

Leeds City Council

Kinship Care (Family and Friends) Policy

DRAFT



Contents

1. Introduction	3
2. Values and Principles	3
3. Legal Framework	4
4. Informal arrangements for children living with family and friends carers	5
4.1 Aim and definition	5
4.2 Early identification and support for informal family and friends carers	6
4.3 Our approach	6
4.4 Accountability	7
4.4.1 Arrangements where there is no Leeds City Council involvement	7
4.4.2 Arrangements where there is involvement by Leeds City Council	7
4.5 Reasons why a child may need to be looked after by the Local Authority	8
4.6 Legal aid and legal fees	8
4.7 Supporting contact	9
4.8 Education support	9
4.9 Financial support	9
4.10 Section 17 payments	10
5. Private fostering arrangements	11
6. Formal arrangements – Kinship Foster Carers	11
6.1 Our approach	11
6.2 Wishes and feelings of the child or young person	12
6.3 Assessment of family and friends carers	12
6.4 Permanence	13
6.5 Legal fees	13
6.6 Care leavers / supported lodgings	13
6.7 Expectations of a Kinship Foster Carer	13
6.8 Training and development	14
6.9 Training and support groups	14
6.10 Corporate offer to Kinship Foster Carers	15
6.11 Other formal arrangements	15
6.11.1 Residence Order	15
6.11.2 Special Guardianship Order	15
6.11.3 Adoption Order	16
7. Support with Housing	16
8. Family Group Conferences	16
9. Compliments and Complaints procedure	17
10. Options and comparison document for different family and friends kinship care arrangements	18
11. Local and national organisations providing support, advice and opportunities	18

1. Introduction

Children may be brought up by members of their extended families, friends or other people who are connected with them for a variety of reasons and in a range of different arrangements. Leeds City Council recognises the major contribution of kinship care as a permanent placement option for children who cannot live with their birth parents.

This policy sets out how Leeds City Council, in collaboration with its local partners will meet the needs of children living with family and friends in any of the following circumstances:

- In informal arrangements with a relative
- As a private fostering arrangement
- As a looked after child with foster carers
- Under a residence order or Special Guardianship Order
- In arrangements which may lead to an Adoption Order

In drawing up this policy we have consulted with family and friends already caring for children and also with local support groups in the community, as well as with our partner agencies.

Family and friends carers play a unique role in enabling children and young people to remain with people they know and trust if they cannot, for whatever reason, live with their parents. Family and friends often start to care for other people's children in a crisis or emergency situation. These children are sometimes looked after by the local authority, but most are not. The majority of the relatives who provide care are grandparents, aunts and uncles and older siblings.

Leeds City Council will only become involved if there are welfare or protection issues and where the family needs support; if the arrangement falls within the definition of a private fostering or if the child is, or becomes looked after by the Local Authority.

Leeds City Council recognise that in order to enable family and friends to offer appropriate care for children and young people who cannot live with their parents, access to a range of high quality support services at universal, targeted and specialist levels may be needed.

The Director of Children's Services has nominated The Chief Officer Children's Social Work Service, as the lead person responsible for ensuring Leeds' children are well cared for in Family and Friends arrangements.

Carers and professionals may also access further advice and information from 'The Kinship Care Guide for England'.



Kinship Care Guide
LICENSED COPY.pdf

2. Values and Principles

The key principle of the Children Act 1989 is that children should be enabled to live within their families unless this is not consistent with their welfare.

Leeds City Council recognises the major contribution of kinship care as a permanence option for children and young people.

Permanency planning is based on the philosophy that every child has the right to a permanent and stable home, preferably with his or her own family. The primary focus of permanency planning is to prevent children drifting in care (Brydon, 2004).

Leeds City Council, as corporate parent for children looked after, will work diligently to find permanent, safe homes for children in care, in a timely manner. The best possible care involves giving children security, stability and love through their childhood and beyond.

Permanency is described as a:

'Framework of emotional permanence (attachment), physical permanence (stability) and legal permanence (the carer has parental responsibility for the child) which gives a child a sense of security, continuity, commitment and identity (Care Planning Guidance 2011).'

Leeds City Council will not interfere with informal care arrangements which meet legal requirements unless there is a request for services or where there are safeguarding concerns.

Children are active participants and their wishes and feelings will be sought and taken into account when making plans for them.

3. Legal Framework

There are a number of ways in which children can live with people other than their birth parents and the different legal situations are set out in **Appendix 1** to this policy. It summarises the legal framework as well as the support entitlement in each situation.

The majority of family and friends carers act informally, by agreement with those holding parental responsibility for the children they care for. Providing they are a relative of the child as defined by section 105 of the Children Act 1989 or have parental responsibility for the child, there is no requirement to notify the local authority of the arrangement. Most of these arrangements remain entirely private without the need for the involvement of the Leeds City Council although where a child is assessed as 'being in need'; support may be provided under section 17 of the Children Act 1989.

A child shall be taken to be in need if:

- a) s/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for her/him of services by a local authority
- b) her/his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or
- c) s/he is disabled.

'Family' in relation to such a child, includes any person who has parental responsibility for the child and any other person with whom, s/he has been living.

