounded by the first year likely being the period whereby most kinship carers will have the greatest need for leave from employment.

Although our consultation and other research has identified that the vast majority of kinship carers would still see significant benefits from a period of paid leave equivalent to our proposed Phase 1 entitlement²⁵, 12 weeks is very unlikely in many situations to be close to enough alone. Kinship carers involved in our policy development work spoke of the *"lost early months"* where they were focused entirely on supporting children to feel safe and secure and dealing with immediate practical considerations – *"the IKEA beds and the school uniform"*. They were just *"putting out fires"* and it led to them *"playing catch-up"* in the years which followed, and they urged that employers understood what the medium to long term looked like for those who become kinship carers, even after the initial set of visits to court or social worker meetings.

As such, it is vital that eligibility and accompanying evidence and information requirements are flexible enough to ensure this Phase 2 entitlement becomes available for kinship carers to use as soon as possible, once some expectation around the future of an arrangement is understood (see section 7). This feature should not prevent but instead encourage and enable other relevant areas of public services to step in where it is not possible for the parental leave and pay system to do so, including local authority children's services and the wider benefits system (considerations around the alignment of our proposal with policy and practice in children's social care are explored in section 9), as well as employers themselves.

²³ Department for Business, Energy and Industrial Strategy (2020) [Neonatal Leave and Pay: Good Work Plan: Proposals to Support Families: Government Response](#) [March 2020]

²⁴ Kinship (2025) [Handle With Care: Annual survey of kinship carers 2025](#)

²⁵ Family Rights Group (2024) [Same Love, Same Leave: Helping kinship carers remain in work](#)

Section 3: Why mirror existing family leave and pay entitlements?

Throughout our policy development, employers, representative organisations, HR and employment law experts and others with relevant experience around family leave and pay all strongly recommended that the design of any proposed kinship care leave policy should be based on what exists already for other groups or situations. They saw this as crucial to making any future kinship care leave entitlement as straightforward for employers as possible to understand in an increasingly complex landscape, improving the speed and quality of delivery and mitigating against any risks associated with poor implementation.

These stakeholders all suggested that the vast majority of employers welcomed expanded and strengthened leave entitlements, and recognised the benefits they offer in enabling them to retain talented and productive employees. But they also acknowledged the wider turbulence facing employers currently including worry and 'fatigue' associated with other reforms seen as less favourable, including other non-leave related provisions within the Employment Rights Act as well as increased employer National Insurance Contributions (NICs) and measures which are increasing costs. As such, there was a strong steer to mirror existing models wherever possible, maximising the practice knowledge and familiarity within employers, rather than to propose an entirely bespoke and novel approach.

It is clear this strategy is also the precedent established by government with the introduction of recent pay and leave entitlements. In summarising responses to a 2019 consultation on proposals for a new statutory entitlement to Neonatal Care Leave and Pay, the government said that stakeholder groups *"expressed the view that, as far as possible, the new entitlement should maintain consistency with existing entitlements to family-related leave and pay"* to *"ensure the fair treatment of parents... when compared with other parents in receipt of other entitlements, which are usually associated with the birth of adoption of a child"* and *"keep additional burdens on business to a minimum, as they are already familiar with the existing framework"*.²⁶

Similarly, in assessing the impact of an Employment Rights Bill amendment to introduce a right to bereavement leave for pregnancy loss, the government in July 2025 outlined that this would be *"based on a similar legislative framework to that for statutory Parental Bereavement Leave. This may limit uncertainty and the business impact in terms of understanding a new entitlement for employees"*. It noted that *"this legislation is intended to share many of the features of the existing Parental Bereavement Leave policy and new unpaid Bereavement Leave policy, which could reduce some of the familiarisation time"*.²⁷

Although the government's parental leave and pay review may lead to considerable change to the very entitlements 'mirrored' in our proposal for kinship care leave, the premise of best utilising models of delivery which already exist remains a sensible and helpful guide. This also doesn't mean guaranteed simplicity: the new Neonatal Care Pay and Leave entitlement wasn't seen as a particular straightforward structure for employers or recipients to understand, and few had experience in delivering or administering it so far. Shared Parental Leave was universally seen as administratively difficult.

The primary objective of our policy design process has been to propose options which could deliver positive outcomes for children, families and the state. This has involved building in consideration of the many complexities associated with kinship care to offer something we believe could be genuinely meaningful and impactful. However, we have also had to recognise the context and constraints in which all involved parties are operating: kinship families, employers,

²⁶ Department for Business and Trade (2025) [Explanatory Memorandum to the Neonatal Care Leave and Miscellaneous Amendments Regulations 2025 SI No. 375](#)

²⁷ Department for Business and Trade (2025) [Amending new right to unpaid bereavement leave to include pregnancy loss DBT-074-25-CMRR \[7 July 2025\]](#)

government and local authorities. This is not about placing the needs of others above kinship families or capping ambition for reform; it is about doing what is right for our community of kinship families by offering pragmatic solutions which acknowledge trade-offs.

Section 4: What will influence the cost to employers and the government?

The parental leave and pay review's terms of reference outline that a key consideration is cost: *"balancing costs and benefits to both businesses and the exchequer"*.²⁸ We have endeavoured to address this in our proposals wherever possible, including by mirroring existing entitlements in a way to explicitly reduce 'familiarisation costs' to business (i.e. *"the time needed to understand how their own schemes interact with the statutory provision, update internal guidance and systems and disseminate changes to staff, and to access specialised advice"*) and in considering *"business re-organisation costs associated with employee absence"* as typically calculated in departmental appraisals of other family leave and pay entitlements when providing an estimated Equivalent Annual Net Direct Costs to Business (EANDCB).²⁹

We would admittedly expect familiarisation time for any new right to kinship care pay and leave to be higher than for other recently introduced entitlements because of the poor awareness and understanding of kinship care and the variety and complexity of the circumstances involved. As noted earlier, any new kinship care leave provision would require a substantial amount of employer and public-facing education to be most effective. However, in proposing that legislation shares many features of existing entitlements, such as Neonatal Care Pay and Leave, we would expect this to limit likely familiarisation costs.

