

# The Kinship Care Guide for England

*First Edition*



*a guide for  
grandparents,  
family members  
and friends  
bringing up  
someone  
else's child*

Written for Grandparents Plus and Mentor by Doug Lawson with Jo Raine

**Grandparents  
plus**

We champion the wider  
family who care for children

**M Mentor**  
Protecting children from alcohol and drugs

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**Doug Lawson** is an independent children's services consultant with a particular interest in children living away from home. He researched and drafted the Statutory Guidance on Family and Friends Care for the Department for Education and is the author of a number of Fostering Network publications including a guide for kinship foster carers. Prior to his current role Doug had an extensive career as a strategic, policy and operational manager of children's social care services in a number of local authorities.

**Jo Raine** is the Advice Service Manager at Grandparents Plus. Prior to joining the charity in 2011, she worked as a Citizens Advice Bureau adviser for five years. She previously worked for many years as a supported housing manager.

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## Foreword

“You are not alone.” This was the message Michael Young and I wanted to proclaim to carers who were grandparents when we founded Grandparents Plus in 2001. Grandparents - and around half of kinship carers are grandparents - were largely invisible then. We knew that the emotional, practical and financial support given to your own children had been extended to your grandchildren, but that this development, because it seems so natural, was often unacknowledged beyond the family itself.

This service, so vital to children’s wellbeing and for social cohesion, was barely recognised, much less supported or celebrated by wider society.

Since its inception Grandparents Plus has endeavoured to redress this neglect, both by helping carers directly and by influencing

policy-makers in government and other agencies concerned with family matters. In all our work we are informed by you, the people who experience the joys and difficulties of caring for your nearest and dearest.

This guide is intended to assist you in the process of assuming the full-time care of children in your family, as well as those who have already made this commitment. Your difficult and rewarding stories continue to inform and inspire the work of Grandparents Plus.

My admiration for kinship carers is equalled only by an awareness of the sacrifices and losses you incur when acting upon the love we have for our children and grandchildren.

*Jean Stogdon, co-founder and joint chair of trustees, Grandparents Plus*

# About this guide

**This guide has been produced by Grandparents Plus and Mentor as a resource for kinship carers – also known as family and friends carers. It will also be useful for social workers and others who work with kinship carers. Its purpose is to help you to understand your rights and responsibilities, and the things you need to consider when as a grandparent, family member or friend you face the decision of whether to step in to care for a child who is unable for whatever reason to live with their parents.**

The guide is based on the law in England, so although many of the general issues are the same elsewhere in the UK the rights and responsibilities of kinship carers will be different.

Becoming a kinship carer can sometimes feel quite daunting, but it is also a really rewarding experience for you, as well as for the child you are caring for. There are as many as 300,000<sup>1</sup> children in the UK living with kinship carers, so you are certainly not alone. There are lots of ways that you can get help, but these vary quite a lot according to the child's needs, the legal circumstances and where you live. This can sometimes seem rather complicated, so this guide is here to help you through.

The guide will help you to understand:

- the reasons that children live with kinship carers, and the experiences they have

- the challenges and rewards of being a kinship carer
- what the law says, and the different types of kinship care and legal orders
- how to get help
- what benefits are available to kinship carers
- when you should get legal advice.

We've included case studies and quotes from kinship carers and children to help. All the names have been changed in these, to protect their privacy. There's also a section on page 14 called Things to consider, which will help you to work out what's best for you and the child and the questions you might want to ask other people.

We've tried to avoid using jargon in the guide, but sometimes we need to use legal phrases so that you will understand what other people are referring to. There's a helpful glossary of terms on page 55.

The guide is divided into sections. You should read section 1 What is kinship care? whatever your circumstances because it is relevant to all kinship carers. You can use the diagram on page 7 to work out what sort of kinship carer you are, and then refer to the most relevant of the following sections 2 – 7.

The chart on page 40-43 summarises the main features of different types of kinship care. You will find this helpful to make comparisons, but you should refer to the relevant sections of the guide for more detailed explanations.

On page 52 you will also find a section on helpful organisations which can give you further information.

<sup>1</sup> Estimate from the Family Rights Group cited in Saunders H and Selwyn J (2008) Evaluation of an informal kinship care team, Adoption and Fostering, Summer Vol 32: 2 pp 31-42

# 1. What is kinship care?

This section of the guide explains what is meant by kinship care and why it is important for so many children. It also describes some of the issues which you are likely to face as a kinship carer, to help you think about what is best for you and for the child you are caring for, and any support you may need.

Kinship care is the care, nurturing and protection of children who are separated from their parents or whose parents are unable to provide that care and support. Instead this care is provided by grandparents, siblings, aunts, uncles or other relatives, godparents, step-grandparents, or other adults who have a relationship with or connection to the child. This may be a permanent arrangement or temporary, formal or informal.

## Who is a kinship carer?

You are a kinship carer if you are looking after the child of a relative or friend on a full time basis, whether this is a temporary or permanent arrangement. Kinship care is probably more common than you think: there are estimated to be between 200,000 and 300,000 children living with kinship carers in the UK. The biggest group of

### Did you know?

Kinship carers are often referred to as family and friends carers or connected people, especially in official documents and council policies. It means the same thing, so don't let that confuse you. In this guide we've generally used the term kinship carers.



kinship carers are grandparents, but there are many others including older brothers and sisters, aunts and uncles, more distant relatives, family friends and neighbours.

Kinship care can be arranged in a number of ways, some of which are informal and others which involve legal orders, so the circumstances of kinship carers can vary quite a lot. It's important that you understand the implications of different legal situations as you may have choices to make and the responsibilities you have – and the support provided – varies.

Kinship care includes children who may be:

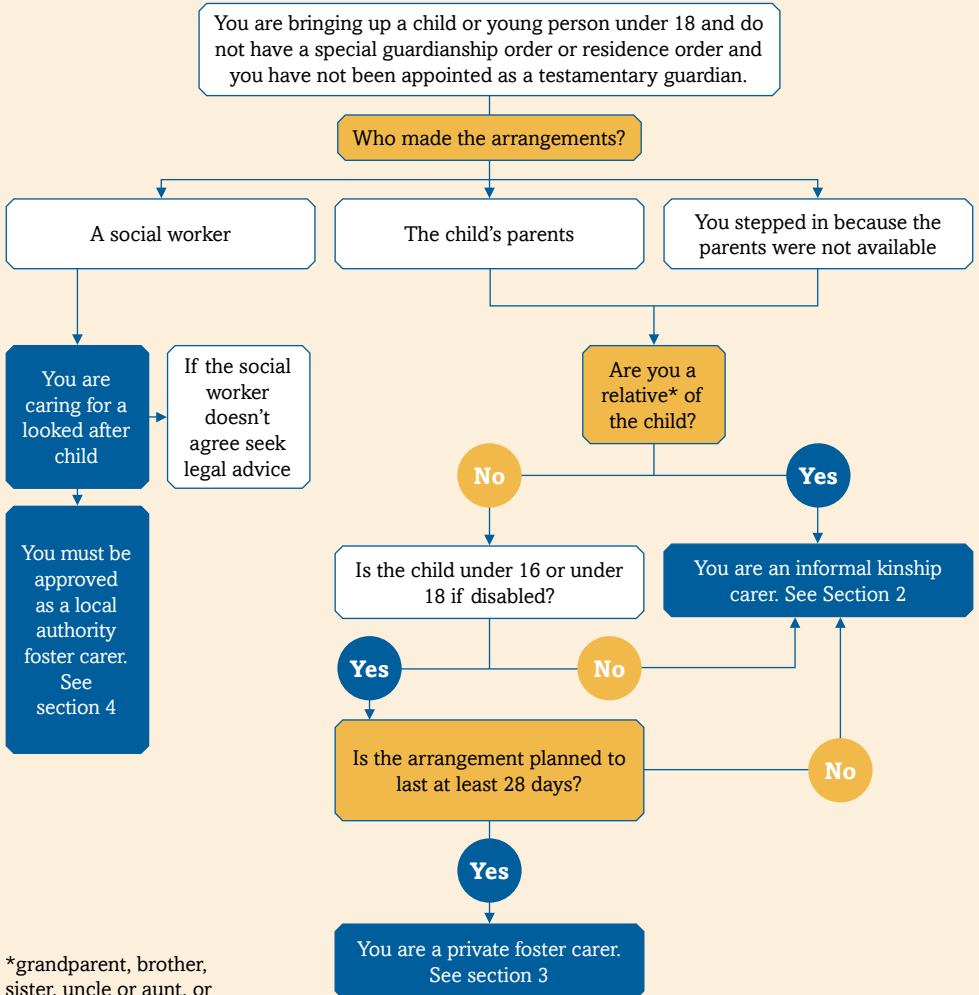
- Living in informal arrangements made by their parents with a close relative – or by default, for example because a parent has died or has abandoned the child.
- Living with 'private foster carers'.
- Looked after by the local authority (often known as 'in care') and placed with kinship foster carers.
- On a residence order or special guardianship order granted by a court.
- In arrangements which are planned to lead to adoption by a relative or friend.
- Living with testamentary guardians when a parent has died.

These different arrangements are all explained in detail in the following sections of this guide.

As circumstances change it is quite possible that the type of kinship carer you are might also change. For instance, you might be an

informal kinship carer but then the child becomes 'looked after' by the local authority, and you become their kinship foster carer. In due course you might apply for a special guardianship order and become the child's special guardian. These are all different ways of being a kinship carer.

## What sort of kinship carer are you?



\*grandparent, brother, sister, uncle or aunt, or step-parent of a child

## The benefits of kinship care

Children go to live with kinship carers because they are unable to live with their own parents. This could be for a short period, such as because a parent is ill, or working away or in prison. In other circumstances the arrangement could be planned to last until the child is old enough to look after themselves, perhaps because their parents don't have the parenting skills to bring them up properly or they have abused or neglected the child. Sometimes kinship care arrangements are made because a parent is struggling to cope with a child's disability or difficult behaviour, or a teenager falls out with their parents and goes to live for a period with a friend's family. Or children might go to live with kinship carers because their parents have died or they have been abandoned.

Usually the arrangements are made privately between the parents and the kinship carers, although if there are concerns about the child's welfare, a social worker may be involved.

There are clear benefits to both children and their carers from keeping children within their family network. Carers often say the rewards of caring are enormous for them, and they would make no other choice but to step in when needed. Even so, many children who go to live with kinship carers have had a very difficult start in life, and their behaviour is often greatly affected by past experiences. Children who have witnessed parental alcohol or substance misuse, physical or mental ill health or death, domestic violence or separation and divorce, or who have been abused or neglected, may be withdrawn, unhappy, or exhibit inappropriate behaviour. They may have had experiences that take a long time to get over, making it difficult for them to settle into a new family and to start to trust adults.

In a survey of grandparent kinship carers by Grandparents Plus the most common

One grandparent kinship carer told Grandparents Plus:

*"He has seen so much and it has affected him greatly, he struggles in school and has had a lot of difficulty interacting with other kids and learning in general... It has been a tough few years for him and us."*

*Recognition, Respect, Reward (Grandparents Plus, 2009)*

reasons given for taking on the care of grandchildren were parental drug or alcohol abuse (47%) and child abuse or neglect (28%), followed by the mental or physical illness or disability of a parent (16%), death of a parent (14%) and domestic violence (15%).<sup>2</sup> Other reasons given were difficulties between a parent and child, parental abandonment, poverty, a parent being very young, and the child's disability. Frequently more than one of these factors were given as the reasons for the arrangements. So if one or more of these problems has affected your family, you are certainly not alone!

The benefit of kinship care for vulnerable children who cannot live with their parents is that the kinship carers can build on their existing relationship with the child to help them to feel loved and cared for, helping them to grow up as normal, happy children. Kinship carers often have a special investment in the children which helps them to stick with things through difficult periods, whilst staying within their wider family can be much less disruptive for children than living with non-relative foster carers and helps to minimise the child's sense of loss and to retain their sense of identity.

Children will usually find it easier to form attachments to a kinship carer than to someone they did not previously know, and it is usually possible for them to keep in contact with their parents and other family members, even when they have been

<sup>2</sup>What if we said no? (Grandparents Plus, 2010)



through traumatic experiences. Sometimes it is also easier for children to explain their situation to their friends without it causing difficulty – ‘living with grandparents’ may sound more normal than ‘in foster care’ for instance.

## Children’s views

Most children want their birth parents to be supported to care for them, or if necessary to live with members of their extended family, rather than to become looked after by the local authority. Three quarters of young people consulted by the Children’s Rights Director for England felt that families should be given a chance to suggest other ways of looking after children before they go into care.<sup>3</sup> Even when they do have to become looked after, about half of young people think that they should be placed with someone from their own family.<sup>4</sup>

*“My gran, she’s 100 per cent; she’s been our rock and kept the whole family together. If it wasn’t for her we’d probably all be separated and not grown up together... I wouldn’t be the stable person I am today if it wasn’t for my gran.”*

*Quoted in Kith and Kin: kinship care for vulnerable young people (Broad et al, 2001)*

*“I was placed in my aunt’s care at the age of 14 and it was the best thing that happened to me in terms of support and stability. The main issues were the lack of local authority support and the need to constantly fight for help.”*

*Young person in informal kinship care speaking to the All Party Parliamentary Group for Looked after Children and Care Leavers, June 2012. Courtesy of the Who Cares? Trust.*

<sup>3</sup> Care Matters: Young people’s responses (DFES, 2007)

<sup>4</sup> Planning, Placement and review: A report of a children’s consultation to the DCSF by the Children’s Rights Director for England (2009)

## Being a kinship carer

You will no doubt get a lot of satisfaction out of being a kinship carer, but it won’t always be easy! One of the biggest challenges is that very often things happen in a hurry at a time of family crisis, when you don’t have much time to think through all the implications but you know you need to step in to help. You might be taking on young children late at night because their mother has been admitted to hospital, or a social worker might have asked you to care for the children because they are considered at risk if left at home.

*“Oh God, there has been a lot of satisfaction. I mean, certain things that the children do make me feel so special. Don’t get me wrong, we do have our ups and downs but at the same time the children can make me feel so special and I love them. That makes up for everything else.”*

*Too Old to Care? (Grandparents Plus, 2011)*

There will be lots of things you need to know and, as explained in the following sections of this guide, these will vary according to the nature of the kinship care arrangement. The local services available and the support which you may receive also varies widely according to where you live, so it is important that you understand which circumstances apply to your situation. Sometimes you have to shout loudly to get the support you need, and so this guide will help you to understand what your local authority should do, as well as your rights and those of the children you are caring for.

There are some challenges which you are likely to face whatever your situation, and these are described on page 10. First though, you need to know about family group conferences.

## Family group conferences

Children's services – which are often still referred to by their old name of social services – are encouraged to make use of family group conferences to help families to work out how children can be kept within their extended families when they aren't able to live at home. The conferences are best held as early as possible in the process when children's services are first concerned, but are also useful if a child becomes looked after by the local authority, particularly if there are court proceedings.

