

# **Social Justice and Social Security Committee**

## **Note by the Clerk**

8<sup>th</sup> Meeting, (Session 6), 24 February 2022

The Committee is holding an evidence session on Kinship Care on 24 February and will hear from two panels. Papers 2 – 7 are the written briefings from those attending to give evidence to the Committee.

The Committee has also received written submissions from The Promise Scotland and the Kinship Care Advice Service for Scotland who were unable to give oral evidence on this occasion.

These submissions are linked below.

- [Written submission from The Promise Scotland](#)
- [Written submission from Kinship Care Advice Service for Scotland \(KCASS\)](#)

**Note by the Clerk  
21 February 2022**



# Social Justice and Social Security Committee

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Evidence submission

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Date of submission: February 2022



## Introduction:

### About The Promise Scotland

The Promise Scotland is the independent body established to drive the change demanded by the [Independent Care Review](#).

Over the course of three years, over five and a half thousand children, young people and adults, plus families and the paid and unpaid workforce, selflessly shared their stories as part of the review of Scotland's 'care system'. These stories were often the most intimate, sometimes painful and traumatic experiences of their lives. It was their stories and generosity that informed the conclusions of the [Independent Care Review](#), which told Scotland what must change.

In February 2020, their voices were heard, when the conclusions were accepted in full, as laid out in the [Independent Care Review's reports](#) - [the plan](#), [the rules](#), [follow the money](#) and [the money](#) and [the promise](#).

Included in [the promise](#) are the 80+ calls for action that are the foundation for Scotland to #KeepThePromise it made to its children and families. It presents a radical and transformative approach to achieve 'a country that cares, made up of services that work' driven by the voices of children, young people, families, and the workforce.

[Plan 21-24](#) was published in March 2021. A careful sequencing of the [Independent Care Review](#) conclusions, it is the first of three plans that will conclude with the promise kept to children and families by 2030. It translates the [Independent Care Review's](#) conclusions into five priority areas of change. This was followed by the accompanying [Change Programme ONE](#), published in June 2021, capturing the work underway in each priority area of change.

The Promise Scotland engaged with hundreds of organisations across Scotland in the development of both [Plan 21-24](#) and [Change Programme ONE](#), and the work of change is underway. Once Scotland has kept its promise, by 2030 at the latest, The Promise Scotland will cease to exist.

## The Independent Care Review and Kinship Care

Owing to time constraints, The Promise Scotland has opted to submit a short summary of the Independent Care Review conclusions as they relate to Kinship Carers, mindful that there is much work ongoing in Government through the Kinship Care Collaborative.

Published in February 2020 to full cross-party support, [the promise](#) highlighted the experiences of Kinship Carers and children growing up in Kinship care across Scotland. The Independent Care Review conclusions were clear about several matters that are specifically relevant to Kinship Carers.

### Family Support

The promise made clear that Kinship Care must be considered as part of holistic family support, whether the arrangement is informal or not. Kinship Carers must have access to whole family support. That means that the principles of whole family support developed by the Independent Care Review attach to them as much as they attach to any family.

Those principles can be found on [page 57 and 58 of the promise](#) and are that intensive family support must be:

Community Based	Responsive and Timely
Work with Family Assets	Empowerment and Agency
Flexible	Holistic and Relational
Therapeutic	Non-stigmatising
Patient and Persistent	Underpinned by Children's Rights

## Support not predicated on setting

The Independent Care Review heard from many families that they were hesitant to engage with social work and statutory agencies for fear of their children being removed. Support for Kinship Carers must feel and be accessible, and that will require a reset in the way family support is provided across Scotland.

The commitment of 500 million and 5% of health and social care spending being focused on whole family support is very welcome and The Promise Scotland is supporting Government and tracking the development of that work.

## Allowances

The promise was clear that there should be parity between Kinship Carers and foster care allowances. However, the Care Review also heard about the impact of allowances on family decisions around children particularly in overall circumstances of low income and poverty. That is why it is critical that support is not limited to legal status or finances and must wrap around a family whatever their category.