Estimates of business reorganisation costs are more challenging due to the absence of robust and comprehensive data on the number of new kinship care arrangements of all types which begin each year. The information we do have, however, suggests that the number of eligible kinship carers taking up any paid leave entitlement are unlikely to be significant enough to introduce substantial additional costs for employers – or the state – but are considerable enough to justify the introduction of a targeted statutory right through the parental leave system given the resultant economic and social benefits.

Estimates based on analysis of Census 2021 data suggest there are around 132,000 children in kinship care in England as a 'snapshot' cohort.³⁰ We know how many children start to be looked after in kinship foster care each year (5,500 on average over the last 5 years) and how many children leave care to special guardianship or child arrangements orders each year (respectively 3,900 and 1,100 on average over the last 5 years)³¹, and we have accompanying family court data from the Ministry of Justice and Cafcass. But none of this alone tells us enough to understand how numbers might map onto estimated eligibility for kinship carers accessing Phase 1 or 2-style entitlements – and they miss out informal arrangements completely.

Given the typical age profile of kinship carers compared to other groups taking on the care of children (the median age of respondents to our recent annual surveys has been 55 to 59, and nearly half were aged 60 over³²), a greater proportion are likely to be economically inactive and retired and ineligible for any entitlement through the parental leave system. However, evidence from our survey data suggests that around three-quarters (74%) were economically active and in paid work immediately before they became a kinship carer. Additionally, more than two-thirds

²⁸ Department for Business and Trade and Department for Work and Pensions (2025) [Government review of the parental leave and pay system terms of reference](#) [1 July 2025]

²⁹ Department for Business and Trade (2025) [Options Assessment for New Rights to Unpaid Bereavement leave including Pregnancy Loss DBT-092-25-CMRR](#) [1 December 2025]

³⁰ Petrillo, M., Zhang, J., Driscoll, B., and Hughes, N. (2025) [Valuing Kinship Care in England](#). The Centre for Care and Kinship. DOI: 10.13140/RG.2.2.34452.00648

³¹ Department for Education (2025) [Children looked after in England including adoptions: Reporting year 2025](#)

³² Kinship (2025) [Handle With Care: Annual survey of kinship carers 2025](#)

(67%) were in full time employment – comparable with the proportion of all working adults – and overrepresented in crucial sectors such as healthcare, education and adult social care.³³

As a loose comparator for the proposed Phase 1 entitlement, the government estimated that approximately 34,000 parents would take up paid neonatal care leave annually after the new right came into force in April 2025, based on 60,000 parents being eligible and 40,000 babies spending over one week in neonatal care³⁴, delivering an equivalent annual net direct cost on business of approximately £18.6 million³⁵. Given the figures above, we would expect the numbers of eligible kinship carers – and likely cost on business – to be lower.

Given the statutory pay element to both our proposed Phase 1 and Phase 2 entitlements, there would obviously be ongoing costs associated with payments funded by the exchequer. There would also be additional costs to HMRC associated with making IT changes to payroll systems for business to reclaim pay; previous assessments have suggested this is in the region of £5 million as a one-off cost.³⁶ However, given the potential for wholesale changes to be made to systems as a suite of changes to the system following the roadmap published at the end of the parental leave and pay review, any new right to kinship care leave and pay brought in alongside may not incur as great a cost.

Our engagement with employers, representative organisations and others highlighted the specific challenges which small and medium size employers might face, particularly in the absence of a dedicated HR function leading to higher familiarisation costs, and the greater significance which periods of staff absence have for their workforces and productivity.

However, we should again acknowledge the likely small cohort size of eligible kinship carers in comparison to the considerably positive impact this would have for their lives and the effectiveness of a paid leave entitlement for enabling such employers to retain vital employees in the longer term. In our dialogue with employers of varying sizes, very few spoke of much experience with the new Neonatal Care Pay and Leave entitlement, highlighting how unlikely it might be for a small or medium employer to have an employee who goes on to claim a future Phase 1 or Phase 2 kinship care pay or leave entitlement.

We can also look at these considerations by government in other leave and pay rights where it has been *“recognised that smaller businesses may face disproportionate challenges due to limited resources”* but *“the broader societal benefits of increased worker security and fairness in the labour market justify the policy’s scope”*, and where prior evidence from consultation with employer representatives suggests that businesses of fewer than 50 employees *“will only familiarise themselves fully with the legislation as and when they really need to (i.e. when the leave is requested)”*.³⁷

In understanding the potential economic *benefits* associated with a right to paid kinship care leave, it is sensible to consider the potential impact on labour market participation. Parental leave can encourage and support parents to return to work, but it can also provide the financial and wider stability needed to make positive choices and withdraw from the labour market as most appropriate. In our *Making work pay for kinship carers* research published last year, we suggested that *“given that kinship carers are likely to have ongoing financial needs which require additional*

³³ Kinship (2025) *Making work pay for kinship carers*

³⁴ Department for Business and Trade (2025) *Explanatory Memorandum to the Neonatal Care Leave and Miscellaneous Amendments Regulations 2025 SI No. 375*

