

ADCS Principles for a system of extended family care

Introduction

The Children Act (1989) is clear that children should be brought up in and cared for by their own families, wherever possible. If children are unable to live with their parents, children's services should prioritise placements with wider members of the child's network who can offer a safe, stable and loving alternative home. [Family and Friends Care: Statutory Guidance for Local Authorities](#) (LAs) makes it clear that those in kinship care arrangements should receive the support that they need to safeguard and promote the child's welfare.

Kinship care arrangements for children who live with family members, friends or connected persons that they trust and feel close to, allow children to maintain relationships with those people who are important to them and remain connected to their communities. Research shows that children in kinship arrangements experience placement stability and achieve positive social, emotional, and educational outcomes.

The current system is not geared towards extended family members, friends and connected persons becoming kinship carers. Families report that the process is overly bureaucratic, is not empowering, and the support offer is inconsistent and insufficient.

ADCS members welcomed the significant focus given to kinship care in [Stable Homes, Built on Love: Implementation Strategy](#). The government's commitment to publishing a kinship strategy by the end of the calendar year offers an opportunity to set out the future ambition for kinship care, signalling a significant shift in how kinship care is viewed and facilitated. The government's kinship strategy should be ambitious and focused on large-scale systemic change, with the underlying purpose to improve outcomes for children and to reduce the number of children taken into care where there is a viable alternative.

This paper describes the principles that ADCS members would like to see at the heart of a new system of kinship care, one that successfully engages family members, friends and connected persons from the outset to identify the most appropriate caring arrangements for the children they care about.

These principles are not designed to either change or be shoe-horned into current legislation. The principles have been developed through the lens of a system of family help as envisaged by *Stable homes built on love*.

The current system of kinship care is complex and further thinking is needed as to how this set of principles can be operationalised without creating unintended consequences. ADCS is keen to engage others in this thinking about how to best implement a new system of extended family care in the context of family help, and incorporate learning from the families first for children pathfinders and family network pilots.

Key challenges in the current kinship system

- There is no clear definition of kinship care, with some definitions broader than others due to multiple pathways, both formal and informal, which enable children to be cared for by people who are not their parents
- Access to support is often dictated by legal status, i.e. the child is in care or the caring arrangement being underpinned by a court order
- Kinship carers report that processes are overly bureaucratic and children can come into care when this is not always necessary. Where a child is placed by the LA with a family

member, friend or other connected person, the Care Planning, Placement and Case Review (England) Regulations require them to become a local authority foster carer. As a result, kinship carers are assessed and held against a higher standard than would be considered as 'normal' family circumstances. Some kinship carers do not meet this threshold for reasons which would never result in children being removed from their parents

- Children in kinship arrangements can carry significant trauma with needs similar to those of children in care and those who have been adopted, yet they are not necessarily entitled to the same levels of support e.g. access to the adoption support fund and pupil premium plus
- Becoming a kinship carer can cause disruption to the kinship carer's life, negatively affecting family relationships and financial stability, which can present as a significant barrier
- Public knowledge of the role of kinship care is lacking which can lead to a lack of understanding and stigma
- Kinship carers report a lack of trust within the current system.

Principles of a new system

A new system of kinship care which recognises the value and the needs of children and carers in such arrangements could be underpinned by the following principles:

- In line with other proposals in *Stable homes built on love*, a strong family help offer should be in place to support parents to successfully look after their own children. Where parents do need additional support, the child's extended family network should be engaged in the family help space as early as possible to explore how the wider network can help enable a child to remain at home where this continues to be in their best interests
- Wherever possible, those who make up a child's extended network, including family, friends and connected persons, should be enabled to care for the children they care about. This will allow children to maintain the relationships that are important to them and stay connected to their community
- Children's services have a clear role to play in coordinating a child's caring arrangements where an alternative is deemed necessary due to safeguarding concerns. This could be the result of intervention from family help services or where the threshold for care has been met but this might be held outside of a legal order in the proposed new way of working outlined by the [Independent review of children's social care](#)
- There will also be a universal cohort where alternative caring arrangements have been established with no involvement from an LA. An LA does not routinely need to be involved in private family arrangements that sit outside of its statutory responsibilities, aside from playing a facilitative role which involves signposting carers to entitlements
- Where extended family care is deemed to be in the best interests of a child, a pathway is needed that enables the LA to coordinate caring arrangements without the need for carers to become local authority foster carers
- Once established, extended family care arrangements should be viewed alongside other family arrangements. There should be no ongoing role for the LA, unless safeguarding concerns required an LA to meet their statutory duties, as they would for any family

- A legal order is not a gateway to support. All entitlements defined at the national level would be available to all extended family carers (including financial), and additional tailored support, based on need, would be available for extended family carers for whom the LA was taking a coordinating role
- A system of entitlements, including financial, should be defined at the national level. Financial assistance for extended family carers should be rooted via the welfare system in the form of a 'child benefit plus' payment to avoid unnecessary oversight and intrusion from children's social care
- Kinship care should be considered a valued and respected care pathway. Adopting the principles above would help to make this shift.

Extended family care as a new definition

There is currently no single definition of kinship care in England, it is a complex landscape of different arrangements whereby children can live with people they know or are connected to. The current definition incorporates both formal and informal arrangements. The Department for Education's (DfE's) strategy for kinship care will need to set out a clear definition of kinship care to establish the breadth of a new system going forward.

Stable Homes, Built on Love: Implementation Strategy offers the definition of kinship care as 'any situation in which a child is being raised in the care of a friend or family member who is not their parent for a significant amount of the time. The arrangement may be temporary or longer term.' This includes where:

- Informal care arrangements have been made through private family arrangements, or private fostering arrangements
- A Child Arrangements Order (CAO) has been granted in favour of a family member or friend who is not a parent
- A Special Guardianship Order (SGO) has been granted
- A child is a 'looked after child' under either an emergency protection order, interim care order, care order or voluntary arrangement and they are being looked after by a family member or friend who has been approved as a temporary foster carer
- An adoption order has been granted and, prior to making the order, the adopter was a family member or friend.

While ADCS members recognise the broad spectrum of caring arrangements that are described by DfE as falling within the definition of kinship, this is based on the current system of kinship care. This blueprint provides an alternative lens by which to view this spectrum based on the proposals as set out in *Stable homes built on Love* and provides a distinction between the role of the LA as a coordinator and that of facilitator in a system of broader family help. An LA will adopt a facilitative role for the universal cohort where families have made their own alternative caring arrangements which involves signposting families to entitlements defined at the national level. Where children cannot live with their parents, an LA will take an additional coordinating role by working with parents, children and potentially extended family carers in the family help space to identify an extended family care solution, which may or may not require a legal order, depending on need.