### Did you know?

A new six month time limit is being introduced for care proceedings and this means it's even more important for kinship carers to be considered early on, before legal proceedings actually start.

Family group conferences should involve the child concerned as well as members of the network of extended family and friends who can contribute to making plans for the child. They are chaired by an independent person but the family members are the main decision makers, although the local authority may set boundaries on what needs to be taken into account.

Local authorities should include information about arrangements for family group conferences or similar family meetings in their family and friends care policy (see page 16), so that should explain whether a conference might be available to help your family.

Further information about family group conferences is available from the Family Rights Group website:

**<http://frg.org.uk/involving-families/family-group-conferences>**

## Challenges faced by kinship carers

As a kinship carer you can expect to face quite a few challenges. It's not easy to step in and care for someone else's child and you need to be ready to face difficulties which may arise. This section describes some of the challenges – hopefully they will not all apply to you, but you should know that you are not alone if they do.

### Family relationships

Bringing up children isn't the same as visiting them in their own home or having them on a sleepover, and you may not know them as well as you think. There might be things which have been kept from you, such as domestic violence or child abuse, which have affected the child's behaviour and emotional wellbeing. Kinship carers need to be aware of the complexities of caring for another family member's child and the impact that this may have on family relationships. The child's needs must always be put first, and it's not always easy to do this.

Although there are lots of benefits of a child remaining within their family network, kinship care arrangements can also be a source of difficult family relationships. Especially where social workers have been involved, parents may feel resentful of the kinship carers or simply not understand why they cannot care for their own children. The children may not understand why they are unable to live with their parents, and can even get caught up in the middle of a difficult relationship between the adults.

*"I was also having to, like, referee between my auntie and my mum. They was always trying to get me on their side. I felt like I could never please one or the other. I was glad to get out of it."*

*Young man brought up by his aunt and uncle, quoted in 10 Top Tips on Supporting Kinship Placements (H Argent, BAAF 2009)*

If a child who is formally looked after by the local authority is placed with kinship foster carers and their parent undermines what is written in the placement plan, this can make it very difficult for the carers to do what is expected of them by the local authority.

It is often the case that parents of children in kinship care have separated and formed new partnerships or remarried, so that several family units all have a role to play in the child's life – the mother's family, the father's family, and the kinship carers. Relationships between all these people can be tense at the best of times, and it can be a real challenge for kinship carers to manage the inter-relationships and to make sure that everyone remains focused on what is best for the child. Sometimes grandparents have to accept that in order to step in and do their best for their grandchildren their relationship with their own adult children is irrevocably damaged.

It is not surprising that kinship carers often feel very disappointed and angry towards parents who they regard as having let down their own children and this in turn can make relationships harder to manage, especially for grandparents.

*“He sort of fantasises about his mummy. He’s got X boxes and all sorts of things at his mummy’s house... And then he goes on about his dad and his dad can do anything, his dad can make things and build things and I just say, ‘Yes love, I know.’ He’ll learn in time.”*

*Too Old to Care? (Grandparents Plus, 2011)*

However, kinship carers may find that their wider family networks are a source of real strength and support, and that other family members may be willing to look after children from time to time to give them a break.

*“We all manage together because two of the [step] daughters are close at hand and they think the world of our granddaughter and sometimes she has a sleepover with them...our granddaughter had never really been brought up as an only child because she has been brought up with her cousins.”*

*Too Old to Care? (Grandparents Plus, 2011)*

## Contact

Coming to terms with their past and their family relationships is very important for children in kinship care, and contact can help with this if it goes well. However, if adults fall out about the purpose of contact it can be hard to keep the focus on the needs of the child rather than the parents and others. Managing contact is problematic to some degree or other for most kinship carers. In one survey seven out of ten kinship carers said that helping children to cope with parental contact was one of the biggest challenges facing them.<sup>5</sup> Sometimes this means helping children to cope with bitter disappointments, such as when a parent appears to lose interest in them.

*“The strange thing was she can’t even rely on her biological dad. She was seeing her dad and her other nana and they just seemed to lose interest which we don’t understand because she’s such a lovely girl. It is hard for her.”*

*Too Old to Care? (Grandparents Plus, 2011)*

Another common problem faced by kinship carers arises when the court has made an order which gives a parent contact with their child, but the carer disagrees about the kind of contact that should take place. Sometimes the child themselves does not want contact. Kinship carers have to support the children

<sup>5</sup> Relative Experience: issues and challenges for kinship carers (Grandparents Plus, 2013)

and adults to make contact a positive experience for the child, but sometimes they also need to protect children from confused messages and potential harm by parents.

*“We’ve tried to keep as amicable as it can be with his mum, but the boyfriends are a worry. They have all been pretty grim, usually alcoholics or something.”*

*Too Old to Care? (Grandparents Plus, 2011)*

When contact and relationships are difficult, family mediation services may be able to help but this is often far from straightforward because, unlike divorce cases, the parent-carer relationship is not one between two adults with equal rights and responsibilities regarding the child. The child may have suffered significant harm, so careful judgements have to be made, which parents may not always accept. The goal of mediation is agreement, which can be difficult to reach where one party may be mentally ill, or addicted, or may disagree with legal decisions made against them. There are times when kinship carers may judge that they have to challenge a court order regarding contact, or they may become involved in court proceedings started by a parent or a local authority. Contact difficulties can give rise to a series of court hearings, significant legal fees, and considerable emotional strain.

*“The court has said my granddaughter should have about six hours a week with her mum. She likes to see her mum and wants her mum to go round the shops and buy makeup and stuff like that but she won’t. For us to go there it’s more than a bus ride each way. The place is dirty and my daughter and her new boyfriend both drink and smoke. I have to stay there and button my lip.”*

*Too Old to Care? (Grandparents Plus, 2011)*

If you are involved in court proceedings you will need legal advice – see section 9.

For looked after children placed with kinship foster carers, the placement plan agreed with the social worker will include contact arrangements, but the difficulties of putting the plan into action can be just the same as for other kinship carers.

In the modern digital world, contact can mean so much more than meeting face to face or communicating by letter or phone. Whatever formal contact arrangements we make for children, we must understand that other forms of contact may be taking place. Mobile phones, social networking, instant messaging, the internet, Skype, online gaming and many other forms of communication have opened up whole new ways of remaining in contact with family and friends. Often children understand these better than us adults! You can find out more about managing contact through social media from publications listed in the further reading section.

### **Age and health**

Many kinship carers are older than the average parent and in poorer health, and this can pose challenges in itself. It’s important to consider how long the kinship care arrangement might last, and whether you will be able to carry on caring for the child until they are able to return home or live independently. Sometimes kinship carers are just needed to help for a few days or a few weeks, or to provide a series of breaks for the parents to help them to manage in the long run. In other circumstances the plan could be for the child to remain with you until they are old enough to manage independently.

Plans are not always clear from the start and you might be anxious about discussing these with the parents in case it makes things difficult. But for the sake of the child you need to understand how everyone is

*“My health is good. There’s an upside to having the children, it keeps you young, it keeps you active. I think health wise I’m pretty fit, but then 66 these days is no age.”*

*Too Old to Care? (Grandparents Plus, 2011)*

thinking and to be clear that you are in a position to take this on. If the child is being placed with you by the local authority as a kinship foster carer, there will be a written care plan which will make timescales clear and which will be kept under review.

Caring for a child is physically and mentally demanding, and children coming into kinship care often have greater needs than the average child of their age. A significant number have special educational needs or disabilities. Are there other family members who would be willing to help you out sometimes, especially if you are older? Kinship carers sometimes find themselves managing quite difficult behaviour which might well include things they haven’t experienced before, such as acting out, depression, inappropriate sexual behaviour, or criminal activity.

*“I’ve had a lot of emotional problems with my grandson since his mum died. He was very hard hit because he was closest to his mum. He’s very angry all the time. Me and my husband, no matter what we do, we’re always in the wrong. It’s very sad listening to him at times, you think you’ve got through to him and it just flares up again.”*

*Too Old to Care? (Grandparents Plus 2011)*

Depending on the circumstances you should discuss with members of your family, the child’s parents and others, what arrangements might be needed if you become unable to continue caring. Someone else may need to take on your role. You may

be able to make informal arrangements, or if you are a special guardian you will be able to appoint a testamentary guardian in your will.

## Did you know?

Grandparents Plus’ Support Network provides an opportunity to meet other kinship carers in a similar situation, either one-to-one or part of a local group. The charity also runs workshops in partnership with others to address many of the behavioural challenges you face. Find out more on their website.

## Finance and lifestyle

It can be hard to take on children once you have retired and settled into a quieter way of life, but you may be employed or still in education and feel that you have to give up your job or your studies to care for the children. Either way you have to make big decisions which you may not have anticipated and these could also cause financial difficulties for you. In some circumstances financial help may be available, as explained in the following sections of this guide.

*“You don’t have a retirement. You don’t go off on coach trips and holidays. Financially you haven’t got spare cash because you are spending it on school uniforms and bus passes, education.”*

*Too Old to Care? (Grandparents Plus, 2011)*

*“I was just 18 years old when I took on the responsibility for my younger sisters who were 12 and 15 years old at the time. I had to grow up fast. I was responsible for things like our finances and some of my friends fell away because my life was so different.”*

*Sibling carer, Blog for Grandparents Plus, (4 December 2012)*

## Other caring responsibilities

In a survey by Grandparents Plus, three in 10 kinship carers also provided help for a partner, older relative or neighbour – nearly half for more than five hours per day.<sup>6</sup>

Taking on children at the same time can clearly be a real challenge, especially when the arrangement is to keep two or more brothers and sisters together.

The arrival of a child or children, especially when it happens in an emergency, can often have a major impact on the lifestyle of the family. This is especially true for carers who had regarded their child rearing days as over – or some way into the future. Caring for children can mean that your social life disappears overnight. Suddenly you have different interests, or no spare time or insufficient money to socialise or maintain your leisure interests.

### Did you know?

Local authorities have the power under section 17 of the Children Act 1989 (see ‘children in need’ on page 20) to give financial assistance towards housing costs where they assess this as the most appropriate way to safeguard and promote a child’s welfare, although given their limited resources this power is likely to be used only in the most exceptional of circumstances.

## Accommodation

Lack of suitable accommodation is another challenge often faced by kinship carers, especially older carers who have downsized and suddenly find that they have insufficient living and sleeping space, or those who already have children living in the household. Living in cramped conditions may be manageable for a short period, but it can easily add to the pressures of caring for a child. For those living in social housing, policies of housing departments should

recognise the needs of kinship carers, and wherever possible kinship carers should be given priority to move to more suitable accommodation if this will prevent the need for a child to become looked after by the local authority.

## Things to consider

Whether you are already a kinship carer, or are just thinking about it, there are a lot of things you should consider to help you to make the right decisions both for the child and for you. We’ve already explained about some of the challenges you might face. Here’s a list of some things to think about and some questions you may want to ask yourself or other people:

- **What do you know about the needs of the child or children you are going to care for?** Is anyone else such as a social worker or health visitor involved and concerned about the child’s welfare? If so, how will they provide care and support for the child?
- **Who will support you?** It will be helpful to try to think from the start about what support you will need to meet the child’s needs, and where you might get this. Friends, neighbours and family can all be a great source of help, and there are also support networks and information sources for kinship carers (see section 10). There are also services which are available to all children or to those with particular needs. There is a list of some of these on the Grandparents Plus website advice pages.
- **What about emotional support?** You need to consider your own needs too if you are going to do the best you can by the children. It’s important that you care for yourself and keep yourself fit and healthy emotionally as well as physically. The Support Network run by Grandparents Plus provides an opportunity to contact other kinship carers in a similar situation, one-to-one, by

<sup>6</sup> Giving up the Day Job? (Grandparents Plus, 2011)

putting you in touch with local groups, or through regional events. You can find out more on their website.

- **What is your motivation?** You might have thought very carefully about becoming a kinship carer, or everything may have happened in a big rush. You may have lots of complicated emotions, such as feeling responsible, angry, or that you have no real choice but to help. None of these feelings are wrong, but if you are clear about why you are offering to help it will enable you to make better informed decisions. You can still say no if you have weighed it all up and you feel this isn't the right choice. Only you know the right decision for you.
- **How will being a kinship carer affect family relationships?** You should think about how your new role will affect your own and the child's relationship with their parents, as well as with other family members. How will your own children feel about someone else joining the household? How will the child react to their grandparents taking on a parental role?
- **What is the long term plan?** If you agree to take the child for a short period, might this turn into a long term commitment? Are you clear about for how long the child will need care, and are you in a position to meet that need?
- **What is the legal position?** As this guide explains, there are different legal situations in which you can be a kinship carer, some of which involve court orders. This can be quite confusing but there are important differences including your rights and responsibilities, the decisions you are able to make, and the support you are entitled to. If you are unclear about anything or in doubt about what to do you should seek legal advice.

## Did you know?

If you have been with your employer for more than a year and are caring for a child who

- is under five, or
- was placed with you for adoption less than five years ago, or
- who qualifies for disability living allowance

You may be entitled to up to 18 weeks unpaid parental leave.

This only applies if you have parental responsibility, or are applying for a legal order that will grant you parental responsibility (so does not apply if you are a foster carer).

- **How will you manage contact arrangements?** Can contact be free and easy, or will it need to be organised and supervised by someone? Where will it take place? Who will pay for travel and other expenses? How will the inevitable conflicts be managed and supported?
- **What about my age and health?** It is sensible to think about your age in relation to that of the child, and the long term plans. Think also about your health and how you would manage if it gets poorer. Will you be able to go on providing care for as long as it is needed, and are there others who will be able to help you or to take over if necessary?
- **Will you have to give up your job?** If you are caring for a child you have the legal right to ask your employer for flexible working, which might include working part-time or as a job share, or working longer hours over fewer days or working from home. Your employer must hold a meeting with you to discuss your request. They do not have to agree to your request but they must give you reasons why not.

- **How will you manage financially?** Work out how you will be affected by any loss of income from employment and whether you will be eligible for any benefits or other financial support which might help to cover any loss (see section 8). Consider what it might cost to provide for any child you are caring for and whether you can manage this without financial help. Parents remain responsible for maintaining their children, but very often kinship carers do not receive any financial support from parents.
- **How will being a kinship carer affect your life?** Think about the ways in which caring for a child will affect the way you lead your life, and any changes you will need to make. Do you have other caring responsibilities to fit in? Are you prepared to make any necessary sacrifices to your social life and outside interests? Consider who might be able to help you with any childcare you need, and if necessary how you will find out about other issues that are important when you are bringing up a child, such as the education system and social networking.
- **Might you need respite?** Sometimes you might need a bit of a break. This might be possible if, for instance, the child can sometimes spend a day, a weekend or a short holiday with their parents or with another family member. Could the child take part in children's activities such as brownies or scout camps that would be a way for you to have a break while the child has fun with other children? There's nothing wrong with needing respite, and it might make all the difference to being able to carry on, but you should always try to put the child's needs first. Respite works best if the child goes somewhere they enjoy being, so that they don't feel pushed around.
- **Do you have sufficient accommodation?** Bear in mind that

you may need more space as children get older, such as when they can no longer share a bedroom or need room to do homework. How might you get help with bigger accommodation if this is a problem?