³⁵ Department for Business, Energy and Industrial Strategy (2022) *Impact Assessment (IA): Neonatal Care Leave and Pay BEISo28(F)-22-LM* [February 2022]

³⁶ Department for Business, Energy and Industrial Strategy (2022) *Impact Assessment (IA): Neonatal Care Leave and Pay BEISo28(F)-22-LM* [February 2022]

³⁷ Department for Business and Trade (2025) *Options Assessment for New Rights to Unpaid Bereavement leave including Pregnancy Loss DBT-092-25-CMRR* [1 December 2025]

financial support, their circumstances are more likely than for parents or adopters to necessitate, or at least encourage, maintaining or returning to paid employment” and that any introduction of statutory leave and pay would likely “push disproportionately in the direction of increasing the likelihood of greater numbers of kinship carers returning to work compared with what we currently see in the absence of any entitlement, and compared to other groups where paid leave may more commonly facilitate a ‘softer’ withdrawal from the labour market”. Of those who responded to our 2024 annual survey, around one third (32%) of kinship carers said a similar right to paid leave as for adoptive parents would have enabled them to return to work as before, and a further 19% said it would have to some extent.³⁸

The review team at the Department for Business and Trade should work alongside colleagues at the Department for Education to understand potential costs on employers and the exchequer for different approaches. It isn't unusual for such modelling to deal with uncertainty. The options assessment for unpaid bereavement leave acknowledged that key risks were *“the limited evidence to inform the take-up rates and the family composition of Great Britain”*³⁹, and the impact assessment for paternity leave flexibility reform concluded as part of its costing methodology approach that *“whilst the target populations differ, it is reasonable to assume that employers will respond in a broadly similar way to other recent employment rights reforms”*.⁴⁰

³⁸ Kinship (2025) [Making work pay for kinship carers](#)

³⁹ Department for Business and Trade (2025) [Options Assessment for New Rights to Unpaid Bereavement leave including Pregnancy Loss DBT-092-25-CMRR](#) [1 December 2025]

⁴⁰ Department for Business and Trade (2024) [De Minimis Impact Assessment \(IA\): Paternity Leave Flexibility reform, DBT-011\(IA-F\)-23-CMRR](#) [January 2024]

Considerations in our policy design

Here is additional detail exploring how these entitlements could be set out and implemented, including an appraisal of the various trade-offs involved.

Section 5. When and how would kinship carers provide notice to their employer?

It is common for kinship care to emerge from crisis, with children moving to live with family and friends in unplanned and unexpected circumstances. This is one of the aspects which marks kinship care as typically different to fostering or adoption. Even in circumstances where foster or adoptive placements begin without much notice or where timings are uncertain, both foster carers and adoptive parents have made an active choice to dedicate their time and love to a child or children at a point in their lives where they have the stability to do so, and both expect and plan accordingly for this to happen in the future.

In 2019, more than half of kinship carers (53%) told us they were given no notice and took on their kinship child in a crisis situation, and 84% said they didn't get the advice and information they needed when they took on the role.⁴¹ Even for those who have some period between agreeing to care for a child and the child coming to live with them, this may only be a matter of days and few are likely to have the time, space and information they need to sufficiently prepare for the enormity of this change to their lives. In 2022, only 1 in 5 kinship carers (21%) told us they had received any preparation support around being a kinship carer either before or shortly after their child moved in.⁴² It is positive that governments have recognised this in recent years and responded by investing in bespoke practical training and information for kinship carers; Kinship has delivered the [national training and support service](#), funded by the Department for Education and available to all kinship carers in England, since April 2024.

Whilst this common feature of kinship care does pose a challenge for the effective design of any right to paid leave, it is not uncommon for both employees and employers to deal with unexpected changes and situations involving little to no notice. Some of these circumstances also have discretionary or statutory forms of pay and leave associated with them, such as sick leave and Statutory Sick Pay, compassionate leave, Time off for Dependents and Parental Bereavement Pay and Leave.

In the case of the latter – which provides parents and other primary carers with up to 2 weeks' leave if they suffer the loss of a child – eligibility criteria are clear that *“employees will not have to give notice for leave immediately after a loss”*.⁴³ In its 2018 response to the parental bereavement leave and pay consultation, the then government recognised *“the unpredictable nature of death and the subjective nature of grief”* which *“means that it would often be impractical for an employee to give notice”*.⁴⁴ As explored earlier in section 2, a very similar argument can be made for many kinship care situations given the often unexpected trauma, separation and loss commonly experienced by families around the time a child comes to live with a relative or friend.

For the Phase 2 entitlement, it would be realistic to expect employees to provide reasonable written notice to their employer of their intention to take leave, typically alongside accompanying

⁴¹ Grandparents Plus (2019) [Kinship Care: State of the Nation Survey 2019](#)

⁴² Kinship (2022) [The Cost of Loving: Annual survey of kinship carers 2022](#).

⁴³ GOV.UK (2018) [New law supports all families who suffer the loss of a child](#) [Published 2 November 2018]

⁴⁴ Department for Business, Energy and Industrial Strategy (2018) [Parental bereavement leave and pay consultation: Government response](#) [November 2018]

evidence, dependent on the particular point in their kinship journey at the time the request is made. In contrast, the Phase 1 entitlement would need to be available for employees to take without any required written notice, at least where arrangements begin unexpectedly. This aligns too with the decision made to allow for “*very short, informal, notice*” (e.g. via phone or text message) in the case of Neonatal Care Leave taken whilst a baby is in neonatal care or in the first week after to recognise this is a “*sudden, unexpected event which parents are unable to plan for*”.⁴⁵

However, common with other leave and pay entitlements, a requirement of some notice may be set for circumstances where kinship carer employees plan their leave to start at a later date after the child first comes to live with them. For example, there is a 1 week notice period for Parental Bereavement Leave if taken 9 to 56 weeks after the child's death, and a 15 to 28 days' notice period for Neonatal Care Pay and Leave if being taken more than a week after a baby has left neonatal care. This may also apply in circumstances where the kinship carers are yet to take on the care of a child but this is expected to happen (e.g. employees must give 21 days' notice before the week the baby or child is expected for unpaid parental leave if they or their partner are having a baby or adopting).