## Part of the workforce

The Independent Care Review was clear that Kinship Carers (along with other people who live and volunteer around the 'care system') must have access to high quality support, reflection, connection and supervision if they wish to have it.

The heart graphic of the Independent Care Review depicts the inter relationship between family, care and people; with Kinship Carers occupying all 3 categories. Whilst many Kinship Carers, understandably, do not see themselves as part of the workforce, they must be prioritised and considered as experts in the lives of the children that they care for.

There must be a move across the 'care system' to prioritise the voices of those with the closest relationships to the children they care for.

The Independent Care Review developed a 'relationships around the child' model to consider how to think about this area. More information can be found at [page 97 of the promise](#).

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## Relationships around the child

Loving relationships with  
the child at the centre

Family of origin

Family Carer

(people in a parental role)

Decision Makers

Awareness Roles

(such as education and health)

Wider Community



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## Evidence Framework

The conclusions of The Independent Care Review are underpinned by the [Evidence Framework](#). This includes a history of the policy development around the care system and a summary of all the evidence the Care Review heard from children and families with experience of kinship care. That work can be found at page 50 of the [Evidence Framework](#).



## **Kinship Care Advice Service Scotland (KCASS)**

### **KCASS written evidence to inform the Scottish Parliaments Social Justice and Social Security Committee thematic session on Kinship care**

***This evidence is provided in two parts; Part one is an organisational response on behalf of KCASS and Part two provides further evidence from the KCASS Helpline Advisors that directly references the lived experience of Kinship Families who call for advice and support and who attend our Advisory Group.***

#### **Part One.**

The Kinship Care Advice Service for Scotland (KCASS) is funded by the Scottish Government and from September 2020 has been co-hosted by Adoption UK Scotland and AFA Scotland in collaboration with the Child Poverty Action Group.

In March 2021 the service established an Advisory Group, attended by Kinship Carers from across Scotland. The purpose of the group is to assist KCASS in the development of the national service providing insight into lived experience and the strengths and challenges of raising children in Kinship Care in Scotland. The group have informed the development of the KCASS Strategic Plan and are represented on the KCASS Steering Group and the Kinship Care Collaborative with Scottish Government. The Advisory Group provide important evidence of what needs to improve to help better support kinship families.

KCASS has a website ([www.kinship.scot](http://www.kinship.scot)) enabling access to information for Kinship families and a free helpline which Kinship Carers can access with trained Advisors who provide financial and practical advice as well as emotional support. Where a Kinship Carer feels they have been unfairly treated by a local authority, DWP or HMRC, KCASS will assist a carer to try resolve the issue and support them through the complaints process if required. The KCASS legal consultant advises staff on any legal developments and implications for their members and provides legal briefing notes for the service.

The KCASS service hosted by AFA Scotland provides a Kinship Consultant who works with Kinship Care Practitioners from Local Authorities and other organisations across Scotland. This is in the form of advice and guidance, provision of training and consultancy and facilitating a Community of Practice where Practitioners can share, adapt, and improve practice in Kinship Care Services. The close links KCASS has with both practitioners and Kinship Carers enables the service to promote collaborative approaches to resolving the recognised challenges and to ensure that

the voice of kinship carers and the children they look after is at the centre of the way services are developed.

KCASS also hosts Kinship Care Week in March each year which celebrates Kinship Care, providing free workshops and sessions for Kinship Carers and a free conference attended by both Kinship Carers and Practitioners. In addition, KCASS hosts regular free training workshops throughout the year for Kinship Carers and community events to bring Kinship caring families together.

This submission to the Committee is formed by KCASS experience of collaborating with and supporting both Kinship Carers and practitioners in Kinship Care from across Scotland.