## Parental responsibility

Whatever the circumstances in which you are a kinship carer, you need to understand what decisions you are able to make and what rights the child's parent has. The law talks about 'parental responsibility' (or PR), which means all of the rights, duties, powers, responsibilities and authority which a parent has in relation to a child and his or her property. Parents only lose parental responsibility if their child is adopted. They share PR with the holder of a residence order, special guardianship order or care order (as explained in the relevant sections of this guide) but in practice this is very limited and they would have to go to court to challenge decisions of a kinship carer. So even if you have agreed with a parent to care for their child you will not have parental responsibility unless you have a residence order or special guardianship order. This can make everyday decisions difficult if you do not have a good understanding with the parent or you need to get hold of them to sign consent forms for medical treatment or school trips etc.

If you are a kinship foster carer the local authority will identify in the placement plan who can make which decisions. It's usually referred to as arrangements for 'delegated authority'.

## Family and Friends Care policies

As well as explaining some of the legal issues of being a kinship carer, the policy is there to help you to understand what is available locally to support you and how the council will make decisions if you



ask them to provide services. You may be struggling to find out what is available locally to meet children's needs, including day care, children's centres, schools and colleges, health services and leisure and youth services.

### Did you know?

Every local authority which is responsible for children's services has to have a policy which says how it will promote and support the needs of children living with kinship carers. If there is more than one council where you live, this will be the county council. It might be known as the family and friends care policy or the kinship care policy. You should expect to find the policy on the council website, but if you have difficulty finding it you should ask the council for a copy.<sup>7</sup>

<sup>7</sup>Refer to the policy required by paragraph 4.2 of the Family and Friends Care Statutory Guidance for Local Authorities issued in 2011.

The policy should also provide information about support for children with specific needs, such as special educational needs or mental health difficulties. It should explain things such as what support groups are available, the arrangements for holding family group conferences, the eligibility criteria for any financial or practical help, how people are assessed to become kinship foster carers, and how to make a complaint.

*"My best friend's mum took me on for two months. More needs to be done to support those people who want to support children. Local authorities and government need to tell people what they are entitled to or not so they can make an informed decision."*

*Care leaver speaking to the All Party Parliamentary Group for Looked After Children and Care Leavers, June 2012. Courtesy of the Who Cares? Trust.*

## Key points: kinship care

- Kinship carers play a very significant role in caring for children who cannot live with their parents
- There are various types of kinship care, ranging from informal arrangements through to looked after children living with kinship foster carers
- Different types of kinship care bring different rights, responsibilities and opportunities for support
- Family group conferences can be a useful way of helping extended families to make arrangements for children's care, and it's increasingly important for them to be held early in the process
- Kinship carers may face additional challenges to parents
- You should try to enter into being a kinship carer with the best available knowledge of your rights, and with your eyes open to the challenges
- You should seek advice from one of the organisations listed in this guide as early as possible, and preferably before seeking any legal order
- The support and services available to kinship carers varies locally
- Local family and friends care policies should inform you about local services to help you as a kinship carer

## 2. Informal kinship care

**This section of the guide is about kinship care when parents make their own arrangements for a close relative to care for their child, or when a close relative steps in without obtaining a legal order and the child is not looked after by the local authority.**

By ‘close relative’ we mean the child’s grandparent, brother, sister, uncle or aunt (including people who are such relatives by half blood, marriage or civil partnership), or step parent. That’s because this is the definition of relative given in the Children Act 1989. If you fit into this category you are what is referred to in this guide as an informal kinship carer.

### Case study

Peggy has been sharing the care of her two grandsons Alex and Ross for the last four years. Ross is fourteen and Alex is fifteen and they are now both living with their grandmother. Their mother has leukaemia and has periods in out of hospital. Even when she is out of hospital she finds running a home very tiring. Peggy and her daughter have a good relationship and feel that it is less disruptive for the boys to be with their grandmother. Peggy feels that applying for a legal order is unnecessary and would upset her daughter. In any case the boys are approaching an age when they can make decisions for themselves. Peggy is living on her pension and the boys’ mother gives her money from her benefits to help with the costs of food and other day to day expenses for the boys.

When parents make similar arrangements with a more distant relative or a family friend this comes under the heading of private fostering, unless the child is aged 16 or 17 and is not disabled (see section 3).

### How are the arrangements made?

Informal arrangements are made between the parents (or someone else who has parental responsibility) and the relative – not by the local authority. The child is not looked after by the local authority. It could be that the parents ask the relative to care for the child because of difficult circumstances, or the relative offers to help because they feel that the parents are unable to cope, or the parents are dead or otherwise unable to provide care – such as because they are in hospital or prison. Sometimes there isn’t a clear agreement as such. For instance, children may have been staying with their grandparents and their parent fails to return to resume their care.

It is particularly important to get advice because whether or not the child is considered as being or having been ‘looked after’ will affect the financial and practical support you may receive.

### What are the rights and responsibilities of parents?

Parents still have parental responsibility and are responsible for financial support and decision making about their child, so they can intervene at any time. They can delegate day to day decision making to the kinship carer but will have to consent to major decisions such as medical treatment (except in an emergency), schooling, and foreign travel. They can decide whether or not the kinship care arrangement should continue.

## Did you know?

If a social worker was involved in making the arrangements for the child to live with you, it could be that the child is actually 'looked after' by the local authority even if they've since said they were just helping to make an informal arrangement between you and the child's parents. If the child is in fact looked after by the local authority you must be assessed, paid and supported as a foster carer. This is a complicated area of law so if you are in any doubt about whether or not it is an informal arrangement, you should seek legal advice as soon as possible. For further information about legal advice see section 9.

## What are the rights and responsibilities of informal kinship carers?

Informal kinship carers have a responsibility to safeguard and promote the child's welfare, but they can't override the wishes and rights of the child's parents. If you are an informal carer without a legal order, you might want to consider a legal order to obtain parental responsibility.

### Case study

Bethan has been bringing up her six-year-old granddaughter since the death of her mother three years ago. Her daughter died without making a will.

"Even now I haven't got parental responsibility for my granddaughter. Because I did try to apply and they said I would have to go through court and they told me roughly how much it's going to cost, so I just left it."



## Is approval needed?

No approval is needed to be an informal kinship carer – it is up to the parent to decide that the arrangements are suitable for their child. There will not usually be a social worker involved, but if for any reason the local authority thinks that services may be necessary to safeguard or promote the child's welfare they might assess whether or not the child is a 'child in need'. (see below).

## How long does the arrangement last?

Informal kinship care arrangements can be ended whenever the parent decides and without notice, or if the kinship carer is no longer willing to continue. It doesn't matter how long you have cared for the child, their parent can still resume care without giving you notice.

## What are the arrangements for supervision and review of the arrangement?

None – this is entirely an arrangement between the parents and the kinship carers. Even if a social worker were involved to give support, they are not responsible for supervising or reviewing the arrangements.

## What support is available?

The services which are available to all children, and to children with specific additional needs, are available to support children in kinship care.

If you need help you should consider asking children's services for this. There may be additional support available to informal kinship carers if the children they are caring for are assessed by children's services to be 'children in need' (see below).

## Children in need

A child can be assessed (usually by a social worker) as being in need if without the provision of services they are unlikely to reach or maintain a reasonable level of health or development, or their health or development would be significantly impaired. Disabled children are also children in need. If you feel that the welfare of a child you are caring for is at risk, or that their development is being held back because they are not getting enough support, you can ask for them to be assessed as a child in need. To do this, contact your local children's services department. The details should be in the local family and friends care policy. If you request an assessment under section 17 the local authority should either undertake an assessment or explain to you why the child does not meet the criteria. You can make a complaint if you are unhappy about their decision.

Family support services provided under section 17 could include practical support as well as advice, guidance and counselling,

## Did you know?

Local authorities have a duty to safeguard and promote the welfare of children in their area who are 'in need' and to promote their upbringing by their families (which includes kinship carers). They do this by providing a range of 'family support services', which are sometimes referred to as 'section 17 support' because they are provided under section 17 of the Children Act 1989. However, section 17 support is discretionary and there is no automatic entitlement. If you feel that you or the child you are caring for are eligible for a service that is not being provided you can consider making a complaint to the local authority.

perhaps relating to managing difficulties with contact or behavioural problems arising from earlier childhood experiences.

Financial assistance can also be given under section 17 to help kinship carers of children in need, either to help with one-off costs such as buying a bed when a child is taken into the family, or on a regular basis where there is financial hardship which means that the child might otherwise need to become looked after by the local authority. Eligibility criteria for receiving support under section 17, including financial assistance, should be included in the local authority's family and friends care policy (see page 16). The criteria usually take account of the carer's financial circumstances, and funds are usually limited meaning that support – particularly financial support – is likely to be restricted to those in particularly difficult circumstances.

The law does not limit the family support services or financial support which can be provided under section 17, but in practice local authority budgets are tight and you will need to make a strong case for why you need support for the child you are caring for.



If you are unsure about whether or not you should qualify for help, seek legal advice. You may also find it helpful to talk to your local councillor or your MP.

If you feel that you may be unable to continue to care for a child without further support, you can ask for help under section 17. Think about what in particular would make a real difference. It could be some advice and guidance, a bit of financial support, or something practical. Maybe the child would benefit from some particular leisure activities or after school care, or you desperately need a holiday together or some respite.

If professionals are particularly concerned that a child for whom you are caring is at risk of harm they may call a child protection conference to discuss what further action might be necessary. You should be invited to attend the case conference. It might be decided that the child should be subject to a 'child protection plan', which sets out what everyone concerned will do to protect the child and promote their welfare – or they may be on a child protection plan when they

come to you. This used to be referred to as 'being on the child protection register'. Child protection plans are kept under review to make sure that the child remains safe without any change of plan.

## What benefits are available?

Informal kinship carers can generally claim the same benefits and financial help as parents. For more information see page 44.

### Key points: informal kinship care

- The arrangements are made between the child's parents and the kinship carers
- A social worker did not place the child, although might be offering some support and guidance
- The child is not looked after by the local authority
- The kinship carers do not have a legal order, do not have parental responsibility and cannot overrule the parents' wishes
- The parents can end the arrangement at any time
- Services and support are available on the same basis as for all other children
- If the child is assessed as a child in need, family support services and/or financial assistance might be provided if criteria are met

## 3. Private fostering

This section of the guide is about kinship care by someone who knew or was connected with the child before they started to care for them, but is not the child's grandparent, brother, sister, uncle or aunt (including people who are such relatives by half blood, marriage or civil partnership), or step parent. This usually means more distant relatives or family friends, but it can include the unmarried former partner of a parent. Unless the child is disabled, private fostering only refers to children under 16. Kinship carers of 16 and 17 year olds who are not disabled are informal kinship carers rather than private foster carers (see section 2).

Private fostering is an arrangement which lasts (or is intended to last) for a continuous period of more than 28 consecutive days, although occasional short breaks do not affect the continuity.

### How are the arrangements made?

Private fostering arrangements with kinship carers are made in the same way as informal kinship care arrangements – that is directly between the parent and the private foster carer rather than by the local authority (see page 18). In the same way as for informal kinship arrangements, if the local authority was involved in making the arrangement then legally this may in fact be a placement of a looked after child, in which case you will need to be assessed, paid and supported as a local authority foster carer (see section 4).

### Case study

Jade is looking after Courtney, six and Sean, three, whilst their mother Susan is in prison serving a twelve week sentence for shoplifting. She has been a close friend of Susan since they were at school. Susan did not expect to receive a custodial sentence and so had made no plans for the children beyond Jade looking after them for a few days while her case was being heard.

As the arrangement is going to last for more than 28 days Jade needs to inform children's services that she is looking after Courtney and Sean, otherwise she would be breaking the law. She is entitled to receive any relevant benefits for the period she is looking after the children. Jade can make day to day decisions on behalf of Susan, but major decisions such as a school application or holiday abroad needs to be agreed by their mother.

### What are the rights and responsibilities of parents?

Parents have a duty to notify the local authority that they are arranging for their child to live with a private foster carer. They still have parental responsibility and are responsible for financial support and decision making about their child, so they can intervene at any time. They can delegate day to day decision making to the private foster carer but will have to consent to major decisions such as medical treatment (except in an emergency), schooling, and foreign travel. They can decide whether or not the private foster care arrangement should continue.

## What are the rights and responsibilities of private foster carers?

Anyone who is going to care for a child as a private foster carer has to notify the children's services department of the local authority where they live at least six weeks in advance, or immediately if the arrangement is made with less than six weeks notice. There are regulations which list the information which must be provided, which includes information about the child and their parents, and the planned duration of the arrangement.<sup>8</sup> The local authority also has to be informed of any changes of circumstances, and when the arrangement ends.

Information about private fostering should be included in the local family and friends care policy (see page 16) and the local authority may also have an information leaflet explaining how to notify them about a private fostering arrangement.

The carers have a responsibility to safeguard and promote the child's welfare, but they can't override the wishes and rights of the child's parents.

### Is approval needed?

Once you notify the local authority that you have become a private foster carer, they will arrange for a social worker to visit you and also to meet the child. You do not need to be formally approved as a foster carer, but the social worker will assess whether the arrangements appear satisfactory. This will include consideration of whether you have a relevant criminal record, the standard of accommodation, who else lives in the household, arrangements for contact with parents, education, and health. The social worker will also visit the child's parents as part of their assessment.

<sup>8</sup> The Children (Private Arrangements for Fostering) Regulations 2005

### Did you know?

You have to notify your local authority if you are going to become a private foster carer.

A privately fostered child can also be assessed to be a child in need and provided with services under section 17 (see page 20).

### How long does the arrangement last?

Private fostering arrangements can be ended whenever the parent decides and without notice, or if the carer is no longer willing to continue. It doesn't matter how long you have cared for the child, their parent can still resume care without giving you notice.

If you think there are strong reasons why it would be better for the child to stay with you rather than return to their parents, you should consider applying for a residence order or special guardianship order to formalise the arrangement. (See sections 5 and 6 of this guide).

### What are the arrangements for supervision and review?

The social worker is required to visit the child you are privately fostering at least every six weeks during the first year, and then at least every 12 weeks after that. If they are concerned about the standard of care you are providing, the local authority can take legal action to prevent you from continuing as a private foster carer.

### What support is available?

The social worker should give you advice and support to help you to care for the child. The services which are available to all children, and to children with specific additional needs, are all available to support children in private foster care.