Section 6. How could informal kinship carers be included?

Kinship care occupies a unique place, straddling the messy boundary between private family life and what can be significant state intervention through the child welfare system. Levels of interaction with children's services and the family court will significantly impact on family experiences and eligibility for support. The latter continues to be dictated largely by the presence or absence of parental responsibility and whether or not the child is or previously was looked after in care, as well as the local authority area where the child lives now or used to live.

However, evidence from our surveys and research, and our more than 2 decades of advice and support work with kinship families, suggests the needs, experiences and strengths are more common across different types of kinship arrangement than they are different. Regardless of the type of kinship arrangement, movement between them or route taken to get there, the need for appropriate employment support for working kinship carers at this immensely turbulent time is crucial, particularly given the level of uncertainty at the origin of so many kinship journeys.

As such, we strongly recommend that any future paid leave entitlement (or entitlements) adopts as broad and inclusive a view of kinship care as possible. This should start from the government definition of kinship care included in refreshed 2024 statutory guidance.⁴⁶ Eligibility for both our proposed Phase 1 and Phase 2 leave and pay entitlements can be made inclusive of informal kinship carers without parental responsibility.

Notably, precedent established through the provision of other family leave entitlements supports this. In introducing Parental Bereavement Leave and Pay, the then government highlighted its determination that “*other non-traditional family structures should not be overlooked by the law*” whilst acknowledging the need for employer and employee clarity in a context where “*there is no existing legal mechanism, which would be appropriate to use to identify individuals who are 'primary carers' for a child on an informal basis, such as informal kinship carers*”. Despite this challenge, the right decision was taken to “*extend the entitlement to these additional groups by reference to the nature of their caring responsibilities for the child (the guiding principle being that it should be parental in nature)*”.⁴⁷

⁴⁵ Department for Business, Energy and Industrial Strategy (2020) [Neonatal Leave and Pay: Good Work Plan: Proposals to Support Families: Government Response](#) [March 2020]

⁴⁶ Department for Education (2024) [Kinship care: statutory guidance for local authorities](#) [11 October 2024] (See pages 7 to 9: 'kinship definition')

⁴⁷ Department for Business, Energy and Industrial Strategy (2018) [Parental bereavement leave and pay consultation: Government response](#) [November 2018]

As noted in section 7 which follows, a written declaration is used for informal kinship carers to confirm they were providing day to day care for a child for 4 weeks before their death, that the child lived in their home continuously for those 4 weeks, and that neither one of the child's parents nor anyone with legal parental responsibility for the child was also living in the home.⁴⁸ This can be completed using an online form on GOV.UK, or can be confirmed in writing or through an employer's own form. Options for informal kinship carers to demonstrate evidence of their arrangement are explored in the following section.

Section 7. How would kinship carers provide evidence to their employer?

Those kinship carers who have been approved as kinship foster carers or who have or are on their way to being granted a legal order made in the family court will likely have some clear documentation to evidence their situation, but informal kinship carers who are looking after children following an agreement made privately between family members may not have any specific 'proof' of their role. This can present particular challenges when considering the kind of documentary evidence which may be required for some kinship carers.

We can again explore how previous governments have recognised the need for flexibility within evidentiary requirements for other relevant pay and leave entitlements. Indeed, this is not an insurmountable obstacle to the delivery of any future pay and leave entitlement for any type of kinship carer; we can look to precedent for guidance on how to do this in a way which satisfies both *"what employers would find useful or necessary"* and *"what it would be reasonably practicable for parents [kinship carers] to do in these difficult circumstances"*.⁴⁹

It is common for statutory *leave* entitlements not to require any evidence from the employee, unless requested by the employer. This is often important to respect the sensitivity of certain situations and the privacy of employees. For example, in the case of Parental Bereavement Leave requests, employers are forbidden from asking for evidence of entitlement for leave (e.g. a death certificate) or details about the employee's relationship to the child. However, claiming any statutory *pay* accompanying a period of leave is typically conditional on providing specific evidence to the employer (e.g. a MATB1 maternity certificate or doctor's letter for Statutory Maternity Pay or a matching certificate and letter from the agency for Statutory Adoption pay).

However, there are other circumstances where this is not the case. In the case of Neonatal Care Pay and Leave, *"no documentary evidence (such as a hospital discharge letter or birth certificate) is required to take leave or pay"* and employers are reminded that they *"should not ask or compel your employee to share medical information about their baby's condition or treatments they are receiving"*.⁵⁰ Instead, eligible parents are required to complete a declaration form (known as form NEO3) to confirm they will be caring for the baby during the period they are claiming for, and that they are the baby's parent or mother's partner with caring responsibilities for the baby. A somewhat similar declaration is used for claiming Statutory Paternity Pay (form SC1).