## **Questions**

### **1. What challenges are kinship carers and those in kinship care currently facing in terms of accessing financial support?**

Unlike making the choice to become a foster carer or adopter becoming a Kinship Carer is often not a conscious life choice, instead something that happens because of family crisis and necessity. Consequently, many Kinship Carers are not prepared either emotionally or financially to take on the care of children and young people. With many kinship carers already on benefits, a low income or pension, taking on the care of a child can lead to financial hardship. A survey carried out by CELCIS found that “Over 80% of kinship carers said becoming a kinship carer had caused financial hardship. 88% said they didn’t have enough information about benefits, finances and financial support when they became a kinship carer”. (Young et al 2020)

Our Advisory Group Kinship Carers have told of the financial sacrifices they have had to make; many give up their job to care, take unpaid leave, take early retirement or using savings leaving them reliant on benefits and allowances. Some Kinship Carers have never had any interaction with the Social Work Department or Benefits system before becoming a Kinship Carer and this can be an overwhelming and daunting experience at a time where they themselves are going through family crisis and loss. This can lead to delays in claims and further financial hardship.

When a child is placed with Kinship Carers, we have heard from our Advisory Group that there is inconsistency across Local Authorities as to when Kinship Care Allowances are paid. Some pay from the day the child is placed, others following assessment. The Guidance on the Looked after Children (Scotland) Regulations 2009 V5/f ([Guidance on Looked After Children \(Scotland\) Regulations 2009 and the Adoption and Children \(Scotland\) Act 2007 - gov.scot \(www.gov.scot\)](#)) advises that the kinship assessment should take no longer than 12 weeks to be completed. Our Advisory Group Members advise that in many cases assessments take far longer and they can miss out on months, sometimes years of kinship care allowances due to delays in assessments and approval of Kinship Carers leading to further financial hardship.

Our Advisory Group inform us that it would be helpful and fairer for there to be true parity in allowances for Kinship Carers with a standard or minimum Kinship allowance in Scotland rather than their experience of receiving very different financial rewards depending in which Local Authority they reside or has responsibility for the child.

There is also disparity in the way that Local Authorities interpret the statutory definition of an 'eligible child' and our Kinship Carers tell us that this determines whether they are regarded as a Kinship Carer or not. Similarly, Local Authorities have been concerned for some time that the lack of clarity in terms of regulation and national guidance, makes the task of providing support that is consistent across areas exceptionally challenging. The definition of the child being 'at risk of being looked after' is often interpreted differently by Local Authorities leading to Kinship Carers being denied kinship care allowance and formal Kinship Carer status.

Informal Kinship care in Scotland means the child is not a 'looked after' child. Those Kinship Carers may have little or no interaction with local authorities and may not be aware of benefits or entitlements. Most new benefits or entitlements require documents as proof of the child residing with the carer. For those informal Carers without a Kinship Care Order or in the process of obtaining one, or who do not claim child benefit providing this proof can be problematic.

Accessing online claims for financial support can be a challenge for some Kinship Carers and a barrier to finding out about new benefits or being able to submit a claim if these are all advertised online. The Advisory Group recently welcomed Social Security development staff to the group to discuss accessing claims online which they found very useful and further meetings are envisaged.

Kinship Carers and Practitioners have also identified that implementation of the Children and Young People (Scotland) Act 2014 Parts 10 and 11 on Aftercare and Continuing Care, respectively, is like Kinship Care Allowances; implemented differently by Local Authorities with some finding young people who have been looked after children and are living in Formal Kinship Care eligible for Continuing Care and others not. In effect, some Kinship Carers continue to receive full allowances until the young person is aged 21 and for others it will end at 18 or sometimes 16 years. Once leaving care young people from kinship families do not consistently receive after care support. This can have negative consequences for young people such as becoming homeless or returning to live with parents who lack capacity to care for the young person and we have learned from the National Care Review how important aftercare and continuing support is for children and young people with care experience.

