



Housekeeping

Please make sure you:

- Silence your phone
- Turn on your camera
- Mute your microphone
- Pop your name and role in the chat
- Rename yourself so we can send you slides and resources
- This event is recorded but we will only share the presentation



Presenters

Ann Horne, Kinship Consultant, CoramBAAF

Alexandra Conroy-Harris, Legal Consultant, CoramBAAF



Agenda

12:00 – Welcome and housekeeping

12:05 – Presentation

12:30 – Poll

12:35 – Break out rooms

13:15 – Feedback

13:25 – Close

Any questions or comments, email:
Consultation@corambaaf.org.uk





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Kinship care project

- Kinship care project.
- Summary of the current problems with current kinship care law.
- Key proposals
 - A statutory definition of kinship care.
 - Kinship care orders (KCOs).
 - Kinship parental responsibility agreements (kinship PRAs).
- Proposals for kinship foster care.
- Consultees' views and Q&A.



Kinship care
Summary of the Consultation Paper

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Timetable

- Kinship care consultation paper was published on 8 July 2026.
- 13-week public consultation period – online and in-person consultation events.
- Consultation ends on 16 October 2026.
- Report containing recommendations for reform will be published autumn 2027.

What are we doing?



What is the deadline?



What happens next?



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Definition of kinship
care

Why do we propose a definition?

- Currently there is no statutory definition of kinship care that applies in both England and Wales.
- In England, kinship care is defined in **section 22I of the Children Act 1989**. The Children's Wellbeing and Schools Act 2026 introduced this definition for limited purposes – primarily the new duty on English local authorities to provide a "kinship local offer". This definition does not apply in Wales.
- We provisionally propose that the definition in section 22I of the Children Act 1989 should apply to our proposals for Kinship Care Orders and kinship PRAs, with some additional eligibility requirements, in both England and Wales.

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Definition of kinship
care

Section 22I of the Children Act 1989 (paraphrased)

A kinship carer is a relative, friend or other person connected with a child,

- with whom the child either lives for all the time, or for more time than the child lives with a parent, and
- who provides all the care and support to the child, or more care and support than is provided for the child by a parent.

For the purposes of this definition, a "person connected with the child" cannot be a parent of the child, a local authority foster parent of the child who had no connection with the child prior to the child being placed with that person, or a person caring for the child in a professional capacity.

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Our use of the definition

KCO eligibility

- Kinship carer.
- Age 18+.
- Must have been a kinship carer for the child for at least 28 days.
- BUT – a friend, relative or other person connected with the child who cannot meet these requirements can apply for an interim KCO with the court's permission.

Kinship PRA eligibility

- Kinship carer
- BUT – kinship PRA can be made with a person who will become a kinship carer on the date the agreement takes effect.
- Relative as defined in section 105 of the Children Act 1989 "a *grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent*".

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Proposed KCO

Key features of a KCO	
Welfare of the child	The child's welfare would be of paramount importance.
The kinship guardian	The KCO would appoint a kinship carer (see previous slide on eligibility) as the child's "kinship guardian".
Living arrangements	The KCO would regulate the living arrangements for the child and would specify that the child will live with the kinship guardian. If the child is not to live with the kinship guardian all the time, the order will explain when the child is to live with them.

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Proposed KCO

Key features of a KCO (continued)	
Relationship with the parents	The court must consider the child's relationship with their parents. The KCO will set out the extent to which the child will live with, spend time with, or otherwise have contact with their parents. Where appropriate, a KCO should also make clear that a child is to have contact with other family members important to them.
Parental responsibility	A kinship guardian will gain PR for the child. The court must consider how PR for the child should be shared between the kinship guardian and the parents. Depending on the circumstances of the case, the court may also give enhanced PR for the child to a person named in the KCO

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Proposed KCO

Key features of a KCO (continued)

Duration	KCO has a flexible duration, decided by the court at the time the order is made. There is no minimum duration. It cannot last past the child reaching 18.
Interim KCO	An interim KCO could be made during proceedings where needed. This would allow a kinship guardian to care for the child whilst arrangements for their longer-term care are being made. We suggest either 8, 16 or 26 weeks.
Support	Where an LA is involved, the KCO would set out the support which the LA has agreed to provide to the child, the kinship guardian, and the parents. A Kinship Care Support Plan should be attached.