For Parental Bereavement Pay, the government intentionally chose to *"mirror... the evidence requirements used in other family leave and pay rights"* and require employees to provide their employer with a written declaration confirming they meet the eligibility requirements within 28 days. This intended to recognise the need for *"sensitivity and flexibility for bereaved parents, whilst also ensuring a safeguard is in place to protect employers and the Exchequer from potential abuse"*.⁵¹

⁴⁸ GOV.UK (2026) [Claim Statutory Parental Bereavement Pay \(SPBP3\)](#) [Accessed 22 January 2026]

⁴⁹ Department for Business, Energy and Industrial Strategy (2018) [Parental bereavement leave and pay consultation: Government response](#) [November 2018]

⁵⁰ Department for Business and Trade (2025) [Neonatal Care Leave and Pay: Employers' technical guide](#) [August 2025]

⁵¹ Department for Business, Energy and Industrial Strategy (2018) [Parental bereavement leave and pay consultation: Government response](#) [November 2018]

We recommend a similar approach is taken for a future paid kinship care leave entitlement. In the case of the Phase 1 entitlement, no documentary evidence should be required for leave or pay, but to align with other family leave and pay rights, it would be reasonable for kinship carers to be asked to sign a statutory declaration and satisfy certain information requirements through written notice within a reasonable timeframe (e.g. 28 days) in order to claim statutory pay.

For the Phase 2 entitlement, supporting evidence would be required to confirm that the kinship carer is – or is expected to become – the long term or permanent primary caregiver for the child. 'Long term' may need to be defined further (i.e. arrangements expected to last for more than 52 weeks) to provide clarity in situations involving some continued uncertainty. For example, this might be where a kinship carer retains status as a kinship foster carer whilst family reunification options continue to be explored and/or as care proceedings continue, or where a child arrangements order is being pursued rather than a special guardianship order provide joint parental responsibility but to retain an ambition for children to return to live with parents for at least part of the time.

The type of kinship arrangement alone cannot be relied upon to define the long term or permanent nature of kinship care; many kinship carers will continue as kinship foster carers or informal kinship carers for several years and never pursue a legal order. And as explored further in section 9, it may take some time even after an expectation is established before an applicant is eligible to apply for a legal order and then even longer to actually secure this in the family court. In order to deliver a Phase 2 paid leave entitlement as early as possible to maximise its value to kinship carers and their children, we should explore a range of other evidentiary options which could be available at an earlier point in a family's kinship journey.

Where there has been local authority involvement (e.g. where a child is expected to continue living under a kinship foster care arrangement, where a local authority is recommending a child is cared for under an SGO or CAO made following care proceedings, or following a family group decision making (FGDM) process where the family-led plan includes kinship care), a relevant children's services member of staff could be asked to confirm this is expected to be a long term or permanent arrangement via a written declaration, alongside any other relevant documentary evidence which clarifies current or expected future status (e.g. copy of an interim care order, a successful initial SGO viability assessment etc).

The criteria for the government's forthcoming Kinship Allowance Pilot also considers an appropriate 'threshold' for sufficient progression towards an SGO or CAO so that kinship carers who pursue these legal orders in private law proceedings are also eligible to receive a financial allowance. This includes *"kinship carers who have applied for an SGO through private law proceedings and passed the First Hearing Resolution Appointment (FHRA)"* and kinship carers who have applied with a 'lives with' CAO for a child who would otherwise be in care and who have *"attended a FHDR meeting for children proceedings"*.⁵² There may be other alternative evidentiary options to explore for this group too (e.g. a written declaration made by a member of children's services staff following completion of a special guardianship assessment report or s7 welfare report prepared for the family court), although risk continuing to lag behind when the need for paid leave is likely greatest.

For those children in informal kinship care arrangements, there are still options available which could satisfy a particular evidence or information requirement accompanying the Phase 2 entitlement. Where parents have died, evidence of testamentary guardianship via a will or confirmation of receipt of Guardian's Allowance could be used, or a letter from a prison authority in situations where a child's parents are in prison. Other supporting evidence (e.g. confirmation of

⁵² Department for Education (2025) *Kinship Allowance Pilot: Expression of Interest (EOI) supporting guidance for local authorities* [17 June 2025]

receipt of Child Benefit, a letter from a suitable health, education or other professional such as a GP or headteacher) could also be helpful but alone wouldn't clarify an expectation of long term or permanent care.

Alternatively, a mechanism comparable to the IC1 form could be used, whereby a social worker is asked to confirm they are satisfied the arrangement is expected to be long term or permanent. The IC1 form involves a registered social worker completing a declaration to confirm an informal kinship carer is caring for a child who would otherwise be looked after by the local authority⁵³, for the purpose of securing an exemption to the 2 child limit in Universal Credit (active until April 2026).

Ultimately, none of these options are ideal. In designing a right to kinship care leave which aligns with the operation of other family leave and pay entitlements, there exists an unfortunate but unavoidable antagonism driven by the fact that any certainty around the expected future of an arrangement may only arrive long after the child has come to live with their kinship carer(s). There is characteristic uncertainty about the permanence of kinship care arrangements at their beginnings but an often simultaneous need for a lengthier guarantee of statutory pay at a point where this cannot be really known or evidenced.

As such, given the small number of people who would be eligible for and take up this form of paid leave each year and the very low likelihood of potential abuse, set against the significant impact which earlier access could have, we recommend that a similar written declaration process is established for the Phase 2 entitlement as for the Phase 1 entitlement. Kinship carers would be asked to confirm an expectation that the arrangement will be long term or permanent through a written statement to access both leave *and* pay. This feels like the most sensible and workable solution to the problem outlined above.

