



Kinship

**Submission to the House of Lords Public Services
Committee inquiry into the children's social care
implementation strategy**

April 2023

Introduction

Kinship care is when a child is raised by a relative or friend when their parents aren't able to. Kinship carers are those who step up to raise children, often in crisis situations and to prevent them from going into local authority care. Around half of kinship carers are grandparents, but many other relatives including older siblings, aunts, uncles, cousins as well as family friends can also be kinship carers. There are over 150,000 children living in kinship care in England, more than double the number in foster care.¹

Some kinship carers will have a legal order securing the arrangement, such as a Special Guardianship Order or Child Arrangements Order, and a small number will be kinship foster carers where the child has been placed with them by the local authority. However, the majority of kinship families will only have informal or private arrangements in place. For more information on the different types of kinship care, visit <https://compass.kinship.org.uk/advice-and-information/what-is-kinship-care/>.

Our written evidence submission focuses on the commitments made in the children's social care implementation strategy around kinship care, and what we believe the Government should consider next to best recognise and support kinship families, including in its forthcoming kinship care strategy. It is based on our extensive experience delivering programmes directly with and alongside kinship families for over twenty years as well as our own robust research and survey evidence, bolstered by references to other academic and research sources where relevant and appropriate.

More detailed analysis and commentary around the Government's children's social care implementation strategy and what we think should happen next across a range of kinship care policy areas can be found on our online kinship care policy tracker: <https://kinship.org.uk/kinship-care-policy-tracker/>.

Summary

- The children's social care implementation strategy marked a step change in the Government's recognition of and support for kinship care and kinship families. This substantial renewed focus on the value of support from family networks is welcome, as is the commitment to deliver a dedicated kinship care strategy and updated statutory guidance by the end of the year.
- The Government's proposed measures to support children and families prior to children being taken into care through strong kinship arrangements are broadly welcome. However, for complex system, practice and culture change to be effective, the Government must ensure all local authorities have the funding and workforce stability they need as a priority.
- It makes sense to invest in kinship care; well-supported kinship care delivers good outcomes and experiences for children and families, and is better for the public purse. The Government should commit to further support for kinship families within the forthcoming kinship care strategy, including introducing a financial allowance, paid kinship care leave, and educational and health support for children in kinship care.

¹ Wijedasa, D. (2015) [The prevalence and characteristics of children growing up with relatives in the UK: Characteristics of children living with relatives in England: Part I.](#)

1. Considering the complex lives of children and families engaged in the children's social care system, what are the key issues policymakers should be considering as they review the implementation strategy?

1.1. We would urge policymakers to pay specific attention to the commitments made in the implementation strategy around kinship care, particularly given the timely opportunity to influence the direction of the Government's action in this space with the expectation of a dedicated kinship care strategy by the end of the year.

2. How far do the priorities in the Government's strategy reflect the experiences and challenges children and families face? What areas or interventions would you have prioritised?

2.1. The implementation strategy places support from family networks at the centre of a new Children's Social Care National Framework, and highlights how such networks can help children maintain connections with siblings and other relationships into adulthood and lead to better outcomes in education and health. **This recognition of kinship care as a central pillar of how the state supports children and families is new and extremely welcome**; previous Government rhetoric and action has largely focused on fostering and adoption, overlooking and neglecting the value of kinship care and the positive impacts that well-supported kinship care has for children who cannot live with their parents.

2.2. The Government's admission that *"kinship care has received little national policy attention"* and **commitment to delivering a dedicated national kinship care strategy and to updating relevant statutory guidance is also very welcome**. Clear, strategic direction on kinship care policy is long overdue and should support long-term investment and action from Government akin to that seen in other areas (e.g. adoption²). The views and expertise of kinship families must meaningfully shape the Government's kinship care strategy, and we continue to work closely with the Department for Education to support as many and as diverse a group of kinship carers as possible to share their valuable insights and suggestions.

2.3. A dedicated kinship care strategy with clear, actionable policy commitments is particularly important given the urgency of the problem; nearly 8 in 10 kinship carers told us they weren't getting the support they need from their local authority, and over a third of those said they might have to stop caring for their children as a result.³ This would come with devastating consequences for children, families and the state.