## **2. What could be done to improve the current support system in this session of Parliament?**

Mirroring national disparity in eligibility to be assessed as a Formal Kinship Carer and to receive allowances, is the support that is provided for Kinship Carers from

Local Authority Social Work departments. Recognising the shifting landscape towards Kinship Care and the need to support and sustain these relationships for children and young people to achieve a good childhood, many Local Authorities have established dedicated Kinship Support Teams, some are developing these and some have not progressed any specialist support. We know from our Kinship Practitioners Forum that Social Workers want to provide more and a better service to Kinship children, young people, and their families. and, although there is a long way to go, it is encouraging that many authorities are increasing the resources they devote to this area of work. Many Kinship Carers, therefore, experience the same inconsistencies in obtaining support as they do in allowances.

Formal Kinship care is increasing in Scotland. “4,456 children were placed formally with kinship carers in 2020 compared to 3,172 in 2010” [www.gov.scot](http://www.gov.scot). Therefore, the need for more scaffolding around kinship care including support services, therapeutic resources, a trained workforce, and intensive family support accessible to Kinship families when they need it and in keeping with whole family support is increasing. KCASS would like to see a specific commitment from the Scottish Government to provide funding to tackle disparity and to support local authorities to provide this much needed support.

The application for a Kinship Care Order is under the Children (Scotland) Act 1995 and is a “private law” process. Kinship carers are entitled to financial assistance from Local Authorities to meet the legal expenses. Again, there is inconsistency as to how much support each Local Authority is willing to provide. Where there is subsequent challenge to the Kinship Care Order by birth parents further legal advice, and sometimes representation, is required for Kinship Carers. Kinship Carers may apply for legal advice and assistance to the Scottish Legal Aid Board and the assessment of eligibility is means tested. Therefore, some Kinship Carers whose financial situation does not qualify them for this, are experiencing financial hardship in meeting the legal costs. A central fund accessible to all Kinship Carers would rectify this inconsistency and ensure that kinship carers receive the funding they require.

### **3. What progress have local authorities made in delivering kinship care allowance to those eligible?**

On 1 October 2015, an agreement between Scottish Government and local authorities came into force to ensure that Kinship Carers receive the same allowances as foster carers within their local area. There is currently no statutory guidance that stipulates a minimum or maximum payment to meet the needs of children in kinship and foster care.

We hear from our Kinship Carers and Practitioners that parity has been given but the issue of eligibility criteria affects when an allowance is paid. An eradication of inconsistency among Local Authorities in the provision of kinship care assistance is needed. Achieving this could largely be done by a clarification and extension of the definition of “eligible child”. Secondary legislation under CYP(S)A S.71(5)(b) would permit ministers to do this.

Allowances are paid to support the expense of looking after a child yet in many Local Authority areas, Kinship Carers not yet approved receive no or a reduced allowance, yet the child is placed with them, and their costs are the same whether they are approved formally or not. Kinship Carers on the Advisory group have continually told of how they feel they need to fight for the basic rights to allowances to feed a child that has been placed with them. KCASS helpline Advisors have supported a number of Kinship Carers in 2021 to challenge disparity around eligibility and the Ombudsman has supported 6 Kinship Carers to challenge inconsistency and for some to obtain backdated payments where this has been held to be unfair.

Some local authorities have adopted approaches to their work with children who may be at risk of or need to be removed from parental care, that emphasise the importance of identifying potential Kinship Carers as early as possible. Approaches such as family group decision making, lifelong links and signs of safety model all aim to ensure that the family are central to decision making about the care of the child. This can prepare Kinship Carers for the possibility that they may become a full-time carer for the child, consider contingency planning and provide more time for a carer to seek financial support. Currently, these approaches are not consistently available across Scotland.