Notably, this is similar to the model used to access adoption pay and leave in surrogacy arrangements. Proof is not required for either leave or pay unless requested by the employer, in which case employees provide a statutory declaration that they intend to apply for a parental order in the 6 months after the baby's birth and expect the order to be granted (for example, because they do not have any convictions involving children, and the birth mother or father agree to the arrangement).⁵⁴

Regardless of whether the statutory parental leave and pay system is ultimately able to manage this challenge, we must not dilute our focus on ensuring that employers can offer meaningful flexibility and discretion in kinship care situations based on trusting relationships with employees, positive workplace cultures, and robust systems and processes. Local authorities should too step up to support kinship carers as they navigate their employment options, with the statutory framework and funding in place to do this effectively.

Section 8. What are some of the other specific considerations for kinship carers?

The objectives of the parental leave system are centred around supporting the physical and mental health of parents and the health and development of babies and young children specifically. However, children can enter kinship care at any age during childhood. As such, what any entitlement to paid leave delivers for kinship carers may have both similarities and differences to other forms of parental leave.

⁵³ Department for Work and Pensions and HM Revenue & Customs (2017) [Support for a child who is informally living with you](#) [6 April 2017]

⁵⁴ GOV.UK (2025) [Statutory Adoption Pay and Leave: employer guide](#) [Accessed 22 January 2026]

The majority (72%) of children who were adopted last year started their final period of care whilst aged under 1 year and the average age at adoption was 3 years and 2 months.⁵⁵ What we know about the ages of children who enter kinship care is skewed by the type of kinship arrangement most prevalent amongst those children and families where data is available. In our 2025 annual survey, 33% of kinship carers had taken on the care of at least 1 kinship child under the age of 1 and 45% aged 1 to 4 years, but those with special guardianship orders and long term kinship carers (i.e. those with 6 to 10 years of experience) are significantly overrepresented in this cohort.⁵⁶ In the same year, 11% of children who left care to special guardianship were aged under 1 and 36% were 1 to 4 years; the average age at making of the SGO was 6 years and 5 months.⁵⁷

It would be reasonable to expect greater proportions of older teenagers who enter kinship care to be cared for informally or be looked after in kinship foster care given the length of time taken to secure a legal order and how long it would be before the child reaches adulthood, and any children's services considerations around care planning and the age of the child. However, even within our survey cohort, nearly half (45%) of kinship carers had still taken on the care of a school-aged child (i.e. 5 years or older)⁵⁸, and amongst just those children who left care to special guardianship last year, 23% were aged 10 to 15 and 3% aged 16 and over.⁵⁹ Other research has found that, among those due to complete Key Stage 4 between 2015/16 and 2018/19, nearly all adopted children had entered care by age 7 compared with 83% of special guardianship children, and 90% of adopted young people left care on an Adoption Order by the age of 6, compared with 67% of special guardianship young people.⁶⁰

This brings a different – but not any less challenging – set of potential needs and circumstances compared to those taking on the care of a much younger child. It may lend some additional weight to the idea of a set of 2 separate entitlements which recognise the trends between long term or permanent care and the age of the child when entering kinship care, but further research and consultation is needed to understand this and potential considerations further.

It is also more likely for kinship carers to take on the care of multiple children, often in sibling groups, and to do so at the same time. In our 2025 annual survey, more than a third (35%) of kinship carers were looking after 2 or more children⁶¹, and in the first 2 quarters of 2026-26, 44% of those leaving care to special guardianship were in a sibling group compared to 30% of children adopted⁶². This again compounds the significant impact the absence of paid kinship care leave currently has for this group and on the children they step up to care for, and should be considered in the delivery of any future entitlement(s). Only one period of maternity, paternity or adoption leave is available for each pregnancy or adoption arrangement respectively, although unpaid parental leave provides 18 weeks' leave in total for each child up to their 18th birthday.

We also know that children in kinship care are significantly more likely than other children to have additional needs arising from early experiences of trauma and childhood adversity. Previous Kinship research has identified similar levels of social, emotional and behavioural needs (SEMH) to children in other social care groups, including looked after children and those who leave care to adoption.⁶³ Challenges managing these needs is also by far the most common reason for why as

⁵⁵ Department for Education (2025) [Children looked after in England including adoptions: Reporting year 2025](#)

⁵⁶ Kinship (2025) [Handle With Care: Annual survey of kinship carers 2025](#)

⁵⁷ Coram (2025) [Adoption and Special Guardianship Quarterly Data Collection – Headline Measures: Q2 2025/26](#) [December 2025]

⁵⁸ Kinship (2025) [Handle With Care: Annual survey of kinship carers 2025](#)

⁵⁹ Coram (2025) [Adoption and Special Guardianship Quarterly Data Collection – Headline Measures: Q2 2025/26](#) [December 2025]

⁶⁰ Ecorys UK and Rees Centre, University of Oxford (2026) [Family Routes: exploring needs, experiences and outcomes among young people growing up in adoption and special guardianship](#)

⁶¹ Kinship (2025) [Handle With Care: Annual survey of kinship carers 2025](#)

⁶² Coram (2025) [Adoption and Special Guardianship Quarterly Data Collection – Headline Measures: Q2 2025/26](#) [December 2025]

⁶³ Kinship (2024) [Forgotten: Support for kinship children's education and mental health](#)

many as 1 in 8 kinship carers tell us they are concerned about their ability to continue caring for their kinship child(ren) in the next year.⁶⁴

The absence of any protected time as available to other working parents for kinship carers to bond with and settle children into their new homes is challenging enough, but this is made even more so given kinship children's elevated prevalence of special educational needs and disabilities. A significant proportion of kinship carers who supported our policy development process, when asked how paid leave from employment would have been best used, spoke of how they would have taken steps to support their children in education and with their mental health and wellbeing. The benefits of any paid leave entitlement are likely to be seen in reduced demand on other areas of public services for children and families as kinship carers have time to learn about and secure at least some of the support their children need.

