

Kinship Policy



September 2024

Kinship Policy for Children’s Safeguarding and Family Support Services

Title	Name of Policy
Purpose/scope	This policy has been produced in response to guidance issued in December 2023 by the Department for Education. The policy outlines both the varied circumstances in which children and young people are cared for by kinship carers (connected/family and friends) and the local authority’s (council) responsibility in each of these situations.
Subject key words	Looked after; promoting and protecting; secure; permanent; standards; values; principles; risk; partnership; assessment; plans; review. fostering; private fostering; SGO; child arrangements order; adoption.
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Preface

Telford & Wrekin believes that in the great majority of situations, family and friends (kin) already known/connected to the family will be able to make suitable arrangements for the care of children known to them without any involvement from children's services. Children may be cared for by members of their extended families, friends or other people who are connected with them for a variety of reasons and in a variety of different arrangements, for different lengths of time.

However, some Kinship Carers (also known as connected persons or Family & Friends carers) may need some additional support. The arrangements described in this policy are those arrangements, which the Council has a statutory duty to assess and support.

This policy sets out the local authority's approach towards promoting and supporting the needs of such children and covers the assessments, which are completed to determine the services required and how such services will then be provided.

This is underpinned by our Family first strategy

<https://proceduresonline.com/trixcms2/media/20764/childrens-services-permanence-strategy-2023-2024.pdf>

Relevant legislation and guidance:

[Stable Homes Built on Love](#) Government's vision to reform children's social care.

[Championing kinship care: national kinship care strategy - GOV.UK](#)

[\(www.gov.uk\)](http://www.gov.uk): the government's strategy aimed to enable more children who cannot live with their parents to stay with people who are known to them and love them.

[DfE, Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review](#): sets out how local authorities should carry out the full range of responsibilities in relation to care planning, placement and review for looked after children. The aim is to provide looked after children with the most appropriate placement to meet their needs and improve their outcomes.

[Children Act 1989 Fostering Services Guidance](#): sets out the functions and responsibilities of local authorities and their partner agencies in relation to fostering services

[Children Act 1989: Family and Friends Care](#): Statutory Guidance for Local Authorities about family and friends providing care for children who cannot live with their parents.

[Family Rights Group, Initial Family and Friends Care Assessment](#): A Good Practice Guide outlines what a viability assessment for family and friend carers should look like, what social workers should consider and how to undertake international assessments.

School Admissions Code: from 1 September 2021, children being raised by Kinship Care carers under a Special Guardianship Order or Child Arrangements Order, who struggle to get a school place, will be supported in finding one.

Private Arrangements for Fostering Regulations 2005 - The local authority 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 Act 1989.

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Introduction

This policy has been produced in response to guidance issued in December 2023 by the Department for Education - Championing kinship care: national kinship care strategy ([Championing kinship care: national kinship care strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118111/Championing_kinship_care_national_kinship_care_strategy.pdf)). This document outlines the provision for kinship carers, caring for the following groups of children and young people within different arrangements and how Telford & Wrekin Council will respond to the following arrangements:

- Children or young people in informal arrangements with a close relative (grandparents, brother, sister, uncles, aunts).
- Children or young people (up to the age of 16 or 18 for young adults with a disability) residing with friends or other family members (not close relatives) with the intention that this will be for a period of more than 28 days. This is called a private fostering arrangement.
- Children and young people looked after by the local authority through Section 20 of the Children Act 1989 (voluntary accommodation) or Section 31 of the Children Act 1989 (Care Order) placed with approved kinship (formerly family and friends) foster carers (this could be family members or person/s with a connection to the child).
- Children and young people subject to a Child Arrangements Order or Special Guardianship Order, or in arrangements that may lead to an Adoption Order.

This policy recognises that family, friends and known people to the child/ren (kin) frequently care for children and young people to support birth parents and that Children's services does not have a role in such arrangements unless either it is requested, the family requires additional support to meet the needs of the child/children or there are concerns about the child's welfare. There are occasions where a social worker will support parents to ask family members to care for a child.

Where children and young people are cared for by people who are not close relatives, with the intention of caring for them for more than 28 days, this is a private fostering arrangement and children's services must be notified. In these circumstances, the council has several responsibilities to fulfil to assess the private fostering arrangement, by visiting the carer, the child and the child's parents. Parental responsibility is retained by the parents who also retain financial responsibility.

Where the child becomes cared for by the Local Authority either at the request of parents, within statutory safeguarding procedures, or by the direction of the courts, Children's services will always seek first to identify carers within the child's existing network of kinship (family and friends) i.e. people already known/connected to the child. When potential carers are identified, an initial enquiry is made by the Kinship

Team to establish if the person/persons are a potential viable care option for the child, or whether any other orders should be considered. Examples of where options might not be viable could be: where the prospective carer has offences against children on their police record that could prohibit them from caring for a child; or health issues might impact on their ability to care for a child; or other risks within the family that may impact on the child; or the prospective carer may not be in a position to care for the child for any reason.

If the initial enquiry identifies that the person/persons are a potential option, a viability assessment will be undertaken to establish a fuller picture of their circumstances, including strengths and any areas of vulnerability to meet the child/children's needs. . The information is then analysed and if the outcome of the viability assessment identifies sufficient strengths, it will recommend a full fostering assessment. This assessment will adhere to the usual fostering regulations and will be presented to the Telford & Wrekin Fostering Panel for consideration and recommendation to the Agency Decision Maker for approval. Within the assessment process the potential carers will be provided with advice, training and support to enhance their ability to care for the child/children, this may include sign posting to wider agencies or specific support being offered.

Kinship carers who are approved as foster carers are required to follow all the usual requirements of mainstream foster carers – meeting the national minimum standards, regulations and schedules as well as local policies and procedures.

