

ASSESSMENT AND SUPPORT FOR KINSHIP CARERS OF LOOKED AFTER CHILDREN

Foreword: Adam Ingram and Isobel Hutton

The challenges faced by kinship carers of Looked After children go to the heart of two of the most difficult and complex childcare issues which we must address in Scotland. The first is how families which are struggling can best be supported at the earliest possible stage to provide a loving, stable and permanent home for their children. The second is how we can ensure that Looked After children, many of whom will be profoundly damaged by the experiences which have led them to become Looked After, receive the care they need.

There is no one easy solution to these challenges. However, Scottish Government and COSLA believe that the starting-point must be the family of the child. We believe there is universal agreement that the child's family should be the first option when children need to live away from their birth parents for however short or long a period of time.

The commitment of family members, "kinship carers", to their children has gone unsung and has been undervalued for too long. Whilst it is right to focus on the needs of the child, last year's strategy-Getting it Right for Every Child in Kinship and Foster Care, made clear that a child's needs cannot be fully met if we do not assess the needs of their carers for support and ensure that this is provided.

Kinship carers also face additional legal and financial challenges which require specialist support. The legal status of a kinship carer is undeniably complex and there are no straightforward options for a kinship carer who wishes to clarify their status. Their benefit entitlements can also be unclear making it difficult to cope with the financial impact of a child entering the kinship carer's household.

Despite these complexities, we are in no doubt that kinship carers have a vital and probably increasingly central role to play in the range of options which must be in place for those children who need to live away from their birth parents. This is why Government in Scotland is determined to improve the support available to children who are Looked After and whose needs can best be met by their family and kinship carers.

We have made a start with our commitment to supporting kinship carers of Looked After children through a weekly allowance which will bring the income they receive as a result of a child entering their household to a level that is equivalent to the weekly allowance paid to a foster carer by the local authority. Many local authorities have worked hard to implement this commitment and all have plans to implement it in full by 2011.

We are also clarifying aspects of the legal options available to kinship carers through the forthcoming revised Looked After Children regulations and the forthcoming implementation of the Adoption and Children (Scotland) Act 2007.

However, we have a long way to go. The UK Welfare Benefits system does not work as well as we would like in Scotland for kinship carers of Looked After children and we are in discussions with UK Ministers on this matter. We also want to do more for kinship carers of children who are not Looked After but may equally be in need of support. The forthcoming launch of the Citizens Advice Scotland specialist kinship care advice service will help improve our understanding of the complex financial issues faced by kinship carers and, it is hoped, identify ways in which the benefits system could be improved.

Given the developments underway, this guidance is interim and we are grateful to the Adoption and Fostering sub-group of the Association of Directors of Social Work for its agreement to work with us to review, from next April, the implementation of this guidance and the wider developments underway which will impact on Looked After children and their kinship carers.

We are grateful to all members of the Reference Group which has developed this guidance and is overseeing the development of other aspects of our strategy for kinship and foster care. We know that their work will deliver significant improvements for all children in kinship and foster care and contribute to our vision of a successful Scotland.

The Key Objectives for Kinship Care within GIRFEC in Kinship and Foster Care

The Principles of this Interim Guidance

The Reference Group shares Government in Scotland's belief that the majority of children are best brought up by their parents, with appropriate support in place if necessary. However, it is important to acknowledge that this will simply not be possible for some children and their families and that in many such cases, the local authority will need to use its statutory responsibilities to intervene to ensure the safety and well-being of such children.

All children need to be brought up in a loving and stable home where their needs for care, love, and support can be met. (The GIRFEC principles and vision of children being Safe, Nurtured, Healthy, Achieving, Active, Respected, Responsible and Included are at the centre of this interim guidance)

In the process of considering whether a child needs to become Looked After, for however short or long a period, the first option for consideration should be the ability and capacity of the wider family to provide a child with a safe and permanent home.

In such cases, a local authority will need to introduce an assessment and approval process for potential kinship carers for Looked After children. The starting-point and foundation for this process will be the child's plan. The work with the kinship carers will be to explore with them their ability and capacity to meet the needs of the child and what kind of supports they will require to do that. This is a fundamentally different approach to the assessment of foster carers.

The assessment process should help kinship carers to feel more involved and consulted and able to identify the kinds of supports they believe they need to look after the child safely and in a way that promotes the child's best interests.

In addition, the wider family should be included in this process through Family Meetings so that the child has that community of support round them and different members of the family can contribute to the support and care of the child and, of course, the carer.

The forthcoming Early Years Framework strategy will aim to give all families support at the earliest point in their child's life in the very complex task of parenting young children and this is welcomed by the Reference Group. Nevertheless, universal services are fundamental to providing this support and should be available to kinship carers caring for children. Specialist services are, and should be, in place to meet specific needs of the child, their carer and wider family network.

It must be acknowledged that there will be some kinship carers who, after discussion and assessment, cannot be recommended as carers for the child. The local authority has to take seriously its responsibilities for the safety of any Looked After child and this may mean children being moved from the care of kinship carers.

Context

At the time of publication (September 2008), we are in a transitional period for much of kinship care and foster care. The reference group believes that while the assessment and approval process proposed will remain broadly similar, there are significant forthcoming developments. It is therefore sensible to build in a review period so that practitioners and social work managers have the

opportunity to contribute their knowledge and experience of providing support to kinship carers of Looked After children.

These developments will include:

- The forthcoming consultation on the revised Looked After Children Regulations. Among other things, these will set out an assessment and approval route that will differentiate kinship carer assessments from those of approved foster carers, although both these types of assessment will have significant features in common.
- Further detail on the approach to be taken where a permanence order is to be sought.
- The implementation by local authorities of the commitment within the Concordat to pay a kinship care allowance to approved kinship carers of Looked After children
- The introduction of the specialist kinship care service by Citizens Advice Scotland.
- Ongoing discussion with UK Ministers on improvements to the UK benefits system.

Building in a review process to consider any modifications to this guidance is a sensible way forward and I am grateful to members of the Reference Group and to the ADSW sub-committee on fostering and adoption services for agreeing to work with Government in Scotland on this review from April 2009.

This interim guidance prepared by the Task Group on Kinship care focuses on the assessment and approval processes for kinship carers of Looked After children. It also identifies the different legal requirements that local authorities will have to fulfil until the revised regulations are implemented. These revised Looked After Children Regulations have drawn significantly on the proposals of the Task Group set out in this Interim Guidance.

The longer-term vision for Kinship Care

For the longer term, the Task Group believes that fundamental changes in universal services and the benefits systems will be required to enable kinship carers to respond more easily to the particular needs of the children living with them. This could remove the need for statutory intervention or at least minimise the time required for the local authority to have a role as corporate parent in the child's life.

Some children will continue to need specialist services because of individual child or family issues. As well as this, some children may need legal intervention from a local authority, children's hearing or court to safeguard their security.

Local authorities will need to continue to provide a range of supports to kinship care families particularly those where the child has a formal Looked After status. The acceptance of the corporate parenting role of all local authority services and their community planning partners will help to progress the vision as well as respond to the current needs of the children in kinship care. The discretionary powers of local authorities to help families in need, including kinship carers, will also need to be considered as part of wider debates on supporting families who are struggling.

Local authorities across Scotland have already developed a range of supports for kinship carers and many solutions have emerged which help ensure the stability of this care setting and lead to improved outcomes for children. Some of these best practices will be drawn on in the full report of the Reference Group in the autumn. The emerging key supports are: advice on benefits; access to a social worker at all stages in the process for carers and child; financial and practical support at the start of the placement and continuing throughout it; respite; support and assistance for the child particularly from universal services, education and health, together with specialist services where necessary; support over contact; managing challenging behaviour; access to opportunities to develop

their understanding of child development and attachment and family meetings to help to create a circle of support for the child and carers.

These are significant service demands but important ones. We can get it right for every child in kinship and foster care early on and as a result our Looked After children can achieve their full potential and their carers can provide stable and sustained placements. The savings to society in the long-run are incalculable.

Anne Black
Chair, National Reference Group,
Getting It Right for Every Child in Kinship and Foster Care

INTERIM GUIDANCE

1. The Assessment and Approval of Kinship Carers of Looked After Children

1.1 Introduction

The purpose of this interim guidance is to provide local authorities with advice on an assessment and approval process for kinship carers of Looked After children. At the heart of this assessment is the extent to which a kinship carer can meet the needs of the individual child, as identified in the child's plan, and the support that the carer may need to receive if they are to meet these needs fully. Approval of the carer must rest on not only the support required to be approved but also the ongoing support that may be required to ensure that the child will be brought up in a loving, stable and, if relevant, permanent home.

Some of the key issues that the Task Group discussed in the course of developing this guidance are contained in **Annex A**. This annex links the guidance with the GIRFEC approach to the assessment of a child's needs.

This guidance is interim in recognition of a number of developments that are underway which will have an impact on the approach required for the placement of Looked After children with kinship carers. These are: the revised Looked After Children Regulations to be issued for consultation in the autumn of 2008; a major training and information programme to be launched later in 2008 on the implementation of the Adoption and Children Act (Scotland) 2007; further development of information on benefit entitlement for kinship carers is underway and the impact of the kinship care allowance paid by local authorities on benefit entitlements also needs to be assessed.

Nevertheless, the task group believes that the principles on which this assessment and approval process is based will remain consistent and, indeed, they have been built into the forthcoming consultation on the Looked After Children regulations.

