

Kinship Care Alliance submission to Work and Pensions Select Committee inquiry 'Children in poverty: Measurement and targets'

This submission has been prepared by Family Rights Group on behalf of the Kinship Care Alliance. It has been endorsed by:

- Family Rights Group
- CoramBAAF

Summary

1. Kinship carers are relatives or friends raising a child who cannot live at home. It is an overlooked element of the child welfare system and there is lack of recognition of the needs of the children and carers within our society, by employers, public agencies and Government. Many kinship carers and the children they are raising face significantly greater adversities than the wider population, They are more likely to be living in deprived areas, and both the children and their carers are more likely to be to have a disability or experience poor health. More than half have to give up work or reduce their hours to take on the children, and many rely on the welfare system as a result.
2. Becoming a kinship carer often has an impact on labour market participation and a consequential impact on income. This comes alongside the extra costs of raising a child and often a need to pay legal fees. Kinship carers have no comparable right to paid employment leave as that of adopters, in order to settle the children into their care and attend relevant meetings with schools, health, children's services and other agencies. Cross government working needs to give greater consideration to employment entitlements for kinship carers in recognition of the impact taking on the care of a child has on the ability of carers to remain in work.
3. While Department for Education statutory guidance requires English local authorities to consult with kinship care households, to develop a local policy setting out support, including services that kinship carers should be able to access. However, some authorities do not have an updated policy and there is huge variation in local practice. Greater leadership from national government in setting out what is expected of local authorities, and resourcing them properly to do it, would ensure that kinship care does not fall through the cracks. This should include local financial allowances and housing policies. The government should also introduce a national financial allowance for kinship carers who are raising children who would otherwise be in the care system.
4. The welfare system is an important lifeline for many kinship carers, particularly given the potential impact of caring responsibilities on employment. Helping prevent children in kinship care from ending up in severe poverty, the Government should recognise the specific circumstances of kinship carers within the benefits system, by ensuring kinship carer households are: exempt from the benefit cap and the under occupation penalty (bedroom tax); not financially penalised in moving on to Universal Credit as a result of taking on the care of a kinship child; not financially penalised as a result of kinship carers of pension age transferring from child tax credit to pension

credit. The Universal Credit Covid uplift should also be retained. These carers have done right by the children, indeed often saving the state considerable sums by averting the children entering unrelated foster or residential care. Research demonstrates the positive impact of children who cannot remain safely with their parents, of being able to remain within their family network. We are proposing reforms which are designed to support children in kinship care to flourish, rather than a system which currently forces too many kinship care households into poverty and in some cases, even to breaking point.

What is the Kinship Care Alliance?

5. The Kinship Care Alliance is an informal network of organisations working with kinship carers which subscribe to a set of shared aims and beliefs about kinship care. Since 2006, [members](#) have been meeting regularly to develop a joint policy agenda and agree strategies to promote shared aims which are:
 - To prevent children from being unnecessarily raised outside of their family and friends network
 - To ensure that the opportunities and resources available to children living with kinship carers maximise their chances of positive outcomes
 - To secure improved recognition and support for kinship carers and the children they are raising.

Family Rights Group provide the legal and policy secretariat to the Kinship Care Alliance.

6. This submission addresses the third aspect of the Committee's current call for evidence, namely how the Department for Work and Pensions should work with other parts of government to reduce the numbers of children living in poverty.

Background on kinship care:

7. There are more than 180,000 children in the UK who do not live with their parents but are being raised by relatives, such as grandparents, aunts, uncles, siblings, or friends.¹ By stepping in and keeping children within family and friends networks, kinship carers are a vital element of our children's social care system and our wider society. These children may not be able to live with their parents for many reasons, including the death of a parent, imprisonment, parental mental or physical ill-health, learning disabilities, domestic abuse, substance misuse or other factors.
8. Analysis² of the 2011 census shows that around half (51%) of kinship carers in England are grandparents. Almost a quarter (23%) are sibling carers, and other relatives account for 27%. Census data does not indicate where children are living with family friends.