Additionally consideration should be given to the Breaks for Carers of Disabled Children Regulations 2011. In performing their duty under paragraph 6(1) (c) of Schedule 2 to the 1989 Act (1), a local authority must:

- a) Have regard to the needs of those carers who would be unable to continue to provide care unless breaks from caring were given to them; and
- b) Have regard to the needs of those carers who would be able to provide care for their disabled child more effectively if breaks from caring were given to them to allow them to:
 - i. Undertake education, training or any regular leisure activity
 - ii. Meet the needs of other children in the family more effectively, or,
 - iii. Carry out day to day tasks which they must perform in order to run their household.

Other legal arrangements include children looked after by the Local Authority under s31 of Children Act 1989 (courts make these decisions about children being looked after) or accommodated by the Local Authority under s20 of the Children Act 1989. In both cases children may be cared for by family and friends only if the carers have been approved as Local Authority Foster Carers under the Fostering Regulations 2011 and where they meet the requirements of the National Minimum Fostering Standards 2011.

Further legal arrangements for children to live with family and friends include adoption Orders and Special Guardianship Orders under the Adoption and Children Act 2002; Residence Orders under the Children Act 1989 and Private Fostering under the Private Fostering Regulations 2005. Private Fostering is where a parent arranges for their child to live with someone who is not directly related to them or who is a friend of the family and the length of stay is for more than 28 days.

The following sections of this policy set out the support that we can provide to family and friends who are caring for children in these different situations.

4. Informal arrangements for children living with family and friends carers

4.1 Aim and Definition

Our aim is to ensure that family and friends carers receive the support they need to meet the needs of the children they are caring for.

Informal family and friends care arrangements are defined as:

Arrangements made by birth parents for the full time care, nurture and protection of their children, living apart from them with other family members or family friends.

Parental responsibility will generally remain with the birth parents but with day to day parenting tasks and decisions delegated to the carers. The majority of these informal arrangements will be supported by other orders (Special Guardianship, Residence Orders and Adoption Orders) and these specific orders will be discussed later in this document. On the whole, these arrangements work well and **will not** come to the attention of the council.

Children cared for under these arrangements are **not** looked after children. The arrangements may be made under the following circumstances:

- Children living with close relatives (as defined by Children Act 1989) as agreed by parents at the parents' own initiative.
- Children living with close relatives (as defined by Children Act 1989) as agreed by parents and with the support of the council e.g. as an agreed safeguarding measure.
- Young people aged 16+ who are living with a relative of their own volition.
- Children and young people living with friends or non-close relatives (as defined by Children Act 1989) as agreed by parents for a period of less than 28 days.
- Parents have made an arrangement with friends or non-close relatives for over 28 days under Private Fostering regulations 2005. (NB in such cases the LA has a role to play in safeguarding these placements under the Private Fostering Regulations 2005. See section below about Private Fostering.) It is the responsibility of the Parents to inform the Local Authority of the arrangements they have made for their child.

4.2 Early identification and support for informal family and friends carers

The majority of informal arrangements work well and meet the needs of the child with the support of universal agencies such as Health and Education and Housing services. It is important, however, that any difficulties are responded to early.

Families may need advice and assistance during the early stages of considering whether to care for a relative or a friend's child, in order to weigh up the options and to consider what support services they might require. Partner agencies such as Health, Education and Housing have a key role to play in identifying and supporting children who are living with family and friends carers. Services need to be aware of and sensitive to the needs of these children and their families and give priority to access services wherever possible.

To enable family and friends to offer appropriate care for children and young people who cannot live with their parents, access to a range of high quality universal and targeted services may be needed. Support services should not be withheld because a child is living with a family or friend carer in an informal arrangement. Early intervention, underpinned by a Common Assessment Framework (CAF), may help prevent difficulties escalating to the point where specialist services are required.

Leeds City Council recognises that support may be required at different stages of the child's life, for example, during the transition to secondary school.

4.3 Our approach

Where there is a request for services, children living with informal family and friends carers will be treated as potential 'children in need' and entitled to an assessment for support services.

Families requiring support will be assisted and signposted to appropriate services that will help them care for the child, including access to any state benefits they may be entitled to. Support and access to services will be based on the needs of the child rather than their legal status, in order to ensure that family and friends carers are provided with support they need.

Leeds City Council will provide advice and guidance to carers requesting information about kinship care and will signpost carers to appropriate organisations. These may include voluntary organisations, health and education services and welfare benefit services.

Where, in the child's best interests, an arrangement by the parents is facilitated by the council, as a safe alternative to public care, the child will also be subjected to a child in need plan or, where appropriate, a child protection plan. This will ensure the coordinated provision of a range of support to meet the child's needs, and ensure the arrangements are in the best interests of the child, and the child's need for permanence is being met in the current arrangement.

Following assessment, Leeds City Council may also make payments under Section 17 of the Children Act to support a child to live with family or friends, to promote their best interests and prevent the child becoming looked after. These payments will be monitored and reviewed and parents and carers will be given advice about entitlement to universal benefits.

In all cases, it is essential that the parents and the family/friends carers have a clear understanding of the status of the arrangements i.e. this is a private arrangement made by the parents supported by Leeds City Council and that the child is **not** a looked after child.

Where support is being provided by Leeds City Council, a written account detailing provision of services will be given to carers.

4.4 Accountability

4.4.1 Arrangements where there is no Leeds City Council involvement

Parental responsibility remains with the birth parents but day to day parenting tasks and decisions are delegated to the carers. It is good practice for an agreement to be drawn up between the carer and the birth parents, so that everyone knows the arrangements for the care and protection of the child.