Children and young people may be placed with kinship carers through a court order, which may not involve Children's services This includes a Child Arrangements Order (previously 'Residence' and 'Contact' orders). A child arrangements order states where the child will reside and arrangements for family time with their parent/significant people.

A Special Guardianship Order (SGO) may be made by the court and this gives the special guardians overall responsibility for decision making, although parental responsibility remains shared. Anyone considering applying for a special guardianship will need to inform the local authority of their intention to apply to the court three months in advance, as the local authority is required to undertake an assessment before the court can grant a special guardianship order.

An adoption order transfers all parental responsibility to the adoptive parents.

There are some circumstances in which Children's services can provide financial assistance to kinship carers who are caring for children under such orders.

Thank you to the foster carers (kinship and mainstream) and partners who have collaborated to develop this policy.

1. The Policy

1.1 The role of kinship care and key findings from national research and local consultation

Some children and young people are unable to be cared for by their parents and are cared for by a relative or a friend (this provision was formerly known as family and friends care). Many of these arrangements are informal. Some of these arrangements become more formal, because of specific private or public law proceedings and Children's services are then required to provide support based upon the assessed needs of the child. Kinship carers looking after a child or children may require advice and guidance and, in more complex situations support from Children's services.

Research shows that children and young people who are cared for by the Local Authority, and who live with kinship carers, have greater links to maintaining relationships with extended family members. They are more likely to stay with their kinship carer for longer and experience less instability than children who are living with foster carers who are not connected to them.

1.2 Values and Principles

Children have the right to grow up within their birth family or wider relational network where this is safe for them to do so. Telford and Wrekin Children's services are committed to support this principle and this is the focus of all support.

We work alongside families to support them to find their own solutions to make safe arrangements for children within the family and we would expect families to care for their children without the intervention and involvement of children's services where at all possible.

Where children's services' involvement is necessary to promote the child's welfare, we will facilitate services to support any such arrangements, wherever this is consistent with the child's safety and long-term well-being. This principle applies to all children in need, including those who are cared for by the local authority. Where a child cannot live within their immediate family, and the local authority is considering the need to care for the child, we will make strenuous efforts to work alongside the relational network to identify potential carers within who are able and willing to care for the child as long as this remains within their best interests.

We will provide support for any such arrangements, based on the assessed needs of the child and their day-to-day carers, not simply on the child's legal status. We will seek to ensure that kinship carers are provided with support to ensure that children do not become unnecessarily cared for by the local authority, or do not have to

remain cared for longer than is needed. Children's wishes and feelings must be considered in all relevant processes and decisions made about them.

1.4 Diversity statement

The council recognises that many of the children and those who apply to become kinship carers will come from diverse ethnic, religious and cultural backgrounds, and/or may have disabilities, and that these factors must be taken into consideration when establishing the best arrangements for the child/ren.

Where children are living with carers who do not share their culture, religion, or ethnicity or where the child, or carer, has a disability, we will support the family to meet the needs of the child as best they can. The council celebrates diversity, promotes inclusion and supports equality.

1.5 Scope of the policy

It is important to note that the Local Authority does not have a general duty to assess all arrangements where children are living within their wider family rather than their parents, but the Local Authority does have a duty where it appears that services may be necessary to safeguard or promote the welfare of a 'child in need'.

This policy is in relation to children cared for on a full-time basis in a 'kinship arrangement' known to, brokered by or supported by the Local Authority, but does not include private arrangements, except to the extent that such children are 'Children in Need' (as defined by the Children Act 1989).

For a detailed summary of the different arrangements and legal implications and what kinship carers can expect from parents and the council please see Appendices A & B. For details about what statutory duties the council has for a child/ren classified as 'in need' and those 'looked after', see Appendix C which outlines the difference between Section 17 children in need services, and Section 20 provision for children looked after by the council.

2. Informal Arrangements

2.1 Informal Arrangements

Many parents enter informal arrangements with their own parents, brothers, sisters, aunts, uncles and direct family members to look after their children. These arrangements are part of day-to-day family life where children and young people will go to stay with their grandparents, aunts and uncles.

Family units have provided support to children and young people within their immediate and extended family for many years. The local authority does not have a role in these informal arrangements unless to provide general advice or where children appear to be in need or require safeguarding.

If a child cannot live within the care of their birth parents, their parents will be expected and enabled to retain their family responsibilities and remain closely involved, as far as is consistent with their children's welfare. Birth parent/s retain full parental responsibility for their child/ren even when the child is placed by the parent to live with another family member. Parents will need to make direct arrangements with family in relation to supporting the child/ren's needs.

If a child must live apart from their family, both they and their parents will be given sufficient information and assistance to help them identify alternative arrangements.

The Local Authority does not have a duty to assess any informal family care arrangements, unless it appears that services may be necessary to safeguard or promote the welfare of a child under Section 17 of the Children Act 1989.

2.2 General Advice

Informal arrangements between parents and immediate family members are part of daily family life however, family carers may require advice or may have concerns about the child/ren that they are caring for. Kinship carers can contact the Local Authority to seek information depending on their need. Needs can range from general advice about services and support that is available, to supporting a child/ren's needs, for example, a list of resources available in a locality, including play groups, mother and toddler groups, child minders, nurseries, library facilities, youth clubs, leisure and fun events for children.

2.3 Children in Need and Safeguarding

Where kinship carers have concerns about a child/ren that they are caring for, they may contact our Family Connect service where advice will be provided. This may result in an assessment being undertaken to establish whether the child/ren that they are caring for is/are in need. The outcome could be: sign-posting for advice and information; directing the carer to Early Help and Support; a referral to the Strengthening Families service; or an assessment of need may be undertaken (child and family assessment) to ascertain whether any specific support needs and/or safeguarding measures are required for the child/ren, to promote the child/ren's development and wellbeing. If the child/ren is/are assessed as being in need of statutory support – an appropriate plan will be developed to meet the children's needs and support the parents, the carers and the child (in accordance with the local authority's Section 17 duties).

