

<b>Subject:</b>	<b>Kinship Care Support Offer</b>		
<b>Date of Meeting:</b>	<b>11 January 2020</b>		
<b>Report of:</b>	<b>Interim Executive Director Families, Children and Learning</b>		
<b>Contact Officer:</b>	<b>Karen Devine, Head of</b>		
	<b>Name:</b>	<b>Service, Fostering, Placement &amp; Permanence</b>	<b>Tel: 01273 295546</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that there were technical difficulties over the Christmas period in obtaining the legal comments in order to complete the report.

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To inform committee of the current support offer to Kinship Care and Family & Friends placements in Brighton and Hove, benchmarked with East and West Sussex offers.

**2. RECOMMENDATIONS:**

- 2.1 Committee notes the report

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Kinship and Family & Friends Care is where extended family members or friends come forward to care for a child in their network who cannot safely be cared for by their parents. The child would otherwise be placed with unrelated foster carers and remain in local authority care. It is an underlying principle of the Children Act that children should be supported to live within their extended family unless this is not consistent with their welfare.
- 3.2 Where a child is looked after by the local authority, there is a responsibility to make arrangements for the child to be placed with fully approved Foster Carers. Where family members come forward to care for the child, following an initial viability assessment they can be approved as Family and Friends Foster Carers on a

temporary basis for up to 16 weeks whilst a full fostering assessment is undertaken.

3.3 Family & Friends fostering assessments are presented to BHCC Fostering Panel in the same way as for any other foster carer. The assessment timeframe in most cases is set by the court in Care Proceedings for the child and is generally 12 weeks. Once approved, Family and Friends Foster Carers are supervised and supported by a social worker from the Family & Friends Team to ensure they meet Fostering Regulations.

3.4 Family & Friends Foster Carers in Brighton and Hove receive an allowance designed to cover the basic day to day costs of caring for the child. This is based on the Government's recommended National Minimum Fostering Allowance <https://www.gov.uk/foster-carers/help-with-the-cost-of-fostering>

3.5 The following table illustrates the financial support offer to Family & Friends Foster Carers across Brighton & Hove, East Sussex, and West Sussex:

	Brighton & Hove	East Sussex	West Sussex
Child 0-4 years	£159.00 per week	£126.58	£160.44
5-11 years	£200.00 per week	£144.18	£190.82
12-18 year	£241.00 per week	£179.49 (11 + years)	£217.70 (11 – 15 years)
			£262.99 (16-18 years)

3.6 Where Brighton & Hove Family & Friends Foster Carers choose to complete the mandatory training courses and the Training, Support and Development Standards (TSDS) portfolio which evidences knowledge and compliance against all Fostering Standards, they become eligible for the skills payment that unrelated foster carers receive. Very few Family & Friends Foster Carers choose to remain foster carers at the end of Care Proceedings, or seek to undertake the mandatory training and TSDS portfolio in order to receive the skills payment, as they define themselves primarily as family members rather than professional foster carers. There are currently three Family & Friends Foster Carers in receipt of a skills payment.

3.7 Where the Care Plan for the child is to live permanently with the carers, the court will consider whether the Family & Friends Foster Carers should be awarded parental responsibility for the child via a Special Guardianship Order. Special Guardianship means the child is no longer looked after by the local authority, it enables the child to leave the care system as the Kinship Carers assume full parental responsibility for the child and can exercise this to the exclusion of the child's parents. Local Authority corporate parenting responsibility therefore ends on the making of a Special Guardianship Order. The term Kinship Carer refers to carers that hold parental responsibility for the child in their care. Most Family & Friends Foster Carers go on to become Kinship Carers by obtaining a Special Guardianship Order for the child.

3.8 Kinship Carers often face financial challenges of taking on the unplanned care of children, at a later stage in their lives, often as grandparents and this not only challenges their financial position but also their life plans . The documentary entitled 'The First Day of Forever' by the Centre for Child and Family Justice

Research at Lancaster University and kinship care charity Grandparents Plus illustrates this: <https://youtu.be/pNO1sZb5mjc>