The interim guidance sets out a process for both existing kinship care arrangements and those which are planned or might arise from the time of publication of this document. The Task Group has prepared a summary of the assessment and approval process for ease of reference to the different stages. (**Annex B**)

2. Existing Kinship Care Arrangements where the child is already Looked After

2.1 It is recommended that all existing kinship care arrangements for Looked After children should be reviewed to ensure that the Local authority's records about the child and the carers are up to date and any issues identified are noted for action. A disclosure check for all adult members of the household should already have been completed and if there are any concerns about the health of the carers then medical checks will be helpful in identifying any further supports the family may require to assist them in the care of the child.

If this review proves satisfactory, the following next steps are recommended:

2.2 Using Annexes 2-5, the local authority should work with the kinship carer to discuss and update the support needs of the child and also those of the carer. It is likely that many existing kinship carers of Looked After children have never asked for or received support, so a comprehensive discussion including the range of issues set out in these Annexes is likely to be required.

2.3 For a child who is Looked After in terms of S25 of the Children (Scotland) Act 1995

If the Looked After child is already cared for by a kinship carer in terms of S25 of the Children (Scotland) Act 1995, local authorities will have approved the carers as foster carers. They will thus be eligible now for allowances at a rate equivalent to those the local authority pays its foster carers. This will, of course, be dependent on each local authority's implementation plans. Prior to payment of the allowance, a referral should be made to the local Citizens Advice Bureau for an assessment of the current income and benefit entitlement of the kinship carer; of the impact of the kinship care allowance on the household's income and a discussion with the kinship carer to ensure he or she is fully aware of the financial implications of the payment of the allowance. [It should be noted that kinship carers for these Looked After children are not entitled to child benefit if they receive an allowance from the local authority].

2.4 For a child who is Looked After in terms of a S70 Supervision Requirement

For kinship carers who are currently caring for a child who is the subject of a S70 Supervision requirement from a Children's Hearing, the local authority will have reported to the Children's Hearing about the suitability of the kinship carers to provide care for the child. Currently these kinship carers do not require to be approved as foster carers although they are required to make certain commitments about the care of the child. To date, a range of payment methods have been used across Scotland for these children. Again, prior to payment of the agreed kinship care allowance, a referral should be made to the local Citizens Advice Bureau for an assessment of the current income and benefit entitlement of the kinship carer; of the impact of the kinship care allowance on the household's income and a discussion with the kinship carer to ensure he or she is fully aware of the financial implications of the payment of the allowance. [It should be noted that kinship carers for such Looked After children are entitled to child benefit even if they receive an allowance from the local authority].

2.5 Confirmation of the Payment of Allowances to existing kinship carers

For both carers of children subject to S25 or S70, the outcome of the checks, the child's plan and the supports identified as required by the kinship carers should be discussed by the worker for the child and their senior and if there are no barriers identified to the child remaining with the kinship carer, the senior will confirm the existing arrangements and agree the payment details, respecting any decision by the carers not to accept an allowance from the local authority. An agreement should be made with the carer as set out in **Annex 2** unless one already exists.

3. Becoming Looked After and Placed with a Kinship Carer

3.1 The following section provides guidance about the assessment and approval of kinship carers for children becoming Looked After. Children may be placed by the local authority in an emergency with a kinship carer. The legal basis may be S25 of the Children (Scotland) Act 1995 or a Child Protection Order if the child is at risk and the parents do not consent to the child leaving home. Other children

may be subject to compulsory measures of care or their care is being considered in Children's Hearings or Court; or a child who is living on an informal basis with a kinship carer is referred to the Reporter.

Until the revised Looked After Children Regulations are in place, some distinctions in the processes to follow for these different categories of Looked After children remain and these are outlined below.

The guidance and process for the assessment and approval of kinship carers of Looked After children have been recommended by the Reference Group to the Scottish Government, for inclusion in the draft Looked After regulations which will be issued shortly for consultation.

To provide an overview of the recommended process for the approval of kinship carers for Looked After children, the charts below outline the stages for developing the child's plan and the assessment and approval of kinship carers.

These have to be considered in parallel.

Charts

1. The Child's Plan based on "My World" Assessment Triangle
2. The Child's Plan and the kinship carer assessment – stages in Assessment

Chart 1: CHILD'S PLAN IN KINSHIP CARE based on 'MY WORLD' ASSESSMENT TRIANGLE

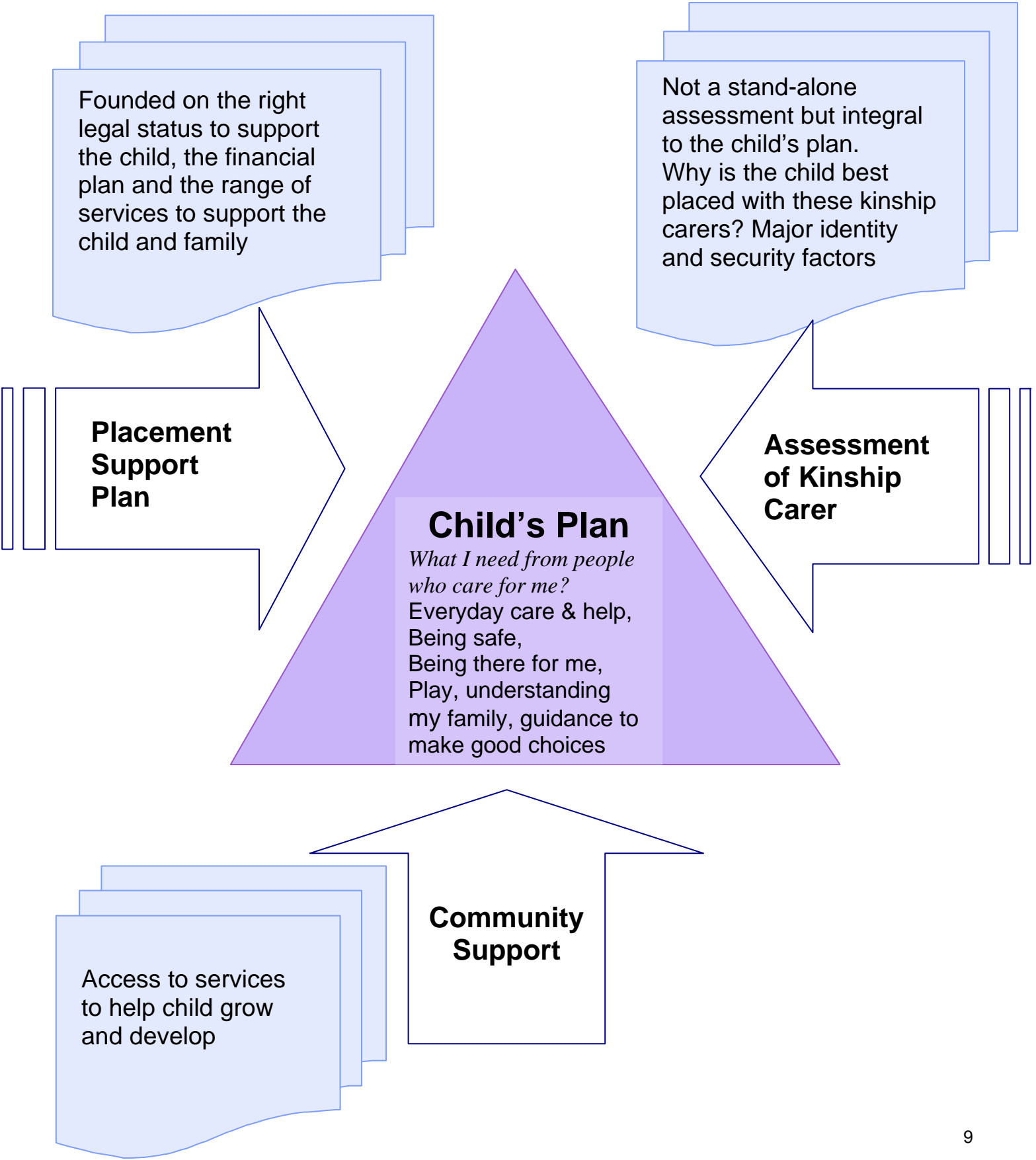
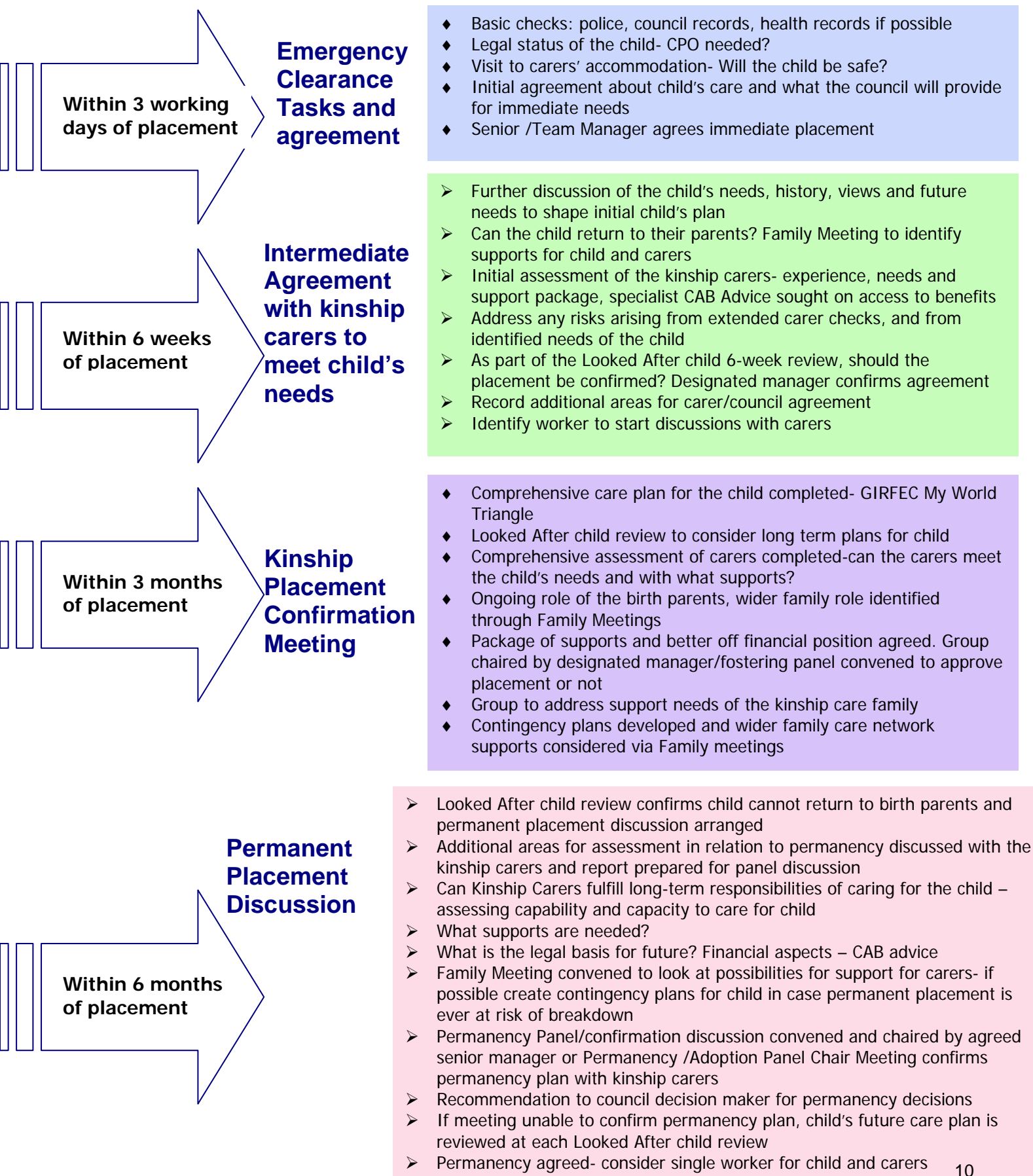