Where kinship carers have stepped in to protect and care for the child without the involvement of the Local Authority, they may require support services and can request advice about service provision through universal services, extended cluster services, targeted services and if required Children's Social Work Services.

4.4.2 Arrangements where there is involvement by Leeds City Council

There will be circumstances when Leeds City Council will participate in arrangements where the parents arrange for relatives or friends to care for a child in order to prevent the child from becoming looked after. This may be in response to a crisis in the parental home which makes it unsafe for the child to remain with his/her parents. The suitability of these arrangements will need to be agreed by the social worker's team manager following appropriate assessment.

Where there is a possibility of the child becoming looked after the family will be offered the opportunity of a Family Group Conference (FGC) to ensure the best arrangements are made to secure the child's welfare. The FGC will assist families in making plans for children and potential kinship carers will be provided with advice and information to help them care for the child, without the child having to be formally looked after by the Local Authority.

It is essential that everyone has a clear understanding of the status of the arrangements and that this is recorded in writing and shared with parents and carers.

Parents and carers and staff involved in facilitating informal arrangements need to be clear about the child's legal status i.e. the child is a Child in Need, not a looked after child, and the role of the parents and carers in making and adhering to these arrangements.

The parents retain and will continue to exercise parental responsibility with agreement reached as to the day to day parenting tasks delegated to the carers and the decisions they can take.

The suitability of the arrangements to meet the child's needs and the range of support, including any financial support to meet the child's needs, will be reviewed via Leeds City Council's Child in Need or Child Protection review procedures.

If the assessment is that the child may need to become looked after, legal advice may be appropriate to assist with the decision.

When Leeds City Council supports informal arrangements made by parents, the child will be treated as a Child in Need and appropriate assessments will be made under the Framework for Assessment for Children in Need and their Families, to inform a Child in Need plan or Child Protection plan if required.

The assessment will explore whether care for a child can be safely provided by a relative or friend, the suitability of these arrangements and whether this is the most appropriate legal status for these arrangements.

The Child in Need plan will agree practical and any other support needed, including emotional support, access to psychological services or financial support, to be provided for the child, to the child's carer and the role and responsibility of the child's parents. This is important as neither the

carer or Leeds City Council has parental responsibility for the child in these circumstances, since no court orders have been made conferring it.

The carer may do what is reasonable to safeguard and promote the child's welfare (s.3 (5) Children Act 1989) but should be supported to refer back to the parent or other person with parental responsibility about significant decisions.

It is acknowledged that many of these arrangements will be temporary and short term but, if the arrangement continues, plans need to be made to secure permanence for the child and prevent drift.

Carers may be given advice and guidance on applying for Residence Orders or Special Guardianship Orders under Private Law and would be encouraged to seek independent legal advice.

If the support provided means that Leeds City Council assumes a level of responsibility for the placement that is similar to the level of responsibility that it would have if the child were looked after, consideration must be given to whether the child needs to be looked after, and the carer assessed as a Foster Carer under Fostering Regulations 2011.

4.5 Reasons why a child may need to be looked after by the Local Authority

Assessment is required to assess a child's safeguarding needs. The child may need to be looked after if some or all of the following circumstances apply. Each case must be assessed on its own facts. This list is not exhaustive and other factors may be relevant:

- Birth parents may not agree, or may be inconsistent as to their agreement for child being cared for by family and friends carers
- There is concern that an arrangement for a child to live with family or friends carers may be seriously disrupted by a birth parent, whose behaviour may have been assessed as being potentially dangerous, or as posing a significant risk to the child or family
- Court orders are in place which makes managing contact difficult
- A birth parent may be untraceable, or incapable of giving agreement to the child being cared for by family/friends carers
- It Leeds City Council assesses that it needs to share parental responsibility with the birth parents in order to promote and safeguard the child's welfare and secure the placement

4.6 Legal Aid and legal fees

Family and friends carers will be given advice on how to apply for legal aid in order to secure legal orders for the child. In order to qualify for legal aid, a merits and means test is applied.

Leeds City Council will consider the payment of the legal costs of carers to apply for a Special Guardianship Order or Residence Order where it supports the application and where not doing so would lead to the child/ren remaining looked after unnecessarily.

Decisions about these payments will be made by a Head of Service in Children's Social Work Service. It is an expectation that legal aid eligibility will be explored before any payments are made by the Leeds City Council.

4.7 Supporting Contact

Children benefit from having contact with their birth parents unless there are specific reasons why this would not be safe or in the child's interest. In some cases, older children will want to make their own decisions about keeping in contact with their parents.

Contact arrangements must meet the needs of the child rather than just be for the benefit of the parent. It is acknowledged that management of contact can be a source of considerable anxiety and sometimes conflict for family and friends carers. Advice and support may be needed to manage contact and Leeds City Council will undertake to provide this advice or signpost the carer to another organisation / helpline who may be able to provide more specialist advice.

Local mediation services can help parties to communicate better and resolve disputes taking account of the child's wishes in a supported environment and organisations like the Grandparents Association may be able to help with such issues. Similarly if the courts are involved with the children, the CAFCASS officer may assist you in drawing up safe contact arrangements for you and your family. If necessary Contact Orders can be made in the courts which spell out the arrangements by making a legal order.

Contact arrangements are best if they are in line with the child's needs.

Where a child is Looked After, we are required to endeavour to promote contact between the child and his or her family 'unless it is not practicable or consistent with the child's welfare'. The overall objective of the contact arrangements will be included in the child's Care Plan and the specific arrangements will be set out in the child's Placement Plan.