In respect of the definitions of children in need, Telford & Wrekin Council in conjunction with the Safeguarding Partnership has developed a threshold guidance document, which is available through the council's website:

[Threshold Guidance 2023 - Telford and Wrekin Safeguarding Partnership \(telfordsafeguardingpartnership.org.uk\)](https://telfordsafeguardingpartnership.org.uk)

3. Formal Arrangements: Private fostering

A private fostering arrangement is when a child under 16 (or under 18 with a disability, or part of the Homes for Ukraine scheme from July 2022) is cared for by an adult who is not a parent or close relative, and the intention is for that child to be cared for in that home for 28 days or more. Close relative includes grandparents, brother, sister, uncle, aunt, or a parent and residing stepparent (whether biologically related or by marriage or civil partnership). If the carer is an extended family member, for example, great-aunt, great-grandparent or cousin, this is a private fostering arrangement. It does not include a child who is cared for by the local authority. In a private fostering arrangement, the parent still holds parental responsibility and remains fully responsible for agreeing the financial support and details of the arrangement with the private foster carer.

The local authority has a legal requirement to ensure that children in a private fostering arrangement are safeguarded and to check on the suitability of the adults looking after them. The law states that children's services must be informed of these arrangements, so individuals are not breaching confidentiality by informing the Local Authority

The local authority 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.

If you are currently caring for a child/ren informally through a private arrangement and the intention is for this to be for more than 28 days and you are not a close relative as defined above - please notify Family Connect so they can check if the situation is private fostering.

When the local authority knows about a privately fostered child it will take the following steps:

- Undertake a Private Fostering Arrangement Assessment Record (PFAAR) of the carers
- Make visits to the child as prescribed in statutory guidance
- Make agreements with parents,
- Provide visits to the carers every eight weeks to provide advice and support to carers
- Provide assistance with benefit claims,
- Provide Section 17 support if assessed as being required,
- Signpost the child and carers to relevant agencies for advice and support

- Carry out formal checks on household members – Data Barring Service checks (DBS), housing, NSPCC etc
- Keep details of the private fostering arrangement
- The local authority *may* undertake a Child and Family Assessment (C&F) of the child/ren cared for by the private foster carer

This is to make sure that the child is:

- Safe and well looked after
- Is receiving an education
- Is encouraged to reach their full potential
- Is keeping in touch with people who are important to them
- Properly supported

4. Formal Arrangements: Court Orders

4.1 Child Arrangements Order

Child arrangements orders were introduced in April 2014 and replace ‘residence’ and ‘contact’ orders.

A child arrangements order sets out where the child will reside up until the age of 18. It also confers ‘parental responsibility’ on the person/s named in the order.

It also sets out contact (family time) arrangements although this ceases when the child reaches the age of 16, unless the court is satisfied that the circumstances of the case are exceptional.

4.2 Special Guardianship Order

Special guardianship offers a further option for children needing permanent care if their parents cannot care for them. It can offer greater security without absolute severance from the birth family as in adoption.

Kinship carers may apply for a special guardianship order after caring for the child for one year, or earlier with the consent of all those with parental responsibility. As special guardians, the carer will have parental responsibility for the child, which is shared with the parents, and can be exercised with greater autonomy on day-to-day matters than when there is a child arrangements order.

Special Guardianship Orders can be applied for by:

- Any guardian of the child.
 - A local authority foster carer with whom the child has lived for one year immediately preceding the application.
 - Anyone who holds a child arrangements order with respect to the child, or who has the consent of all those in whose favour a child arrangements order is in place.
 - Anyone with whom the child has lived for three out of the last five years.
 - Where the child is in the care of a local authority, anyone who has the consent of the local authority.
 - Anyone who has the consent of all those with parental responsibility for the child.
- Anyone, including the child, who has the permission of the court to apply.

Special guardianship orders may be made in private family proceedings and the local authority may not be a party to any such arrangements. However, a special guardianship 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. Where the child was looked after 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 (refer to the special guardianship support policy, September 2023 [Telford Practice Guidance \(proceduresonline.com\)](https://www.proceduresonline.com)).

Telford & Wrekin Council has a separate policy in respect of special guardianship orders. Depending upon the prior circumstances of the carer and the child, and the outcome of the special guardianship assessment the local authority may provide a support plan which may include discretionary funding if the child was not previously 'looked after' or a 'child in need'.

4.3 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, and all legal ties with the birth parents are severed.

An adoption order in favour of a kinship carer with whom a child is living may be an appropriate permanence plan for a child in need or a looked after child.

Local authorities must make arrangements as part of their adoption service, for the provision of a range of adoption support services. They then have to undertake assessments of the need for adoption support services at the request of the adopted child, adoptive parents and their families, as well as birth relatives. The carers will need to be fully approved adoptive parents and matched with the child in the usual

way. The support required is then set out in an adoption support plan and this may include financial support.

Where adoption support is required, Telford & Wrekin Council will assess carers to determine what financial assistance may be available to holders of adoption orders (refer to regional adoption agency, Together4Children).

Telford & Wrekin Council promotes lifelong links for children to maintain relationships that will last through to adulthood and may support a young person to reconnect with people who have been important to them. This is to maintain links with people whom they may no longer live with, who may be able to support them with their identity and who may hold information about their early lives that can be important to a child/young person, such as birth family members (birth parents and extended family), as well as former foster carers, teachers, social workers, for example.

