

**The Highland Council**  
**Education, Children and Adult Services Committee**  
**27 August 2015**

|             |            |
|-------------|------------|
| Agenda Item | 28.        |
| Report No   | ECAS 74/15 |

## **Kinship Care**

### **Report by Bill Alexander Director of Care and Learning**

#### **Summary**

This report updates on the progress being made in relation to looked after children in Kinship care placements and includes the Improvement Plan.

#### **1. Background**

- 1.1 Kinship care is provided where a relative or friend takes on the care of a child/young person when their parents cannot look after them.
- 1.2 There are many children who live with friends or family without the involvement of statutory services. These carers are often referred to as informal kinship carers, and the children are not Looked After
- 1.3 Formal kinship care is when a child/young person is looked after by the local authority and the child is placed in the care of relatives or friends by the local authority.
- 1.4 When a child is looked after and cared for by kinship carers, the local authority has the same responsibilities as with any other looked after child. The Looked After Children (Scotland) Regulations 2009 outlines these responsibilities and these include the need for the carers to be formally assessed and approved
- 1.5 The Looked After Children (Scotland) Regulations define a kinship carer as a person who is related to the child (through blood, marriage or civil partnership) or a person with whom the child has a pre-existing relationship.
- 1.6 The Scottish Government published 'Getting it right for every child in foster care and kinship care - a National Strategy' in 2007. This strategy stated that kinship care should be the first choice when children required to be looked after by the local authority, unless there were clear reasons that would make the placement unsuitable.
- 1.7 The Children and Young people (Scotland) Act 2014 enhanced support available for kinship placements. Part 13 of the Act enables eligible kinship carers to get help and advice if they apply for, or are considering applying for, a kinship care order, and following the granting of an order. A kinship care order is an order made under Section 11 of the Children (Scotland) Act 1995.

Section 11 is an order made by the court which grants a person parental rights and responsibilities for a child and the order can specify where the child is to live.

- 1.8 The Act places a duty on local authorities to make sure that families who seek help because they are having difficulties can get appropriate forms of support. Part 13 of the Act does not come into force until August 2016, and guidance will be provided prior to then, with more detail around how the provision of the Act will be implemented. The financial implications are therefore not yet known.
- 1.9 The Scottish Government has continued to promote the use of kinship care placements for children who are looked after. They have funded Children 1<sup>st</sup>, Citizen Advice Bureau and Mentor UK to provide advice and support to kinship carers.
- 1.10 Various research studies have indicated that the benefits of kinship care are:
- Children feeling loved, valued and cared for
  - Children being able to maintain a sense of identity, having a sense of belonging and feeling settled because they are placed with people they know
  - Children having more stable placements than children placed with non-relative carers and being less likely to be subject to placement moves.
  - Children being able to maintain contact with their family and friends
  - Children placed with relatives tend to have more positive outcomes than children fostered with strangers
- 1.11 Research has suggested that the challenges for kinship carers are:
- Limitations to freedom for children and carers
  - Financial hardship
  - Problems for carers in coping with behaviour difficulties of young people
  - Lack of support from child welfare agencies
  - Overcrowding
  - Ill health of carers
  - Less thorough assessments for kinship carers than non-relative foster carers and less stringent monitoring of placements
  - Lower rates of children returning home and children being less likely to be adopted
  - Tensions in contact with the children's parents.

## **2. Kinship care in Highland**

- 2.1 The Highland council have had a Kinship care scheme since 2003, ensuring that kinship carers were appropriately assessed and supported.
- 2.2 In 2008, Highland Council agreed specific funding to Children 1<sup>st</sup> to provide support to kinship carers of looked after children, and this service has continued.

- 2.3 The Highland Practice Model should also ensure that children with additional support needs who are with informal kinship carers are provided with support through the named person/lead professional.
- 2.4 Scottish Government statistics indicate that there were 4,181 looked after children across Scotland who were living with Kinship carers, as at 31<sup>st</sup> July 2014 (27% of the looked after population). At that time in the Highland Council area, there were 70 looked after children (16%) living with Kinship carers. Highland council has been committed to placing children who require to be looked after with family and friends whenever this is possible and safe to do so.
- 2.5 Highland has a lower percentage of children placed with kinship carers than the Scottish average. In fact, all of the local authorities in the North of Scotland have a lower number of children placed with kinship carers than the Scottish average. The local authorities in the Central belt tend to have higher number of their looked after children placed with kinship carers.
- 2.6 Some local authorities are apparently including the children for whom there is a residence order in place in these statistics. This is not the practice in Highland, as these children are not looked after.
- 2.7 However, if we were to include these children in our looked after statistics, this would mean that there were 524 looked after children in Highland 144 of whom would be in kinship placements. This would be equivalent to 27% of the children who were looked after - which is the Scottish average.
- 2.8 One of our improvement priorities is to increase the number of children where permanence is achieved through a residence order. In Highland in 2014, 17 children who were previously looked after with kinship carers ceased to be looked after, as their carers had obtained a Section 11 (residence order) for them. There were also 13 children who were placed with kinship carers who returned home.
- 2.9 The Kinship care procedures have recently been revised, to ensure continuing good practice.
- 2.10 The importance of ensuring that kinship carers have been considered for children who require to be accommodated away from home has been reinforced, as has the importance of ensuring that kinship care is considered at each subsequent child's plan meeting.
- 2.11 In addition, a recommendation from a complaint review committee of March 2015 has been incorporated to ensure that kinship carers are given information about their eligibility for payments at the earliest opportunity, and that this information is more comprehensive than previously. The monitoring of kinship arrangements has been improved and cases are actively progressed to ensure that the plans are formalised for children and their carers more quickly.

### 3. Improvement Plan

- 3.1 Further revision of the procedure is likely to be required following the Scottish Government providing more detailed guidance on Part 13 of the Children and Young People (Scotland) Act 2014, prior to the implementation of this part of the Act in August 2016.
- 3.2 Awareness raising training will be offered to family teams in order reinforce the importance of kinship care being considered for all children who require to be looked after away from home. Potential kinship carers will be identified at this stage to avoid future delays.
- 3.3 Currently the Quality Assurance and Reviewing Officers advise the chair of the kinship panel of any children who are accommodated where it has been agreed that a kinship option is to be explored for them. This will be monitored on a monthly basis through the kinship care panel, to ensure that these plans are being followed through and any drift will be reported to the relevant Children's Services Manager and the Head of Children's Services.
- 3.4 Case records are audited regularly in the local areas in an attempt to improve the quality of case recording and planning. An explicit statement will be added to the audit tool, in relation to kinship care. This will ensure that there is evidence of kinship care having been explored for children who are looked after and accommodated.

### 4. Implications

- 4.1 **Resources and legal:** There may be future resource implications. The Equality and Human Rights commission was concerned that some local authorities paid less to kinship carers than foster carers. This was not the case in Highland Council, where the same rates are paid to both foster carers and kinship carers, but there are continuing pressures to increase fostering and kinship rates to reflect costs.
- 4.2 There are no **equality, risk, climate change/carbon clever, Gaelic or rural** implications.

### 5. Recommendation

- 5.1 Committee is asked to note and comment on the updated information in relation to kinship care placements in Highland.

Designation: Director of Care and Learning

Date: 17 August 2015

Author: Mairi Morrison, Children's Services Manager (South)