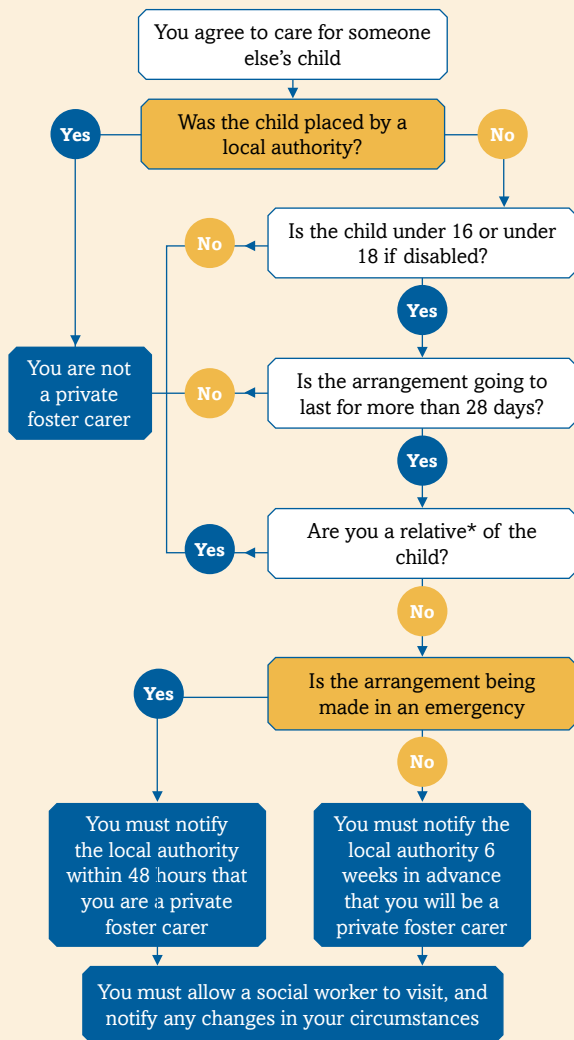
Children who are privately fostered may also be assessed as children in need and provided with section 17 support, as explained on page 20, but you need to remember that this is at the discretion of the local authority.

## What benefits are available?

Private foster carers can generally claim the same benefits and financial help as parents.

For more information see page 44.

### Steps in private foster care



\*Relative means grandparent, brother, sister, uncle or aunt, or step-parent

### Key points: private fostering

- If the kinship carer is not a close relative, the arrangement is likely to be private fostering
- Private fostering is an arrangement between the parent and the private foster carer
- Parents can end the arrangement at any time
- The private foster carer does not have parental responsibility
- The local authority does not approve private foster carers, but it does have to assess the suitability of the arrangements
- A social worker will pay regular visits
- A privately fostered child may also be assessed as a child in need and provided with support services



## 4. Looked after children and kinship foster carers

This section is about children who are ‘looked after’ by the local authority – often known as being ‘in care’. Most children in kinship care are not ‘looked after’ but some are. It is important to know about it as it will affect the situation and the support available to you and the child you are caring for.

### Did you know?

There are two main ways in which a child (someone under 18) can become looked after:

They are accommodated (cared for) by the local authority at the request of their parents, or with their parent’s agreement, under section 20 of the Children Act 1989, or

They are subject to a care order made by a court under section 31 of the same act.

All of these children are known as looked after children.

Local authorities must apply to court for a care order or a supervision order if they have good evidence that the child is at risk of significant harm if an order is not made. Significant harm is the threshold that justifies compulsory intervention in family life in the best interests of the child. The local authority must investigate if they have reason to believe that a child is suffering significant harm, or is likely to do so. There may be evidence of ill-treatment or the impairment of physical or emotional health or development, which includes sexual abuse or neglect. Factors which might

place a child at risk of significant harm include chronic family deprivation, parental substance misuse, and poor standards of parenting, but it is up to the local authority in partnership with others such as doctors and the police to determine whether or not court proceedings are necessary to protect the child’s welfare.

### Case study

Fifteen months ago Paulette became the full time carer of her three nieces aged seven, eleven and thirteen. Her younger sister was no longer coping on her own after moving away from her local neighbourhood to escape a violent relationship, and was abusing drugs. The local authority agreed to ‘accommodate’ the girls and Paulette was approved as a foster carer by children’s services in the town where the girls live and moved into a flat found by them. She receives allowances as a foster carer, the support of a social worker and has attended training courses for foster carers; including help with the challenge of parenting looked after children. However she has not received any respite. The girls’ behaviour has improved significantly in Paulette’s care and their mother is meeting targets set for her to become fully drug free. The girls are now spending more time with mum with a view to returning home in the next few months. Financially, Paulette has struggled because she was unable to continue working and found the fostering allowances insufficient to cover the cost of clothing and outings she felt were necessary for three very demanding children.

## Did you know?

There are over 7,300 looked after children in England living with kinship foster carers.<sup>9</sup>

## How are the arrangements made?

When a child is 'looked after', the local authority has to decide what placement is the most appropriate to meet the child's needs. When considering what placement is most suitable for a looked after child the law requires the local authority to give preference to a placement with a family member or friend who is approved as a foster carer, but there are other factors also to take into account. If you are to care for a child who is looked after you must be approved as a kinship foster carer to do so.

When a local authority places a child with you, they are a 'looked after child' whether this is with the agreement of the parent or there is a care order in force. If the authority for whatever reason says the child should stay with you but does not arrange a fostering assessment, you should request it. If no assessment takes place, the placement may be regarded by the local authority as an informal kinship care arrangement and they may not support the child further, despite the evidence of risk that led to the placement. This is a complicated area of law so if the local authority was involved in making the placement, you should seek legal advice as soon as possible. This could have major implications for your entitlement to financial and practical support. For further information about legal advice see section 9.

You could suggest that a child should become looked after by the local authority and placed with you as their foster carer,

<sup>9</sup> Department for Education Statistical First Release, Children Looked After by Local Authorities in England, – year ending 31 March 2012, table A3

but that should only happen if the local authority is satisfied that this is necessary to safeguard and promote the child's welfare. A child should never have to become looked after just as a means to give you practical or financial support, because that support can be provided anyway if it is necessary in the child's interests. In practice however kinship carers often find it difficult to get the help they need and you may need advice to make sure you are getting this.

If a child is placed with you in a crisis, there clearly is no time to complete a full fostering assessment first. In exceptional circumstances the local authority can, after some initial enquiries, give you temporary approval as a foster carer for up to 16 weeks to allow time for a full foster carer assessment to be completed. This is often called a 'regulation 24 approval' although the regulations call it 'temporary approval of a connected person'. Occasionally this temporary approval can be extended by another eight weeks, but no longer. Alternatively the local authority may decide that it is better to place the child short term with already approved foster carers while they assess your suitability.

## What are the rights and responsibilities of parents?

When a child is 'accommodated' under section 20 and placed with you as a kinship foster carer, parental responsibility is retained by their parents. The local authority works in partnership with the child's parents but cannot override their wishes, although they will negotiate agreement to day-to-day arrangements and decision making.

Parents also retain parental responsibility in respect of children who are on a care order, but they share this with the local authority. This means that the local authority is able to make most decisions about the child even if the parent does not agree, although they must take parents' views into account and try to work with their support.

## What are the rights and responsibilities of kinship foster carers?

Just like other foster carers, kinship foster carers never have parental responsibility.

The local authority is responsible for the care of a looked after child even though you are providing this care as a kinship foster carer. All foster carers have to sign a foster care agreement which clarifies their role and responsibilities as well as the support they will be given by the fostering service. They have to care for a foster child as if they were a member of their own family, and promote the child's welfare. Foster carers are expected to work with others such as social workers, teachers, and health workers to provide the best possible care and support to the child.

### Did you know?

Foster carers are required to agree to and sign a placement plan, so you should be involved in drawing this up. Usually a meeting is held for this purpose. The placement plan is very important because it says how you are expected to care for the child, as well as what other people will do to support you in this. It also records the arrangements for education and good health, and contact arrangements with the child's birth family.

An important element of placement plans is the record of arrangements for delegated authority. This sets out what decisions can be made by you or need to be referred to the social worker or parent. The principle should be that foster carers are able to make the same sort of daily decisions that they would make about their own child, such as going on school trips, having a sleepover with friends, or having a haircut. Sometimes however parents are not willing to delegate

decision making to the foster carers, so every placement plan will be individual to the child and their circumstances.

Foster carers are expected to undertake training which will help them in their work, and also need to demonstrate how they meet national training, support and development standards. These standards have been specially adapted for kinship foster carers, and the fostering service should provide support for kinship foster carers in meeting them.

## Is approval needed?

You must be assessed and approved as a local authority foster carer. There are regulations which govern how this is done,<sup>10</sup> and it is a thorough process which usually takes several months to complete. You should be provided with information about the assessment process so that you know what is expected of you and how you will be assessed, including the criteria to be used and the support to be offered to you during the assessment process.<sup>11</sup> Nobody has the right to be a foster carer.

Before they start the assessment the local authority will need to collect some information about you and your family to see if there are any major obstacles to your becoming a kinship foster carer. Sometimes they call this a 'viability' check. If you offer to become a kinship foster carer but the local authority decides not to assess you for this, you can ask for the reasons in writing, and you may want to take legal advice. Fostering services must also have complaints systems.

During the formal assessment the assessing social worker will get to know you, your skills and your family makeup, and you will learn more about the role of a foster carer. You need to have a medical and to provide a minimum of two referees, and a check

<sup>10</sup> The Fostering Services (England) Regulations 2011

<sup>11</sup> Fostering Services: National Minimum Standards 30.6, Department for Education 2011



will be made to see if you have a criminal record – although this will not necessarily prevent you from becoming a foster carer. The assessment will focus on the skills and experience you are likely to need to care for the particular child you want to foster, taking account of national standards set by the government. You may be surprised by how thorough the assessment has to be. Kinship carers sometimes feel that this is intrusive, but it is important to understand that local authorities have a duty of care to the children they look after. You should find the assessment useful in making sure that you are properly informed and prepared for your role as a foster carer.

When the assessment report is completed this will be considered by a fostering panel and you will be able to read the report and attend the panel. You can take a supporter if you wish. The panel makes a recommendation about your approval to the fostering service's 'decision maker', who is a senior manager in children's services. If the decision maker thinks that you should not be approved, they will send you something called a 'qualifying determination' saying this and you will be given 28 days to object or to apply for a review of your application by the independent review mechanism (IRM). The IRM is able to review fostering applications where a qualifying determination has been issued and makes its own recommendation to the fostering service, which the decision maker must take into account in reaching their final decision.

## Did you know?

Before ending the placement of a looked after child with a foster carer the local authority must hold a child's case review and take account of your views, unless there is an immediate risk of significant harm to the child or of serious injury to anyone. Case reviews are often called 'looked after reviews'.

The law requires a person's approval as a foster carer to be reviewed at least every 12 months. You will be involved in this process, and feedback will also be sought from the child you are caring for and from social workers who have worked with you.

## How long does the arrangement last?

The placement plan should set out how long the fostering placement is expected to last, and this will depend on the child's circumstances. It could be just for a few weeks or until the child turns 18. If the child is accommodated under section 20 (see page 25) the parent could ask for them to be returned home at any time, so the placement would end unless the local authority took court proceedings to prevent this. Otherwise the local authority can end the placement with you if they feel that it is no longer the most appropriate place for the child to live.

If a kinship foster placement is a long term one and there are no plans for the child to return to the care of their parents, children's services may want you to apply for a special guardianship order (or a residence order or even an adoption order) so that you have parental responsibility. This may also be what you want. If one of these orders were granted this would mean that the child would no longer be looked after by the local authority, and any care order would automatically come to an end. Even if you agree that this is a positive step you should not feel pushed into anything, especially as

this has implications for the support you would then be entitled to receive. Before applying for an order you should always seek legal advice (see section 9).

A foster carer can resign at any point by giving 28 days written notice.

## Are the arrangements supervised and reviewed?

Every foster carer is allocated a 'supervising social worker' whose job it is to provide support and supervision, and to make regular visits.

Every looked after child has a care plan which brings together everything that the foster carers and different professionals need to do for the child. You should be involved in drawing up the care plan and when it is reviewed, and have a copy. The child's social worker oversees how the plan is carried out and must visit the child regularly to see that the placement is still meeting their needs. The frequency of visits varies according to circumstances but is usually at least every six weeks.

The social worker is responsible for managing the relationship between the local authority and the child's parents, and should support you in any difficulties you may have with your own role in this. They will also co-ordinate the provision of services to support the child, such as life story work to help them to understand what has happened to them, and any therapeutic intervention.

## What support is available?

Your supervising social worker is the immediate source of support to you as a kinship foster carer. They should make sure that you have all the information you need to provide appropriate care which meets the child's needs, and provide advice and guidance about the fostering task. This could mean discussing different approaches to a child's challenging behaviour, or helping you

to understand how to put into practice the policies that the fostering service is required to have. Fostering services also have a range of training available to help foster carers and you should have access to this in the same way as all other foster carers. There may be additional training specifically to meet the needs of kinship foster carers, and you should have access to a support group that meets your needs as a kinship foster carer.

### Did you know?

The Department for Education has issued National Minimum Standards which should be met by all fostering services. Standard 30 describes the support which kinship foster carers should be given. If you are a kinship foster carer you should make sure you know what this says.<sup>12</sup>

Fostering services should also provide support outside of office hours.

You should expect the child's social worker to give you feedback when they visit the child and to discuss with you how things are going and to help you with any difficulties you are having. Although their role is to focus on the child's needs, they should also provide support to you and the child and help you to understand any difficulties the child has and how best to respond to these.

## What financial support is available?

Foster carers cannot claim child benefit for the fostered child but there may be other benefits you can claim, usually depending on your income. Section 8 gives more information about benefits available to foster carers.

<sup>12</sup>Fostering Services National Minimum Standards, Department for Education 2011

Local authorities are responsible for the maintenance of looked after children, and they may ask for a contribution from parents.

The local authority must pay you an allowance which is at least the national minimum fostering allowance set by the Department for Education every year.<sup>13</sup> The minimum rate varies according to the child's age and whether you live in London, the south east or the rest of England. The allowance has to be sufficient to cover the full cost of caring for the child who is placed with you, and must be reviewed by the local authority annually. Kinship foster carers must be paid the same rate of allowance as other foster carers.

Most local authorities have, in addition to fostering allowances, a scheme to pay fees to foster carers in certain circumstances to reward foster carers' time, skills and commitment. There is no obligation to have a scheme for fees, but the fostering statutory guidance and national minimum standards say that where this does exist it should not discriminate against kinship foster carers. Criteria for fees vary and may depend on completing training, being available for emergency placements, or many other factors. If local authorities do not pay their kinship foster carers the same payments and allowances as other foster carers they may leave themselves open to legal challenge. If you think this is happening to you, you should seek legal advice.