Chart 2: THE CHILD'S PLAN & THE KINSHIP CARER ASSESSMENT



3.4 Immediate Information required

Whenever a child becomes Looked After, the starting-point of any assessment is gathering information about the child and their need for the intervention of the local authority. This information must be gathered and used to start to prepare the child's plan. Children should be seen and if possible, their views gathered at this stage. Parental agreement to the placement will be needed, if available, or if there is opposition and the child is at risk of harm if s/he is not placed away from birth parents, a court order e.g. Child Protection Order will require to be applied for to place the child with kinship carers.

There is a range of emergency clearance tasks to be carried out to allow the placement to go ahead. Initial checks must be made about the carer's household. These tasks are detailed at **Annex 1** and will be incorporated into a Schedule as part of the revised Looked After Children Regulations.

3.5 Immediate Agreement with Kinship Carers

As the local authority is placing the child and therefore carries responsibility for the safety and well-being of the child, the local authority must enter into a written agreement with the kinship carers over key issues including: caring for the child safely and appropriately, agreement about contact with other family members and dealing with any health or education issues that need to be addressed immediately. The agreement must include the levels of support the local authority will provide for the kinship carer including financial support, practical help at home, essential clothing and equipment for the child for the initial days of the placement.

Immediate areas for agreement with the kinship carers are detailed in **Annex 2, Part 1**. The annex also covers areas to be included at a later stage in the agreement after further checks and assessment have been concluded. This agreement will be incorporated into the revised Looked After Children Regulations.

3.6 Authorisation of the placement

An appropriate manager designated by the local authority must agree the emergency/immediate arrangement and authorise any immediate payments and the provision of essential clothing or equipment required. This could be the senior/team leader for the child's worker or a senior worker with responsibilities for kinship care.

3.7 Emergency Clearance Tasks and Agreement

Within 3 working days of the placement, a meeting with the kinship carers should be held so that any issues that need to be addressed quickly can be identified and resolved. The worker involved with placing the child and their senior or the senior worker with kinship care responsibilities should undertake this review and agree any additional support that is required. Wherever possible at this review a worker must be identified to take on the role of lead professional, continuing to gather information for the child's plan and listening to the child's views about their needs and wishes for their care.

The next formal point in the child's care planning will be a Looked After child review six weeks after the placement.

[Terminology about the Looked After child reviews may change with the implementation of the GIRFEC processes but the key requirement, whatever the name, is to review the child's plan and look forward to agree the future needs of the child and carers.]

4. Continuing assessment of the kinship carers

Annex C sets out some of the key principles which should guide the assessment of kinship carers.

4.1 Assessment of Kinship carers

4.1.1 Where the child is Looked After in terms of Section 25

The current legislation requires the approval of the kinship carers as foster carers within 6 weeks of the placement. A worker should be allocated to carry out that assessment. Wherever possible the worker should not be the child's worker so that the carers can feel the focus is on them and not the child. The Task Group recommends that the guidance in **Annex 3** should be used in the assessment as well as the standard information required when assessing foster carers. A family meeting during the assessment is recommended to identify possible other supports for the child and carers and to bring to the surface any anxieties that the family may have about the proposed arrangements.

Once the assessment is completed, the kinship carers' assessment will be considered by a Fostering Panel and the recommendation made to the local authority about their acceptance or not. The Fostering Panel should consider how the kinship carers will meet the needs of the child and what supports they will require. A revised agreement should be prepared following approval – see **Annex 2, Part 2**. If allowances are to start from the date of approval then the carers should be advised to discuss the possible impact of receiving an allowance for the child on their current benefits with CAB.

4.1.2 Where the child is being referred to a Children's Hearing or has been placed on a supervision requirement

These kinship carers are not currently required to be approved as foster carers. For these placements the appropriate manager with kinship care responsibilities should identify a worker who can start discussions with the family as soon as possible after the placement starts. The Task Group considers it is important, whenever possible, to have a worker, who is not the child's worker, working with the kinship carers so that the carers can feel more confident about expressing any concerns about the child and his/her care or their capacity to provide that care and so that they can be given support in their own right. It is recommended that a family meeting should be convened to identify the supports the child and carers may receive from the wider family and to bring to the surface any anxieties the family may have about the arrangements.

4.1.3 While work will be starting to assess the kinship carers as soon as possible after the placement it is not necessary for all of this to be completed within the 6-week period. However an intermediate agreement with the kinship carers about how they will meet the needs of the child which have been identified in the child's plan should be included in the Looked After child review 6 weeks after the placement.

This will focus on whether the kinship carers can continue to meet the needs of the child and with what supports. The intermediate agreement with the kinship carers about the child remaining with the kinship carers must be prepared following this review. This should include the areas identified in **Annex 2 Part 2**. The senior involved with the review should confirm the continuation of the placement.

4.1.4 The worker should explain to the carers the content of the work they will do together and be transparent about the areas they will discuss. The timescales for the work should also be discussed. The carers need to know that the local authority has statutory responsibilities for the child's care and safety and will therefore need to explore many areas of the carers' lives and family. Carers need to

understand that this will help the worker understand what they may need to succeed in caring for the child and that their goal is to assist them to provide good, safe and nurturing care for the child.

Annex 3 sets out the suggested areas for discussion with kinship carers prior to their formal approval as kinship carers. The Task Group recommends that this assessment should be completed within 3 months of the placement.

5. Parallel processes - Looked After Children Reviews

5.1 For children Looked After through S25 or through S70, a Looked After child review must be held within 6 weeks of the child being placed with kinship carers. The information required for the 6-week review of the child should include an assessment of the safety and well-being of the child in the placement. This will be informed by the ways in which the carers are meeting the needs of the child and what extra supports may be required to meet any shortfall.

The legal options for the child's care should also be discussed with the carers - the workers having sought advice from local authority's solicitors where needed. The carers should be advised of the advice service for kinship carers provided by CABs across Scotland which give both legal and financial advice to kinship carers. A report should draw together all this information and provide an analysis of situation.

5.2 In preparation for fuller discussions and construction of the child's plan for discussion at a 6-week review, we recommend convening a family meeting to consider what part the wider family can play in the child's care and to identify what supports they can provide to the kinship carers. A report from the family meeting should be discussed as part of the 6-week review meeting to construct the child's plan.

5.3 There should also be discussions during this period with the child to gain their perspective on the arrangements. Where a different worker from the placing social worker is undertaking the work, it is essential that a robust communications system is in place so that everyone concerned can reach a collective view. The worker should also ensure that they discuss the future plans with the parent(s) of the child so that their wishes and commitment can be debated at the review. The child's parents should be present at the review.

5.4 The final version of the child's plan should be completed as far possible for the 6-week review. A senior worker/ reviewing officer, preferably independent of the line management of the child's worker, should chair this review. The focus of the 6-week review would be the child's plan and how the kinship carers are meeting the needs of the child. The outcome of the checks detailed at **Annex 2** should be recorded. The support provided to date to both the child and their carers should be reviewed and the need for ongoing and regular support identified. The views of the child should be fed into this process, together with the views of the child's parents on the current situation, including the contact arrangements. This will be vital to understand so that the child is not caught in a conflict of loyalties.