¹ Wijedasa, D. (2017) Kinship care re-visited: using census 2011 microdata to examine and map the extent and nature of kinship care households in the UK. <http://www.bristol.ac.uk/sps/kinship/>

² Wijedasa, D. (2015) The prevalence and characteristics of children growing up with relatives in the UK. Briefing paper 001: Characteristics of children living with relatives in England. Hadley Centre for Adoption and Foster Care Studies, University of Bristol. https://www.bristol.ac.uk/media-library/sites/sps/documents/kinship/Kinstat_%20Briefing%20Paper%20001_V2.pdf

9. There are more children of minority ethnicity in kinship care than would be expected from the proportion in the general child population. In 2011, 32% of children in households in England headed by a kinship carer were non-white.³ One in 37 black children and one in 55 children of Asian or mixed ethnicity were being raised in kinship care, compared to one in 83 white children. When these broad ethnic groups were examined in more detail in England, it was found that children of Black Caribbean ethnicity were the most likely to be in kinship care.
10. Overall, research studies into the emotional, behavioural and educational outcomes for children in kinship care have identified many benefits for children. Some children are doing very well and as a group, kin children do better or at least as well as those in unrelated foster care.⁴ However, on the whole they do not fare as well as children in the general population. At least 20% of children raised in kinship care are affected by some degree of emotional and behavioural difficulties. Census analysis has also found that children in kinship care are twice as likely as children living with at least one parent to have a long-term health problem or disability that limits their day-to-day activities.
11. Surveys have shown that kinship carers are more likely to be suffering from chronic health conditions than the wider population. In Family Rights Group's 2019 survey: "the Highs and Lows of kinship care", a quarter of respondents had a limiting long-term illness or disability, putting them at greater risk if they contract the virus.⁵
12. On the whole, the circumstances of kinship carers are much less advantageous than those of the wider population. Census data⁶ indicates that compared to parents living with their children, kinship carers are more likely to be in social grades D and E, be living in social housing, and have more caring responsibilities. 40% of children living in kinship care in England live in households in the 20% most income deprived areas in England. More than half have to give up work or reduced their hours in order to take on the care of a child.⁷ Consequently, many rely on welfare benefits, however while kinship carers are exempt from the two child limit, they are often then penalised by the Benefit Cap and the spare room subsidy (Bedroom Tax).
13. Children who are raised by kinship carers typically move to live with them in circumstances of trauma or tragedy within their family. The support that these families receive depends largely on the legal arrangement or what legal order is in place. There is no official data on the number of children under each type of legal arrangement, however, analysis⁸ of the 2011 census suggests that less than 10% are looked after in the care system. This is significant because children who are not looked after and their carers have substantially fewer entitlements to financial and practical support than kinship foster carers and their children. Most children in kinship

³ Wijedasa, D. (2015)

⁴ Hunt, J. (2020) An overview of the last two decades of UK research on kinship care, published by Family Rights Group

⁵ Ashley, C. & Braun, D. (2019) The highs and lows of kinship care

⁶ Wijedasa, D. (2015-2018)

⁷ Ashley, C. & Braun, D. (2019) The highs and lows of kinship care

⁸ Selwyn, J. and Nandy, S. (2014) 'Kinship care in the UK: Using census data to estimate the extent of formal and informal care by relatives'. *Child and Family Social Work*, 19(1), pp.44-54.

care are living under no legal order or are subject to a child arrangements order or a special guardianship order. There are general duties setting out what support local authorities should provide to children under a special guardianship order but what help an individual child and their special guardian is able to access, particularly if the child has not been in the care system first, is largely discretionary and varies significantly from area to area.

Children in kinship care and poverty

- Professor Joan Hunt has recently carried out a research review on kinship care, bringing together key findings from the last two decades of UK research on kinship care.⁹ This includes a strong body of evidence demonstrating the relationship between kinship care and financial deprivation.
- Analysis of the 2011 census¹⁰ indicates that in both England and Wales, kinship households are more likely to be located in the poorest areas and to be categorised as experiencing deprivation on one or more of the indicators considered (employment, education, housing or disability).
- Using administrative data, McCartan et al. (2018) found a strong, statistically significant correlation between deprivation and kinship foster care in all UK countries.¹¹
- Children are typically in kinship care after having experienced loss or trauma. Many have special educational needs and disabilities. The evidence shows that the kinship carers raising them are doing so in the face of many challenges of their own, including health conditions and financial pressures.