2.4. To sufficiently reflect the experiences and challenges facing kinship families, the kinship care strategy should use an equalities lens to examine how commitments may disproportionately impact on or miss kinship carers and children from specific ethnic backgrounds. This is important given the evidence on racial disparities in kinship care, and particularly the overrepresentation of children from Black and minoritized ethnic backgrounds in informal kinship care arrangements.⁴ The strategy should be accompanied by both a thorough equalities impact assessment (EIA) and child rights impact assessment (CRIA).

² Department for Education (2021) [Adoption strategy: achieving excellence everywhere](#)

³ Kinship (2022) [The Cost of Loving: annual survey of kinship carers 2022](#)

⁴ What Works for Children's Social Care (2022) [Understanding formal kinship care arrangements in England](#)

- 2.5. To ensure kinship care remains a clear priority policy area for Government and to ensure it is effectively held to account on its progress around kinship care reform, the kinship care strategy should confirm new accountability and advisory structures to replace the recently closed Adoption and Special Guardianship Leadership Board. Any newly established structures should build on the work of, and learning from, the ASGLB's Special Guardian Reference Group and work closely with the Children's Social Care National Implementation Board, and feature significant representation from those with lived experience of kinship care.
- 2.6. The strategy should detail how the Government will raise awareness and ensure the needs and strengths of kinship families are considered in wider policymaking and service provision across Government, including in relevant programmes of work such as family hubs and the Start for Life programme. It should include an ambitious programme to boost awareness of kinship care within public services and groups of professionals who are likely to engage with kinship families, including primary health practitioners.
- 2.7. It is crucial that the Government's ambitions for kinship care are matched by other significant influencing forces within the delivery of children's social care, including Ofsted as the authority who inspect and regulate the sector. Ofsted should significantly enhance the attention paid to kinship care practice and support within its inspections of local authority children's services and undertake a thematic review of its inspection reports to support this work. It should consider establishing a separate judgement for kinship care within its inspection framework for local authority children's services, similar to the recent (re)introduction of this for care leavers.⁵

3. What are your views on the Government's measures to support children and families before decisions are made about children being taken into care? What further steps should be taken in this area?

Creating a "family first" culture: Pathfinder and pilots

- 3.1. We welcome greater efforts to extend use of family group decision making and to test intensively supporting new kinship arrangements through Family Network Support Packages. **The shift towards much earlier involvement of and funded support for kinship carers prior to a legal order being made and without the child having to become 'looked after' is welcome,** particularly as support for informal kinship carers is often poor or non-existent. Only 4% of informal kinship carers told us they received financial support from their local authority, despite their children's similar needs and experiences to those in other forms of kinship care.⁶
- 3.2. It is crucial that within both the Pathfinder and separate pilot of Family Network Support Packages that these are funded and realised at the intensive level first articulated by the Independent Review of Children's Social Care in its original concept of 'Family Network Plans'. It suggested that local authorities should be able to respond flexibly to fund different families' needs, including *"providing funding to make adaptations to a relative's home through to compensating someone for reduced working hours"*.⁷

⁵ Ofsted (2022) [Introducing a separate judgement about care leavers within the inspection of local authority children's services \(ILACS\)](#)

⁶ Kinship (2022) [The Cost of Loving: annual survey of kinship carers 2022](#)

⁷ MacAlister, J (2022) [The Independent Review of Children's Social Care: Final report](#)

- 3.3. Further work in this area must seek to understand how to balance requirements for assessment and ongoing formal oversight from local authorities whilst respecting the unique nature of kinship care and its position straddling state intervention, non-parental care and private family life. Kinship carers should be involved in co-designing how to do this well, and in ways which reduce unnecessary, stigmatising and invasive practice.
- 3.4. Although testing of new approaches to supporting kinship care is welcome, the radical recalibration of services, practices and culture cannot be delivered successfully without greater financial and workforce stability. **The Government should take immediate steps to ensure all local authorities, including those not participating in the Pathfinder or pilots, have the funding they need to deliver their statutory duties and so that all children and families are supported as they need to be.** Current funding provision for local authority children's social care is far from adequate to sufficiently protect children and support families; the overall level of investment committed to by Government across the entire system falls far short of what is required.
- 3.5. It makes sense to invest in kinship care. Well-supported kinship care delivers positive experiences and outcomes for children at a lower cost to the state than other forms of alternative care; this was echoed by the Independent Review of Children's Social Care as well as the Government's strategy. Our evidence suggests that for every 1000 children that are raised in kinship families rather than the care system the Government saves £40 million and increases the lifetime earnings of those children by £20 million.⁸