5.5 The purpose of the review will be to identify whether the child's needs are being met currently in the placement and what supports and services may be needed by the carers to assist them with any problems that might jeopardise the placement continuing. The lead professional for the child, working with the kinship carer's worker will lead, but wider services, for example, housing, health or education are likely to have a role. [This is the basis of an assessment under the GIRFEC arrangements so that an inter-departmental team approach within a local authority is secured]. In some situations the review may identify that the risks in the placement cannot be eliminated by supports and the safety of the child cannot be assured. If so, the local authority will have to consider terminating the placement.

Discussion at the review should therefore confirm the continuation of the placement or agree to start to make arrangements for an alternative placement if the kinship carers are unable to continue with the child's care or the local authority assesses that the care of the child is unsafe. Contact arrangements with the birth parents and wider family should be agreed.

5.6 If the placement is to continue then the agreement, set out at **Annex 2, Part 2** should be completed and agreed. This will provide an intermediate agreement with the kinship carers about meeting the needs of the child identified in their plan. A decision should be made wherever possible at this time about the proposals for the child's longer-term legal status.

5.7 Any outstanding areas for assessment to complete the child's plan should be agreed at this review and a timescale set for its completion. The child's plan should be based on a multi-local authority assessment so that the range of services needed by the child can be identified and agreed.

6. The Approval of Kinship Carers of Looked After Children

6.1 Following the 6 week review in situations where the carers have not already been approved as foster carers, work with the kinship carers will continue to assess the carers and their capacity with supports, where necessary, to meet the needs of the child. The areas for exploration should cover those set out in **Annex 3**. The process should be completed within 3 months of the placement of the child with the kinship carers. It is important that there is a formal approval process for the carer of any Looked After child.

For many children placed with kinship carers, an additional dimension is that the approval process should include some discussion about whether this arrangement could be supported as a permanent placement. The reports from the worker allocated to work with the kinship carers should be available to the carers, workers and other relevant staff involved with the child 10 working days prior to the consideration of the approval of the carers.

6.2 The Task Group recommends that a meeting which could be called a placement confirmation meeting would be the appropriate location for recommendations about the approval of the kinship carer on the basis that they have the skills and capacity to meet the child's needs as identified in the child's plan. Access to the support identified by the kinship carer's worker will be a factor in agreeing approval.

The child's plan, the child's wishes, the carers' capacity to meet the child's needs with appropriate supports will be considered at the placement confirmation meeting and a decision made about the kinship carers and their ability to achieve the goals set out within the child's plan as part of the team working with the child.

6.3 *We recommend* that a designated manager should convene and chair this meeting and have the local authority to agree the approval of the kinship carers. *Where a range of agencies is working with the child and the carers then this group should reflect the different agencies involved. Some local authorities may elect to use their Fostering Panels for this confirmation process and this should not be precluded.*

6.4 The suitability of the kinship care placement to meet both the immediate and long-term needs of the child should be confirmed by a manager outwith the line management of workers directly involved with the carers, and the child. This is important so that there is a level of independent scrutiny and

also to ensure that the carers have the opportunity to present their views to people who have not been involved in the information gathering.

6.5 In some authorities there may be scope for a dedicated post as senior/ team leader to manage a team of workers for kinship care while in other authorities the volume of work may be low and no dedicated posts will be affordable. This manager could convene the meeting and approve the placement.

6.6 Following confirmation of approval, the original agreement with the carers (**Annex 2**) should be reviewed and updated as necessary, including the additional areas of agreement listed in **part 2 of Annex 2**. The meeting should make recommendations about the supports required by the kinship carers to enable them to meet the needs identified in the child's plan. This confirmation of approval together with the updated agreement between the local authority and the carer will provide the evidence required for a children's hearing when the local authority is considering a recommendation for a supervision requirement and condition of residence under S70.

6.7 Following approval either at a Fostering Panel after 6 weeks or at a placement confirmation meeting within 3 months of the placement, regular visits to the kinship carer and child will be required as for all Looked After children.

6.8 At the time of preparing this guidance, because of the continuing different legal requirements about Looked After children and kinship carers, the group was unable to recommend one process to cover the different legal settings. For the future and with revised Looked After Children Regulations, the Group is clear that the process to approve kinship carers should follow the proposals for children currently subject to S70 requirements. This would allow a longer period for the assessment of the carers and a more focused approach to reflect the different role and tasks a kinship carer has to undertake from those of "stranger" foster carers.

The commitment to review the process for assessment and approval next year allows practitioners and kinship carers to contribute their views of what works and what enables the best possible decisions to be made.

7. Review of the kinship care arrangement

7.1 Once a year, at one of the Looked After reviews of the child, there should be a specific additional part of the review which will consider in detail how the kinship carers are meeting the child's needs against the well-being indicators and the identified child's plan. The needs of the kinship carer for support and practical help in their own right should be included as well as agreeing how the kinship carers will work together on the child's plan with the other key people in the child's life. Any changes to the support for the kinship carers or aspects of the agreement about the way the local authority will work with the family should be recorded in the child's and the carers' files.

8. Planning for a Permanent placement

8.1 *The importance of early planning for a more permanent resolution of a child's care is crucial.*

Detailed guidance on planning for permanence will be provided following the review of this interim guidance; the publication of the revised draft Looked After Children Regulations; the relevant draft

Adoption and Children (Scotland) Act 2007 regulations and the forthcoming training, information and guidance planned as part of the implementation of the 2007 Act.

8.2 Annex 4 contains details the content of further discussions with existing kinship carers who make a claim for the child on a permanent basis. These are printed in bold.

8.3 Where a member of the child's wider family makes a claim for the child but that person is not caring for the child, they will require to be approved formally as permanent carers for the child. The work with these carers will need to cover all the areas detailed in **Annexes 3 & 4**.

Local authorities and their partners are encouraged to begin to consider now those children living with kinship carers where an application for a permanence order could provide the most secure legal basis for the continuing care of the child. The areas for discussion as detailed in Annex 4 would be appropriate for consideration with the prospective carers and the worker undertaking the assessment.

8.4 Current kinship carer offering to provide a permanent home to the child

8.4.1 It is recommended that at the Looked After child review, after the child has been in care for 6 months, the needs of the child for permanency are explored and the review considers what further work is necessary to achieve a permanent placement.

8.4.2 If this is a desirable and achievable option, the child's views should be gathered and an assessment of the capacity of the carers to provide care for a child throughout their childhood and beyond should be undertaken. The worker for the kinship carers should begin to explore with the carers any changes that making a permanent commitment to the child may create. This should also identify the continuing needs of the carer for support. The wider family may be able to meet some of these needs and they should be engaged in the plans through family meetings if possible. The proposed legal basis for the permanent placement must be identified at this review. Additional areas that the worker should consider with the carers are set out in bold in Annex 4.

8.5 Once the further assessment is complete a Permanency/Adoption Panel should be convened to consider the placement and to make a recommendation to the local authority decision maker about the permanent placement of the child with these kinship carers. The evidence of the child's progress with the kinship carers over the period they have cared for the child will be the most significant evidence of whether the placement should be made permanent. The placement should be confirmed by a Permanency Panel and the local authority decision maker should be required to approve the placement or ask for more information or work to be done prior to confirmation of the permanent placement.

8.6 Where a Family member offers permanent care for a child who is Looked After by the local authority but currently placed with foster carers or in another type of residential resource

8.6.1 The child's needs for a permanent placement will have been agreed at an Adoption/Permanency Panel. Where a member of the wider family comes forward to offer permanent care to a child who is being Looked After outwith the family, a full assessment of those carers must be undertaken.

8.6.2 As these carers are unlikely to have had the care of the child before, the assessment must be comprehensive. It should follow the format of the assessment recommended in Annex 3 of this interim guidance for longer-term kinship care placements. The assessment also needs to cover the areas set out in Annex 4. The assessment must include fully the views and wishes of the child about

the possible placement and explore the relationships that will be created by the placement and any possible tensions within complex family situations that have led to a child being Looked After and accommodated and needing a permanent placement.

8.6.3 Local authorities may wish to draw on their current process for assessing permanent foster carers which will contain many of the elements that will be necessary to explore, but the Task Group recommends that there are additional areas specific to kinship care placements that must be addressed and the use of Annex 4 is recommended.

8.6.4 During the assessment period a family meeting should be convened so that other supports from family members could be explored for the kinship carers making a permanent commitment to the child.

9. Convening a Permanency Panel

9.1 Whatever forum for decision making is agreed by a local authority for permanency decisions involving kinship carers, their role will be to consider how the well-being of the child throughout their childhood and beyond will be achieved and what continuing support the kinship family will need. The Panel should receive full reports from the work with the prospective carers. It will discuss the outcomes of the work with the carers and the potential of that family being able to meet the needs of the child throughout their childhood and beyond. The report for the Permanency Panel should aim to include the information collated from the range of assessments and meetings with an analysis of the child's key needs and the skills, experience and capacity of the kinship carers with appropriate supports to provide permanent care for the child.

9.2 Many agencies may choose to use their Permanency Panel/ Adoption Panel to make recommendations to the local authority decision maker for permanency in kinship care. The potential of a sub-group of the main Permanency Panel or a specially convened Permanency Forum could be considered to undertake discussions that involve placements with kinship carers. Again, the size and organisational arrangements in local authorities will help to determine the shape of that forum. Further discussion of the role of the permanency panel will be provided as part of the revised guidance on kinship care and the guidance for the Adoption and Children (Scotland) 2007 Act.

