



## Kinship Care

### **Briefing to support oral evidence session of the Scottish Parliament's Social Justice and Social Security Committee 24th February 2022 by Linda Richards Service Manager, Perth and Kinross Council**

#### **Introduction**

The provision of Kinship care within Perth and Kinross has grown from the introduction of the regulations contained in the Adoption and Children (Scotland) Act 2007, through the Children and Young People (Scotland) Act 2014 and now with the ambitions of The Promise.

I have been the service manager who has overseen these changes and the growth in kinship arrangements.

#### **Background**

Perth and Kinross have always been committed to keeping children and young people within their families and communities and can evidence this by the investments in early intervention, the balance of care placements and the investment in family support. Over the past three years we have invested in family group decision making to continue the investment in supporting families to remain together or within their extended family. We are currently developing the service to allow for new born babies subject to cp concerns to be placed within their family via a FGDM process.

Kinship Care is seen as a central to this approach and we have achieved this by

#### **1 Dedicated staff specialising in working with Kinship families**

The kinship service has developed from two workers in 2007 to six in 2022. We are currently supporting over 140 carers. The kinship team sits alongside the fostering team under one Team Leader which was a deliberate attempt to ensure that kinship carers were given equal status to foster carers in terms of assessment, support and training. We were also aware that if kinship placements were to be supported well then, the carers required to have their own worker which mirrored the support model for foster carers. The Family Based Care Team has recognised the inter-dependencies between Kinship and Foster Care and has been in a unique position to arrange respite support for kinship carers who need this. This is having a positive impact in preventing placement breakdown and supporting the health and wellbeing of Kinship Carers and their looked after children.

The Kinship Care Team has strong networks and working relationships with a wide range of partners. Staff link closely with health, housing, education partners and have positive relationships with relevant services in the third sector such as Safe and Sound. This has helped to build support across the partnership to overcome the challenges Kinship Carers face in the immediate, short and long term. Examples include obtaining suitable housing, and specialist support to meet the individual needs of the family and children.

The makeup of the kinship team currently is two assessing workers and four support workers. The Looked After Children (Scotland) Regulations 2009 govern the arrangements for kinship care. Practices in relation to the assessment and decision-making in this area have developed rapidly and are supported by comprehensive operational guidance. Social workers independent of the looked after child carry out assessments of the suitability of the Kinship Carer. The assessment process was developed in line with the Looked After Regulations and has a rigorous, child centred approach. Where risks are identified, we appreciate that past difficulties are likely to endure without sensitive and individualised support to prevent these from continuing. The one difference we have implemented from the start is completing an assessment for approval of kinship cares on a temporary basis and then a permanence assessment which is undertaken when the child is approved for permanent alternative care. The difference in the assessments allows for carers to fully understand the enormity of the task that they are taking on as well as ensuring the support required to sustain the placement is understood by all. It is difficult to know what difference this has made other than there have been very few breakdowns of placements and carers report feeling supported.

The support workers are allocated as soon as a child is placed with a kinship carer and will often organise all the practical arrangements during the assessment. Once approved the support worker will continue to offer the practical and emotional support to carers. The team have also provided fun activities for kinship families, group support and individual advice. Each arrangement is reviewed annually, and the carer can say within this process whether they are happy with the support.

## **2A Multi-agency and Independent Kinship Care Panel**

A Kinship Care Panel was set up in March 2014 to consider and make recommendations in relation to the approval of kinship carers for looked after children and ensure that the child's best interests are advanced by the placement. The Panel functions in a similar way to the Fostering and Permanence Panel but focuses on the often-complex dynamics of kinship care families. The Panel is set up to ensure that carers, families, and children are central to decisions and that their views are heard. The Panel makes recommendations to the Agency Decision Maker for both the Kinship Panel and the Fostering and Permanence Panel.

From February 2015, the Kinship Panel has had an Independent Chair who brings expertise and objectivity to the role. The Panel benefits from multi-agency representation including:

- Independent Chair appointed for their extensive experience in complex family work and planning to meet children's needs when they are unable to remain in the care of their parents.
- Medical Advisor who provides expertise in relation to child development, arranges health assessments of children and provides comprehensive advice about the health of Kinship Carers, parents and children.
- Legal Adviser who provides advice about legal options and can bring continuity where children may have been considered by the Fostering and Permanence Panel.
- Education Services representation providing expertise in relation to children's educational achievement and attainment, and school placement.
- Social Work representation to provide expertise in planning to meet children's needs.
- Foster Carer who can bring insights into the needs of children who have experienced early adverse experiences and trauma.