5. Formal arrangements (Kinship Foster Carers)

There are children who are referred to children's social care services who are assessed through a child and family assessment as being children in need of accommodation. If the child/ren is/are assessed as being 'in need' of accommodation, children's services will assist the family in discussing the care options for the child/ren, this maybe through a family group conference or meeting. If the council is approached for assistance because a child/ren cannot remain at home, all possible arrangements for the child/ren to live with family and friends (kin) will be explored before other forms of living arrangements are considered.

If the council makes an arrangement or requires that a child/ren should be placed, as a looked after child with a relative or friend, then this will become a formalised arrangement. In these circumstances, Telford & Wrekin Council will undertake a viability assessment of the proposed kin (family/friend) to establish that the carer can meet the child's needs and any support that maybe required to strength their ability to care for the child. This will be undertaken by a member of the Kinship Team, within the fostering service. Information will be given to potential kinship foster carers about the process and they will be contacted by the social worker from the Kinship Team allocated to carry out the assessment.

This viability assessment will involve the following checks of the proposed carer and members of their household (including frequent regular visitors):

- Police National Computer Checks and local authority background checks.
- If the proposed carers have children, this will include checks with schools and nurseries, as appropriate;
- Checks to identify involvement with any other agencies statutory, voluntary or independent;
- An assessment of the suitability of the proposed carers' accommodation will be made in relation to meeting the needs of the child/ren.

The parenting experience and skills of the proposed kinship foster carers to support the safety, physical, emotional, educational, health and recreational activities needs of the child/ren to be placed with them will be considered. Also, the ability of the proposed kinship foster carers to work in partnership with the local authority, support workers, health professionals, schools/colleges and birth parents where appropriate to meet the needs of the child will be assessed. Within this process if support is required this may be provided by the Local Authority, or the prospective carer maybe sign posted to other multi agency support.

If a child/ren has/have been placed in an emergency with family or friends (kin) then a viability assessment of the prospective kinship foster carer/s will take place immediately, or the next working day if it occurs over a weekend. The viability assessment will be presented to the local authority agency decision maker to determine the initial suitability of the carer and grant temporary approval as formal foster carers. A full kinship assessment (Form C) will then be undertaken to determine whether permanent approval as kinship foster carers should be recommended by the Telford and Wrekin fostering panel. The Form C assessment will also consider other legal orders that may be appropriate for the child and kinship carers. This assessment has to be completed within 16 weeks (Reg 24 of the Care Planning, Placements and Case Review Regulations (England) Regulations 2010).

Viability assessments of prospective kinship foster carers where children have not already been placed are usually undertaken within three to four weeks of a referral for assessment being received by the Kinship Team, from the child's social worker. A Viability Assessment will determine the best options to be explored to meet the child/ren's needs in the longer term, together with the proposed care plan. This would consider a Child Arrangements Order or a full form C assessment to explore the suitability of a Special Guardianship Order or fostering arrangement

Where the local authority agency decision maker has initially approved the suitability of a foster carer temporarily (Reg 24 Care Planning Regulations) and the proposed carer is to be assessed as a kinship foster carer, they will be expected to attend pre-approval training as preparation to fostering (Foundations to Foster), alongside the continuing assessment.

If kinship carers are approved as foster carers, they will be allocated a supervising social worker from the 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/ren remains a looked after child, foster carers (kinship or mainstream) will be expected to co-operate with processes that are in place to ensure that the child/ren receives appropriate care and support. This includes, contributing to reviews of the child's care plan, co-operating with the child's social worker and promoting the child's education and health needs.

If the local authority agency decision maker determines that the prospective carers are unable to care for the child owing to vulnerabilities that cannot be mitigated by

support, the proposed carers and the child's social worker will be informed, and an alternative placement sought by the council for the child/ren. Prospective kinship foster carers whose viability assessment has determined that they are an unsuitable option may request that their assessment continues. However, there is no right to become a foster carer.

Telford & Wrekin Council funds the assessment and approval process for prospective kinship foster carers.

6. Other considerations for Assessment & Planning

6.1 Supporting family time with parents

The council is under a duty to promote family time (contact) for all children in need, although this differs depending on whether the child is looked after by the Local Authority or not.

Where the child is not looked after, the local authority is required to promote family time between the child and his/her family 'where it is necessary to do so in order to safeguard and promote his or her welfare'. As part of the support arrangements, it may be identified that specific assistance is required to ensure that any such arrangements can be managed safely. Where assessed as appropriate, information will be made available to kinship carers about local centres that support family time and family mediation services, and how to make use of their services.

Where a child is looked after, the council is required to endeavour to promote family time 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 family time arrangements will be included in the child's care plan and the specific arrangements will be set out in the child's placement plan.

6.2 Adult Services and Children's Services Liaison.

There are some kinship carers who are affected by birth parents' involvement with adult social care e.g. such as mental health, substance misuse or have older relatives involved with adults social care. Where there is a direct impact on kinship carers and the children they are looking after, children's social care will exchange appropriate information and meet where appropriate to ensure that children are safeguarded, and their needs are met and not compromised by specific plans or activities affecting their parents.

7. General and Financial Support

7.1 Accommodation

The Local Authority works with landlords to ensure that kinship carers living in unsuitable accommodation are given advice and assistance and, where possible, appropriate priority to move to more suitable accommodation if this will prevent the need for a child to become cared for outside of their relational network.

7.2 Family Group Conferences/conversations

Family group conferences/conversations are meetings held between professionals and 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.

Children's services may offer a family group conference or other form of family meeting at an early stage. If a child becomes looked after, perhaps following an emergency, without a family group conference having been held, then (where appropriate) we may arrange one as soon as possible.