10. Support for Kinship Carers

10.1 Whatever the legal relationship between the kinship carer and the child and however short-term or permanent the placement may be, it is essential that the support which kinship carers will require if they are to meet fully the needs of the child must be clearly identified and agreed.

10.2 Getting it Right for Every Child in Kinship and Foster Care identified a range of support for both kinship and foster carers and the task group has developed a checklist at Annex 5 to help kinship care workers consider the range of needs which might arise. The task group, as part of the wider work of the reference group, will undertake further discussion about the range of possible supports.

10.3 Financial Issues

10.3.1 Given the complexity of the impact of Kinship Care Allowances on carers' eligibility for Universal Benefits and the development of this work, together with the range of financial support which kinship carers have received to date, it is important to highlight that further work is required

between the Government in Scotland and Westminster colleagues. This work is focused on assessing the impact of any allowances paid by local authorities to kinship carers and of discretionary allowances in terms of S50 or S22 payments on universal benefits which the carer may be receiving.

10.3.2 Ministers and local authorities have always made it clear that the UK benefits system is too complex and disadvantages some kinship carers. It is also not sustainable for local authorities to substitute, over the longer-term, universal benefits. Our long-term aim must be to maximise those universal benefits to which kinship carers are entitled and if necessary consider how allowances can be paid to supplement their income for the child to a level equivalent to that paid by the local authority to their foster carers.

10.3.3 Each kinship care situation will be unique, as some carers will be working, some receiving pensions and others a range of benefits related to their employment/disability status. This means that a comprehensive assessment of the financial position of each kinship carer will be required. Within this context, local authorities should work with kinship carers of Looked After children and the specialist service for kinship care advice to be provided by CAS or other local provision, to ensure that the payment of the kinship carer allowance meets the financial needs of the carers and meets the aims described above.

10.3.4 Our goal is to ensure that kinship carers are better off as a result of the proposed allowance and that their income for the child as a result of a child entering their household equals that paid by a local authority to foster carers of a Looked After child. This will require to be explained to the kinship carers so that they can understand the implications and what financial arrangement will maximise their income. If there is any doubt either that a kinship carer might not be better off with the allowance or the carer does not want their benefit entitlement affected, this should be discussed and agreed with the carer. Alternative forms of support which are not financial could be explored, e.g. paid access to counselling or psychological services; free additional learning support, provided as part of the Additional Support for Learning Act, or respite and befriending for the child, which could be supportive and effective.

10.3.5 The Government in Scotland is committed to working with COSLA and ADSW to put in place a robust review arrangement both of the resource implications for authorities in terms of staff time and the financial costs of ensuring that kinship carers of Looked After children do receive allowances that make them better off thus providing the best possible care for the children Looked After by them. As the discussions continue, the Government in Scotland is committed to sharing updates on any significant changes in the position with benefits.

11. Concluding comments

The Assessment and Approval of a kinship care arrangement is only the start of a journey for the child and for the kinship carers. Kinship carers will need consistent support and opportunities to develop new skills which will help them to meet the identified needs of the child as s/he grows up. Appropriate staff resources to support kinship carers are important. Collaboration with other agencies to ensure that the child receives the services s/he needs will also be essential. Social workers for the children need to have the time and skills to listen to the child's views, to plan with the child, their birth parents and carers and to have access to the resources identified as needed in the individual child's plan. They need to also have the time and skills to engage with the wider family in developing the child's plan.

Further discussion is required about the best way of providing social work support in the longer term so that the kinship care family can feel that they are providing as "ordinary" family care for the child

as possible. There are many challenges in the years ahead to provide the best possible care to children who are placed with kinship carers. Preventive work through early intervention will be the foundation to support birth families to give their child the best possible care. If care with the birth family cannot be supported to meet the child's needs then a placement with kinship carers should be the first option to be explored. A range of supports need to be available to the wider family and kinship carers, in particular, to meet the needs of the child to grow into a happy, healthy, learning, achieving, confident and responsible individual.

Annex A

Kinship Care and the GIRFEC Framework

“Kinship care is unique. It is not foster care. At the same time it is more than family support. Children Looked After by local authorities need the same safeguards as any other Looked After child but their carers will need a model of support which recognises the child, parents and kinship carers as part of a family system with its own strengths, networks and needs. There is a strong case for redefining kinship care as a separate category of Looked After children”

Jane Aldgate in Section 10 of the “Looking after the family” Report 2006

The overall strategy for children living with kinship carers is set within the GIRFEC framework. The principles of “Getting it right for every child” require that all agencies make their contribution, as required, to enabling the child to achieve positive outcomes. Children should get help when they need it. Help should be offered in a way that is child and family-friendly. Services work together to ensure, wherever possible, children should be able to stay in their families where this supports their well-being and ensures their safety. Access to universal services will still be at the heart of a successful childhood.

In 2007-08, Local Authorities reported there were 2,094 children who were “Looked After” by Local authorities and living with kinship carers. There are also an estimated 10,000 kinship carers

(Jane Aldgate’s Extraordinary Lives) in the community who receive little or no extra financial assistance if they need it, from either central or local government, with the costs of care.

The Task Group has aimed to develop a safe, fair and proportionate process for supporting kinship carers who care for “Looked After” children.

We have used as our starting point the GIRFEC practice model for the assessment of a child’s needs. It is the most effective way to make an assessment of the viability and appropriateness of the kinship care situation. We saw that using the “My World” triangle of need provides a comprehensive view of the child’s needs and the areas where additional supports and services might be needed.

We based our work on a number of key principles that are part of the overall GIRFEC philosophy. These are:

- Every child has the right to have their family and friends explored as carers if they need to leave the care of their parents. Unless there are clear reasons why placement within the wider family or with a friend would not be in the child’s best interest, care within the wider family or community circle will be the first option for the child.
- Intervention by a local authority should not be required if the arrangements for the care of the child are agreed by all parties and there are no concerns about the safety of the child.
- A Family Plan for a child must address the safety of the child and satisfy agencies that any child protection issues will be dealt with and the needs of the child will be put first.

- Many of the children being considered for placement in kinship care will have experienced difficult and potentially neglectful early years care within drug or alcohol misusing families. Because of this, their care needs may be intense and some family placements may not be sustainable. Local authorities have to address the issues when care is not good enough.
- Where a child may need to become formally Looked After, an assessment of the family or friend as a carer must be carried out. The assessment must be tailored to the individual situation, be thorough and fair and must address the needs of the child and the way in which the carer can be supported to meet those needs.
- Articles 8 and 14 of the European Human Rights legislation are relevant. Article 8 is about the right to private and family life and the need to take positive steps to secure respect for it. Article 14 is about freedom from discrimination. In Article 14, differential treatment on the basis of the relationship as family or friend would be seen as discriminatory.
- The UN Convention on the Rights of the Child also identifies the right to support to a family to bring up their child.

Annex B
Summary of the stages in the Assessment and Approval of Kinship Carers

Current kinship carers with Looked After children			
Looked After children currently living with kinship carers	Legal basis for their care	Current approval processes required	Process to move to equality of allowances with foster carers
Children on s25 or S86	S25 or S86	If placement to last for more than 6 weeks, approval as foster carers required. Will have been approved by Fostering Panel so all disclosure checks will have been undertaken, carer's agreement signed and LAC reviews undertaken. Consider using Annex 2 to update carer agreement	Should be no further requirements legally about approval before allowances could be paid at fostering rate. If there are current benefits being received by the carer and allowances have been paid at a lower/different rate or in kind then CAS advice on the impact of changes should be obtained
Children on Supervision requirements S70	S70	Local authorities currently are not required to assess and approve as foster carers if the Children's Hearing makes supervision requirement. Initial checks must have been carried out and reports made to the Children's Hearing on the suitability of the kinship care placement. Carer agreement should be in place identifying the expectations of carers and of the Local authority. If more work is required consider using Annex 3 for discussions with the kinship carers. Annex 2 should be used to confirm the agreement with the carers -identify strengths and needs	Local authorities should review the extent of their assessment process for the kinship carer and the level of checks already made about their safety as carers. Disclosure checks should be carried out, if not already on file, on all adult members in the family. Annex 3 can be used to explore other areas with the kinship carers if this feels appropriate to the individual situation. Senior worker designated by the Local authority should be satisfied that all checks have been comprehensive and the placement continues to be in the child's best interests. If the carer is currently receiving a package of benefits, and allowances have been paid at a lower/different rate or in kind then CAS advice on impact of any changes should be obtained Local authority to pay allowances

			comes from S26 (1) (a) CSA 1995
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Looked After children starting a placement with kinship carers – process until new regulations are implemented	Legal Basis of the placement	Process for assessment and approval	Action to start payments to carers at parity with foster carers
<p>LA places child with kinship carer in terms of S25</p>	<p>Fostering of Children Regs 1996 If placement more than 6 weeks, kinship carers must be assessed and approved as a foster carers in terms of Regulation 14</p>	<p>If placement made in emergency, see Annexes 1 and 2 for information gathering. Suggest at 3 working days brief review of child’s plan and safety Assessment as a foster carer required- recommend use of Annex 3 to cover the areas relevant to kinship care placement within the overall foster carer assessment- foster care approval required within 6 weeks of placement</p> <p>Local authority could consider using sub-group of Fostering Panel for these assessments and approval Agreements with carers re expectations and what Local authority agrees to support carers Carers’ agreement could be built around Annex 2</p>	<p>Preferably during the assessment process but before allowances are started, kinship carers and local authority should consider the financial package that is going to give the carer the “better off” financial package. All carers should be advised to discuss their individual situation about the impact of an allowance on any universal benefits they receive with CAB Advice workers Where the carer is receiving a range of benefits for the child then joint decisions need to be made about whether the Carer would prefer not to receive fostering allowances until certain benefit issues have been resolved. Fostering allowances should be commenced for all other kinship carers at the same rate as foster carers from the date of their approval.</p>
<p>Children who become Looked After and placed on S70 requirement with a kinship carer</p>	<p>Regulation 14 and 15 of the Fostering Regulations 1996</p>	<p>Current regulations do not require these carers to be approved as foster carers even if the placement is to last for more than 6 weeks. Annex 3 in the Task group report outlines the areas for discussion with the carers and which should be included in the report to the Children’s Hearing. The Task group recommends that</p>	<p>Many of these carers may have been caring for the child for some time and been receiving allowances from DWP and HMRC. During the assessment process the carers should be advised by the CAB kinship Care project to consider whether they will be better off continuing to receive the range of benefits or receiving</p>