It is not a legal requirement to have such a Panel, but this model has provided advantageous levels of independence, quality assurance and authorisation to often complex decisions. The multi-agency Panel has also contributed to the shared understanding of the complexities of kinship care, mutual learning about the needs of kinship carers and what works in securing long term and permanent caring solutions within kinship networks.

The Panel has established an open and transparent approach and encourages the attendance of Kinship Carers, birth parents, children, independent advocates and supporters. They ensure that all views are taken into account along with the Social Worker's assessment and children in Kinship Care are able to use the MOMO app to present their views if they wish. The Panel is clear about its role in ensuring that it must assure itself of having all of the relevant information from which to come to a recommendation. The Independent Chair meets with the Agency Decision Maker who is the Head of Services for Children, Young People and Families to present the Panel's recommendations.

Regular reviews of the ongoing suitability and support for the Kinship Carers were introduced in 2015 allowing Kinship Carers to comment on the support they are receiving. Unlike Foster Carers, many Kinship Carers do not wish to draw attention to their efforts for fear that family difficulties are emphasised to the wider community. As a result, the sense of social approval and partnership working that Foster Carers enjoy is not experienced by Kinship Carers. Kinship Carers are now reporting that their experience of the Kinship Panel provides a validation of their efforts and an opportunity to discuss the support they need freely.

## **Categories**

In Perth and Kinross, we have used the definitions of kinship care to describe the different arrangements as follows

- Formal Kinship Care - This is where the child is legally a looked after child and is placed formally with the carer under a compulsory supervision order or

through a voluntary arrangement under s25 children (Scotland) act 1995. The carer is assessed under regulation 33 of the Looked After Children (Scotland) Regulations 2009. The carer is financially supported by receiving the full allowance at the start of the placement as well as any start-up costs for equipment or clothing. The kinship support worker also arranges any practical support required. The child's worker will be responsible for the child's care plan. This arrangement will continue until there is a decision about permanence and if the child is to remain with the carer a further update assessment will be undertaken as detailed above. Dependant on the legal route identified the carer will either remain an approved kinship carer or will move to being a wellbeing enhanced carer.

- Wellbeing enhanced carers are ones who are caring for a child who has been formally looked after but has since been approved for permanent alternative care which is being legally secured through a kinship care order. This group of carers continue to have the support of the kinship support worker, but this is on a less formal basis and will often be directed by the carer themselves. As the child is no longer a looked after child then a decision about ongoing support to the child separate to the carer is taken. Some of the children will continue to have the support of their own worker but often once secured by the kinship order this is not required.
- Kinship Assistance carers are recognised and supported in line with the Kinship Care Assistance (Scotland) order 2016. If a carer approaches the council a worker will carry out an assessment to ensure the criteria is met and then support is offered. Several carers have applied solely for the purposes of financial assistance towards the cost of a kinship care order and have not required ongoing support whereas others have benefitted from the ongoing support.

## **Financial Support**

Perth and Kinross Council provides financial support through the provision of allowances to Kinship Carers and has achieved parity in the rate of allowances for Approved Kinship carers and Foster Carers since 2008. Budgets have been realigned to achieve this and the policies agreed by the Council's Lifelong Learning Committee in August 2008 and reviewed again in November 2015. The Council also approved a generous contribution towards the legal costs of securing a Kinship Care Order. These policies and the partnership working between the Kinship Care Team and the Welfare Rights Team have assisted Kinship Carers to draw upon alternative sources of income, including welfare benefits to which they have entitlement, to meet the basic needs of the children living with them. This is having positive outcomes in raising kinship care families out of poverty.

Approved Kinship Carers – as the children are looked after there is no entitlement to welfare benefits therefore all payments to these carers are made under Section 110

of the Adoption and Children (Scotland) Act 2007. The payment is for maintenance and to promote their wellbeing and is the equivalent of the fostering allowance plus 4 weeks holiday allowance paid at Christmas, birthday and summer holidays.

Wellbeing enhanced carers - this group are entitled to the equivalent of the foster care allowance minus any child related benefits. These payments will be made under Section 50 of the Children Act 1975. Following the granting of the kinship care order the child is no longer looked after and as per local arrangement as assessment of the kinship carer's finances is carried out by welfare rights team. This allows for the carer to be aware of their entitlement to child related state benefits.

Kinship Assistance – This group his group of carers are entitled to claim welfare benefits for children in their care. This group of carers can be supported under Section 50 of the Children Act 1975 for one off payment which can be used for furnishings, additional expenses, etc. A case must be made on an individual basis for this payment, and it can't be used for ongoing maintenance.

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