4.8 Education support

Leeds City Council recognises the importance of continuity of education for children and young people. With this in mind we address the needs of children and young people living with family and friends within our school admissions policy.

Advice and guidance on educational matters for children cared for by family and friends will be provided, by directing carers to the most appropriate helplines or services.

Young people aged 16 -19 in kinship placements may be entitled to the Government funded bursary scheme where their parents have died. For more information contact:

www.gov.uk/1619-bursary-fund

4.9 Financial support available for informal carers

Parents can elect to make arrangements for their children to live with close relatives for as long as they choose or with friends for a limited period (under 28 days for non-close relatives), without the involvement of Leeds City Council. The responsibility for funding these arrangements rests entirely with the parent(s) and others with parental responsibility. Parents will always be expected to make appropriate financial arrangements with the carer to enable them to care for the child.

Arrangements can be made for the carer to claim Child Benefit or any universally available benefits for children, payable, by contacting the Child Benefit Centre. Only the person caring for a child is entitled to claim Child Benefit. Other benefits may be claimed such as Guardian Allowance (if the parents of the child are deceased) or disability living allowance if the child is under the age of 16 and disabled. If the young person is 16 or over, they may be able to claim a Personal Independence Payment (PIP).

4.10 Informal family and friends arrangements made by parents supported by Leeds City Council and with payments from The Children Act 1989, Section 17

Parents will always be expected to make appropriate financial arrangements with the carer to enable the carer to care for the child. However, if a child's needs cannot be met by a family member or friend without financial support in the short term, Leeds City Council may, with the agreement of the parents, provide financial support to the arrangement under Section 17 (Children Act 1989) rather than accommodate the child under Section 20 (Children Act 1989) so long as this is consistent with the child's welfare. In all cases, the carers will be expected to access universal benefits in the first instance as the Local Authority cannot duplicate state benefits.

Before considering taking on a commitment to a child, carers can access information about the level of support, including any financial assistance, that they may be offered. This will include how finances have been or will be calculated and how long this support will last.

It is an expectation that any Kinship Carer will access universally available financial and practical support in advance of approaching the local authority for financial assistance:

- Child Benefit
- Child Tax credits (or Universal benefit when this applies)
- Welfare benefits (or Universal benefit when this applies)
- Support available via Welfare Reform

Leeds Local Welfare Support Scheme Tel: 0113 3760330

Welfare Reform advice guide

Carers for example, who would have to give up their job to care for the child(ren) will then be able to make an informed choice about whether the placement is feasible for them to enter into. Any payments made by Leeds City Council will be monitored and reviewed regularly to ensure that they are still required.

Time limited payments may assist carers at any stage of the child's life. Examples of time limited financial support might be a contribution towards nursery care fees where the carer is working and the child is not of school age or where the carer needs to manage a change or interruption to their work commitments or to respond to the child's needs. Basic equipment may be required, e.g. bed, bedding, clothing where the carer does not have essential equipment in the family home and cannot access these from other sources or it is required immediately for the child to be able to live with carer.

Where longer term support is required to maintain the child in the kinship placement, Leeds City Council has the discretion to, subject to a financial means test, pay an allowance to carers. This will be based on the age-related fostering allowance payable to children who are 'looked after'.

Those carers who may only be in receipt of welfare benefits payments for children, or who are on very limited incomes, may be able to receive a top-up payment for the child up to the age-related fostering allowance. This top-up will be payable for a maximum of two years. These payments are to cover costs, for example, during the transitional period and to assist the carer in realigning their financial commitments.

The relevant start date of the payments would be the date that Leeds City Council assessed that this was a child in need and the arrangement has commenced where the child is living with the informal carer.

In exceptional circumstances, payments may continue for a longer period and any such agreement for long term support is required will be made by a Head of Service within Children's Social Work Service.

The following criteria will be applied to all such payments:

- The purpose of the payments must be to safeguard and promote the welfare of the child
- As part of the Child and Family assessment, a view should be taken as to whether the carers need financial support based on their reasonable requirements in taking on the care of the child
- There are no other legitimate sources of finance. Benefits advice should be sought immediately if carers are struggling with the costs of caring for the children. Where children are not looked after by the Local Authority carers can access child benefit and child tax credits and other universally available benefits
- Payments will be paid to the carer, not the parents
- The payment would not place any person in a fraudulent position

5. Private Fostering arrangements

A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult who is not a parent or close relative, where the child is to be cared for in that home for 28 days or more.

Close relative is defined as 'a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent.' It does not include a child who is Looked After by a local authority.

In a private fostering arrangement, the parent still holds parental responsibility and agrees the arrangement with the private foster carer and is responsible for any financial payments in respect of the child. Child benefit and child tax credits can be claimed by the private foster carer.

Leeds City Council has a duty to assess and monitor the welfare of all privately fostered children and the way in which they carry out these duties is set out in the Children (Private Arrangements for Fostering) Regulations 2005. However, the local authority may also become involved with a child in a private fostering arrangement where the child comes within the definition of a Child in Need.

In such cases, Leeds City Council has a responsibility to provide services to meet the assessed needs of the child under Section 17 of the Children Act 1989. Following assessment, a Child in Need Plan will be drawn up and a package of support will be identified. This may comprise a variety of different types of services and support, including financial support. (See Financial Support to Informal Carers).