		<p>prior to consideration by the children's hearing the assessment of the kinship carer should be considered by a small group charged with the responsibility of recommending confirmation of the placement with the kinship carer. This could be a sub-group of the Fostering Panel or through a specific Placement Confirmation meeting that could, in the future, consider all kinship care assessments. Goal should be for this work to be completed within 12 weeks of placement. Agreements should follow Annex 2</p>	<p>fostering allowances If the advice indicates that the carers will be better off receiving allowances at the same rate as foster carers then payments should be started as soon as possible after approval. Local authority to pay would be based on S26 (1) (a) CSA 1995</p>
<p>Permanent placement confirmation for child already placed with kinship carers</p>	<p>S25,S70, S86</p>	<p>Where the child is already in placement with kinship carers and LAC reviews identifies that the child needs a permanent placement, discussions should take place with the current carers and wider family to consider whether permanent placement within the kinship care network is possible.</p> <p>If the current carers wish to make a permanent commitment then the Annex 4 of the guidance sets out the areas which should be discussed with the carers during the further assessment process.</p> <p>Recognising that the carers are already providing care, the guidance recommends that the needs of the child and the assessed capacity of the carers</p>	<p>For these children, the kinship carers will be receiving allowances at the rate of fostering allowances or a benefits package that has been agreed by them.</p> <p>The impact of permanence orders on Benefits is not yet known but work is continuing to clarify any impact on benefits when carers make this permanent commitment.</p>

		<p>should both be discussed at a Permanency Panel rather than holding a separate discussion to consider the kinship carers as permanent carers on an open basis.</p> <p>The recommendations of the Permanency Panel should be made to the Local authority decision maker. The ongoing legal basis for the child's care should be identified with the potential of a permanency order being fully addressed.</p> <p>The Task group recommends that these decisions should be made within 6 months of placement wherever possible</p>	
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<p>Permanent placement to be made with kinship carers who are not currently caring for the child</p>	<p>S25, 70 or 86</p>	<p>The needs of the child will be discussed at a Looked After child review and the need for permanency confirmed by a Permanency/Adoption Panel.</p> <p>Efforts to ascertain if there are members of the child's extended family who may wish to provide a permanent home should be made via a family meeting. If a member of the child's wider family expresses an interest in caring for the child then an assessment of their capacity as permanent carers should be made and the areas identified in the guidance Annex 3&4 used to guide the process. The forms currently used for any permanent carers will be used but some additional areas should be included in the report.</p> <p>The assessment of the carers should be presented to the Permanency Panel who will consider their suitability to be permanent carers. Their recommendations should go to the Local authority decision maker and if approved then a matching discussion should be held to consider whether the kinship carers can meet the needs of the individual child for a permanent placement into adulthood and the legal basis for that placement. Agreement of the local authority decision maker will be required at each stage.</p>	<p>The likely basis for this placement will be fostering at the moment though an application for a Permanence Order may be appropriate once the A&C Act is implemented.</p> <p>To ensure that the financial package for the child with the carers is the best possible, kinship carers on a range of benefits will be advised to seek individual advice from the CAS advice project.</p>
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<p><i>Prospective process after implementation of the new LAC regulations if the recommendations of the Task Group are accepted</i></p>			
<p>Children placed under S25/S86</p>		<p>Guidance would be followed in full and assessment as kinship carer progressed. Reviews 3 working days and at 6 weeks from placement. Goal for approval within 12 weeks of placement</p>	<p>CAS Financial advice essential prior to the start of payment of allowances</p>
<p>Children placed through a S70 requirement</p>		<p>Guidance followed in full and assessment as a kinship carer processed- Reviews at 3 days and 6 weeks from placement. Approval as kinship carers within 12 weeks of placement</p>	<p>CAS Financial advice essential prior to the start of payment of allowances</p>
<p>Children where current kinship carers make permanent commitment to the child</p>		<p>Guidance would be followed in full. Approval of permanent placement with existing carer confirmed at Adoption/Permanency Panel. Goal for permanent decisions to be made within 6 months of placement</p>	<p>CAS Specialist Advice if basis of placement or allowances are changed</p>
<p>Children being placed with kinship carers from other care placement for permanence</p>	<p>May be s25, 70 or 86</p>	<p>Guidance on the areas of assessment for permanency followed and recommendations for approval will be made by the Permanency Panel</p>	<p>CAS Financial advice essential prior to the start of payment of allowances</p>

Annex C

Some key principles in working with kinship carers through the assessment process-

- *Family Meetings*
Family Meetings should be an integral part of the process of placing a child with kinship carers. Family meetings should bring together different parts of the child's family to consider how they can work together to provide safe and nurturing care for the child. This should apply in cases where children are not formally Looked After as well as in cases where they have become Looked After children. They should be seen as a helpful process that recognises the family's strengths and child care abilities and identifies where supports need to be put in place and by whom those supports should be provided.

The outcomes of family meetings should be included in the assessment process and decision-making.
- *Financial Advice*
Sound financial advice is essential for kinship carers and workers must advise them to seek independent legal and financial advice from the CAB Specialist Advice project to ensure that they are aware of the impact on their current benefits and other entitlements if they start to receive allowances for the Looked After child from the Local authority. These are complex areas of benefit and expert advice is essential for carers and staff from Local authorities.
- *Using the child's plan - meeting the child's needs*
As part of the development of the child's plan, it is of great importance to support the kinship carer to consider what is involved in providing that care and to help prepare them for their tasks as kinship carers. The process should offer the opportunity to discuss the realities of caring for the child and what supports they will need. While the child's needs for safety and nurture are paramount, the assessment should allow families to be in control of the solutions and invite them to think about the support they need to make sure they can provide for a child's well being. It is a supportive process, not investigative. Nevertheless, there should be clarity from the outset about the standards expected by the professionals in relation to a child's well being, especially their safety and nurture. As the child is being Looked After by a Local authority, the assessment process establishes that the local authority has a responsibility to ensure that the placement is in the child's best interests and that the carers can contribute to the child's safety and well being. It is important that the different stages in the process are shared and understood.
- *Involving the child's parents*
Working with the child's parents and the child care team will be central to the discussions and how the kinship carer will cope with putting their child's children at the centre of their lives rather than their own adult child (given the majority of kinship carers are Grandparents).
- *Kinship care approval and foster care approval*
The approval process is not identical to that for foster carers because it is looking at whether and how the kinship carers can ensure the well-being of the individual kinship care child, not at whether the carers can meet the standards required to look after children unknown to them and their family.

What kind of assessment is suitable for kinship carers?

Because of the unique nature of kinship care, the Task Group considered that the assessment of kinship carers was in many ways closer to an assessment for family support than to a foster care assessment. The work with the carers should identify what services and supports the carers need to care for the child rather than an assessment of their key competencies, which is the approach taken in foster care.

Authorities placing a child who is Looked After with kinship carers must satisfy themselves through a robust process that the kinship carers can provide adequate and safe care for the child placed with the kinship carers but they should take a GIRFEC approach to this assessment - that is one that identifies the strengths and pressures on the kinship family, weighs these, and works to identify where supports are needed to make sure the child will be healthy, achieving, nurtured, active, respected and responsible and included and above all, safe. The assessment should be seen as a protection for the child and for the kinship carers.

Therefore, although any assessment should be proportionate to a child's needs, the process should focus on:

- **Seeing children directly to gather their views (according to their age and understanding)**
- **Assessing the child's needs, using the My World Triangle to identify strengths and pressures and analysing these using a resilience approach (see web link:**

<http://www.scotland.gov.uk/Topics/People/Young-People/childrenservices/girfec/publications/GuideToGettingItRight>

- **Gathering information with the carers about the strengths and pressures in their life**
- **Ensuring carers have full information on practical matters of finance, legal issues and benefits**
- **Exploring with them the major changes that caring for the child will bring to their own family relationships**
- **Identifying work to be done with the child's parents and, if necessary, drawing up a plan of support for carers to help in managing agreed contact patterns that support children's well-being**
- **Looking with the carers at how they will provide a protective environment for children and what help they will need to do this. This will include honesty about any issues of safety, including a bottom line for action if the placement is not safe**
- **Considering the impact on their own children if they are still in the family home (includes talking to carers' own children, grandchildren and the extended family)**
- **Developing the child's plan - involving birth parents and family and professionals**
- **Assessing in partnership with the carers what they can do to meet the needs of the child which have been identified in the child's plan and**
- **Agreeing what supports and services the child and carer need to make kinship care positive for the child.**

Planning for the future - ongoing work with the child

As with all Looked After children, the aim is to provide a stable and permanent home environment. The ongoing work with the child and kinship carers should focus on identifying the route out of formal Looked After status for the child as well as the longer-term intentions of the kinship carer. This includes adoption, a permanence order or a residence order.