#### **4. What work is being done to take forward the recommendations of the 2018 National Review of Care Allowances? Is this something that the advisory group is aware of?**

Kinship Carers and Practitioners would share the view that taking forward the national minimum allowance in this session of parliament would be of benefit to kinship and foster families in Scotland as research evidences this can contribute to the stability of these placements. Research in England shows “The highest level of stability for those living with kinship carers who had been assessed as foster carers and were being paid a fostering allowance” (Farmer, E and Moyers, S, 2008)

Kinship families and practitioners have been waiting on implementation of a national allowance since its recommendation in September 2018 and have expressed their disappointment and frustration that it is Kinship and Fostering families who have continued to bear the impact of national disparity across the country and in effect, it feels that Kinship Carers in some areas are unfairly disadvantaged because of the Local Authority area in which they reside. Many Local Authorities have not increased allowances pending the implementation of the national allowance and this delay has meant frozen allowances for at least 3 years. Given increasing costs of living this has a disproportionate effect on Kinship Carers.

Most Local Authorities in Scotland have information on the level of allowances on their websites. Feedback from Kinship Carers is that information is not consistently detailed about what expenses the allowance should cover and that the amount provided is often not enough to cover what is needed to care for a child. This was expressed by foster carers in the recent state of the nation survey in 2021 “Over a third of foster carers said that their allowances do not meet the full cost of looking

after a child” (The fostering network, 2021). Foster Carers tend to also be in receipt of a Fostering Fee which provides an income from fostering over and above allowances. Kinship Carers do not receive the fee element and so face further disadvantage. More could be done to ensure that this is detailed when carers first receive an allowance. As one of the recommendation states that “All foster and kinship carers should have a clear understanding about what the allowance for children in kinship and foster care is intended to cover... Any information should be clear, relevant and readily available via local authority and other providers’ websites and via other means for those who do not have access to the internet.” (National Review of Care Allowances. Scottish Government 2018)

In relation to the recommendation that “local authorities’ support for kinship families should focus on the identified needs of carers and young people. Examples include support linked to trauma and loss, peer support, as well as dedicated workers for carers” (National Review of Care Allowances. Scottish Government 2018) Some Local authorities have made huge progress with the creation of new specialist kinship teams and provision of more specialist kinship Social Workers. However, this is not consistent across the board with larger local authorities with high levels of deprivation and poverty struggle to meet the demand of the ever-increasing numbers of kinship families.

The KCASS Practitioner Community of Practice has developed positive working relationships with committed local authorities who are actively engaged with learning and development informed by Kinship Carers to better assess, and support Kinship Carers and this has allowed KCASS to achieve the following recommendation that “a knowledge hub should be established to enable the sharing of best practice between the services and providers that support care experienced children and their families.” (National Review of Care Allowances. Scottish Government 2018)

KCASS would support the Fostering Networks finding that “All services in Scotland who responded agreed with the introduction of a national minimum allowance. It recommends that The Scottish Government should introduce and fund a national minimum allowance for foster carers. (The fostering Network, 2021). KCASS would recommend that Kinship Carers are also included in this recommendation.

Kinship Carers highlighted this issue to Minister Maree Todd during Kinship Care Week in March 2021. [Kinship Care Week: Q&A with Children's Minister Maree Todd - YouTube](#) and will again discuss with Minister Claire Hughey when they meet with her on 15 March 2022.

##### **5. Any other issues concerns or priorities that the group would like to draw to the attention of the committee**

KCASS would like to draw the committee’s attention to the importance of the fundamentals within the Promise.

This submission should draw your attention to what matters to kinship families and these voices should be listened to and heard. Kinship Carers and Practitioners are

united in KCASS to address the inequalities in access for Kinship Carers to recognition, eligibility for Kinship Care Allowances and that poverty is addressed through equal access to allowances when a child is placed with Kinship Carers and of equal amount through the implementation of the recommended national allowance.

Children living in kinship families should be given equal access to being recognised as a looked after child whether they are on a voluntary or compulsory order and to equally access advocacy services so they can direct their own care planning and self-efficacy.