6. Formal arrangements - Kinship Foster Carers

6.1 Our approach

Where a child is looked after and where it is in their best interests, and it is the most appropriate placement, Leeds City Council will ensure that they will give preference to a member of the family/relative, or friend (connected persons) as the placement of choice for the child.

It will do this by considering a member of the family/relative, or friend (connected person) at each stage of the decision-making process, within legal proceedings or assessment in relation to the looked after child.

In addition, any person who is connected to the child who is identified as a potential carer and who puts themselves forward to offer care will be considered for an assessment to determine whether they are likely to be suitable to offer long term, good quality care for the child.

Leeds City Council will therefore take a pro-active approach to identifying, considering and supporting family and friends carers in the child's network who may be able to care for the child.

There is an expectation that Family Group Conferencing will be utilised to help identify any potential carers or family support (see later section on Family Group Conferencing).

6.2 Wishes and Feelings of the Child or Young Person

The assessment for temporary and full approval of family and friends as foster carers includes the requirement that the wishes and views of the child or young person, the birth family and the carer's immediate and extended family, where relevant, are sought as part of the planning process and that they are taken into account when making the final recommendations.

Children tell us:

“Try family and friends but assess first”, and “use the same judgement as when moving to live with another family member as social workers would when moving to a foster carer.”

Many children benefit from placements with family and friends, however not all relatives are able to safeguard and promote a child's welfare and their parenting capacity will be rigorously assessed before approval as a local authority foster carer.

Where children already have a good relationship with the prospective carer and those carers who have time to offer the child are likely to be more suitable candidates. This is in comparison with those with no pre-existing relationship and or who have commitments such as long work hours or other caring commitments.

6.3 Assessment of family and friends carers

The child may be living with family members prior to full approval as a foster carer, subject to an assessment of the placement, for up to 16 weeks. This temporary approval can only be extended in exceptional circumstances. In this context the carer is referred to as a Connected Person and the process of obtaining approval for the placement is set out in the Placement with Kinship carers (Connected Persons) Procedure.

Foster carers who are approved on a temporary basis will receive a weekly fostering maintenance payment to cover the costs of caring for the child. This is in line with all foster carers and is based on the age of the child. The carers will not be able to claim other benefits, such as Child Benefit or Child Tax Credits because the fostering allowance includes this element of payment.

In addition the child will have a placement plan which sets out the specific arrangements surrounding the child and the carers, including the expectations of the foster carers and the support they can expect to receive to enable to fulfil their responsibilities for the child.

The assessment and approval process for family and friends who apply to be kinship foster carers for a specific Looked After child will be the same as for any other foster carer except that the timescales for the assessment are different where a child is already in the placement as indicated above. In all other respects the requirements are the same as for any other potential foster carers and the National Minimum Standards for Fostering apply, in particular Standard 30 refers directly to kinship foster carers.

A leaflet explaining the assessment process and the requirements of Kinship Foster carers is available to potential foster carers and a supervising Social Worker from the Fostering Service kinship care team will be allocated to carry out the assessment.

6.4 Permanence

At any stage of the assessment process where it is considered in the child's best interests, will promote their welfare and achieve a permanence arrangement, consideration will be given to supporting the carers to apply for an appropriate legal order giving them parental responsibility. The relevant orders are a Residence Order, Special Guardianship Order or an Adoption Order.

Leeds City Council will review the child's care plan through the care planning process to ensure that the child does not remain looked after for longer than is needed and where financial support is not the primary reason for maintaining that status. The review will be chaired by an Independent Reviewing Officer.

Kinship foster carers who are offering a potential permanent placement for a child will have access to on-going support services irrespective of the legal status of the child and will be eligible for practical and financial support following an assessment of need, the allowance currently being paid to the carer and the drawing up of a support plan.

6.5 Legal Fees

Leeds City Council will consider the payment of the legal costs of carers to apply for a Special Guardianship Order or Residence Order where it supports the application and where not doing so would lead to the child/ren remaining looked after unnecessarily.

Decisions about these payments will be made by a Head of Service in Children's Social Work Service.

6.6 Care Leavers/Supported Lodgings

Kinship foster carers caring for looked after children aged 17 or over, may be re-assessed and approved as supported lodgings providers for that young person and will be supported by Leeds City Council Supported Lodgings Scheme so that the young person can remain in placement once they reach 18 years old.

In these cases, the young person's Pathway Plan will indicate whether this arrangement will best meet their needs and that the criteria for such arrangements are met.

6.7 Expectations of a Kinship Foster Carer

Prospective kinship foster carers will be considered in terms of their capacity to look after children in a safe and responsible way that meets their developmental needs. Some considerations for anyone thinking about becoming a kinship carer include:

- Does the child have an established relationship with you
- Is there sufficient/appropriate space in the house for this particular child and their belongings
- Smoking is not usually acceptable if the child is under 5 years.

- Your age should be considered carefully in respect of a particular child e.g. young adults without child care experience may not be suitable and older carers may not be suitable for very young children
- Do you have sufficient practical support
- Are there any financial constraints/debts
- Does the prospective carer have good knowledge of the child
- How many outside commitments do you have e.g. work, other caring commitments etc
- If you work full time, it would not usually be appropriate to place a young baby as the baby will need to make good attachments with the carer.