You should be given a written statement every year which explains the policy regarding payments to foster carers including the criteria for payment and current rates.

<sup>13</sup><http://www.education.gov.uk/childrenandyoungpeople/families/fostercare/b0071246/infoforcars/nma>

<sup>14</sup><http://www.hmrc.gov.uk/individuals/foster-carers.htm>

## Did you know?

HMRC has a scheme of 'foster care relief' which means that fostering payments below a threshold agreed annually are exempt from income tax.<sup>14</sup> This means that most foster carers do not pay income tax on fostering payments.

## Key points: looked after children

- Children may be looked after by the local authority by agreement with their parents or as a result of a court order
- Kinship carers who are caring for a looked after child must be approved as foster carers, and approval is reviewed annually
- Foster carers do not have parental responsibility
- Foster carers have a supervising social worker who also provides ongoing support
- Kinship foster carers are entitled to receive the same fostering allowances and fees as are open to other foster carers for that local authority
- Care has to be provided in line with the child's care plan and the placement plan
- Arrangements for delegated authority set out which decisions can be made by the foster carer
- The child's social worker should give support to the foster carer as well as to the child
- If you are granted a special guardianship order any care order is automatically discharged, and the child is no longer 'looked after'

## 5. Residence orders

This section of the guide concerns children about whom a residence order is made by the court. A residence order determines who the child will live with and gives parental responsibility to the person (or two people jointly) named in the order.

### Case study

Ann and Colin having been bringing up their ten-year-old grandson Jon with the agreement of his mother since he was four years old. Children's services have not been involved, but his mother's lifestyle involves heavy use of drugs and alcohol and she has been in a succession of violent relationships. Ann and Colin do not know where Jon's father (their son) is. They successfully applied to court for a residence order when Jon was six to give themselves parental responsibility and to prevent his mother from getting him to move back to her. Jon visits his mother regularly but she provides no financial support for him. They prefer not to challenge this.

### How are the arrangements made?

As a kinship carer you can apply to the family proceedings court or the county court for a residence order if you are:

- The child's guardian or special guardian
- The child's grandparent, aunt, uncle, brother or sister (including by half blood, marriage or civil partnership) or step parent, and the child has lived with you for at least a year

### Did you know?

Residence orders are going to be replaced by new child arrangement orders. If you are taking on the care of a child you should seek advice about which order is best for you.

- A local authority foster carer who has had the child placed with them for at least a year, or
- Anyone else with whom the child has been living for at least three years out of the last five.

You can also apply if you have the consent of:

- Anyone who already holds a residence order for the child
- The local authority, if the child is in their care, or
- Everyone else who holds parental responsibility.

You have to be 18 or over to apply, and an order cannot usually be made in respect of a child aged 16 or over.

Even if you are not covered by any of the above circumstances you can still make an application to the court for permission to apply for a residence order.

If you are considering applying for a residence order you should seek legal advice.

### What are the rights and responsibilities of parents?

Parents retain parental responsibility but share this with the holder(s) of the



residence order. They remain responsible for supporting the child financially, although in practice this may well not happen.

## What are the rights and responsibilities of kinship carers?

Holders of a residence order have parental responsibility for the child, although this is shared with the child's parents. As well as being responsible for the child's day to day care you are also able to make more significant decisions such as which school the child should attend and to give consent to medical treatment. You can take the child out of the country for up to a month, but would need the permission of everyone else with parental responsibility for longer periods. If someone else who has parental responsibility does not agree with your decisions they are able to apply to the court for an order to stop you.

A residence order does not enable you to change the child's surname, to appoint a guardian to care for them when you die, or to agree to place them for adoption or to be adopted.

## Is approval needed?

In deciding whether or not to make a residence order the court has to make the child's welfare its paramount consideration. It has to follow the 'welfare checklist' by taking into consideration the following points:

- The child's wishes and feelings
- The child's physical, emotional and/or educational needs
- The likely effect on the child of any change in circumstances
- The child's age, sex, background and characteristics
- Any harm which the child has suffered or is at risk of suffering
- How capable the parents, and any other person, are of meeting the child's needs
- The power of the court to make any other orders.

The court will usually ask for a welfare report to be prepared by someone from the Children and Family Court Advisory and Support Service (CAFCASS), or by children's services if they have been involved with the child.



## How long does the order last?

A residence order lasts until the child is 18, although before a change in the law some years ago residence orders were usually made to the age of 16. The court can vary or discharge an order before it is due to end. If a care order (or interim care order) is made in respect of the child, the residence order will end. A parent can apply to court to end an order.

## Are the arrangements supervised and reviewed?

There is no supervision or review of a residence order.

## What support is available?

There is no additional entitlement to support arising from the residence order, although if the local authority assesses the child as being 'in need' they may provide family support services (also known as section 17 support) – see page 20. This could include the cost of legal fees in connection with obtaining a residence order.

The local family and friends care policy (see page 16) should explain how to obtain further information and advice.

## What financial support is available?

For information about benefits see section 8.

Legally only a parent has responsibility for financially supporting their child, although in practice kinship carers often find they have to take this on because parents are unable or unwilling to take responsibility.

The local authority is not obliged to give you any financial help although it has the power to pay you a residence order allowance. This is more likely if the child was looked after by the local authority up to the time when the residence order was made, but even then there is no automatic entitlement. If



an allowance is paid it will usually be means tested and kept under review, so you need to be clear before applying for a residence order whether or not you will receive an allowance and what criteria will be used to review it.

## Key points: residence orders

- The child must usually have lived with you for at least a year before you apply to the court for an order, however you can still ask the court's permission to apply for an order in other circumstances
- The order lasts until the child is 18 although the court can end it earlier
- You share parental responsibility with the child's parents but can make most decisions
- There is no specific additional support available
- The local authority has the discretion to pay a residence order allowance but this will be means tested and reviewed

## 6. Special guardianship orders

In this section we look at special guardianship orders (SGOs), which are made by a court. In some ways they are similar to residence orders, but they give the special guardian(s) greater ability to make decisions about the child and they are also more likely to be assessed for support. The parents' rights are severely restricted although, unlike in adoption, they are not totally ended.

### Case study

Angela and Peter are special guardians for Callum who is their cousin's child, now aged three. They are also bringing up two of their own children. Callum was taken into care at birth because of his mother's drug dependency, and initially social workers' plan for him was that he should be adopted. Anne and Peter approached a solicitor for legal advice and successfully applied to Court to become Callum's special guardians. Although they were assessed by the local authority for financial support, they were not entitled to a discretionary allowance because they did not meet the financial threshold. However, the local authority agreed to provide four weekends a year of respite for the first three years because of Callum's special needs – he has epilepsy and foetal alcohol syndrome. This provides them with a break from the demands of a disabled child enabling them to focus on their own children.

### How are the arrangements made?

The circumstances in which you can apply for a special guardianship order are very similar to those for applying for a residence order. You can apply to the family proceedings court, county court or High Court if:

- You already have a residence order for the child
- You are the child's grandparent, aunt, uncle, brother or sister (including by half blood, marriage or civil partnership) or step parent, and the child has lived with you for at least a year
- You are a local authority foster carer who has had the child placed with them for at least a year, or
- The child has been living with you for at least three years out of the last five.

You can also apply if you have the consent of:

- Anyone who already holds a residence order for the child
- The local authority, if the child is in their care, or
- Everyone else who holds parental responsibility.

If you're not covered by any of the above circumstances you can still make an application to the court for permission to apply for a SGO.

If you have a residence order, you may wish to apply for a special guardianship order instead if you need additional powers to make decisions about the child, or if you want to receive an assessment to get additional support. If you are considering

applying for a special guardianship order, you should seek legal advice. Never feel under pressure just because it has been suggested to you by a social worker or anyone else; however an SGO will secure the child's placement with you. If you are fostering the child they cannot be removed from you without a review being held to consider the situation, unless there is immediate risk of significant harm to the child or of serious injury to others. You should contribute to the review discussion. In reality though when you are fostering the child the local authority has more power than you do. A local authority should not threaten to remove a child just because you are not willing to agree to apply for parental responsibility such as through a special guardianship order.

You have to be 18 or over to apply for a special guardianship order.

## What are the rights and responsibilities of parents?

Parents retain parental responsibility but share this with the holder(s) of the special guardianship order. However, they have very limited rights to be consulted about decisions concerning the child. Parents remain financially responsible for a child who is subject to a special guardianship order; although in practice the responsibility may fall on the special guardian.

## What are the rights and responsibilities of special guardians?

As a special guardian you gain parental responsibility and share this with the child's parents. However an important difference to the holders of a residence order is that special guardians can exercise parental responsibility to the exclusion of the parents. This means that you can make virtually all necessary decisions about the child, although you cannot take the child out of the country for more than three months, or

consent to the child changing their surname or being placed for adoption or adopted, without the consent of everyone with parental responsibility. You can appoint a testamentary guardian to be responsible for the child if you die before they are 18.

If someone else who has parental responsibility does not agree with your decisions they are able to apply to the court for an order to stop you, but if they keep on doing so and the court thinks that this is unreasonable they can prevent them from making further applications.

## Is approval needed?

Three months before you apply for a special guardianship order, you must give written notification to the local authority that you are going to do so. If the child is looked after by a local authority, then that is the authority to notify. Otherwise you must notify the local authority where you live. The local authority has to prepare a report for the court, so a social worker will need to visit you to discuss all the circumstances. The assessment process is very thorough and is similar to being assessed to become a foster carer. You may feel that this is rather intrusive, but it is an important step to give you parental responsibility so the court has to be sure that this is in the child's best interests. A social worker will assess your relationship with the child and your parenting capacity, and you will have to have a medical and supply two referees who will be interviewed.

### Did you know?

Grandparents Plus has a peer support network and a Facebook group you can use to make contact with others in a similar situation. They also provide a befriending service to put kinship carers in touch with others in a similar situation.

The court process is similar to obtaining a residence order, so in deciding whether or not to make a special guardianship order the court has to make the child's welfare its paramount consideration. It has to follow the 'welfare checklist' by taking into consideration the following points:

- The child's wishes and feelings
- The child's physical, emotional and/or educational needs
- The likely effect on the child of any change in circumstances
- The child's age, sex, background and characteristics
- Any harm which the child has suffered or is at risk of suffering
- How capable the parents, and any other person, are of meeting the child's needs
- The power of the court to make any other orders.

## How long does the arrangement last?

A special guardianship order lasts until the child is 18. You can apply to the court for the order to be ended before then, and in certain circumstances a person who has, or has previously had, parental responsibility can also apply to the court for this.

## Are the arrangements supervised and reviewed?

There is no supervision or review of a special guardianship order.

## What support is available?

If the child was looked after by a local authority when the special guardianship order was made then you, the child and the child's parents all have a right to require that local authority to make an assessment for providing support services. If the child was not looked after then the same people (and also your own children) can ask the local authority to assess for support services,

but the authority is not obliged to do so. The government guidance makes it clear that children who were not looked after should not be unfairly disadvantaged by this approach because in many cases the only reason that the child was not looked after is that kinship carers stepped in quickly to take on the responsibility for the child when a parent could no longer do so.

Just because an assessment is made, this does not necessarily mean that support will be provided. However local authorities are required to have a range of special guardianship support services available and these might include:

- Financial support
- Support groups
- Support for managing contact (which might be face to face, or passing on letters for example)
- Therapeutic services for children
- Training
- Help with special needs
- Respite care
- Counselling advice and mediation.

The family and friends care policy should explain what services are available locally (see page 16).

If you are unhappy about the outcome of an assessment for support you can make a complaint, talk to a councillor or your MP, or seek legal advice. Where support is provided, it is common for local authorities to review this every year.

### Did you know?

If a child was looked after by the local authority before you obtained a special guardianship order, they may be eligible for support between the ages of 16 and 21 as if they were a care leaver.

## What financial support is available?

In some circumstances the local authority may pay you a special guardianship allowance, if they feel that you should become the child's special guardian but would not be able to do so without financial support. This is more likely if the child was previously a looked after child and placed with you as a kinship foster carer, although you may not receive the same total level of payments which you did previously as a foster carer. In deciding how much to pay as a special guardianship allowance the local authority has to be guided by the fostering allowance it would have paid you if you were a foster carer. Many local authorities use the adoption financial support standardised means test, which is available on the Department for Education's website, for calculating special guardianship allowances as well as adoption allowances.

Allowances are usually means tested and kept under review, so you need to be clear from the start about what you will be paid and the criteria for review of the allowance. You should ask the local authority to put this in writing so that there is no doubt about this in the future.

You may sometimes be able to get help from the local authority with your legal fees in obtaining a special guardianship order when the child was previously looked after by them.

For information on benefits see section 8.



### Key points: special guardianship orders

- The child must usually have lived with you for at least a year before you apply to the court for an order, but even if they haven't you can still apply to court for permission to seek an order.
- You must notify the local authority three months before you apply for an order, and they have to prepare a report
- The order lasts until the child is 18 although the court can end it earlier
- You share parental responsibility with the child's parents but can exercise this without taking account of their views
- You can ask for an assessment for support services, and in some circumstances you have a right to this assessment
- Local authorities have to provide a range of support services, although these will have eligibility criteria
- You might be entitled to receive a special guardianship allowance, although this will be means tested and kept under review.

## 7. Adoption

**This section deals with the few occasions when adoption by kinship carers might be appropriate. Usually a special guardianship order is more appropriate because adoption legally and permanently changes family relationships. For example, when a child is adopted by their grandparents they then legally become the child's new parents, and the child's birth mother becomes their sister.**

### Case study

Melanie took on the care of her nephew Simon when he was just six months old, following the death of both parents in a car accident. Melanie was just 18 at the time and initially received support and financial help from her own parents, but she began to worry about Simon's future. As soon as she was 21 she applied to adopt Simon. A social worker investigated the circumstances on behalf of the court and recommended that Simon should be adopted by Melanie as he had been brought up by her from such a young age. The court granted an adoption order. Melanie didn't feel that she needed any further support at this stage.

### How are arrangements made?

You can apply to adopt a child if you are their grandparent, aunt, uncle, brother or sister (including by half blood, marriage or civil partnership) or step parent, and the child has lived with you for at least three years out of the last five. If you are a local

authority foster carer you can apply to adopt a child who has been placed with you for at least a year. You must have the consent of the child's parents or be able to obtain the court's approval to dispense with consent.

If you are thinking of adopting a child who is placed with you as a local authority foster carer, this must be consistent with their care plan. You should discuss this carefully with the social worker, and never feel under pressure to adopt without considering the consequences of taking on parental responsibility. You should seek legal advice before doing anything.

### Did you know?

You have to be at least 21 to apply for an adoption order.

### What are the rights and responsibilities of birth parents?

An adoption order completely breaks the link between the child and their birth parents, and parental responsibility transfers completely and permanently to the adopters. However many adoptions are 'open' in that the child – and sometimes the adopters – remain in regular contact with the birth parents. Otherwise birth parents may be able to trace their children who have been adopted once they turn 18, and vice versa.