Like any other child with care experience, achieving the aim of Scotland being the best place for a child to grow up can only be achieved through recognising that children in kinship families have the right to a good childhood; to receive support when they need it, that their families benefit from whole family support and that there is consistency of access across Scotland and at the time it is needed. There should be recognition of the emotional impact of caring for children in kinship care and what this means in terms of loss and grief of lost plans for work and retirement as well as fractured relationships with or loss of the children's parents which could be the kinship carers own adult child, brother, sister, or niece/nephew.

Local Authorities need support to adapt to the shifting landscape of care and to invest in kinship care and the future of these families. The workforce is engaged with KCASS and are seeking support to build their services to best respond to the needs of kinship families in a way that is consistent in standards and practice across Scotland.

## References

Young, E and Hill, L, *The highs and lows of kinship care: supplementary analysis of a comprehensive survey of kinship carers in Scotland 2019*, CELCIS, 2020

Farmer, E and Moyers, S, *Kinship Care: fostering effective family and friends' placements*, Jessica Kingsley, 2008

### **The Scottish Government 2020**

[Children's social work statistics: 2019 to 2020 - gov.scot \(www.gov.scot\)](http://www.gov.scot)

### **The Fostering Network 2021**

[State of the Nation Report 2021 DIGITAL FINAL 0.pdf \(thefosteringnetwork.org.uk\)](https://www.thefosteringnetwork.org.uk)

### **The Scottish Government 2018**

National review of care allowances

[National review of care allowances: final report and recommendations - gov.scot \(www.gov.scot\)](http://www.gov.scot)

### **The Promise Plan 21-24 2021**

[Plan 21-24 - The Promise](#)

**Legislation**

[Guidance on Looked After Children \(Scotland\) Regulations 2009 and the Adoption and Children \(Scotland\) Act 2007 - gov.scot \(www.gov.scot\)](#)

Children and Young People (Scotland) Act 2014 Parts 10 and 11

**Part Two**

**Testimony from the lived experience of Kinship Carers who use our KCASS Helpline and from our Advisory Group.**

At the national Kinship Advice Service for Scotland (KCASS), we are always having conversations with Kinship carers about the challenges they experience when their kinship children come to live with them.

Kinship carers contact KCASS using the national helpline, social media, and other community forums to talk about family life. During the period **1<sup>st</sup> March 2021 until today 16<sup>th</sup> February 2022, we have received over 2000 enquiries to the helpline and email inbox**. These enquiries have helped to shape this testimony in respect of Kinship families lived experience and include some of the reasons why they seek advice, information, and support from the service.

Carers often describe taking on the role out of love, loyalty and a sense of duty to the children whose lives are unexpectedly changed by the temporary or permanent loss of their parents. The children's parents are usually the kinship carer's next-of-kin. So, the whole family is emotionally affected by the new care arrangement. Often, carers describe having no choice in the matter as the alternative would mean the child being separated from their family to be placed elsewhere by the local authority. Yet the lives of kinship families are forever transformed, and support is essential to the child's wellbeing.

Kinship carers describe a lack of information at the point they become kinship carers. People often don't realise they fit the definition of 'Kinship Carer', and when they do, may not relate to the term. Kinship carers describe being akin to "rabbits in the headlights" at the beginning: scared, alone, and often dealing with complex and highly emotional circumstances. They describe a lack of practical support with no beds, bedding, clothes, or toys for the children and being left to source these themselves, often on limited budgets.

When information has been shared with carers by local authorities, carers tell us they didn't understand what was said, didn't hear what was said or simply cannot remember. Little to no information is ever provided in writing, and this can lead to a feeling of bewilderment. Where they have managed to speak with a professional, carers might not trust what they have been told is accurate.

Many enquiries to the Helpline are questions around the family's financial entitlements. The families either have no or insufficient information or have been told there is no available support.

We hear of families being denied financial support from local authorities in respect of Kinship Care Allowance for a variety of reasons. Much of the time, the reason given is that a private family arrangement has been reached. As such, the local authority considers child is safe and secure and this precludes carers from accessing an Allowance.