In considering whether a relative, friend or other connected person should be approved as a foster carer, account must be taken of the needs, wishes and feelings of the child whom it is proposed to place with them and the capacity of the carer to meet those particular needs. The assessment will balance the strengths of the carers arising from their position within the family network against any aspects which may make them less suitable. The carer's past experiences of parenting will be assessed as part of a fuller picture of their capacity to care for the child.

Once approved as kinship foster carers, they will be allocated a supervising social worker from the kinship fostering service to provide them with support and supervision; and they will receive fostering allowances for as long as they care for the child as a foster carer.

While the child remains a looked after child, as a kinship foster carer, they will be expected to cooperate with all the processes that are in place to ensure that the child receives appropriate care and support, for example, contributing to reviews of the child's Care Plan, working with professionals, cooperating with the child's social worker and promoting the child's education and health needs.

6.8 Training and Development of Kinship Foster Carers

All family and friends foster carers, temporarily approved or fully approved under the Fostering Service Regulations 2011, are in all respects foster carers and entitled to the same level of training and support as unrelated foster carers.

All kinship foster carers will be supported by a named allocated supervising social worker who will be responsible for the kinship foster carer's support, supervision, training and development.

Leeds Fostering Service ensures that all family and friends foster carers temporarily or fully approved will receive support which is equivalent to that provided for unrelated carers including basic and incremental fostering allowances. Kinship foster carers are able to access the Tasks, Skills and Competency Framework available to all foster carers.

6.9 Training and Support Groups

Leeds City Council will ensure that kinship foster carers have access to family and friends preparation groups, post approval training and support in order to achieve the Children's Workforce Development Council's training, support and development standards within 18 months of approval.

Further training and development needs will be identified with the carer by the supervising social worker and recorded in the carer's personal professional development plan.

Separate family and friends support groups are arranged to specifically to address the needs of family and friends carers. Kinship carers may also attend foster care support groups in their locality.

6.10 Corporate Offer to Kinship Foster Carers

Kinship Foster Carers have the same access to the Corporate Offer for foster carers.

Support for carers – corporate offer

6.11 Other formal arrangements

6.11.1 Residence Order

A Residence Order is a Court Order which gives parental responsibility to the person in whose favour it is made, usually lasting until the child is 18. Parental responsibility is shared with the parents. Relatives may apply for a Residence Order after caring for the child for one year.

Residence Orders may be made in private family proceedings in which the local authority is not a party nor involved in any way in the arrangements. However, a Residence Order in favour of a kinship foster carer with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

The local authority may pay Residence Order Allowances to relatives or friends, unless they are a spouse or civil partner of a parent, with whom a child is living under a Residence Order. This is set out in paragraph 15 of Schedule 1 of the Children Act 1989, however this is discretionary and would only normally be considered when a child has been previously looked after by the carer and this has been agreed by the social worker as a permanent option for the child.

6.11.2 Special Guardianship Order

Special Guardianship offers a further option for children needing permanent care outside their birth family. It can offer greater security without absolute severance from the birth family as in adoption.

A special guardian formally takes on the legal powers and responsibilities of parenting a child until their 18th birthday. This includes taking most decisions to do with the child's upbringing, including where the child lives and goes to school, and what medical treatment they receive.

Relatives, friends or foster carers may apply for a Special Guardianship Order after caring for the child for one year, or sooner with the leave of the court. As Special Guardians, they will have parental responsibility for the child which, while it is still shared with the parents, can be exercised with greater autonomy on day-to-day matters than where there is a Residence Order.

Special Guardianship Orders may be made in private family proceedings and the local authority may not be a party to any such arrangements. However, Leeds City Council will be responsible for sending a report to the court regarding whether a Special Guardianship Order is in the child's best interest. A Special Guardianship Order can be made in favour of a relative or foster carer with whom a child is living and may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

Where the child was looked after immediately prior to the making of the Special Guardianship Order, Leeds City Council has a responsibility to assess the support needs of the child, parents and Special Guardians, including the need for financial support.

6.11.3 Adoption Order

Adoption is the process by which all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by a court. As a result the child legally becomes part of the adoptive family.

An Adoption Order in favour of a relative or foster carer with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

Leeds City Council's Adoption Service provides a range of adoption support services in conjunction with partner agencies. An assessment for adoption support services can be requested by the adopted child, adoptive parents and their families, as well as birth relatives. The support required is then set out in an Adoption Support Plan and this may include a range of support and advice and also financial support in some cases.

7. Support with Housing

Housing services provided by the Council can make an important contribution to promoting kinship care arrangements by assisting carers to secure suitable housing. Housing services, which are currently being re-organised, comprise three core divisions: Statutory Housing Services, Council Housing and Property and Contracts.

Statutory Housing Services is responsible for the assessment of housing need and making accompanying priority awards for council re-housing. Statutory Housing Services is also responsible for the regulation and lead partnership with the private rented sector. Leeds City Council Housing division manages the 58,000 stock of council houses in the city.

A housing applicant can be awarded priority status for re-housing if, for example, their current accommodation is overcrowded, is considered not 'reasonable' for occupation or to promote the capacity of parents/carers to care for dependent children/prevent children becoming looked after.

Statutory Housing Services and Children's Services will continue to build on developing partnership work by carrying out housing need assessments for both formal and informal carers who require re-housing in order to better care for children.

Statutory Housing Services is responsible for carrying out adaptations (Disabled Facilities Grants) for children living in non-council housing: privately owned, private rented and housing association.