Our engagement has also explored the extent to which the timing of any future entitlement(s) might be different for kinship carers. The vast majority agreed that statutory paid leave would have been most useful immediately following the child or children coming to live with them, although some others suggested a more flexible approach could be of benefit. The extent to which needs which may arise later (e.g. securing therapeutic support for older children who go on to struggle to understand and process earlier life experiences) are best supported through a specific initial parental leave entitlement versus other ongoing family leave entitlements and other support systems should be considered.

Other examples included in circumstances where there was some notice before an arrangement began and this time could have supported kinship carers with time to prepare – practically and emotionally – for the arrival of a new child into their home. This is somewhat akin to the ability to take maternity or adoption leave at a point prior to the child being born or up to 14 days before the placement starting respectively, and similar notice requirements could be used in kinship care situations as discussed in section 5. Future policy development should also consider comparable protected time off for appointments (e.g. meetings with social workers, mediation or family court visits etc) as is available for other forms of leave, such as attendance at antenatal appointments.

Section 9. How might this work in situations where children's services are involved?

We expect the largest proportion of kinship children are cared for under informal arrangements. Given these families are the least likely to have eligibility for specific support, any statutory entitlement to paid leave is likely to have a disproportionately positive impact on this group. However, the absence of consistent and adequate financial and other support for kinship families of all types – including those currently or previously supported by children's services in some way – means that a right provided through the parental leave system could significantly enhance experiences and outcomes for families.

In 2023, 16% of kinship carers told us they had been asked to stop working by their local authority and a further 13% were told to reduce their hours in order to take on their role.⁶⁵ Often, this was said with a threat or warning – made either explicitly or tacitly – that the child would otherwise be taken into unrelated foster or residential care or adopted if they did not. Although this behaviour is unacceptable, there will be some circumstances where a child's assessed needs demand a change in a kinship foster carer's employment to ensure they have the capacity to provide the level of care and support required.

In such examples, any early statutory entitlement through the parental leave system provides an opportunity for children's services, together with a kinship foster carer, to further understand,

⁶⁴ Kinship (2025) [Handle With Care: Annual survey of kinship carers 2025](#)

⁶⁵ Kinship (2023) [Forced Out: delivering equality for kinship carers in the workplace](#)

identify and consider those needs alongside the household's financial security and kinship carers' own wishes. Instead of robbing them of the agency to make decisions in the best interests of their family, it enables the system – and fostering assessments – to best navigate complexities and the perspectives of kinship foster carers during a period of significant upheaval. It functions as another tool in the toolbox of children's services, supporting decisions to be made at an appropriate time once more information is known, instead of the status quo which often forces kinship carers out of the labour market immediately and unnecessarily so they can be approved to care for a child.

There are some timing challenges when considering how a two-pronged approach as proposed might work alongside the timescales of the children's social care and family justice systems. A Phase 1 entitlement to kinship care leave capped at a maximum of 12 weeks is misaligned with the 16 week limit (and up to 24 weeks in some circumstances) for a child to be looked after by a temporarily approved kinship foster carer under Regulation 24. Similarly, care proceedings are required to conclude within 26 weeks, although the most recent quarterly data from Cafcass suggests the national average for care and supervision (s31) application duration is currently around 37 weeks.⁶⁶

The average duration of the final period of care for children leaving to special guardianship was 1 year and 9 months last year⁶⁷, and our 2024 *Out of Order* paper revealed that the final period in care for those leaving from kinship foster care had increased by 24% in the preceding 5 years to become an average of 1 year and 10 months.⁶⁸ However, among the families interviewed for the Family Routes longitudinal study, the mean length of time between being taken into care and coming to live with their special guardians was 0.4 years.⁶⁹

Those who want to apply to secure a legal order in private law proceedings can typically only do so once the child has lived with them for at least 1 year, and special guardians must also give 3 months' notice to the local authority of their intent to apply. In Kinship's 2025 annual survey, those kinship carers with an SGO or CAO made in private law proceedings were more than twice as likely as those with an order made following care proceedings to have secured this 2 years or more since taking on the care of their child.⁷⁰

Those kinship foster carers and/or potential kinship carers looking at a special guardianship or child arrangements order, including both those made at the end of care proceedings or in private proceedings, may be very unlikely to have much further certainty and clear eligibility for any Phase 2 entitlement before the point of exhausting their initial period of paid leave.

However, as explored in section 2, a Phase 1 entitlement through the parental leave system would still deliver significant benefits. We must look to where others – including children's services – can also act to support kinship carers to remain in work when in their best interests and when the parental leave system is unable to take the entirety of the load for doing so. Children's services can and must step up by offering and signposting to advice and practical and financial support which can help kinship carers navigate employment.

Unfortunately, statutory guidance on the refreshed kinship local offer requirement is particularly weak in terms of information on and expectations around *“supporting kinship carers to stay in work”*. It outlines that *“it will not always be possible or in the child's or carer's best long term interests for the carer to reduce their hours and therefore income, or give up work altogether, particularly if this would lead to future financial hardship which would impact on the care provided for the child.”*

⁶⁶ Cafcass (2026) *Quarterly data – Q2: 2026-26* [Accessed 26 January 2026]

⁶⁷ Department for Education (2025) *Children looked after in England including adoptions: Reporting year 2025*

⁶⁸ Kinship (2024) *Out of Order: The case for boosting financial support for kinship arrangements outside the care system*

⁶⁹ Ecorys UK and Rees Centre, University of Oxford (2026) *Family Routes: exploring needs, experiences and outcomes among young people growing up in adoption and special guardianship*

⁷⁰ Unpublished. Taken from analysis of Kinship's 2025 annual survey of more than 1,900 kinship carers. For more on the survey findings and cohort, read our *Handle With Care* report.