- 3.9 Where the child was in care immediately prior to the making of the Special Guardianship Order, the local authority has a responsibility to assess the support needs of the child, parents and Special Guardians, including the need for financial support for the Special Guardians. The fostering allowance transfers to a Special Guardianship Allowance at the point the Special Guardianship order is made. A Special Guardianship Support Plan detailing the full support offer is presented to court.
- 3.10 If the child was not in care prior to the making of the Special Guardianship Order, the Local Authority may carry out an assessment if requested, to determine whether support, including financial support is required to support the placement. If there is evidence of financial hardship that would put the children's welfare at risk, the local authority will consider making a time limited financial contribution.
- 3.11 During 2019 – 20, Brighton and Hove Family & Friends team approved 35 Family & Friends Foster Carers for 49 children. Of these, 34 moved out of the care of the local authority onto Special Guardianship Orders to former Family & Friends Foster Carers. Whilst it is much better for a child to be placed with a family member and remain in their kinship network, placing children in this way also represents significant savings in terms of the fees that would otherwise be paid to professional foster carers, or significantly higher fees payable were private sector fostering providers used. The average unit cost for a BHCC foster placement (non-kinship) is £25,000 p.a compared with £43,800 p.a for a private sector foster placement.
- 3.12 During 2019- 20, BHCC paid £2,560,029 in Special Guardianship Order allowances, and £690,006 in Residence Order/Child Arrangement Order allowances to Kinship Carers looking after children previously in care. Residence Orders were replaced by Child Arrangement Orders in 2014, both determine who a child should live with and confer parental responsibility to the carer (see glossary of terms in Appendix 1). Through children moving out of foster care into their kinship networks, foster placements are freed up and made available to other children, without this our capacity to offer fostering placements to new children coming into care would be seriously challenged.
- 3.13 All Kinship Carers receive a minimum of 6 months allocated support from a social worker in the Family & Friends team at the granting of the Special Guardianship Order. The social worker has regular contact with the Special Guardian to support them to re-negotiate relationships with the birth parents and child to reflect the fact that they are now the primary carer. Often contact between the child and birth parents represents a challenge for the Special Guardian and a high level of support is needed to establish appropriate and safe levels of contact. The Special Guardianship Support Plan is reviewed after 6 months, and a decision made as to whether continued allocated social work support is required. The Team provided allocated social work support to 98 Special Guardians during 2019-20. Once allocated social work support ends, Special Guardians access support via the Kinship Care Support Service.
- 3.14 The Kinship Care Support Service operates 3 mornings and 1 afternoon per week and is available to all Kinship Carers. The Team also offers 2 Carer Support

Groups a month and a rolling program of workshops and interventions which are well received by Kinship Carers.

- 3.15 In April 2016, the eligibility criteria for the Adoption Support Fund was changed to include children subject to Special Guardianship Orders who were in care immediately prior to the order being made. In 2019 – 2020, the team successfully made 67 applications for therapeutic support for children subject to Special Guardianship Orders. Those applications successfully secured funding worth £187,584 and made a significant contribution to the stability and efficacy of these placements, reducing the likelihood of disruption and children returning to care.
- 3.16 BHCC is acknowledged nationally as an exemplar of good practice in its assessment and support to Kinship Carers.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Report seeks to inform committee of current provision for Kinship Care.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Report seeks to inform committee of current provision for Kinship Care.

#### **6. CONCLUSION**

- 6.1 Report noted

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 The details of the financial arrangements for Kinship carers are set out within the report. The 2020/21 budget allocation for these placements is: £2.758m for SGO allowances and £0.577m for Residence/Child Arrangement Order allowances.

*Finance Officer Consulted: David Ellis*

*Date: 26/11/20*

##### Legal Implications:

As set out in the report there are a number of legal routes for kinship carers to obtain legal status in caring for children of family and friends. Dependent on the legal status they will be entitled to local authority advice and support, including financial support where applicable, as described. If the child is subject to care proceedings until there are alternative orders in place, such as Special Guardianship orders which have the legal consequence of giving parental responsibility for the child to the Special Guardian, the child will remain the

responsibility of the local authority and as such the carers will need to be approved as foster carers with entitlement to the fostering allowance. Before becoming Special Guardians kinship carers are entitled to the development of a support plan to consider the needs of the child which will be scrutinised by the court before any order being made.

*Lawyer Consulted: Natasha Watson*

*Date: 31.12.20*

Equalities Implications:

- 7.2 Kinship care is the epitome of unplanned parenting, often by grandparents, who rely on the kinship care allowance in order to meet the needs of the children in their care. These children would otherwise be looked after by the Local Authority.

Sustainability Implications:

- 7.3 Kinship care allowances are paid until the young person reaches 18 years of age or moves to live independently whichever is sooner. The allowance represents a cost saving compared with the cost of unrelated foster care.

Brexit Implications:

- 7.4 There are no Brexit implications

Any Other Significant Implications:

There are no other significant implications

Crime & Disorder Implications:

- 7.5 There are no crime & disorder implications

Risk and Opportunity Management Implications:

- 7.6 There are no risk and opportunity implications

Public Health Implications:

- 7.7 There are no public health implications

Corporate / Citywide Implications:

- 7.8 There are no corporate/citywide implications

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix 1 – Glossary of Terms