**Financial support.** Regarding the award of Kinship Care Allowance (KCA) and financial assistance this is inconsistent and varies within each local authority area.

There is a sense of good practice when:

- One local authority pays the same amount of KCA amount for both 'Looked After Children' and 'Non-Looked After Children'
- Make additional payments throughout the year to the family e.g., for holidays and birthdays.
- Pays the Kinship Care Allowance until the child's 18th birthday.
- Supports the family in providing evidence to enable them to claim other child-related welfare benefits.
- Provides clear information and a copy of the relevant policy.
- The legislation is applied flexibility as an instrument to support the family.

Kinship Carers discuss feeling a sense of injustice when:

- They would receive payments or a greater amount in another local authority a few miles away:
- Different amounts are paid for "Looked After" and "non-Looked After" children.
- The amount paid significantly varies - by as much as £80 per week per child.
- The allowance may be means tested.
- No additional payments are made e.g., for holidays and birthdays.
- The allowance stops at the child's 16<sup>th</sup> birthday, and without notice to the kinship carer.
- There is a lack of access to additional support to support the family's emotional needs.
- The legislation is strictly interpreted to refuse families kinship care assistance.

All these inconsistencies lead to kinship families feeling that they are treated unequally and, in some cases, to even feel they are discriminated against.

Local authorities can use one of three legal mechanisms to make allowance payments to kinship families. This adds to the inconsistencies of awards as these all impact on other related benefit entitlements often in a different way dependent on the mechanism used by the relevant local authority. Entitlement to child-related benefits is another area that causes confusion among Kinship Carers and practitioners including the HMRC and the DWP.

Where there is no Child Benefit award, this has the potential to impact on the award of other benefits including Best Start Grant and the Scottish Child Payment, leaving many families without access to these benefits.

**Recommendations.** The recommendations particularly in relation to the allowances which came from the Care Allowances review of September 2018 have not been acted upon and this is extremely disappointing when these issues have been highlighted and no action taken to resolve the situation leaving Kinship Carers feeling undervalued, angry, and upset.

<https://www.gov.scot/publications/national-guidance-part-13-children-young-people-scotland-act-2014/> is open to interpretation by local authorities and sometimes applied in a way that does not optimise support for kinship families. One example is Kinship Carers meeting the criteria below regarding eligibility to a Kinship Care Allowance where a child is subject to a Section 11 Kinship Care Order:

1. The child was previously looked after; or
2. The child was placed with the involvement of the local authority; or
3. The child is at risk of becoming looked after.

Different interpretation of these points often forms the basis of complaints to local authorities and subsequently the Scottish Public Services Ombudsman, a situation no professional or Kinship Carer wishes to have to pursue. These are lengthy and upsetting processes and can impact negatively on the kinship family and the involved agency.

The Service also has difficulty accessing up-to-date Kinship Care policies from many local authorities - another example of where the guidance is not translated in practice.

Following a consultation with Social Security Scotland on the application process for the Scottish Child Payment we heard that Kinship Carers will give up on applications and not apply for other benefits as they feel “What is the point?” as they feel they won’t be entitled to it or able to provide evidence to receive the benefit, there is a general feeling of “Who cares anyway?”

The rules governing when payments to families should be made are non-specific and open to interpretation often leaving families without any financial support. Kinship Carers tell us that finances are not high on their priority; that the wellbeing of the child takes precedence. Yet it can transpire that there is a significant financial burden placed on the family while caring for the child, that is detrimental to the family’s emotional wellbeing.

Financial security enables Kinship Carers to have “one less thing to worry about” and start their journey of recovery as a family. Continuing in employment and maintaining financial security is often not an option for some Kinship Carers where children - impacted by the reasons they came into Kinship Care - often require additional support and consistency of care. This leaves the family financially vulnerable and reliant on the welfare benefits system.