Financial allowances for kinship carers

- 3.6. The Government has said it will "*explore the case for mandating*" a financial allowance for special guardians and kinship carers with child arrangements orders in every local authority in England. **In the forthcoming kinship care strategy, the Government should commit to delivering this and move ahead with introducing legislation as soon as possible.** This allowance should be equivalent to the national minimum fostering allowance and non-means tested, and any Government commitment should come with additional funding for local authorities to accompany delivery.
- 3.7. Existing statutory guidance on the provision of financial support for special guardians has resulted in a patchy postcode lottery of poor – and sometimes unlawful – support for kinship carers⁹; a new mandatory and nationally consistent allowance secured through primary legislation is the best mechanism for ensuring kinship families get the help they need to lift them out of poverty and enable their children to thrive.
- 3.8. Improving financial support for kinship carers of all types – including informal carers – is vital. Our surveys of kinship carers and advice and support services have demonstrated the clear evidence of elevated levels of financial insecurity and deprivation amongst kinship carers and

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

⁹ Local Government and Social Care Ombudsman (2018) [Firm foundations: complaints about council support and advice for special guardians](#)

the difference which good financial support makes for families¹⁰, for local authorities¹¹, and for the public purse¹².

Workplace entitlements for kinship carers

- 3.9. Nearly half of kinship carers told us they had to give up work at some point to care for their child¹³, and we regularly hear from kinship carers who have told us about the difficulties they've faced – financially, practically and emotionally – as a result of poor or non-existent support from their employers and local authorities when they become kinship carers.
- 3.10. The children's social care implementation strategy makes a commitment to "*explore possible additional workplace entitlements*" for kinship carers and encourages businesses to consider employment policies to support kinship carers. As part of its recent efforts to support people with parental and caring responsibilities to remain in the workplace, **the Government should commit to introducing paid kinship care leave on a par with adoption leave in the forthcoming kinship care strategy.**

Training and support for kinship carers

- 3.11. The Government will invest £9 million to deliver a national offer of support and training for all kinship carers, including those without a legal order securing their family arrangement. This is crucial as only 2 in 10 kinship carers told us they'd received any preparation support before or shortly after their child moved in, and nearly 8 in 10 said they weren't getting the local authority support they needed to meet their child's needs.¹⁴
- 3.12. **The Government should move forward at pace with its plans to work alongside a delivery partner to build this national offer;** this must be co-created with kinship carers and take learnings from existing well-evidenced programmes of training and support including Kinship Ready¹⁵ and the national Peer-to-Peer Support Service¹⁶.

Access to legal aid for kinship carers

- 3.13. Although some legal aid changes which extend eligibility to those pursuing special guardianship orders in private family law are expected to come into force very soon¹⁷, the Government did not take the opportunity in its implementation strategy to commit to further extensions for other groups of kinship carers in different situations.
- 3.14. **The Government should commit to further legal aid reform in the kinship care strategy** which unlocks independent legal advice for prospective kinship carers considering a legal order, funding for family and friends pursuing a legal order in either public or private law

¹⁰ Kinship (2022) [Financial allowances survey 2022](#)

¹¹ Kinship (2022) [Developing Good Practice in Financially Supporting Special Guardians: a guide for local authorities](#)

¹² Nicol Economics for Grandparents Plus (2020) [Kinship Care: The Opportunity](#)

¹³ Kinship (2022) [The Cost of Loving: annual survey of kinship carers 2022](#)

¹⁴ Ibid

¹⁵ Kinship (2023) Kinship Ready <https://kinship.org.uk/commission-our-services/kinship-ready/> [Accessed 11 April 2023]

¹⁶ Kinship (2023) Connect with other kinship carers <https://compass.kinship.org.uk/connect-with-other-kinship-carers/> [Accessed 11 April 2023]

¹⁷ UK Parliament (2023) Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Legal Aid: Family and Domestic Abuse) (Miscellaneous Amendments) Order 2023 <https://statutoryinstruments.parliament.uk/instrument/jq4B6CRi> [Accessed 11 April 2023]

proceedings, and protection from costly litigation for existing kinship carers taken back to court by birth parents at a later date. This entitlement should be non-means tested.