### What are the rights and responsibilities of adopters?

Once you adopt a child you become legally their parent(s) in every respect and can exercise parental responsibility in the same way as any other parent, including

appointing testamentary guardians to care for the child if you die before they are 18.

## Is approval needed?

You must give the local authority where you live written notice that you intend to apply to court for an adoption order, and a social worker will need to prepare a report for the court.

## How long does the arrangement last?

Adoption is a permanent, lifelong arrangement and an adoption order cannot be revoked. However adoptions do sometimes break down and children may then become looked after.

## Are the arrangements supervised and reviewed?

A social worker will be responsible for ensuring that the child's welfare is met from the time you give notice that you are going to apply to adopt until the order is granted. After that the arrangements are not supervised or reviewed.

## What support is available?

Local authorities are required to have a range of services available to support people affected by adoption, and you can ask to be assessed for these services. The services for which you are entitled to be assessed depends on your circumstances, but there are more of these if you are adopting a child who was a looked after child (referred to as an 'agency adoption' in the regulations).<sup>15</sup>

## What financial support is available?

If you adopt a looked after child whom you have been fostering you may be entitled to an adoption allowance from the relevant local authority. This may not be as much as

you were previously receiving as a foster carer because it will be means tested and kept under review, and may be time limited. Many local authorities use the adoption financial support standardised means test, which is available on the Department for Education's website, for calculating allowances.

### Key points: adoption

- Adoption is a permanent arrangement which transfers all parental responsibility to the adopters
- It makes the adopter the child's legal parent and therefore changes all other family relationships
- It may be appropriate for adopted children to keep in contact with their birth families
- There are a range of services to support adopters and adopted children
- If you adopt a looked after child you may be able to claim an adoption allowance.



<sup>15</sup>Regulation 5, The Adoption Support Services Regulations 2005

## Different forms of kinship care

The purpose of this table is to highlight the key features of different forms of kinship care, to help you to make comparisons which may inform your decision making. It is important that you should refer to the relevant sections of the guide for full information.

	Informal kinship care	Private fostering	Kinship foster care
<b>How are the arrangements made?</b>	You must be the child's grandparent, brother, sister, uncle, aunt or step-parent. You make the arrangement yourself with the child's parent; it is not made by the local authority.	You are not the child's grandparent, brother, sister, uncle, aunt or step-parent. You make a private arrangement with the child's parents which you intend to last for more than 28 days.	Also known as family and friends foster care. The child is 'looked after' by the local authority, which wants to place the child with you and so must approve you as a foster carer.
<b>Do the arrangements have to be approved?</b>	No	Arrangement assessed by the local authority and may be prohibited if considered unsuitable.	If the child is looked after by a local authority you must be assessed and approved as a foster carer even if you are a relative. Temporary approval is sometimes given in an emergency.
<b>How long do the arrangements last?</b>	As long as you and the parents agree. It may be ended by either party without notice.	As long as you and the parents agree. It may be ended by either party without notice.	As long as the local authority decides it is in the child's best interests, and you agree to go on caring.
<b>Are the arrangements supervised and reviewed?</b>	No	Regular visits by a social worker, and the local authority may also undertake formal reviews.	Regular visits to the child by a social worker, and reviews of their care plan. Foster carers supervised by a social worker and approval reviewed annually.
<b>What are the rights and responsibilities of kinship carers?</b>	May do what is reasonable to safeguard or promote the child's welfare.	Must notify the local authority that they are a private foster carer. May do what is reasonable to safeguard or promote the child's welfare.	Never have parental responsibility, and responsibility for planning the child's care remains with the local authority. Responsibilities set out in a foster care agreement and placement plan.



Residence Order	Special Guardianship Order (SGO)	Adoption
Often the child will have been living with you for some time and you want to formalise the arrangement and take on parental responsibility. Or you may want to secure children with you in an emergency situation. You apply to the court for an order.	The child may have been living with you for some time, or have been placed with you following care proceedings, and you want to take on parental responsibility. You apply to the court for an order.	Usually the child will have been living with you for some time and you want to legally take over all responsibility from the parents. You apply to the court for an order. You need the consent of the parents, or to show the court why they should dispense with this.
The court decides.	The local authority has to assess your suitability but the court decides.	The local authority has to assess your suitability but the court decides.
Until the child reaches 18, unless varied or discharged by the court before then.	Until the child reaches 18, unless varied or discharged by the court before then.	Adoption is a permanent lifelong arrangement.
No	No	A social worker supervises until the adoption order is made, but not thereafter.
Parental responsibility shared with parents.	Parental responsibility shared with parents, but the special guardian is able to make virtually all decisions about the child unless the court overrules them.	Adopters take on all the rights and responsibilities of the parents, as if the child had been born to them.

	Informal kinship care	Private fostering	Kinship foster care
<b>What are the rights and responsibilities of parents?</b>	Retain parental responsibility and financial responsibility to maintain the child.	Retain parental responsibility and financial responsibility to maintain the child.	Parental responsibility remains with birth parents unless the child is subject to a care order, in which case the local authority also has parental responsibility and can limit the decisions which are made by parents.
<b>What support is there?</b>	No special entitlement.	Must notify the local authority that they are making a private fostering arrangement. Social worker may give support. Local authority may assess child as a child in need and provide support under section 17 of the Children Act 1989.	Support to meet child's needs, including a health plan, personal education plan, contact plan and placement plan. Young person may be entitled to leaving care support services.
<b>Is there any financial support?</b>	Local authority may assess child as a child in need and provide support under section 17 of the Children Act 1989. Treated as parents by the benefits system plus guardians allowance in some circumstances If local authority assesses child as a child in need it has discretion to make one off or regular payments under section 17.	Treated as parents by the benefits system plus guardians allowance in some circumstances If local authority assesses child as a child in need it has discretion to make one off or regular payments under section 17.	Training, advice and practical support for foster carers. You cannot claim child benefit, child tax credit or guardian's allowance. Fostering allowance to meet the costs of caring for the child. Some fostering services pay a fee to recognise the carers' skill, experience and commitment.

Adapted from Annex A to Family and Friends Care: Statutory Guidance for Local Authorities (Department for Education 2011)

Residence Order	Special Guardianship Order (SGO)	Adoption
<p>Parental responsibility shared by parents and the holder of the residence order.</p>	<p>Parental responsibility shared with the special guardian, but the special guardian is able to make virtually all decisions about the child unless the court overrules them.</p>	<p>When an adoption order is made the birth parents lose parental responsibility altogether and are no longer related to the child.</p>
<p>No special entitlement.</p>	<p>If child was 'looked after' prior to making the SGO, local authority must assess need for support services although it has discretion whether to provide.</p>	<p>Adopters entitled to assessment for support services, which may be provided at the local authority's discretion.</p>
<p>Local authority may assess child as a child in need and provide support under section 17 of the Children Act 1989.</p> <p>Treated as parents by the benefits system plus guardians allowance in some circumstances</p> <p>Local authority has discretion to pay a residence order allowance in some circumstances. Any allowance is likely to be means-tested and reviewed annually, so may be stopped if your circumstances change.</p>	<p>A young person may be entitled to leaving care support services if they were a 'looked after' child prior to the making of the SGO.</p> <p>Treated as parents by the benefits system plus guardians allowance in some circumstances</p> <p>Treated as parents by the benefits system plus guardians allowance in some circumstances</p> <p>Entitled to an assessment for financial support if the child was 'looked after' prior to the order being made and meets certain criteria.</p> <p>Regular or one off payments are possible, but any allowance is likely to be means-tested and will be reviewed annually so may be stopped if your circumstances change.</p>	<p>Benefits paid as for any other parent, and you are entitled to an assessment for financial support if the child was 'looked after' prior to being adopted.</p> <p>Subject to an assessment, one off payments or a regular adoption allowance may be paid. Any allowances will be reviewed annually so may be stopped if your circumstances change.</p>

## 8. Welfare benefits and other sources of financial help for kinship carers

Becoming a kinship carer can place a significant strain on household resources. You will inevitably face increased expenses. At the same time, your income may reduce because you have to give up work, reduce your hours and/or draw on savings. This section gives some basic information about the benefits you may be entitled to claim and other help you can get because you are raising a child or because you are living on a low income.

Entitlement to some benefits depends on your income and/or savings. It's worth noting that if you receive a fostering, special guardianship or residence order allowance it will be ignored as income when you apply for these means-tested benefits.

The welfare benefits system is currently going through a process of major changes. For up-to-date information check Grandparents Plus' website. For advice on your own situation including benefit entitlements and other sources of financial support, contact their advice service on 0300 123 7015.

### Benefits if you are raising a child

Kinship carers are generally entitled to the same benefits as parents although the rules are different for foster carers.

#### Child benefit

Child benefit is paid to people who are bringing up a child aged under 16 or a young person aged under 20 who is in full-time non-advanced education. Only one person can be awarded child benefit for a particular child.

The child's parent is allowed to keep claiming child benefit as long as they pay it to you for the child's upkeep. However, if you want to receive the money directly you will have priority because the child is living with you. If there are competing claims, you may have to wait longer for a decision about your claim.

You can get child benefit regardless of your income. However, if you or your partner have an individual income of more than £50,000 a year, you may have to pay extra tax which will offset some or all of the child benefit.

If you are receiving a fostering allowance for a child, you cannot claim child benefit for them.

**You can get a claim form by phoning the child benefit office on 0300 200 3100. You can download a form from [www.hmrc.gov.uk/childbenefit](http://www.hmrc.gov.uk/childbenefit).**

#### Child tax credit

If you are on a moderate or low income you can claim child tax credit for any child who normally lives with you unless you are being paid a fostering allowance for them. If a parent is also claiming, your claim will have priority if you have the main responsibility for the child.

You can get child tax credit whether or not you are working. Payments depend on your family circumstances and income. If you live with a partner you must make a joint claim.

You can claim for a child or a young person up to the age of 20 as long as they are in full-time non-advanced education or on an approved training course. You can get extra child tax credit for a child who is getting

disability living allowance (DLA) or is registered blind.

You can check if you qualify for child tax credit and how much you should get by using the online questionnaires at [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits).

**For an application form phone the tax credit helpline on 0845 300 3900.**

Between October 2013 and April 2014, new claims for tax credits will be phased out and replaced by universal credit – see page 48.

### Guardian's allowance

You may be entitled to guardian's allowance if you qualify for child benefit for a child whose parents have died.

Sometimes you can get guardian's allowance if only one parent has died. For example, if:

- the other parent's whereabouts or paternity are unknown
- the parents were divorced or their civil partnership has been dissolved and the other parent isn't paying maintenance
- the surviving parent is in prison or is detained in hospital by a court order.

**You can get more information and an application form from the guardian's allowance helpline on 0300 200 3101 or from the HMRC website at [www.hmrc.gov.uk](http://www.hmrc.gov.uk).**

### Benefits if you are looking after a disabled child

Research shows that it costs three times as much to raise a disabled child (Source: Dobson and Middleton – Paying to Care: the cost of childhood disability 1998) and families with a disabled member are more likely to be living in poverty.

### Disability living allowance (DLA)

If you are raising a child with a disability or long term health condition, it's well worth

### Did you know?

For people over the age of 16, DLA has now been replaced by a Personal Independence Payment (PIP).

applying for DLA because it can make a big difference to your family's income.

DLA has two parts – the care component and the mobility component. A child may qualify for one or both parts. You can claim for a child with a physical disability, learning disability, or behavioural or mental health problems – even if they don't have a diagnosis. What matters is the impact of their condition on their care, mobility and supervision needs.

DLA is not means-tested or treated as income for other benefits. You can apply for DLA even if you are a foster carer.

An award of DLA can help you to qualify for additional benefits or for extra amounts of means-tested benefits and tax credits. If someone in your household gets DLA you will be exempt from the 'benefit cap'.

When you are filling in the claim form make sure you include as much information as you can about your child's needs. Any information provided by a professional involved with your child's care may also help. The form is long and can be off-putting to complete, but give as much detail as possible – it may increase your chance of getting the benefit.

**You can get a DLA claim form from the benefits enquiry line 0800 88 22 00 or download one from [www.gov.uk/dla-disability-living-allowance-benefit](http://www.gov.uk/dla-disability-living-allowance-benefit).**

**Contact a Family – a national charity supporting the families of disabled children – may be able to put you in touch with local help to complete the form. See [www.cafamily.org.uk](http://www.cafamily.org.uk) or phone its helpline on 0808 808 3555.**

## Carer's allowance

If you are caring for a child who is getting the middle or higher rate of disability living allowance and you are not working (or working part-time and earning below £100 a week) you may be able to get carer's allowance.

You may also be able to get carer's allowance if you are caring for a disabled adult.

In some cases, you may not be able to receive carer's allowance because you are getting another benefit, such as the retirement pension or contributory employment and support allowance. Even so, making a claim for it might allow you to get extra amounts in other benefits such as pension credit, income support and housing benefit.

The rules about benefits for carers are complicated – you can contact Grandparents Plus' advice service on 0300 123 7015 or your local citizens advice bureau for advice on your particular situation.

**You can claim carer's allowance online or download a form at [www.gov.uk/carers-allowance](http://www.gov.uk/carers-allowance) or phone the carer's allowance unit on 0845 608 4321.**

## Benefits if you are not working

### Income support

Income support is a means-tested benefit for people of working age. You may be entitled if you are bringing up a child aged under 5 on your own. You can also get it if you are a single foster carer or if you are receiving carer's allowance.

If you get income support you will have to attend work-focused interviews if you are raising a child aged between one and five (or a foster child aged between one and sixteen). These interviews are intended to help and encourage you to keep in contact with the

employment market and eventually to begin full-time work.

If you get income support you will be entitled to housing benefit, council tax support and other help – for example, with health costs and free school meals. If you have a mortgage you can get help towards your interest payments (usually after 13 weeks).

**To claim income support phone 0800 055 6688 or download a form at [www.gov.uk/income-support](http://www.gov.uk/income-support).**

Between October 2013 and April 2014 new claims for Income Support will be phased out and replaced by universal credit – see page 48.

### Jobseeker's allowance (JSA)

JSA is a benefit for people who are unemployed or working less than 16 hours a week and who are actively looking for work. If you are raising a child on your own you must be available to work as many hours as your caring responsibilities allow and for at least 16 hours a week. If the child is under 13 you can restrict the hours you are available to their normal school hours.