Kinship Carers also tell us that they often do not receive any additional family leave from their employer differing from anyone else taking up a parenting role of a child.

**Legal Issues.** Kinship Carers often discuss legal issues with the service particularly around Section 11 Kinship Care Orders. They are often urged and advised to consider taking out an Order to give them parental rights and responsibilities. What is often not provided is information of the consequences for the family. What can be omitted is what financial assistance will be provided, the impact on the family's income and allowances, no entitlement to continuing care, allowance often stopping at age 16, no additional payments and difficulties in the child securing bursaries. Where the Kinship Carer receives Universal Credit, they will be required to look for work when the child reaches the age of 5 with few concessions. Consequently, this can impact on the wellbeing of the child.

**Kinship Care Collaborative.** We are fortunate to have KCASS Advisory members attending the Kinship Care collaborative however they are expressing frustration at the lack of progress being made by the group. They have also raised concerns that the group will not be able to deal with the day-to-day difficulties experienced by Kinship Carers which the members raised as challenges at the first meeting of the collaborative.

**KCASS Advisory Group** – Since its inception, the group has met four times and representatives have been involved in consultations and forums, sharing their experience of being a Kinship Carer and also as a part of the Advisory group, and what that entails. The group have developed an action plan around what needs to improve for kinship families, some details are given below of where the group hopes to influence change:

- Influence support being made available for children from the beginning from education, health therapeutic services, sharing information regarding further supports.
- Children and Kinship Carers should be given the same opportunities as others and not be treated as second-class citizens, hoping to influence a shift in perspective of agencies working with kinship families.
- Postcode lottery situation to be challenged regarding the inconsistency of support. Higher standards of acceptable support to be made available to all kinship families.
- Practical resources could be held by each local authority to provide to Kinship Carers include, clothes, toys books, toiletries, nappies etc., virtually anything that a child may need when moving in with Kinship Carers.
- Value of support groups to be recognised and encouraged including Facebook group.
- Kinship Carers receiving support from employers when first becoming a Kinship Care in particular. To receive similar support and time off as adoptive parents or foster carers

The group have already contributed to a What Now? booklet to be launched during Kinship Care Week March 14<sup>th</sup> – 18<sup>th</sup> 2022. We hope the booklet will be shared with all new Kinship Carers.

The group constantly discuss having to “fight for everything” in terms of support for them and the children in their care, and state that nothing is available to the family when they require it.

We have a great mix of members from across Scotland including new and more experienced Kinship Carers. Those who have been Kinship Carers for many years and being actively involved in providing peer support state that nothing has changed in 20 years. They report the same stories being told by fellow Kinship Carers around a lack of support and hardship and urge “something needs to change soon”.

Above are some of the challenges faced by kinship families we have not touched on: family contact, housing issues, support in education, support for children affected by trauma and access to health and therapeutic services when not the parent of the child. The list is a large one when documenting the day-to-day challenges experienced by kinship families.

**Improvements.** The Service would like to see significant improvements to the kinship care landscape, particularly with those professionals who are responsible for delivering services and policy leading to consistency of support throughout Scotland to all kinship families.

Where local authorities have specialist Kinship Care teams in place, there is a feeling that kinship families are better supported, and their concerns are often heard and acknowledged.

Having active independent peer support groups in each area adds to the increased wellbeing of Kinship families where they feel less isolated and understood.

Simple changes can make a huge difference, “How can we help?” instead of being told “We cannot support you.” “It’s another authorities responsibility to support you, not ours”, perhaps “Let’s see if we can work this out and get some support in place”. Being realistic and clear in what support can be offered with explanations of why these decisions have been made would be helpful. Providing details of other organisations such as KCASS where they can go and find out what other supports, they may be entitled to and have access to peer support groups that Kinship Carers describe can be a ‘lifeline’.

Kinship Carers tell us that no matter the status of the child all Kinship families should be entitled to support including financial support, there should be true parity with foster carers including access to training and emotional support at the family’s point of need.