Leeds City Council Housing division will assess whether adaptations are required for children living in council housing. Again the provision of housing adaptations will be an option to promote the capacity the kinship carers to care for disabled children.

Children's Services can work with the Leeds Welfare and Benefits Service to make applications for Discretionary Housing Payment where a family is affected by the Social Sector Size Criteria relating to housing benefit eligibility.

8. Family Group Conferences

Family Group Conferences are meetings with family members, which aim to achieve the best outcomes for children. They promote the involvement of the wider family to achieve a resolution of difficulties for Children in Need, and may help to identify short-term and/or permanent solutions for children within the family network.

A Family Group Conference (FGC) is a decision making meeting in which a child's wider family network come together to make a plan about the future arrangements for the child. The plan will ensure that s/he is safe and his/her wellbeing is promoted.

FGCs are intended as a respectful and empowering process in which parents, children and members of the wider family are given clear information about the agency's concerns and are asked to produce a plan that addresses those concerns and answers specific queries.

The expectation is that the family's plan will be agreed by the referring agency provided it adequately addresses the concerns which the agency has identified and is safe for the child

Family Group Conferences are most often used for children who are in danger of becoming looked after. Referrals can only be taken from Leeds Children's Social Work Service and the Intensive Family Support Service.

8. Compliments and Complaints procedure

Where a family or friends carer is not satisfied with the level of support provided to enable them to care for the child, then they have access to the local authority's complaints process. Our aim would be to resolve any such dissatisfaction without the need for a formal investigation but where an informal resolution is not possible, a formal investigation will be arranged.

Appendices

Appendix 1

13 - Formal and Informal Arrangements where children and young people live with Kinship (family and friends) Carers (*hyperlink needed when centrally saved*)



Kinship Carers
v6.pdf

Appendix 2: Local and national organisations providing support, advice and opportunities

There are a wide range of resources available to support children in the local area, including early year's provision, day care and out of school services, schools and colleges, health services, leisure facilities and youth support services.

Kinship (family and Friends) carers are encouraged to access all the universal services available both locally and nationally.

The following websites provide a wealth of information about local and national resources that family and friends carers can tap into. In particular, families and professionals may wish to consult the Kinship Care Guide for England, an information booklet written by Grandparents Plus

Leeds City Council Services

- **Children's Social Work Service Leeds**

Children's Social Work Service

Tel: 0113 222 4403 between 8.30am – 5pm

- **Family Information Service - Leeds**

www.familyinformationleeds.co.uk

This website provides information and advice for parents, carers, children and young people, with extensive links to useful support and other resources, as well as upcoming courses and community events.

Free Phone: **0800 731 0640** or Tel: **0113 247 4386**

Email: family.info@leeds.gov.uk

Family Information Service

Technorth

9 Harrogate Road

Leeds

LS7 3NB

- **Leeds Museums and Galleries**

www.leeds.gov.uk/museumsandgalleries

On this website you can find out all about our nine fascinating museum sites and discover all the fun, friendly and exciting events and activities that take place across Leeds each week. Discover all about our museum collections and how we store and care for them.

- **Leeds City Council Welfare Rights Unit**

The Compton Centre
322 Harehills Lane
Leeds
LS9 7BG
Public phone: 0113 376 0452
Email: welfare.rights@leeds.gov.uk

- **Leeds Libraries – children and young people’s service**

Leeds Libraries - children

Explore a great range of services, information and activities for free right across Leeds.

From fantastic author events, performances and activities suitable for different ages we guarantee there is something for everyone

- **Artforms**

<http://www.artformsleeds.co.uk>

ArtForms is the music and arts team within Children's Services at Leeds City Council

- **Breeze**

<http://www.breezeleeds.org/>

The Breeze website is our website aimed at young people. It has information about the best activities, entertainment and events in Leeds for you to enjoy. These include arts and crafts, climbing, canoeing, drama, IT, music, sports, skate parks, youth clubs and many more.

Local and National Organisations

- **Action for Prisoners Families**

www.prisonersfamilies.org.uk

Action for Prisoners Families work to reduce the negative impact of imprisonment on prisoner's families. Produces publications and resources and provides advice, information and training as well as networking opportunities.

Unit 21 Carson Court, 116 Putney Bridge Road, London, SW15 2NQ

Tel: 0208812 3600

Email: info@actionpf.org.uk

Advice Line: 0808 808 2003

info@prisonersfamilieshelpline.org.uk

- **Addaction**

www.addaction.org.uk

Addaction offers a range of support developed for families and carers affected by substance misuse.

67 – 69 Cowcross Street, London, EC1M 6PU

Tel: 020 7251 5860

Email: info@addaction.org.uk

- **Adfam**

www.adfam.org.uk

Works with families affected by drugs and alcohol and supports carers of children whose parents have drug and alcohol problems.

25 Corsham Street, London, N1 6DR

Tel: 020 7553 7640

Email: admin@adfam.org.uk

- **Mediation Leeds**

www.mediationleeds.org

- **Family Group Conference Project**

Nesfield Family Resource Centre

Tel: 0113 272 3102

- **West Yorkshire Family Mediation Service (Leeds)**

www.wyfms.co.uk

- **Advisory Centre for Education**

www.ace-ed.org.uk

Offers free independent advice and information for parents and carers on a range of state education and schooling issues, including admissions, exclusions, attendance, special education needs and bullying.