JSA is a benefit in two parts:

- Contribution-based JSA is paid at a flat rate for the first six months you are unemployed if you have paid enough national insurance contributions
- Income-based JSA is means-tested. Entitlement depends on your financial circumstances. You can't get income-based JSA if your partner works for 24 hours a week or more. If you have a mortgage, you may be able to get some help towards your interest payments (usually after 13 weeks)

**To claim JSA phone 0800 055 6688 or claim online at [www.gov.uk/jobseekers-allowance](http://www.gov.uk/jobseekers-allowance).**

Between October 2013 and April 2014 new claims for income-based JSA will be phased out and replaced by universal credit – see page 48

## Employment and support allowance (ESA)

If you cannot work because of an illness or disability, you may be able to claim ESA.

There are two types of ESA:

- contributory ESA, which you can get if you have paid enough national insurance contributions (for some people this is time-limited)
- income-related ESA which is paid if your income and capital are low enough.

Initially you will have to show you cannot work by providing medical certificates from your GP. During the first 13 weeks of your claim, you will usually have to have a number of tests which, together, make up what is called the work capability assessment.

**To make a claim, phone 0800 055 6688 or download a form from [www.gov.uk/employment-support-allowance](http://www.gov.uk/employment-support-allowance).**

Between October 2013 and April 2014 new claims for income-related ESA will be phased out and replaced by universal credit – see page 48.

## Other benefits if you are on a low income

### Working tax credit

If you are single and work at least 16 hours a week, you may be entitled to working tax credit. If you have a partner you must work at least 24 hours a week between you, with one of you working at least 16 hours. There are some exceptions to this rule, such as if the working partner is aged over 60 or is disabled, or the other partner is 'incapacitated' or a full-time carer.

Your entitlement depends on your family's circumstances and income. Working tax credit can include an element towards childcare costs.

If you are a foster carer, you can be treated as self-employed and you may be able to get working tax credit. Your foster allowance will not be counted as income, unless it is above certain limits. Some foster carers can choose whether to claim income support, jobseeker's allowance or working tax credit. You can contact Grandparents Plus' advice service on 0300 123 7015 or your local citizens advice bureau for advice if you think this might apply to you.

You can check if you qualify for working tax credit and how much you should get by using the online questionnaires at [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits).

**To obtain an application form phone the tax credit helpline on 0845 300 3900.**

Between October 2013 and April 2014, new claims for tax credits will be phased out and replaced by universal credit – see page 48.

### Pension credit

Pension credit is a means-tested benefit for men and women aged above the women's state pension age. This is gradually increasing from 60 and will reach 65 by November 2018.

To find out whether you might be entitled to pension credit you can use the calculator at [www.gov.uk/pension-credit-calculator](http://www.gov.uk/pension-credit-calculator).

Pension credit can include extra amounts if you are severely disabled or a carer or if you have housing costs. It is worth claiming pension credit even if you are only entitled to a small amount as it can help you to qualify for other financial help for your family such as free school meals and help with health costs.

**To claim pension credit phone the claim line on 0800 99 1234 or download the form at [www.gov.uk/pension-credit](http://www.gov.uk/pension-credit).**

Because child tax credit and housing benefit are being abolished, pension credit will change from 2014 to include additional amounts for children and rent.

### Housing benefit

You can get housing benefit to help pay your rent whether or not you are working – as long as your income and savings are not too high. You should contact your local council for a claim form.

If you are getting income support, income-based JSA, income-related ESA or pension credit (guarantee element) you will automatically qualify for maximum housing benefit – although this may not cover your full rent.

If you are affected by a shortfall in your housing benefit, you can contact Grandparents Plus advice service on 0300 123 7015 to discuss your options.

**Contact your local council for a housing benefit claim form.**

### Council tax support

From April 2013 a local system of council tax support has replaced the previous national system of council tax benefit for people who can't afford to pay a full council tax bill.

Each council can decide which groups of people it will help and how much help to offer. This means entitlement to support may vary depending on where you live – although pensioners are protected from cuts to support.

**You should check with your local council for details of the scheme in your area.**

### Universal credit

Universal credit is a new benefit for people of working age. It will be introduced for new claims between October 2013 and April 2014.

Universal credit is a single payment for both working and non-working households and will replace:

- income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- housing benefit
- working tax credit
- child tax credit

If you are already getting one or more of the benefits that are to be abolished, your claim will be transferred to Universal Credit at some point between 2013 and 2017.

Universal credit consists of a basic allowance with different rates for single people and couples, and additional amounts for those with:

- children
- caring responsibilities
- limited capability for work
- housing costs
- childcare costs

People without any other income will receive the basic allowance plus any additions relevant to their circumstances. If you have earnings or other income this will be taken in to account when working out your entitlement, though some income will be ignored.

### Other sources of financial help

Financial support from the local authority depends on the arrangements under which you're caring for the child and is explained in the relevant chapters.



## Free school meals

You can get free school meals for the child you're raising if you get one of the following benefits:

- Income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- the guarantee part of pension credit
- Child tax credit and your income is below a certain amount – although in most cases this does not apply if you are also receiving working tax credit
- Universal credit and your income is below a certain level.

The child will not be entitled to free school meals if you are being paid a fostering allowance for them.

**You can find out how to apply for free school meals by contacting your local council or your child's school.**

## Help with health costs

You can get free prescriptions, dental treatment and sight tests and help towards the cost of glasses/lenses if you or a member of your family get one of the following benefits:

- income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- the guarantee part of pension credit
- Working tax credit and/or child tax credit, depending on your income
- Universal credit – if your income is below a certain amount.

If your income is low, you may still be able to get help with health costs under the NHS low income scheme. This will depend on the amount of income and savings that you have.

**To apply for help under the NHS low income scheme, you need to complete form HC1 which is available from benefit offices, NHS hospitals and some practitioners. You can also order a form online at [www.nhsbsa.nhs.uk](http://www.nhsbsa.nhs.uk).**

## Sure start maternity grants

A maternity grant is a fixed amount of £500 to help people on a low income buy clothes and equipment for a new born baby. It does not have to be repaid.

Usually, in order to qualify there must be no other children in your family and you must get one of these benefits:

- income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- pension credit
- child tax credit – depending on the amount
- working tax credit that includes a disability or severe disability element.

You do not have to be the child's parent to qualify for a grant as long as you have become responsible for the child within the last 3 months and they are aged under 12 months. You can qualify for a payment even if a grant has already been made to the child's parent. However you cannot get a maternity grant for a child you are fostering.

**You can get a claim form from your local Jobcentre or download one from [www.gov.uk/sure-start-maternity-grant](http://www.gov.uk/sure-start-maternity-grant).**

## Healthy start vouchers

These can be exchanged for free milk, fruit or vegetables. You can get the vouchers for children under four (or for yourself if you are pregnant) if you get one of these benefits:

- income support
- income-base jobseeker's allowance

- Child tax credit and your income is below a certain amount – though in most cases this does not apply if you are also receiving working tax credit.

**You can get the healthy start leaflet and claim form from your doctor or by going to [www.healthystart.nhs.uk](http://www.healthystart.nhs.uk).**

### School clothing grants

Some local education authorities will help with the cost of school clothing for pupils whose families are on a low income. Local policies vary widely on who can get help and what items they will give help for. To find out what the policy is in your area, check with your local authority. Some school governing bodies or parents associations also provide help with school clothing.

### Budgeting loans

Budgeting loans can be paid to people living on means-tested benefits, to help with essential lump sum expenses – such as the costs of moving home, household equipment, furniture and clothing. Budgeting loans have to be paid back to the social fund but they are interest free.

Budgeting loans are being replaced by budgeting advances for universal credit claimants.

**You can get a claim form for a budgeting loan from your local Jobcentre or download one from [www.gov.uk/budgeting-loans](http://www.gov.uk/budgeting-loans).**

### Local welfare assistance

Until April 2013, families living in difficult circumstances could apply to the social fund for help in the form of discretionary community care grants and crisis loans. The money which used to pay for these schemes has now been given to local authorities to provide 'local welfare assistance' to support residents in their area.

**Contact your local authority for details of the scheme in place in your area.**

### Charitable grants

Financial assistance is often available from grant-giving organisations, depending on your particular background and circumstances. In some cases you can apply directly, but in others a referral is needed from an advice agency or someone working with the family such as a social worker or teacher.

**The Turn 2 Us website can help you find a charitable fund which meets your needs – [www.turn2us.org.uk](http://www.turn2us.org.uk).**

**Grandparents Plus' advice service can help by identifying and making applications to charitable trusts on your behalf. Contact us on 0300 123 7015.**

### 16-19 bursary fund

The bursary fund can help 16 to 19 year olds who are in further education or training. Some vulnerable students are eligible to receive a bursary of £1,200 a year. This group includes:

- young people in care or care leavers
- people claiming Income Support
- disabled young people who receive employment support allowance and disability living allowance

Other students facing financial difficulties may be awarded a bursary at the discretion of their school, college or training provider, who will set out details of how the scheme will operate locally.

### Child maintenance

Unless the child is looked after by the local authority, you could ask the parents to pay child maintenance, because they remain financially responsible for the child throughout the time that they are living with you.

**Contact child maintenance options for information about the choices available for arranging child maintenance. Visit [www.cmoptions.org](http://www.cmoptions.org) or phone 0800 988 0988.**

## 9. GETTING LEGAL ADVICE

You can get free confidential legal advice about kinship care from the following sources –

### **Family Rights Group**

Advice line: 0808 801 0366  
Email: [advice@frg.org.uk](mailto:advice@frg.org.uk)  
Website: [www.frg.org.uk](http://www.frg.org.uk)

Specialist advice to families whose children are involved with or need children's services because of welfare needs or concerns.

### **Coram Children's Legal Centre**

Advice line: 0808 802 0008  
Website: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Free information and advice on all legal issues relating to children and young people.

### **Grandparents Legal Centre**

Telephone: 0843 289 7130  
Website: [www.grandparentslegalcentre.co.uk](http://www.grandparentslegalcentre.co.uk)

Specialist legal advice for grandparents, including local authority responsibilities and other issues affecting kinship carers.

### **Finding a solicitor**

You can contact the **Law Society** on 020 7242 1222 or search on its website [www.lawsociety.org.uk](http://www.lawsociety.org.uk) to find a solicitor. Solicitors who are accredited by the Law Society in Children Law are specialists in dealing with the areas of the law related to children.

You may be entitled to **legal aid** if your income and capital are low enough, although from April 2013 certain types of cases no longer qualify for legal aid.

You can check whether you might be able to get legal aid by using the legal aid calculator on the GOV.UK website. [www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid).

If you cannot get legal aid, the local authority may be able to help with the cost of getting legal advice and/or legal proceedings.

It's also worth bearing in mind that some solicitors will offer a free initial consultation.

### **Free legal assistance from barristers**

The **Bar Pro Bono Unit** is a charity which helps to find free legal assistance from volunteer barristers. This includes advice and representation in all areas of the law. Cases must be referred by advice agencies (such as CABx or Grandparents Plus' advice service ) or solicitors. See the website [www.barprobono.org.uk](http://www.barprobono.org.uk) for more information, or call 020 7092 3960

Grandparents Plus has an arrangement with **4 Brick Court specialist Family Law Barristers**, who have agreed to provide free legal advice to clients referred by Grandparents Plus. To find out whether they might be able to help in your case, you can contact Grandparents Plus on 0300 123 7015. For this free service, 4 Brick Court **cannot** accept self-referrals.

## 10. Helpful organisations

### Grandparents Plus

**Advice line:** 0300 123 7015

**Email:** [advice@grandparentsplus.org.uk](mailto:advice@grandparentsplus.org.uk)

**Website:** [www.grandparentsplus.org.uk](http://www.grandparentsplus.org.uk)

Grandparents Plus advice and information service provides comprehensive information and advice on all issues affecting kinship carers including: welfare benefits and other sources of financial support, employment rights, housing, education and caring for a child with special needs.

Grandparents Plus also runs a free peer support network for kinship carers.

### Mentor

1st Floor, 67-69 Cowcross Street  
London EC1M 6PU  
020 7553 9920

**Email:** [admin@mentoruk.org](mailto:admin@mentoruk.org)

**Website:** [www.mentor.org.uk](http://www.mentor.org.uk)

#### Scotland Office

Mentor Scotland  
235 Corstophine Road  
Edinburgh  
EH12 7AR  
0131 334 8512

[admin-scotland@mentoruk.org](mailto:admin-scotland@mentoruk.org)

A national charity specialising in the prevention of alcohol and drug misuse. Mentor Scotland also plays a leading role in kinship care and has produced a guide for kinship carers in Scotland which can be downloaded at <http://www.mentoruk.org.uk/mentorworks/kinship-care/>

### British Association of Adoption and Fostering (BAAF)

Advice lines (England) –

**Southern England:** 020 7421 2652

[southern.helpline@baaf.org.uk](mailto:southern.helpline@baaf.org.uk)

**Central England:** 0121 753 2001

[midlands@baaf.org.uk](mailto:midlands@baaf.org.uk)

**Northern England:** 0113 289 1101

[leeds@baaf.org.uk](mailto:leeds@baaf.org.uk)

**North East England:** 0191 261 6600

[newcastle@baaf.org.uk](mailto:newcastle@baaf.org.uk)

**Website:** [www.baaf.org.uk](http://www.baaf.org.uk)

BAAF provides a wide range of services throughout the UK, including regional advice lines covering all aspects of fostering and adoption. BAAF also publishes an extensive list of publications for carers, children, professionals and others.

### Citizens Advice

**Telephone:** 08444 111 444

to find a local CAB

**Website:** [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Citizens Advice Bureaux (CAB) deliver free, independent, confidential and impartial advice from community locations all over the country. You can search for a local CAB on the website or by phoning the number above. Citizens Advice also has a self-help website [www.adviceguide.org.uk](http://www.adviceguide.org.uk) full of practical, reliable information on a range of subjects including benefits, housing, employment and debt.

### Contact a Family

**Helpline:** 0808 808 3555

**Email:** [helpline@cafamily.org.uk](mailto:helpline@cafamily.org.uk)

**Website:** [www.cafamily.org.uk](http://www.cafamily.org.uk)

Support, advice and information for families with disabled children, no matter what their condition or disability, including local projects. Contact a Family also has a dedicated special educational needs advice service.

## Coram Children's Legal Centre

**Advice line:** 0808 802 0008

**Website:** [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Free information and advice on all legal issues relating to children and young people.

## Family Lives

**Helpline:** 0808 800 2222

**Website:** [www.familylives.org.uk](http://www.familylives.org.uk)

Family Lives offers information on all aspects of family life. As well as the helpline, it runs groups and courses on parenting issues.

## Family Rights Group

**Advice line:** 0808 801 0366

**Email:** [advice@frg.org.uk](mailto:advice@frg.org.uk)

**Website:** [www.frg.org.uk](http://www.frg.org.uk)

Specialist advice to families whose children are involved with or need children's services because of welfare needs or concerns.

## Fostering Network

**Telephone:** 020 7620 6400

**Email:** [info@fostering.net](mailto:info@fostering.net)

**Website:** [www.fostering.net](http://www.fostering.net)

General information about fostering, and publications for foster carers and professionals. Benefits for members include advice and legal insurance for foster carers.