7.3 Family Hubs

Kinship carers with children under two will have access to the Family Hubs offer in Telford and Wrekin and this will be actively promoted. Information can be found on the Council website - [Family Hubs offers - Best start for life - Family Hubs - Telford & Wrekin Council](#)

7.4 Provision of financial support – general principles

There are three categories of payment, which may be considered. One or more of these may be applicable, depending on the circumstances of each situation:

a) Subsistence crisis payments

Financial payments, Section 17 of the Children's Act 1989 will be used to overcome specific crisis determined by assessment and provided for a specific defined period. However, payments made should not replace legitimate funding which may be obtained from other agencies i.e. benefit claim/support.

b) Setting-up payments

These are for such items as clothing, furniture, or bedding. The social worker must be satisfied that the carers' financial position justifies the payment through a financial assessment. Assistance may be given subject to conditions, including repayment in certain situations. Social workers may support kinship carers to obtain funding from other sources where it would be legitimate to apply for funding.

c) Weekly living contribution

It is possible for the council to make regular payments where family members or friends care for a child, whether the child is looked after. Where regular payments are to be made, kinship carers should be assisted to maximise their income/benefits as regular payments may adversely affect an individual's claim to income support.

In all situations where regular financial support is agreed, a written agreement will be drawn up detailing the level and duration of the financial support that is to be provided, and the mechanism for review and appeal (in respect of discretionary payments).

7.5 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 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
- Carers must pursue and develop arrangements with birth parents to contribute to the maintenance of their child/ren in respect of specific circumstances - private fostering arrangements, special guardianship orders, child arrangements orders. As part of the financial assessment - this will be assessed, and advice and guidance provided to carers.
- Carers must apply for benefits, which they may be eligible for, as the local authority will not provide funding where a carer may legitimately gain finances from an appropriate agency.
- There are no other legitimate sources of finance.
- Payments will be paid to the carer, not the parents.
- The payment would not place any person in a fraudulent position.
- The carer must notify the local authority of any change in circumstances which may result in an increase or decrease in household income which directly impacts upon core care needs of the child/ren. Payments are made to carers to meet core care needs.

8. Management Overview of this Policy

Managerial accountability for Telford & Wrekin Council's kinship policy resides with the service delivery manager for fostering, adoption and permanence.

Telford & Wrekin Council has an existing consultation group for all foster carers including kinship foster carers. There is also a bi-monthly support group for kinship foster carers and special guardians. These groups are co-ordinated by lead officers responsible for assessment and support of kinship foster carers.

An annual report detailing operation of the kinship policy will be presented to the senior management group covering:

- Statistical information in respect of different service uptake by kinship carers – sufficiency duty.
- Identified Needs.
- Consultation with kinship carers and children in their care.
- Recommended action plan.
- Update of this policy, as required.

Appendix A: Caring for somebody else's child: options

	Private Fostering	Family care (informal)	Kinship foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship Order (SGO)	Adoption
Route into the caring arrangement	<p>This is a private arrangement whereby the child is being cared for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is <i>not</i> a close relative. Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a stepparent.</p> <p>The child is not a looked after child</p>	<p>The close relative has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the local authority.</p> <p>The child is not a looked after child.</p> <p>Relative may perceive the parents to be unable to care for the child, or the parents may have died or not be available (e.g. in prison); or there may be an agreement between relatives due to difficult family circumstances.</p>	<p>The child has been placed with the relative or friend by the local authority, as a suitable placement to meet the child's needs, whether permanently or temporarily, and for a range of reasons. The child is a looked after child and so the local authority must assess the relative or friend as a local authority foster carer. Timescale is 16 weeks.</p> <p>The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.</p>	<p>The child becomes a looked after child after being accommodated by the local authority under section 20 Children Act 1989 or because the child is subject to a care order and has been placed with a local authority mainstream (unrelated) foster carer.</p>	<p>The child may be unable to live with his or her parent/s and, under a family arrangement is living with a family member or known person (kin), who decides to apply for an order which will provide legal certainty about the child's residence and the exercise of parental responsibility.</p> <p>The child may be at risk of becoming looked after and a friend or relative (kin) applies for an order.</p> <p>Alternatively, the child may have been looked after and their foster carer or other relative/friend (kin) applies for an order.</p> <p>Special guardianship and child arrangements orders are private law applications which do not necessarily involve the local authority.</p>	<p>The local authority may decide that a looked after child should be placed for adoption. It can only do so with the consent of the birth parents or under a placement order made by a court.</p> <p>An approved foster carer can apply for an adoption order after a year of caring for the child.</p> <p>Other informal carers could apply for an adoption order if, the child has lived with them for a period of three years.</p>	

	Private fostering	Family care (informal)	Kinship foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship Order (SGO)	Adoption
Parental Responsibility (PR)	Parental Responsibility (PR) remains with birth parents.	PR remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare.	PR remains with birth parents if the child is accommodated on a voluntary basis under section 20 of the Children Act 1989. If the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others.		PR is shared by parents and holder of the child arrangements order specifying with whom the child is to live. If the order sets out who the child is to have contact with, PR can also be conferred on that person/s.	PR shared with parents and anyone else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusion of all others with PR, apart from another special guardian.	PR transfers to adopters and the child's relationship with birth parents is severed.
Approval basis	The arrangement may be assessed by the local authority, but the carer is not 'approved' in the same way as a local authority foster carer. The arrangement may be prohibited if assessed by the local authority as unsuitable.	Subject to the discretion of person with PR.	Approved as local authority foster carers in accordance with fostering services regulations (if child is looked after (carers must be approved as foster carers even if a close relative).		A Child arrangements order is granted by the court.	A special guardianship order is granted by the court. The local authority must investigate the matter and prepare a report for the court dealing with the suitability of the applicants to become a special guardian.	An Adoption agency assesses and approves prospective adopters. The court will grant an adoption order if satisfied it is in the child's best interests. If the child is not looked after then notice of intention to adopt must be given to the local authority to carry out an assessment/report for the court.