Support for children in kinship care

3.15. To date, the Government has not made any commitments which extend rights or entitlements currently available to looked after children to all children in kinship care, despite evidence which suggests they often have similar needs and experiences.^{18 19} **In its forthcoming kinship care strategy, the Government should commit to equalising elements of support between these two groups through:**

- extending eligibility for support from the Virtual School and designated teacher;
- delivering Pupil Premium Plus to all children in kinship care (not just those previously looked after);
- amending the Schools Admissions Code to include priority status for kinship children; and
- establishing a right to a mental health assessment for children on entry into kinship care.

3.16. **The Government should also seek to develop a bespoke version of the Adoption Support Fund designed specifically with kinship families in mind**, particularly given that recent evaluation of the Fund found that both awareness levels and the extent to which the Fund was seen to have positively helped carers and their children were lower amongst special guardians than adoptive parents.²⁰ This aligns with recent recommendation made by the House of Lords Children and Families Act 2014 Committee to rename and undertake a promotional campaign for the Fund to increase take up from kinship families.²¹

4. How far will the Government's strategy improve the experiences of staff who work directly with children and families? What further short-term interventions would be valuable?

4.1. The Government plans to support professionals working directly with children and families through a new Early Career Framework (ECF) and training for social workers as well as a new set of Practice Guides to accompany the Children's Social Care National Framework, with development overseen by the National Practice Group. The National Practice Group should include additional representation from those with expertise in kinship care, including from lived and professional experience, that matches the strength of the commitment to supporting family networks within the National Framework.

4.2. Practice Guides should be built on existing research and evidence in supporting kinship carers, such as work commissioned by the Adoption and Special Guardianship Leadership Board.^{22 23} They should also address some of the challenges highlighted by specialist social workers who

¹⁸ Hunt, J (2020) [Key findings from the last two decades of UK research on kinship care](#)

¹⁹ Kinship (2022) [The Cost of Loving: annual survey of kinship carers 2022](#)

²⁰ Department for Education (2022) [Evaluation of the Adoption Support Fund 2018 to 2022: summary](#)

²¹ House of Lords Children and Families Act 2014 Committee (2022) [Children and Families Act 2014: A failure of implementation](#)

²² Kinship (2020) Key elements of a special guardianship support service <https://kinship.org.uk/for-professionals/resources-to-support-special-guardians/special-guardianship-support-service-guide/> [Accessed 12 April 2023]

²³ Kinship (2022) [Developing Good Practice in Financially Supporting Special Guardians: a guide for local authorities](#)

practice in kinship care, especially given its unique mix of skills and knowledge which draw from elements of both child protection and mainstream fostering practice.²⁴ In the forthcoming kinship care strategy, **the Government should also encourage local authorities to establish specialist kinship teams with the breadth of skills necessary to deliver high-quality social work support.**

- 4.3. To reiterate a crucial point made earlier, meaningfully improving the experiences and performance of staff who work with children and families will be immensely difficult without an urgent injection of funding in the system to stabilise the current funding crisis. Local authorities will struggle to deliver substantial change to their services, practices and cultures unless long term, sustainable investment is guaranteed by Government for the delivery of local authority children's social care services. **Work to ensure local authority leaders and the workforce better recognise and support kinship care should be accompanied by investment which provides local authorities with the financial and workforce stability they need to deliver ambitious reform and improvement plans.**

²⁴ Hunt, J (2021) [Practising in kinship care: The perspectives of specialist social workers](#)

About Kinship

Kinship is the leading kinship care charity in England and Wales. We offer kinship carers financial, legal, practical, and emotional support and understanding from the moment they need it, for as long as they need it. Our expert advice, information, and guidance help with complicated and stressful decisions that so many kinship families must make. We are always there to support them through difficult times and celebrate the good.

Kinship carers are strong and determined. Together, they are powerful. We help them build communities of support and action by connecting families locally and across England and Wales. We are at the heart of kinship networks, partnering with and influencing service providers, local and national government, and other organisations.

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