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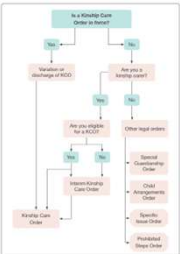


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KCOs and private law orders

- When a KCO is in force –
 - No-one can apply for an SGO, a CAO, a prohibited steps or specific issue order.
 - Decisions about the child require an application to vary or discharge the KCO.
- If there is no KCO –
 - a kinship carer can apply for an KCO / interim KCO
 - others can apply for an SGO, a CAO, a prohibited steps or specific issue order.



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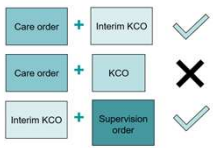


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KCOs and public law orders

- Care order
 - not discharged by an interim KCO.
 - discharged by a final KCO.
- Supervision order
 - can be made at the same time as an interim KCO.
 - not limited by duration of interim KCO.
- KCO
 - not discharged by the making of a care order (but highly unusual).



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Kinship parental responsibility agreements ("kinship PRAs")

- Made between the **child's parents** and
 - a **kinship carer** (or potential kinship carer);
 - who is also a **relative** of the child.
- Require the agreement of everyone with PR.
- Can be prospective, taking effect on a specified future date.
- Minimum duration of one year.
- Ends when duration expires, child reaches 18, or order of the court.
- Must be signed before a court official, requires evidence of identity.
- Sent to the Central Family Court to be sealed and filed.

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Have your say!



- *Should a kinship care order be introduced?*
- *Should a KCO replace SGOs/CAOs for kinship carers, or should families retain a choice of legal orders?*
- *Should kinship carers be able to acquire parental responsibility by agreement with the child's parents, without going to court, with PR shared equally between them?*

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AIO Mentimeter

Question 1

Should a kinship care order be introduced?

- Yes
- No
- Unsure

Question 2

Should a KCO replace SGOs/CAOs for new kinship carers, or should families retain a choice of legal orders?

- Replace SGOs/CAOs
- Choice of legal orders
- Unsure

Question 3

Should kinship carers be able to acquire shared PR by agreement, without a court order?

Answers

- Yes
- Yes, with other safeguards or limitations
- No
- Unsure

Augusta Itua, 2026-09-15T16:18:42.332



Breakout room discussion

Kinship Care Order

- Should a KCO only provide enhanced PR or should there be flexibility within the order around shared or enhanced PR? Should it be possible to tailor the KCO by restricting the exercise of PR or enhanced PR?
- Should KCOs ordinarily provide permanence to 18, or is there value in time-limited orders and built-in reviews? Should there be opportunity for continuity of legal relationship post-18?
- Should suitability assessment requirements be variable depending on type of order being sought? Should a support plan be required before a KCO is made, and should the support plan be required in all circumstances (whether or not previous LA involvement)?

Kinship Parental Responsibility Agreements

- Should parental responsibility under a kinship parental responsibility agreement be able to limited for a specified period, rather than necessarily continuing until the child turns 18?

KCO: Further questions?

- What gap would a KCO fill that is not adequately met by an SGO, CAO or kinship foster care?
- What role and responsibilities should the local authority retain where an interim or final KCO is made, including where a care or supervision order is also in force?



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**Feedback from
breakout room
discussion**

Upcoming events

30 September 2026 | 12.00am – 1.30pm | Online
Kinship Care Law Commission Consultation: Private Fostering

07 October 2026 | 9.00am – 9.55am | Online
Kinship Care Week: What is Kinship Care?

04 November 2026 | 9.00am – 9.55am | Online
Private Fostering Awareness Day: Breakfast briefing

[Kinship care – Law Commission](#) consultation events

Any questions or comments, email:
consultation@corambaaf.org.uk



Thank you for joining



Evaluation and certificate

Please complete our evaluation form by scanning the QR code or clicking the link in the chat.

This link will also be in your attendee pack along with your certificate.

Presentation materials including reading lists, slides and video links are shared post event.