	Private fostering	Family care (informal)	Kinship foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship Order (SGO)	Adoption
Duration	Subject to the discretion of the person with PR and readiness of the private foster carer to care for a child. This applies to a child under the age of 16 (or 18 if disabled, or under the Homes for Ukraine scheme).	Subject to the discretion of persons with PR.	Whilst the placement remains in line with the child's care plan, as determined by the local authority.		Age 18.	Age 18 if the order sets out where the child is to reside. Age 16 if the order sets out who the child is to have contact with.	Permanent lifelong relationship.
Placement Supervision	It is not a placement, but there are statutory visits to the child by a social worker (minimum 6 weekly in first year, then every 12 weeks).	None.	Statutory visits to the child by their social worker and supervision of foster carers by supervising social worker.		None.	None.	When a child is placed for adoption by the local authority, the placement is supervised and there are statutory reviews. These end once an adoption order is made.
Review of Placements	It is not a placement but the local authority may do formal reviews in addition to ongoing assessment during visits.	None.	Statutory reviews of the child's care plan (minimum 6 monthly) and annual reviews of local authority foster carers' approval.		None.	None.	See above.
The relevant social work team ensures that families are linked into services local to them.							

	Private fostering	Family care (informal)	Kinship foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship Order (SGO)	Adoption
Telford & Wrekin Council Support Services	<p>No entitlement. Provision of advice and support as determined necessary by the local authority, which may assess the child as a child in need, with a child in need plan and provide services/support for child/family under section 17 of the Children Act 1989.</p>	<p>No entitlement but the local authority may assess and provide services/support for child/family under section 17 of the Children Act 1989.</p> <p>Where concerns arise in relation to the care of children in private arrangements, normal processes for referral and assessment under Section 17 or Section 47 Children Act 1989 apply.</p>	<p>Support services which may be offered to a foster carer (kinship or mainstream) may include:</p> <ul style="list-style-type: none"> • The child will have an allocated social worker • The carer will have a social worker from the fostering service • Support to meet child's needs including health plan and personal education plan. • Training and practical support in accordance with the fostering services, national minimum standards and training, support and development standards. • Young person may be entitled to leaving care support services. • Referral to welfare benefits advice. • Membership of specific support groups • Referral to CAMHS – Child Adolescent Mental Health Services. • Access to 'Out of Hours' advice in case of emergencies. • Ongoing support and annual review. <p>This is not an exhaustive list, and support services will be assessed based on the child's needs.</p> <p>Kinship foster carers are supported by the local authority in the same way as mainstream foster carers.</p> <p>The fostering team is responsible for providing regular supervision to foster carers.</p>		<p>No entitlement. The child may have an allocated social worker. If so, the social worker will visit the child and the carers at least annually to review the arrangements for the child's care and the appropriateness of continuing with any financial allowance which may be paid. The allocated social worker will record the child in need review and annually review payments. Reviews may take place more frequently where there has been a significant change in the child's circumstances or where the circumstances otherwise require it.</p>	<p>Telford & Wrekin Council undertakes assessments for adoption support services, which may be provided at the discretion of the local authority in accordance with regulations and national minimum standards.</p> <p>Any support required is then set out in a special guardianship support plan.</p> <p>If the child was looked after prior to making the SGO, the local authority must assess the need for special guardianship support services and former foster carers should continue to receive similar payments.</p> <p>Support may include support from a special guardianship support worker, along with support to meet the child/ren's specific needs.</p>	<p>Support groups are managed through the post-adoption support team within the regional adoption agency (RAA), Together4Children</p>

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship (SGO)	Adoption
Financial support – entitlement	<p>May be entitled to claim child benefit (within universal credit) and child tax credit if not being paid to parent.</p> <p>Financial responsibility to maintain the child remains with holder or holders of PR.</p>	<p>May be entitled to claim child benefit and child tax credit if not being paid to a parent.</p> <p>Financial responsibility to maintain the child remains with holder or holders of PR.</p> <p>Guardians allowance (which may be claimed from the Benefits Agency) payable if both parents have died, or the only surviving parent cannot be found or is serving a two years or more prison sentence.</p>	<p>Child benefit and child tax credit not payable.</p> <p>Weekly allowance to meet the costs of caring for the child.</p> <p>There is a scheme of fees and allowances which set out the rates payable by Telford & Wrekin Council which are not means tested.</p>		<p>May be entitled to claim child benefit (within universal credit) and child tax credit if not being paid to parent.</p>	<p>May be entitled to claim child benefit (within universal Credit) and child tax credit if not being paid to parent.</p>	<p>May be entitled to claim child benefit (within Universal Credit) and child tax credit.</p>

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship (SGO)	Adoption
Telford & Wrekin discretionary financial support	<p>Parents are expected to provide fully for their children's care, including ensuring that relevant welfare benefits are transferred to the private foster carer.</p> <p>Where Section 17 is applied, children are made subject to a child in need plan which aims to ensure that parents take full responsibility for the child's care</p>	<p>Parents are expected to provide fully for their children's care, including ensuring that relevant welfare benefits are transferred to the informal family carer.</p> <p>Where Section 17 is applied, children are made subject of a child in need plan which aims to ensure that parents take full responsibility for their child's care</p>	<p>Telford & Wrekin Council provides a fee and care allowance to all approved foster carers.</p> <p>Discretionary payments are made in accordance with statutory guidance for fostering services.</p> <p>Where temporary approval is given to kinship foster carers, carers will receive financial support based on the full fostering allowance.</p>		<p>Telford & Wrekin Council accepts no assumption of entitlement to financial or other support under a child arrangements order (CAO). This is a matter of assessment. Any allowance granted is reviewed annually.</p> <p>The decision to pay a CAO Allowance must be informed by one of the following:</p> <ul style="list-style-type: none"> • A child and family assessment • The child's looked after review. • The child's care plan • A request by a person holding a CAO <p>Financial support is provided according to assessment of need and means testing</p>	<p>Telford & Wrekin Council accepts no assumption of entitlement to financial or other support under an SGO. This is a matter of assessment. Any allowance is reviewed annually in line with special guardianship regulations. Financial support for special guardians is provided under special guardianship support policy.</p>	<p>Telford & Wrekin Council accepts no assumption of entitlement to financial or other support in respect of adoption. This is a matter of assessment. Any allowance is reviewed annually.</p> <p>Entitlement to assessment for financial support (part of adoption support) if the child was looked after prior to an order being granted.</p> <p>Where financial support is assessed as necessary to ensure the needs of the child are met, this is means tested</p>

