Briefing for the Public Petitions Committee

Petition Number: **PE 1420**

**Main Petitioner:** Teresa McNally

**Subject:** Kinship Care

 Calls on the Parliament to urge the Scottish Government to take action to ensure that all councils across Scotland pay kinship carers the recommended allowance (as suggested in the Scottish Government's local Government Concordat for 2008-2011) and that any such allowance should be ring fenced with resourced support equable with foster carers.

**Background**

Over the last ten years it has become increasingly common for looked after children to be placed with friends and relatives. This reflects government policy which is that ‘kinship care’ should be the first option considered if a child cannot live with their parent(s).

The 2007 Concordat between the Scottish Government and COSLA stated that by April 2011 local authorities would provide, “allowance for kinship carers of looked after children to treat them on an equivalent basis to foster carers.” It did not specify what level of allowance ought to be paid. The level of payment to foster carers is also at the discretion of the local authority. **Guidance** discusses foster and kinship care allowances together and states:

> While there is no statutory amount stated for allowances, the Fostering Network provides a recommended rate for children at different ages and stages, and this is updated annually. This guidance recommends that local authorities pay attention to this in setting their own allowances.

Local authorities pay both kinship and foster care allowances out of their block grant – there is no ‘ring-fenced’ fund provided for either allowance. Some foster carers are paid higher rates to recognise specialist expertise and qualifications.

Citizens Advice Scotland has shown that there is great variety in levels of payment between different local authorities. In April 2011 they found that kinship payments (for carers of looked after children) varied from £30 to £196
per week and foster care payments varied from £110 to £280. Only four local authorities (out of 17 providing information) paid the same rate to foster carers and kinship carers of looked after children.

The Concordat commitment only applied to kinship carers of looked after children. There is also an unknown number of kinship carers of children who are not looked after. A study of the 2001 census suggested that there are 9,800 relative carers in Scotland caring for 15,400 children (Nandy and Selwyn, 2011). Local authority practice with regard to payment of allowances to this group varies considerably.

For further background and references see SPICe Briefing Kinship Care.

**Scottish Parliament Action**

The Education and Culture Committee held a roundtable on kinship care in early 2012 and wrote to local authorities, the DWP and Scottish Government for comment on the issues raised. The Committee will consider responses at its meeting on 20th March.

Previous petitions on kinship care include PE 1365 in 2010 from the Poverty Truth Commission asking the Scottish Government to discuss support for kinship carers with them. The petition was closed in early 2011 as the Scottish Government agreed to the meeting. There was also a petition 2007 on kinship care from the “You are Not Alone” (YANA) group.

In addition, there have been number of members’ debates, written and oral questions on kinship care. (The Parliament’s motions and questions search facility identified 180 questions and motions over the lifetime of the Parliament.) Some of the more recent questions have dealt with issues such as: assessment, numbers of carers, level of allowances and the benefits system. The most recent parliamentary debate on kinship care was on January 26th 2012.

**Scottish Government Action**

A strategy for foster and kinship care was issued in 2007. This was followed by interim guidance in 2008, regulations in 2009 and guidance in 2010 which provide for assessment and the payment of an allowance. The 2007 Concordat is mentioned above. The Government has also discussed with the UK Government issues relating to the interaction of the benefits system with local authority kinship care allowances. In addition, the Government has funded Citizens Advice Scotland and Children 1st to provide advice and support to kinship carers.
SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However if you have any comments on any petition briefing you can email us at spice@scottish.parliament.uk

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.