Kinship carers and the labour market

- Labour market participation is one of the key drivers of poverty. Many kinship carers in employment find that once they took on the care of a kinship child/children, their employment position is affected by the change in their circumstances. In fact, a potential carer's employment situation is often adversely affected even before the child is placed with them. Regular meetings with children's services during the assessment process or involvement in court proceedings are very time consuming, for example and often the prospective carer has little scope to negotiate for them to be held outside their working hours.
- In 2019, a Family Rights Group survey of kinship carers found that over half (54%) of those in a job had to give up work when they took on care of the kinship children, and a further 24% had to reduce their hours.¹² Kinship carers have no equivalent

⁹ Hunt, J. (2020) Two decades of UK research on kinship care: an overview

¹⁰ Wijedasa, D. (2015-2018)

¹¹ McCartan, C. et al. (2018) 'A four-nation comparison of kinship care in the UK: The relationship between formal kinship care and deprivation'. *Social Policy and Society*, 17(4), pp.619-635

¹² Ashley, C. & Braun, D. (2019, p.7) The highs and lows of kinship care.

entitlement to adoption leave or paid adjustment leave. The transition period – when a child moves in to live with their kinship carer, often in very traumatic or difficult circumstances, can be particularly challenging, and are only exacerbated when the kinship carers fears losing their job and facing severe financial stresses.

- The inquiry led by the Parliamentary Taskforce on Kinship Care heard about the long-term impact on kinship carers' employment prospects and finances as a result of taking on the kinship children.¹³ Some sibling carers had to give up college courses, which affected their ability to get a job later in life, while some grandmothers described how they had to give up work and subsequently (given their age) were unable to get back into the labour market. A number of kinship carers described how giving up work or going part-time had also detrimentally affected their pension, which meant they continued to struggle with financial hardship as they and the children got older.
- **This could be addressed through closer working between the Department for Work and Pensions and other government departments, including BEIS, in respect of parental leave and other employment rights. We recommend:**
 - **National and local government should encourage employers to develop employment policies that recognise the needs of staff who are kinship carers. This should include public agencies leading by example.**
 - **National government should introduce the right to a period of paid employment leave and protection to kinship carers, akin to that provided to adopters**
 - **National government should consider affording all children in kinship care, where there is professional evidence or a court decision that they cannot live safely with their parents, the same rights currently available to children adopted from care and children who ceased to be in care as a result of a special guardianship or 'lives with' child arrangements order (or residence order). This would include free childcare for two-year-olds to support carers who require this to return to work.**

Kinship carers and financial support from local authorities

- Since 2011, statutory guidance has required all local authorities in England to publish a policy setting out their approach to promoting and supporting the needs of children living with family and friends carers (i.e. kinship carers).¹⁴ Local authorities should ensure that the policy is made widely available and publicised, including through leaflets and online. The guidance sets out clear requirements as to what information a policy should contain, including that it must set out details of the financial assistance and support available to family and friends carers, including eligibility criteria.
- In reality, there is very little clarity from local authorities on the financial support available to kinship carers. The Parliamentary Taskforce on Kinship Care analysed local kinship policies and practice and found information to either not be provided,

¹³ First Thought Not Afterthought: Report of the Parliamentary Taskforce on Kinship Care (2020) https://www.frg.org.uk/images/Cross_party_PT_on_KC/KinshipCare_parliamentary-report-September20.pdf

¹⁴ Department for Education (2011) Family and friends care: Statutory guidance for local authorities. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/288483/family-and-friends-care.pdf

vague or inconsistent.¹⁵ This means that for many kinship carers, it is not made clear what they can expect from their local authority by way of a financial allowance.

- In taking on the care of a child/children, kinship carers are faced with significant extra costs. This includes the basic costs of raising children but also many kinship carers have to spend substantial sums of money securing a legal order for the child. The Parliamentary Taskforce report from survey research that 58% of kinship carers incurred legal costs and 4 in 10 of those received no financial help with this. We have heard from many carers who have accrued substantial private debt in order to secure a legal order for a child and give them a safe home. For foster carers, there is a recognition of the extra costs involved in raising children, through the provision of a fostering allowance. There is no such recognition in respect of all kinship carers and entitlement to support varies significantly.
- Kinship carers told the Taskforce that even when they were in receipt of a child arrangements or special guardianship allowance, they were often having to live with significant uncertainty in terms of how long that support would last and how much they would receive. Kinship carers described having their allowances regularly reviewed, with local authorities sometimes changing their policies and reducing allowances as a result of their own financial pressures. Often these changes are made without the authority providing any rationale.
- Grandparents Plus found that 3 in 5 kinship carers (62%) felt they did not receive adequate financial support from their local authority. 82% of kinship carers said their local authorities were not giving them the overall support they need to raise the children in their care.¹⁶
- Adequate housing is another factor closely linked to poverty and one where there is evidence kinship households are facing challenges. Eight in ten (79%) kinship carers who responded to a Family Rights Group survey¹⁷ said they had had to make changes to their accommodation when a kinship child or children came to live with them – and only 14% of those respondents received any help from the local authority to make the necessary changes. Kinship carers also described some very difficult and challenging situations, including severe overcrowding or having to live in temporary accommodation. In focus groups, the Parliamentary Taskforce on Kinship Care heard of kinship carers having to sleep on sofa beds for years at a time, and one kinship carer explained that ‘we have nine of us living in a three-bedroom house’.¹⁸ One carer reported: ‘We fall through the cracks of housing policies, they don’t even know what kinship care is when you talk to them.’ This has been extra challenging during the pandemic, particularly when required to self-isolate. Nearly one in eight (13%) respondents to the Taskforce’s April 2020 survey reported that they were living in a home that is overcrowded.¹⁹