	Private fostering	Family care (informal)	Kinship foster care	Unrelated foster care	Child Arrangements Order	Special Guardianship (SGO)	Adoption
Telford & Wrekin discretionary financial support	If private foster carers decide to apply for a child arrangements order, a decision to pay an allowance will be made by the relevant service delivery manager (family safeguarding or fostering), following a financial assessment.				<p>A decision to pay a CAO allowance will be made by the relevant service delivery manager (family safeguarding or fostering) following a financial assessment.</p> <p>Financial support is provided according to an assessment of need and means testing. Any financial support that is agreed is documented in a written agreement.</p> <p>Where financial support is assessed as necessary to ensure the child's care needs are met, this calculation will be based on the specific needs of the child and no reward element is payable. The calculation will be made in line with Telford & Wrekin's financial policy for child arrangement orders.</p> <p>The person who holds the CAO is responsible for providing information to the local authority in respect of any changes in circumstance which may affect payments.</p>	<p>Any financial support that is agreed in the support plan.</p> <p>In cases where the applicant does receive an income and this is less than the means tested level, they will still receive a specific allowance, but Child Benefit will be deducted from that amount.</p> <p>In cases where the applicant relies solely on benefits and has no other income, they will receive an allowance and child benefits will be deducted.</p> <p>The person who holds the SGO is responsible for informing the local authority of any changes in circumstances which may affect payments.</p>	Foster carers who go on to adopt children in their care will receive two years continued remuneration in line with the fostering payments minus state benefits plus.

Appendix B

Summary of Informal and Formal Support from Telford & Wrekin Council

	Potential Recipients	Type of Support
Informal	All families and carers.	Advice and information.
	Children in Need e.g. <ul style="list-style-type: none"> • Crisis assistance • Family support • Short breaks • Respite support 	Initial assessment, advice, targeted support and Section 17 funding where this is appropriate to meet the child's assessed needs.
Formal	Specific carers acquiring more formal responsibilities and child not 'Looked After' <ul style="list-style-type: none"> • Private fostering • Child arrangements Orders • SGOs • Adoption 	Assessments for all categories where prescribed in legislation discretionary funding. <ul style="list-style-type: none"> • Subject to financial means test (for CAO, SGO, Adoption Orders with some specific exceptions), and annual review, see policy (public childcare law proceedings). • Targeted resources where the need has been assessed and defined as part of the child's care plan.
	Kinship foster carers.	Viability assessment leading to temporary approval as a foster carer. Further assessment within 16 weeks and recommendation to fostering panel. Not subject to means test. Fostering allowance (and fee if fully approved). Supervision, annual review of carers' approval. Specific requirements of the foster carer in meeting national foster care standards and regulations and care planning for the child/ren being looked after. Supervising social worker and case manager for child allocated.

Appendix C

Family and Friends Care: Statutory Guidance for Local Authorities

Support for family and friends' carers (also known as kinship foster carers) under Section 17 and Section 20 of the Children Act 1989 (Family and Friends Care: Statutory Guidance for Local Authorities)

Child in need supported under section 17 (in an informal arrangement)

- The child is not looked after by the local authority.
- The child will not have a care plan but there may be a child in need plan or child protection plan.
- If there is a child in need plan or a child protection plan a social worker or other worker will visit the child and carers.
- The child must be offered access to an advocacy service where they make or intend to make representations under Section 26 of the 1989 Act.
- The carers will not usually have a separate social worker.
- The local authority has discretion to give financial assistance (can be on the basis of regular payments) but there is no entitlement and may be means tested (as per Section 17 (8) of the 1989 Act).
- Child Benefit and Child Tax Credit may be payable.
- Support may be offered to the carers and/or child but is discretionary.
- There is no entitlement to leaving care support.

Child accommodated under section 20

- The child is looked after by the local authority.
- The child must have a care plan (including health plan and personal education plan) which will be reviewed by an independent reviewing officer.
- A social worker will visit the child and carers and oversee the child's welfare.
- The child must be offered access to an advocacy service where they make or intend to make representations under Section 26 of the 1989 Act.
- A supervising social worker will be allocated for the foster carers.
- A weekly fostering allowance will be paid.
- There is no entitlement to Child Benefit or Child Tax Credit.
- Training and support must be offered to the foster carers. Foster carers are required to attend training in line with Telford & Wrekin policy.
- On leaving care the young person may be eligible for ongoing support under the 1989 Act (as amended by the Children (Leaving Care) Act 2000).

Appendix D

Definitions

- **Who is a Kinship Carer?**

A kinship carer means a relative, friend or other person with a prior connection, other than a parent, who is caring for that child on a full-time basis. A child who is cared for by a kinship carer may or may not be looked after by the local authority. A kinship carer can be assessed to become a foster carer for a child if they are 'looked after' by the local authority.

- **Who is a Foster Carer?**

'Foster carer' means a person who is approved as a local authority foster carer (by a local authority or an independent fostering provider) in accordance with regulation 27 of the Regulations 2011, or temporarily approved under regulation 24 of the 2010 Regulations.