As the weeks go by, the carers' worker will be making a cumulative assessment of the skills and capacity of the kinship carers to look after this child. They will require to analyse the information they have gathered and to present that clearly in their reports. The child's worker will be making an assessment of child's needs following the placement with kinship carers or building on one that is already in place.

Annex 1

Information required for an Emergency Placement

The child and his/her needs

Child's name, date of birth, address before placement,

Names of his/her parents, their addresses and dates of birth, with phone contact number

Legal status of child, any responsibilities allocated to the local authority for the child

Who has the right to contact/ care for the child?

Child's social worker – name and address and phone number

Child's nationality, race, religion and language

Other members of the child's immediate family /siblings and where they are living

Initial health information and history- any known current conditions- asthma, epilepsy, allergies, food restrictions or dietary arrangements

Child's education position- current school attended

Child's view where appropriate to age and understanding

Why is care away from parents needed?

Are the parents agreeing to placement with kinship carers?

If not, what is the legal basis for placing the child?

Disclosure check on all adult members of the household – initially this will be a verbal check, with the local Child/Family protection Unit

The first stage will be an emergency/immediate clearance of the appropriateness of the placement

Child's worker should: undertake basic checks from local authority records and police/ child protection unit, make a visit to house, consider the safety of the environment, and see the living and sleeping accommodation for the child. This stage is a basic safety check to try to ensure that there are no significant issues within the kinship carer's family that could place the child at risk.

Checks to be carried out immediately when a placement with kinship carers is proposed

- The records of the local authority to identify any previous contacts with the carers,
- The records from the local authority where the carers live if this is different from the local authority with responsibility for the child
- The local child protection /family protection unit officers for the area where the carers reside to identify if they know of any immediate risks to the child in being placed with these kinship carers. Questions should be asked about any domestic violence referrals as well.
- The family's GP or HV where there are any health issues for the child or kinship carer including any serious conditions requiring treatment **
- The conditions of the house where the child is going stay and the sleeping arrangements for the child. The house must be visited and the worker must be satisfied that there is adequate accommodation for the child at least for a short period.
- The safety of the house should also be discussed and any immediate risks identified and how they will be managed

** It is unlikely that health information will be readily available but if the child or carers have any significant health problems then the GP or HV or community paediatrician should be approached**

Further guidance will be prepared in relation to the specific legal duties on sharing of data so that it is clear who is required to provide information, under which circumstances, as well as considering sharing the reports referred to throughout with carers, children, birth parents etc
Many children will already be known to services and this should allow the child's worker to prepare a child's plan to cover the first few days of the placement.

Where the child is to remain in placement beyond 3 days further checks will be required:

Disclosure (Scotland) checks on all adults in the household
References from 2 people outwith the immediate family

Annex 2

Part 1

The carers must agree:

- To care for the child within the kinship carer's home in a safe, appropriate and caring way
- To seek medical attention for the child when necessary
- To allow the local authority placing the child access to the child at all reasonable times
- To work as a part of the child care team involved with the child
- To allow or refuse contact with the child as agreed with the local authority or by a court or children's hearing
- To notify the local authority of any significant event or serious illness or occurrence involving the child.
- To agree to care for any child aged under 5 placed with them in a smoke free environment
- To agree to work towards using no physical punishment on the child
- To ensure that any information about the child is kept secure and not disclosed to other people without the permission of the local authority
- To involve agreed members of the wider family in the care of the child
- To comply with any specific requirement about the care of the child in a court order or from the placing local authority

The local authority as corporate parent agrees:

- To provide support to the carers and child including financial support for the costs of caring for the child
- To provide immediate support with resources needed for the practical aspects of caring for the child
- To assist the carer to negotiate educational and medical resources to meet the child's immediate needs
- To provide information on how any allegations or complaints will be dealt with
- To advise kinship carers to seek specialist financial and benefit advice from CAB Scotland
- To work across local authority departments to access support for the kinship carers
- To ensure as far as possible that there are no organisational barriers to the child and her/his carers experiencing as normal a life as possible.

Part 2

Post Approval

The local authority as corporate parent agrees:

- To provide information on training opportunities for the carers
- To provide information on the procedure for reviewing the placement and the needs of the carers in caring for the child
- To work with the kinship carers to identify the best financial package for them to support the care of the child
- To consider any additional specific supports the carers need to meet the individual needs of the child

Annex 3

This annex covers the areas, which the Task Group recommends are discussed with the kinship carer during the assessment process.

The Assessment of the care provided by the Kinship Carers to meet the needs of the child in their Plan and an identification of the supports required by the carers

Each kinship care assessment needs to be tailor-made for the family. Workers may wish to use parts of the TFN competency assessment model and some of the BAAF form F formats for assessing foster carers, to work with the family to reach a good decision about their capacity to provide secure and loving care to the specific child as well as identifying areas where they may face difficulties and need support.

From the experiences of workers who have been undertaking work with kinship carers, the areas outlined in this annex have been identified as ones that are likely to be helpful in working with kinship carers. Workers will be selective about which areas are most relevant for the situation of the individual child and the specific kinship carers.

Where the child has already been living with the carers for some time several areas will be less relevant but some kinship carers may find it useful to review with a worker what caring for the child means for them, and the impact on their life and relationships when their commitment is changing to a formal one. The areas where further support should be considered for all kinship carers are discussed in greater detail in Annex 5.

There are a number of general issues that kinship carers will need to face at some time in their caring role. They are similar to the issues that preparation groups for foster carers would discuss at the stage when carers are considering if fostering is right for them and their family.

Topics that may be useful are:

- Working with the local authority
- Supporting the child
- Recognising the needs of children- understanding child development
- Attachment and the impact of poor early attachments
- Changing relationships within a kinship care family.
- Contact- keeping in touch with those who matter to the child
- Coping with changing roles as a carer.
- Coping with transitions/preparing for independence?

Some of these topics may be useful to discuss in family meetings when the contributions of the wider family can be identified and assessed.

History

A fully comprehensive family tree including extended family members should be prepared along with a detailed family history including all family members, contact, previous relationships, strengths and stresses in relationships, potential impact on family relationships in the future if the child continues to live away from their birth parents. Some of these areas will be usefully discussed in family meetings so that there is a common understanding of what changes may occur.

- An eco-map or other representation of the support network for the family can help the discussion.

- Discussion on the issues and changes that may occur in the way that family and friends will support them in the care of the child, especially in the family relationships when one family member becomes the principal carer.
- Consider what can be appropriate support networks for the child/young person to be cared for; are there identified carers for respite?
- The map or the family tree should include the effect of the change of relationship on family dynamics and the changes and impact this will have on the support system including new systems that need to be developed or extended.

Community Links

- Relationships for all family members with their community including strength and stresses.
- Community knowledge of family changes and expectations, including any “cover story” that the family, children and young people may wish to use when they move to live in the kinship care home.

Relationships

- Caring for a family member, integrating the child/young person into the family, the effect on each family member, both those living within and outwith the home including the child/young person.
- Coping with refocusing their lives on the child- managing a changed relationship with the parent of the child.
- Ability to protect the child from his/her birth parents- their son/daughter/niece/nephew
- Shifting from the focus being on their relationship with the birth parents and their problems to considering the impact on the child and protecting the child from the negative aspects of their birth parents’ lifestyle, ill-health, or substance misuse.

Loss, Grief and Separation

- Changes in the extended family structure for all parties including carer, child, young people, parents and other family members.
- The impact of the change of relationships, the effects of loss, grief and separation, anger, hostility and failure on all members.
- With increased numbers of families affected by substance misuse, many kinship carers are coping with the loss of a child to a drug lifestyle at the same time as facing the emotional damage the child has suffered.

Working with others

- Working with Children’s Hearing and other legal systems.
- Working with agencies including education, health, social work, housing, benefits and advice agencies.
- Being part of the childcare team looking after the child
- How they will deal with losing some autonomy over decisions and planning for the child?
- How will they respond to some core requirements about the way they care for the child- minimum expectations etc?

Safer Caring

- Attitudes to children/young people’s sexual development, sexualised behaviour, signs of abuse and ways of working with children and young people who have been physically or sexually abused. Whilst this needs to be explored with all carers, it is a very difficult area for families particularly its impact on family relationships. The emphasis must be on keeping the child safe and ensuring loyalties and safeguards are focused on the child and not the adult family members.

- Coping with children who have been neglected - particularly those emotionally abused/neglected.
- Dealing with children who may never give the carers much reward because of early years trauma.
- Boundary keeping, family rules, ways of communicating to safeguard all children, young people and all family members and keeping children safe in the extended family, during parental contact and in community
- Safety of child if staying overnight with friends

Risk Assessment

- Models for the assessment of risk used in child protection work can usefully be adopted.
- Identification of the key risks to the child and how those are going to be managed.
- Assessment of the positive and negative indicators within the family relating to potential risks to the child.
- Helping families to acknowledge strengths and stresses.
- Is the care offered “good enough”? Will the care offered safeguard and promote the child’s well-being? How will they manage the risks that have been identified? What supports will they need to do this?