*Immediate short term financial support may be especially necessary to enable this period of transition.*⁷¹

There are other policy and practice developments which offer opportunities to enhance this and work alongside a new statutory right to paid leave. Continued leading practice in the delivery of financial allowances for kinship carers outside of the care system could enable kinship carers to make positive decisions about the right type of arrangement for them and their family. We know that too many kinship carers remain as kinship foster carers solely in order to access guaranteed financial and other support; a combination of suitable paid leave and ongoing financial support could support movement – when in the child's best interests – to arrangements such as special guardianship, which might facilitate consideration of re-entry to the labour market, improved family financial security, and less reliance on the benefits system. The government's forthcoming Kinship Allowance Pilot should explore the impact of equalised financial support on employment patterns amongst recipient kinship households.

Improved financial support alone does not replace the need for a specific right to paid employment leave. Although they would both support financial security for families, they are not solutions to the same problem. There are a multitude of additional benefits to children, families and the state associated with leave, including continued labour market participation. The delivery of both ongoing financial support and a right to paid leave at or shortly after taking on the care of a child, as recommended by the Independent Review of Children's Social Care, would complement each other and help to reinforce each other's intended outcomes.

In addition, the introduction of a new legal duty to offer family group decision making (FGDM) in the Children's Wellbeing and Schools Bill, and further development and testing of family network support packages (FNSPs), could be strengthened by a right to kinship care leave. Whilst eligibility would likely be restricted as per the government's definition of kinship care and as aligned with other family leave entitlements to a child's primary caregiver only, the opportunities for more adequately supporting intensive family network involvement – and the use of kinship care options if a child subsequently cannot remain with their parents – could be increased if this was available, supporting the government's wider goals for the children's social care system.

However, there are risks. Whilst any right through the parental leave system could facilitate more appropriate support from children's services, it could create additional 'cliff edges' which would need careful planning to mitigate negative impacts. There are also risks of introducing unintended consequences for families and the system at large by altering incentives. For example, if the ability to secure a Phase 2 entitlement was conditional on evidencing movement towards a legal order, this could push kinship carers and local authorities to pursue arrangements earlier than they might have otherwise in order to secure additional support, changing the framework within which choices are made about permanence. There are long term implications in terms of eligibility for support for families with a legal order secured in private proceedings; there is a risk that these could be seen as a 'shortcut' to enhanced leave and pay rights.

Ultimately, more support is better than none. Whilst there are several elements of children's social care policy and practice which could act to inhibit or interrupt the design or implementation of any future right to pay and leave for kinship carers, we must not let perfect become enemy of the good. Either of both of Phase 1 and Phase 2 entitlements would provide local authorities supporting kinship carers with a welcome new piece in the jigsaw of family support, reducing demand on other parts of the system and enabling them to focus on where they can make the biggest difference to family experiences and outcomes.

⁷¹ Department for Education (2024) [Kinship care: statutory guidance for local authorities](#) [11 October 2024]

Summary and next steps

We plan to continue developing and strengthening our proposal, and we'd welcome your help.

Our paper has set out the more than 15-year journey we've been on to build the evidence base and demonstrate how a lack of paid leave is impacting on kinship carers and their children, and the actions we've taken to influence government, local authorities and employers to date. It shares the approach we've taken since 2025 to design a new right to statutory pay and leave for kinship carers in response to the opportunity provided by the government's parental leave and pay review. It outlines our proposed model for 2 new kinship care pay and leave entitlements, and explores in detail the considerations we've made in doing so, acknowledging the difficult trade-offs, decisions made and our rationale as informed by the range of individuals with lived and learned expertise who have kindly shared their views and experiences with us.

This work is not complete. There remain outstanding questions and gaps, including but not limited to further defining potential evidentiary requirements, timescales and cohorts, modelling the likely numbers, uptake and costs for business and the exchequer, and other policy design and implementation questions. For example, we want to understand further potential patterns of uptake and use of a Phase 1 entitlement (e.g. would nearly all take the full 12 weeks?) and how the 2 entitlements might interact best so as not to disadvantage kinship carers who become eligible for both (eligible parents are able to add Neonatal Care Pay and Leave to the end of other forms of parental leave). We also want to explore the impact of the age of the child on what is needed most and when, and interaction with the wider fostering system and other children's social care and benefit reforms.

We look forward to continuing our engagement with kinship carers, employers – including Kinship Friendly Employers, government officials, and colleagues across the HR, employment, children's social care and wider sectors to test, learn and iterate our proposals. The government's review is expected to last until at least the end of 2026 and *"will conclude... with a set of findings and a roadmap, including next steps for taking any potential reforms forward to implementation"*.⁷² For more information on our policy and influencing activity, please visit: kinship.org.uk/our-work-and-impact/policy-and-influencing.

Alongside this, our #ValueOurLove campaign will continue to highlight the unfairness in the system by amplifying the experiences and views of kinship carers, supporting and mobilising them to campaign effectively locally and nationally for meaningful change. For more information and to get involved, please visit: kinship.org.uk/get-involved/campaign-with-us.



⁷² Department for Business and Trade and Department for Work and Pensions (2025) [Government review of the parental leave and pay system terms of reference](#) [1 July 2025]

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.

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📷 @kinship_charity



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