- **What is meant by Fostering Service?**

'Fostering service' means a local authority fostering service.

- **What is an informal arrangement?**

'Informal arrangement' means an arrangement where a child is living with a kinship carer who does not have parental responsibility for the child. References to 'informal arrangements' in this guidance do not include arrangements where the child is looked after by the local authority or where the child is privately fostered, placed for adoption, or subject to a child arrangements order or a special guardianship order. The legislation which governs these arrangements does not apply to an informal arrangement.

- **What is meant by the term, a Looked After Child?**

'Looked After child' means a person under 18 who is subject to a care order under Section 31 of the Children Act 1989 (including an Interim Care Order) or is accommodated on a voluntary basis under Section 20 of that Act.

- **What is meant by the term, Parent?**

'Parent', in relation to a child, includes any person who has parental responsibility for that child.

- **What is Parental Responsibility?**

'Parental responsibility' has the meaning given by Section 3 of the Children Act 1989 Act, being all the rights, duties, powers responsibilities and authority which by law a parent of a child has in relation to the child and his property.

Appendix D continued

- **What is a Private Fostering arrangement?**

'Private fostering arrangement' refers to an arrangement in which a child who is under 16 (or 18 if disabled, or subject to the Homes for Ukraine scheme) and who has not been provided with accommodation by the local authority, is cared for and accommodated by someone who does not have parental responsibility for him and is not a relative, and the arrangement continues for a period of 28 days or more, or is intended to do so.

- **Who is a relative?**

'Relative' means grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent, as defined in section 105 of the Children Act 1989;

- **Who is the responsible authority?**

'Responsible authority' means, in relation to a looked after child, the local authority or voluntary organisation, as the case may be, responsible for the child's placement.

Appendix E

How to get in touch and other useful contacts

- Informal arrangements – universal service provision all carers may access.
If you require information and advice, contact our family connect service on:
Family Connect
Darby House
Lawn Central
TF3 4JA
Tel: 01952 385385 Email: familyconnect@telford.gov.uk
- For services for children who may be “in need” or specific enquiries in relation to private fostering arrangements please contact family connect and speak to one of the family connect safeguarding advisor’s at:
Family Connect
Darby House
Lawn Central
TF3 4JA
Tel: 01952 385385 Email: familyconnect@telford.gov.uk
- For specific enquiries in relation to child arrangement orders, special guardianship and kinship care information please contact:
The Kinship (formerly Family & Friends/Connected Person) Team
Darby House
Lawn Central
Telford
TF3 4JA
Tel: 01952 380353 Email: fostering@telford.gov.uk
- For information on adoption services please contact:
Adoption Service
Together4Children
Shirehall
Shrewsbury
Shropshire
SY2 6ND
Tel: 01743 250100 Email: ss-adoption@shropshire.gov.uk
- Complaints Procedure

Where kinship carers are not satisfied with the level of support provided to care for the child/ren, they should seek to have a discussion with the appropriate team manager or service delivery manager. If they remain dissatisfied, they should approach:

Customer Relationship Team
Telford & Wrekin Council
Darby House
Lawn Central
Telford
TF3 4JA
Tel: 01952 382006
Email: customer.relationship@telford.gov.uk

Other useful contacts:

- Advisory Centre for Education (ACE) - 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, exclusion, attendance, special educational needs and bullying.

- Association for Adoption and Fostering (CoramBAAF) - corambaaf.org.uk

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

- Citizens Advice Bureau - 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.

- Contact a Family - contact.org.uk

Provides support and advice to all families with disabled children. Also enables parents to get in contact with other families with similar experiences, both on local and national basis.

- CORAMVoice - coramvoice.org.uk

Advocacy organisation for children living away from home or in need.

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

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

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.

- Family Mediation - www.familymediationcouncil.org.uk

Helpline provides information and advice about family mediation services and eligibility for public funding.

- Family Rights Group (FRG) - www.frg.org.uk

Provides advice to parents and other family members whose children are involved with or require children's social care services because of welfare needs or concerns. Publishes resources, helps to develop support groups for kinship carers, and runs a discussion board.

- The Fostering Network - www.thefosteringnetwork.org.uk

Supports foster carers and anyone with an interest in fostering to improve the lives of children in care.

- Grandparents Plus - www.grandparentsplus.org.uk

Supports grandparents and their families, including those caring for their grandchildren on a full-time basis, and those with childcare responsibilities for their grandchildren.

- HM Revenue and Customs - www.gov.uk/government/organisations/hm-revenue-customs/contact/child-benefit

Information about child benefit and guardian's allowance.

- Telford Procedures online - [Telford & Wrekin Children's Services \(proceduresonline.com\)](http://Telford & Wrekin Children's Services (proceduresonline.com))

This manual contains the policies, procedures and guidance for Telford & Wrekin Children's Services.

- Looking after Someone Else's Child (GOV.UK) - www.gov.uk/looking-after-someone-elses-child

Government advice on the support and financial help you can get if someone else's child is living with you full time. Also provides information about how to spot a privately fostered child and legal requirements of private foster carers.

- Family Lives - www.familylives.org.uk

Provides help and support in all aspects of family life, including information, an online chat facility and a 24-hour helpline.

- Kinship - Homepage - Kinship - The kinship care charity

Kinship is the leading kinship care charity in England and Wales. They work with all kinship carers – the grandparents, siblings, aunts, uncles, and family friends – who are caring for children when their parents can't.

- Kinship Compass - Kinship Compass | Independent information hub for kinship carers

An independent online information, advice and support hub just for kinship carers. The one place you can go for information, expert advice and support for every stage of your kinship care journey, tailored to your situation.