¹⁵ First Thought Not Afterthought: Report of the Parliamentary Taskforce on Kinship Care (2020)

¹⁶ Grandparents Plus (2020) Kinship care: State of the nation survey 2020. <https://www.grandparentsplus.org.uk/wp-content/uploads/annual-survey-report-2020.pdf>

¹⁷ Ashley, C. & Braun, D. (2019) The highs and lows of kinship care

¹⁸ First Thought Not Afterthought: Report of the Parliamentary Taskforce on Kinship Care (2020)

¹⁹ Ashley, C. et al. (2020) Kinship carers’ experiences during the coronavirus crisis.

- **While statutory guidance sets out what local authorities should address in their local family and friends care policy, in practice much is left to the discretion of those authorities. Greater leadership from national government in setting out what is expected of local authorities, including in terms of financial support for kinship carers, and resourcing them properly to do it, would help ensure that kinship care does not fall through the cracks and that families are not left to struggle in poverty. We believe local authorities and social housing providers should also establish a protocol to meet the housing needs of kinship carers.**
- **The government should introduce a national financial allowance for kinship carers who are raising children who would otherwise be in the care system.**

Kinship carers and the welfare system

- Given that at least half of kinship carers have to give up work to take on the children, many are forced to become reliant on the benefits system. Recent research by the Parliamentary Taskforce has shown the importance of child benefit and child tax credit to kinship care families.²⁰ It also shows that almost a quarter are in receipt of Disability Living Allowance for the child they are raising. 1 in 5 are in receipt of Universal Credit, demonstrating the importance of this benefit to kinship carers and why the uplift during the pandemic should be continued.
- The inquiry by the Parliamentary Taskforce on Kinship Care heard from many carers adversely affected by the Benefit Cap and the Bedroom Tax.²¹ Kinship carers described missing meals, forgoing holidays, turning to foodbanks, and getting into severe debt and even having their home repossessed as a consequences of losing employment income and facing higher costs when taking on the kinship child.
- The pandemic has this exacerbated financial hardship. In a recent survey²² conducted by Family Rights Group on behalf of the Parliamentary Taskforce, 37% of kinship carers stated they were facing financial hardship. Some described how the pandemic had made their financial situation much harder. Almost four in ten kinship carers reported having received food vouchers because the children were entitled to free school meals, which highlights the importance of such support for kinship care households to help them get by during the pandemic. Over half of respondents had not received any additional financial help during the pandemic.
- **The welfare system is an important lifeline for many kinship carers, particularly given the potential impact of caring responsibilities on employment. Helping prevent children in kinship care from ending up in severe poverty, the Government should recognise the specific circumstances of kinship carers within the benefits system, by ensuring:**
 - **Kinship carer households are exempt from the benefit cap.**

²⁰ Hall, J. et al (2021) Kinship carers during coronavirus

²¹ First Thought Not Afterthought: Report of the Parliamentary Taskforce on Kinship Care (2020)

²² Hall, J. et al (2021) Kinship carers during coronavirus

- **The under occupation penalty (bedroom tax) does not apply to kinship carer and foster carer households so that children with disrupted lives are not required to share a bedroom with another child in the household.**
- **That no kinship carer, who has to move onto Universal Credit as a result of taking on the care of a kinship child, even as a temporary measure, is financially penalised.**
- **That no kinship carer household is financially penalised as a result of kinship carers of pension age transferring from child tax credit to pension credit.**