General advice line: 0808 800 5793

Exclusion advice line: 0808 800 0327

Exclusion information line: 020 7704 9822 (24hr answer phone)

- **BeGrand.net**

www.begrand.net

A website offering information and advice to grandparents,

- **British Association for Adoption and Fostering (BAAF)**

www.baaf.or.uk

Provides information and advice about adoption and fostering and publishes resources.

Saffron House,

6 – 10 Kirby Street,

London,

EC1N 8TS

Tel: 020 7421 2600

Email: mail@baaf.org.uk

- **CAMHS**

Children and Adolescent Mental Health Services

http://www.leedscommunityhealthcare.nhs.uk/what_we_do/children_and_family_services/camhs/

The CAMHS service provides a range of assessments and therapeutic interventions to promote the emotional and psychological well-being of children, young people and their families who live in the Leeds area.

- **Children's Legal Centre**
www.childrenslegalcentre.com

The Children's Legal Centre provides free independent legal advice and factsheets to children, parents, carers and professionals.

University of Essex, Wivenhoe Park, Colchester, CO4 3SQ
Tel: 01206 877 910
Email: clc@essex.ac.uk

Child Law Advice Line: 0808 802 0008
Community Legal Advice - Education: 0845 345 4345

- **Citizens Advice Bureaux**
www.citizensadvice.org.uk

Helps people resolve their legal, money and other problems by providing free independent and confidential advice through local bureaux and website.

- **Cruse**
<http://www.cruse.org.uk/>

Bereavement Care and helpline

Helpline: 0844 4779400
Or email: helpline@cruse.org.uk

- **Department for Education**
www.education.gov.uk/childrenandyoungpeople/families

Lists details of telephone help lines and online services to provide information, advice and support on a range of issues that parents and families may face in bringing up children and young people.

- **Family Fund Trust**
www.familyfund.org.uk

The Family Fund Trust helps families with severely disabled or seriously ill children to have choices and the opportunity to enjoy ordinary life. Gives grants for things that make life easier and more enjoyable for the disabled child and their family.

4 Alpha Court, Monks Cross Drive, York, YO32 9WN
Tel: 0845 130 4542
Email: infor@familyfund.org.uk

- **Family Rights Group**
<http://www.frg.org.uk/>

Family Rights Group (FRG) – Charity that advises whose children are involved or need children's services because of welfare needs or concerns.

Second Floor, the Print House
18 Ashwin Street
London
E8 3DL
Tel: 020 7923 2628 - Advice line: 0808 801 0366
E-mail: advice@frg.org.uk

- **The Grandparents Association**

<http://www.grandparents-association.org.uk>

The Grandparents Association is a national charity but has a local office in Leeds. The charity supports kinship carers through various ways including local support groups, welfare benefits advice, assistance for people on a low income to have a holiday and sometimes access to needed furniture or white goods. There is a dedicated welfare benefits advice line to assist people with maximising their entitlements.

The Grandparents' Association
Regional Office
Third Floor
6-8 The Headrow
LEEDS
LS1 6PT

Office: 07772260403
Helpline: 0845 4349585
Welfare Benefits: 0844 3571033

- **Grandparents Plus**

www.grandparentsplus.org.uk

Grandparents Plus is the national charity 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.

Grandparents Plus
18 Victoria Park Square
Bethnal Green
London
E2 9PF
Tel: 020 8981 8001
Email: info@grandparentsplus.org.uk

- **Kidscape**

www.kidscape.org.uk

Bullying advice, helpline, information
Tel: 08451 205 204

- **The Fostering Network**

www.fostering.net

The Fostering Network – is a national charity leading on foster care and provide advice and information to prospective approved foster carers.

87 Blackfriars Road
London
SE1 8BR
Tel: 020 7620 6400

- **Winston Wish**

<http://www.winstonswish.org.uk/>

Winston's Wish is the leading childhood bereavement charity and the largest provider of services to bereaved children, young people and their families in the UK.

They offer practical support and guidance to families, professionals and anyone concerned about a grieving child. They believe that the right support at the right time can enable young people to live with their grief and rebuild positive futures

Tel: 08452 03 04 05

Support with Contact

- **West North West Contact Centre**

Foxcroft Close in the North West of the city supports contact prior to completion of legal proceedings.

Contact Coordinator, 9 Foxcroft Close, Leeds, LS6 3NT

Tel: 0113 3781584

- **South Contact Centre**

Morley Town hall in the south of the city currently provides contact services prior to completion of the proceedings. They are awaiting new premises.

Contact Coordinator, currently working out of Morley Town hall but awaiting new premises

Tel: 0113 2243612

- **East North East Contact Centre**

Lavender Walk based in the east of the city supports contacts for kinship carers before and after proceedings

Contact Coordinator, 15 Lavender Walk, Leeds, LS9 8TX

Tel: 0113 3781815

- **Families Forward**

www.familiesforward.org.uk

Families Forward is dedicated to helping families and children cope with the aftermath of divorce and separation. Provide support in contact matters in private proceedings. The service has a base in Leeds, Bradford and Wakefield and work closely with CAFCASS in private law proceedings.

Tel: 0113 2359322

- **National Association of Contact Centres**

<http://www.naccc.org.uk/>

Can signpost to centres around the locality that offer support for contact services.

There is a centre in Leeds at
Pudsey Parish Church (St Lawrence and St Paul)
Church Lane
Pudsey
LS28 8BE

Tel: 0845 4500 280.