Substance Misuse

- The effects of abuse of solvents, drugs and alcohol on adults, young people and children.
- The impact on families and community relationships of drug misuse
- Understanding, and helping children and young people to consider the effects of drug misuse, the impact for children and young people of living with substance misusers
- Impact on the child’s behaviour, including health, physical, emotional and educational development and their ability to form lasting relationships
- Exploring the kinship carers’ attitudes to misuse of substances - what role model will they provide?

Contact

- Understanding the dynamics of contact, the need for this and the impact on the child/young person or family members.
- Managing contact, including supervised access. On occasions, preventing access to their home by their own adult child/relative
- Their capacity to manage potentially contentious contact and altered relationships with their own adult children

Practical issues

Housing

- Is the accommodation big enough for the increased family numbers?
- Any issues over tenancies and who can live in the house and impact on housing benefits if allowances are paid?

Safety

- Safety around the home- fire prevention, storage of harmful substances, any dangerous animals, and monitored safe access to computers.

Finance and benefits

- Thorough exploration of the reality of the costs of caring for children - what impact on their lifestyle, saving for retirement, caring for older relatives, impact on their employment situation?
- An individual assessment of the carer's sources of income, earnings, benefits etc and the likely impact on their income of receiving allowances for a Looked After child.
- Specialist advice from CAB staff should be advised at this stage as the complexities of the benefits system and the effect of Looked After children allowances on entitlements may be major issues for the carer once formal approval of the placement is agreed.

Coping with pressures

- Coping with household tasks, constant pressures and demands from young children or teenagers!
- Energy levels of older carers- who can help to let the children engage in more energetic activities?
- How will they manage the expectations that as kinship carers they may need to make some changes in their behaviour- e.g. protecting child from passive smoking, paying attention to healthy eating and sensible alcohol intake? What levels of respite do they feel they will need to enable them to keep fit and manage the children? Who can provide this? What arrangements would they make for periods of illness? Who in the family could care for the children on a short or longer-term basis in this event?

Working as part of a team

- Developing carers' skills in relation to assertiveness, working as part of a childcare team, attending meetings and negotiating skills.
- Openness with the team about difficulties, failures of parents, even if this has negative impact on the child's parents and the relationships between them and the parents.

Development needs

- What do they see as areas that may cause them difficulty?
- What support, knowledge and skills development opportunities would they like?

Annex 4

Assessing kinship carers offering permanent care to a child

NOTE

Whilst this annex was originally developed for use with kinship carers identified as potential permanent carers for children not currently in their care, the group believes that some of the areas for discussion are equally relevant when an existing kinship carer is making a permanent commitment to a child. The group has identified those areas at the latter part of the Annex and have highlighted them in bold for the reader. The areas are likely to be discussed with new kinship carers towards the end of the assessment.

Throughout the assessment the worker should concentrate on the strengths of the family as well as challenges and difficulties. The work must be child-focused and address the safety of any arrangements for the child. Space should be given to address the areas where the prospective carers have concerns, for some this could be drug misuse, for others violence, and, for others contact with parents who have neglected their child is very difficult. Workers should arrange to meet the present carers for the child - getting a picture of what this child is like to care for, what has changed since they were placed with the carers.

Understanding what the child is likely to have experienced and working with the prospective kinship carers to think through the impact of this may have on the child and his/her behaviour. Helping the kinship carer to see that being part of a family does not necessarily mean that the child will be attached to them. Their commitment to build a sound relationship with the child and survive the hurts the child may bring because of their lack of ability to attach to them easily.

What has the child's experiences been in the previous placement?

What are the present relationships that are important to the child and how would kinship carers include them?

Listening to the child's views of their care and where they want to go next.

Looking at the possibility of the kinship carers' own experiences and any unresolved issues that might be re-awakened by caring for the child.

Children of the prospective kinship carers being exposed to difficult relationships and situations-how can the carers reconcile the varied needs of the child, any of their own children and the parents of the child to be placed?

Looking for the positives in the child's background to build self-esteem

Potential of child displaying sexualised behaviour learned from their earlier years- what impact on the prospective kinship carers- what are their views of how to "deal" with it?

How easy will it be to move from adult centred loyalty to loyalty to the child as the priority?

Will they be able to hold on to the need for caring for the child to be their key responsibility?

How will they deal with parents who take all that the kinship carers are offering as a right and show no gratitude?

What is the likely impact of them caring for the child on a permanent basis on their partner/ children and others in the household?

There may be different levels of commitment to making a permanent commitment and what may this do to relationships?

Will permanence mean other changes in lifestyle?

Long- term impact on their lifestyle, income and employment

What are their contingency plans if in a few years they become ill or disabled?

Is there likely to be any resentment from their own children that the commitment is to be permanent?

What will be the ongoing role of parents/ wider family in decisions about the child when the placement becomes permanent? Will the kinship carers want more autonomy?

How will they deal with any tensions in the family about expectations for the child for the future?

What are the levels of support they can look for from their family network once they make a permanent commitment- will it be reduced? With what impact?

Moving from childhood to adolescence- what do they see as the major challenges as child becomes older?

What skills and ideas do they have for dealing with that transition?

Future care needs – are they going to be met in this placement or do additional resources need to be built in soon?

Are there responsibilities for ageing parents that may take more time at the same time as the child is growing up? Will this create tensions and anxieties?

Other areas to explore will be specific to the individual situation and the level of support that the kinship carers can look for from their wider family when the child is permanently placed.

For all the areas considered the worker should discuss what supports the carers would look for to enable them to care for the child well?

Are these realistic?

Are there too many deficits for the care of the child to be viable?

Considering the protective factors in the family- how to harness those for the child's benefit?

Reports for the Permanency Panel

The report for the Permanency Panel should aim to include the information collated from the range of assessments and meetings with an analysis of the child's key needs and the skills, experience and capacity of the kinship carers with support to provide permanent care for the child.

The report on the Assessment of the kinship carers should be discussed at a Permanency Panel. The carers are not being assessed for their suitability to be a permanent resource for any

child for whom the local authority is seeking a family but as a particular resource for the child whose plan will also be available to the Panel at this time.

The discussion at the Panel

For both the situations where the carers are already providing a home to the child and those where the child would be moving into the family for the first time, the Task Group recognises the key role of the Permanency Panel in these discussions. It recommends that any Panel convened to consider permanent placements with kinship carers should include members who are experienced in the positive strengths and the unique stresses of kinship care placements.

The focus of the discussion will be the family's commitment to the child throughout their childhood and beyond and the capacity of the family to undertake that task and to meet the needs of the child. The meeting should also discuss the potential of the child's legal status being changed in the longer term to reflect the permanent commitment the carer is making to this child. In some situations the potential of terminating the child's Looked After status and supporting the carers through S50 payments and support could be discussed. This would, on occasions, reflect the appropriate level of intervention by the LA for that child.

Information should be available to the panel of the outcome of any advice on benefits and allowances the carers has received from the CAB Project

Approval of the placement

If the Permanency Panel recommends that the kinship carers should be approved for the permanent care of the child their recommendations will go to the local authority decision maker for a final decision.

Annex 5

Some of the services and responses that kinship carers would like from agencies

- Emergency financial support
- Support to have Child Benefit transfer arranged as soon as possible
- Financial advice – Access to CAS specialist advice service at start of placement
- Support for kinship carers in poverty - to enable them to meet basic needs/ clothing, food, shelter etc
- Advice to kinship carers about what legal arrangements would be the most advantageous to the child and them
- Sound advice about Issues with legal documents/passport for carers
- Responsive services from all corporate parents in a local authority, particularly education, housing, recreation
- At the initial stage useful to have separate workers for a child and carers - but at later stage one person working with both child and carer confirms family focus.
- Kinship carers want help when children ask awkward questions - Why am I different?
- Importance of the role of a lead professional to help carers to hold everything together
- Family group conference/ Family meetings positive to help the family to meet and discuss issues in neutral supportive environment / opportunity to raise issues and find solutions
- Professional support - led by the family
- Recognition of the individuality of the support that is needed by a kinship care family and that it changes with time
- Specific support may include help to deal with emotional pressures, looking at the child's past
- How to access help should always be clear
- Regular support to children and kinship carers
- Mentors for young person in kinship care can be very positive- other young people often very helpful
- Information about services when the child reaches 16
- Transport – help if larger vehicle needed
- Respite/ holidays - involving people that children know/ befriending services
- Education – situations when children change schools/transfer of assessment for the child / 'Looked After' status should give automatic support / coordinated support plan
- Information about the Additional Support for Learning legislation
- Help to understand computers as well as the school curriculum
- Well-informed schoolteachers who are aware of the situation and are sensitive and help to prevent bullying.
- School trips - financial support when needed
- Early access to medical assessment for the child when problems arise
- Support for children with mental health problems- help to carers to be able to support the young person
- Physical health - greater understanding of the impact on children of substance misuse/ drug/alcohol problems
- Health visitors an important part of the support network for all children
- Finances to set up kinship care support/potential of a telephone support service / kinship carers supporting each other
- Support to local groups to be Listening Centres for kinship carers
- A Handbook for kinship carers to guide them through some of the complex processes
- Information days for carers
- Days out for children and kinship carer
- Support in specific areas which kinship carers find difficult: young person's emerging sexuality, wish to go back to parents, managing contact, management/response to risky behaviour
- Support to avoid overprotection of the child

- Shared opportunities for skills development with other carers, learning about the different aspects of caring for children who have experienced trauma and neglect in their early years
- Learning with other carers seen as enhancing the experiences and reducing fear of learning

Thanks to the Members of the **Task Group on Kinship Care:**

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