## Fosterline

**Adviceline:** 0800 040 7675

**Email:** [fosterline@fostering.net](mailto:fosterline@fostering.net)

Advice and information for anyone who is interested in fostering or is already a foster carer.

## Grandparents Association

**Helpline:** 0845 434 9585

**Email:** [advice@grandparents-association.org.uk](mailto:advice@grandparents-association.org.uk)

**Website:**

[www.grandparents-association.org.uk](http://www.grandparents-association.org.uk)

National charity providing advice and support to all grandparents, especially those who are raising their grandchildren, providing childcare or have lost contact with grandchildren.

## Grandparents Legal Centre

**Telephone:** 0843 289 7130

**Website:** [www.grandparentslegalcentre.co.uk](http://www.grandparentslegalcentre.co.uk)

Specialist legal advice for grandparents, including local authority responsibilities and other issues affecting kinship carers.

## Working Families

**Helpline:** 0800 012 0312

**Email:** [advice@workingfamilies.org.uk](mailto:advice@workingfamilies.org.uk)

**Website:** [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

Advice for parents and carers on their rights at work.

## Young Minds

**Helpline:** 0808 802 5544

**Email:** [parents@youngminds.org.uk](mailto:parents@youngminds.org.uk)

**Website:** [www.youngminds.org.uk](http://www.youngminds.org.uk)

A helpline for any adult worried about the emotional problems, behaviour or mental health of a child or young person.

**See Grandparents Plus' website [www.grandparentsplus.org.uk](http://www.grandparentsplus.org.uk) for information on other organisations which you may find useful including those providing support on specific issues such drugs and alcohol, prisoners' families, bereavement, domestic violence, disability and education.**

# Advice and support in Scotland and Northern Ireland

## Kinship Care Helpline (Citizens Advice Scotland)

Helpline: 0808 800 0006

## ParentLine Scotland

Helpline: 0800 028 22 33

Email:

parentlinescotland@children1st.org.uk

Website: www.children1st.org.uk

## Mentor Scotland

Mentor Scotland has produced a guide for kinship carers in Scotland which can be downloaded at <http://www.mentoruk.org.uk/mentorworks/kinship-care/>

## Kinship Care Northern Ireland

Helpline: 07515 478 885

Email:

info@kinshipcarenorthernireland.co.uk

Website:

www.kinshipcarenorthernireland.co.uk

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## 11. Further reading

You may find some of the publications below useful.

### **Ten Top Tips: Supporting kinship placements**

Hedi Argent, BAAF 2009.

### **Kinship care, what it is and what it means**

Hedi Argent, BAAF 2007.

### **One of the family: a handbook for kinship carers**

Hedi Argent, BAAF 2005.

### **Relative benefits: placing children in kinship care**

Bob Broad and Alison Skinner, BAAF 2005.

### **Ten top tips for managing contact**

Henrietta Bond, BAAF 2007.

### **Facing up to Facebook: a survival guide for adoptive families**

Eileen Fursland, BAAF 2010.

### **Fostering in a digital world: a common sense guide**

Maria Boffey, The Fostering Network 2013.

### **All you need to know: family and friends foster care**

Doug Lawson, Fostering Network 2011.

## 12. Glossary

**Children's services** – The part of the local authority which is responsible for social care services for children and families.

**Contact** – Staying in touch with family, friends and others who are important to a child, whether this is by meeting face to face or by letters or through social media etc.

**Family and friends care policy** – Policy which every local authority must have, to publicise the services available to kinship carers. May also be called kinship care policy.

**Family and friends carer** – Anyone who is raising the child of someone they already knew or had a connection with.

**Family group conference (FGC)** – A decision-making meeting of family members to help them to make plans for a child's care and protection. For more information see: Family Rights Group's advice sheet 3: What is a family group conference?

**Informal kinship carer** – Someone who is looking after a child to whom they are related, but they do not have parental responsibility and the child is not 'looked after' by the local authority.

**Kinship carer** – Another term for family and friends carer.

**Kinship foster carer** – Family member or friend who has been approved as a foster carer for a looked after child.

**Local authority** – The local council. In some areas there are two local authorities, in which case it is the county council which is responsible for children's services.

**Looked after child** – Anyone under age 18 who is looked after by the local authority,

either because they are on a care order or they are accommodated through a voluntary agreement with their parents.

**Parental responsibility** – All the rights, duties, responsibilities and powers which the law gives a parent in relation to their child. Mothers automatically have parental responsibility, as do fathers if married to the mother when or after the child was born, or by other legal agreements.

**Private foster carer** – Someone who has agreed with a parent to look after their child for more than 28 days, but is not a relative of the child.

**Relative** – For the purposes of this guide a relative is someone who is by full blood, half blood, marriage or civil partnership the grandparent, brother, sister, uncle or aunt, or step-parent of a child (as defined by section 105 of the Children Act 1989).

**Residence order** – Court order which gives the holder parental responsibility for a child, although they share this with anyone else who has parental responsibility.

**Social services** – Now replaced by children's services and adult services departments of local councils.

**Special guardianship order (SGO)** – Court order which gives the holder (known as the special guardian) parental responsibility which they can usually exercise without needing the agreement of anyone else who also has parental responsibility.

**Testamentary guardian** – Person appointed in someone's will to acquire parental responsibility for their child when they die.





**Are you bringing  
up a relative's child?**

**Are you a guardian,  
special guardian or  
kinship carer?**

**Are you thinking  
about taking on the  
care of a grandchild?**

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**We also run a free peer support network for people bringing up a relative's child.**

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*“When I took on the responsibility of bringing up twins at 53, Grandparents Plus was the only organisation I could turn to for help. They were so helpful, they gave me information and advice that meant I was able to make informed decisions about our future as a family.”*

*Janet Brown, kinship carer and now a Grandparents Plus trustee*

- 300,000 children in the UK are being brought up by grandparents and other family members because they have been neglected or abused or because a parent has died or is seriously ill. We campaign for change with kinship carers to get them the recognition and support they need.
- 6 out of 10 members say they feel less isolated since they joined the Grandparents Plus Support Network.
- Kinship carers who need help with benefits advice are on average £3,000 per year better off after speaking to our Advice and Information Service.

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**Every donation to Grandparents Plus makes a real difference to the support we can give to kinship carers:**

**£10** would pay for 50 advice and information leaflets to promote our Advice Service so that we can reach more carers who need help.

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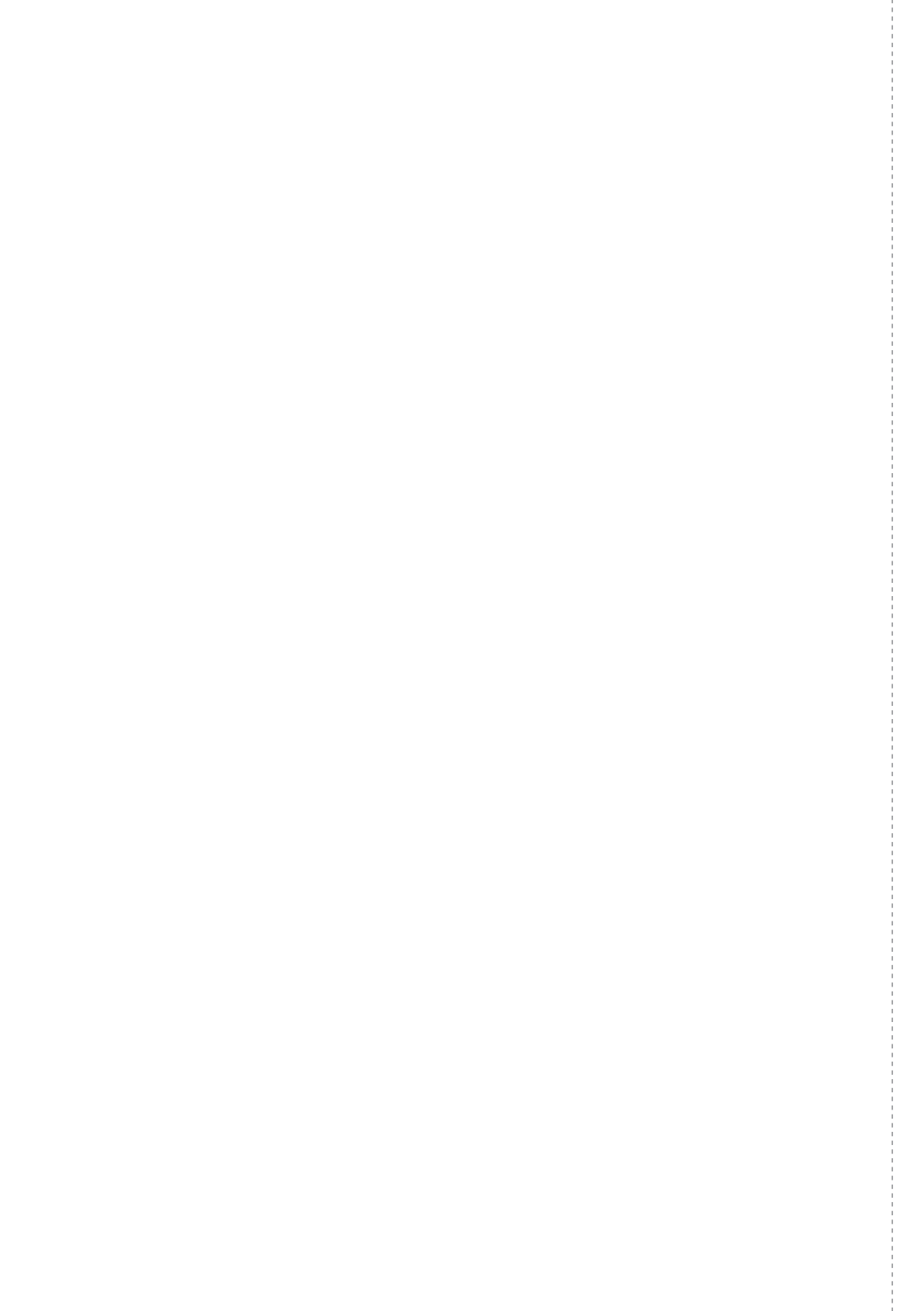
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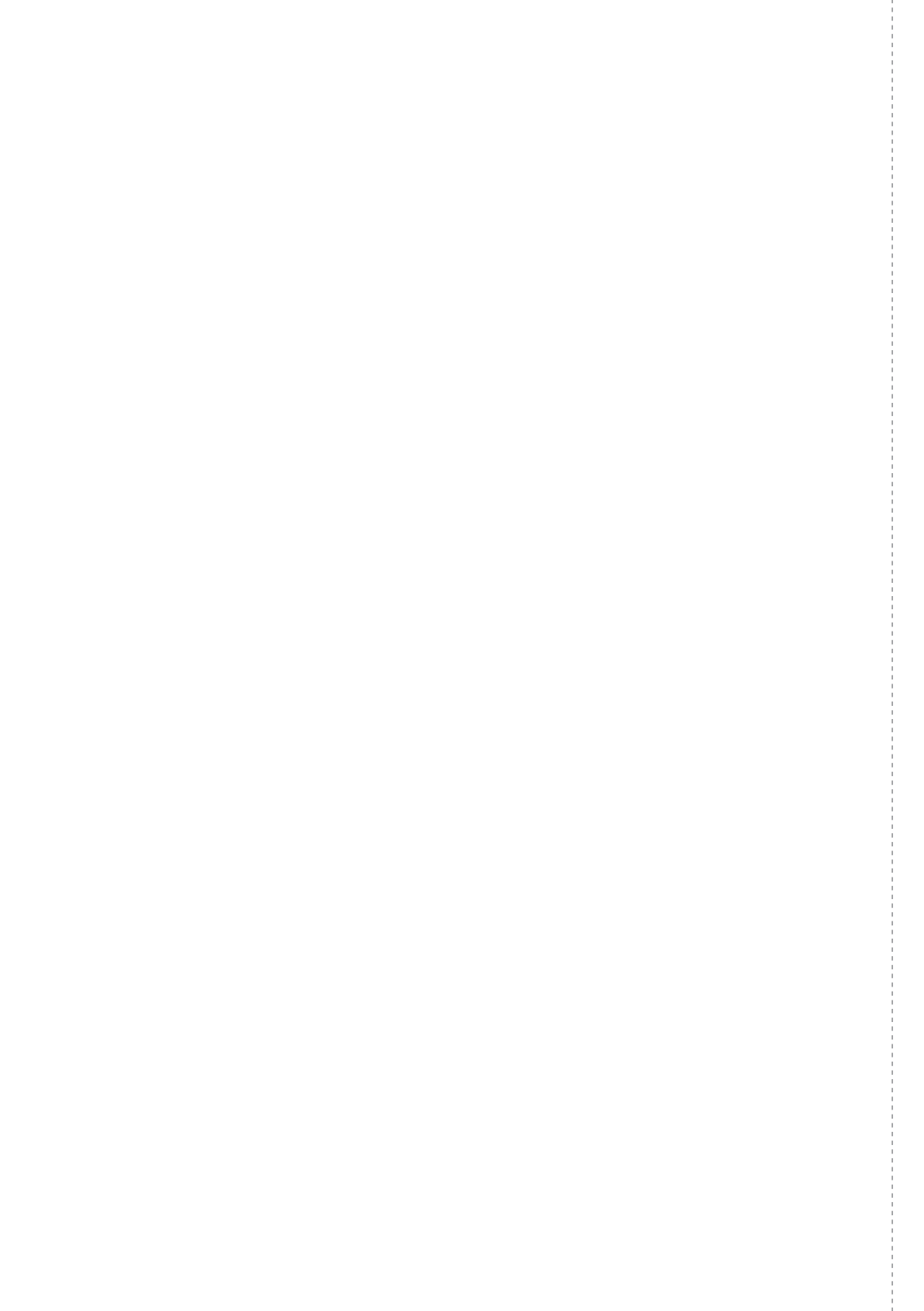
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www.grandparentsplus.org.uk  
charity number 1093975.

Grandparents Plus is the national charity (England and Wales) which champions the vital role of grandparents and the wider family in children's lives – especially when they take on the caring role in difficult family circumstances. We do this because we want to make children's lives better. We:

- Campaign for change so that their contribution to children's welfare is valued and understood
- Provide evidence, policy solutions and training so that they get the services and support they need to help children thrive
- Advise and support grandparents and family members who are raising children who cannot live with their parents by ensuring they have access to professional advice, information and peer support
- Advise, inform and support professionals to develop good kinship care practice.

## Mentor

1st Floor  
67-69 Cowcross Street  
London EC1M 6PU

Telephone: 020 7553 9920  
admin@mentoruk.org  
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Mentor works to protect children and young people from alcohol and drug harms. The charity has been working with kinship carers since 2008. Mentor researched and wrote the definitive guide for kinship carers in Scotland and is Scottish Government's strategic partner for kinship care.