

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE - 23RD FEBRUARY 2009

REPORT ON: KINSHIP CARE STRATEGY

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 123 - 2009

1.0 PURPOSE OF REPORT

This report advises the Committee of the Scottish Government Strategy "Getting it right for every child (GIRFEC) in Kinship and Foster Care and of the steps Dundee has taken to achieving the aspirations of the Strategy.

2.0 RECOMMENDATIONS

It is recommended that the Committee:

- 2.1 Notes the publication of the National Strategy "Getting it right for every child in kinship and foster care".
- 2.2 Notes the development of the kinship care service in Dundee.
- 2.3 Agree the recommendations for service development.
- 2.4 Instructs the Director of Social Work to prepare a further report on kinship care in 2009 taking account of emerging national developments and local response to these.

3.0 FINANCIAL IMPLICATIONS

- 3.1 The Scottish Government allocated funding to local authorities within the 2008/09 finance settlement for the development of kinship care services. Dundee City Council's allocation was £120,000 which has been included within the Social Work Department's family placement budget.
- 3.2 Dundee City Council has had in place for a number of years both a link carer scheme (which is similar to the kinship carer scheme defined by the strategy) and residence allowance scheme. The budgets for these schemes are under significant pressure with a combined budget of £424,000 and a combined projected overspend for the current year of approximately £260,000, even after taking into account the additional Scottish Government funding. This experience is shared with a number of local authorities and discussions through COSLA and ADSW with the Scottish Government are continuing on this matter

4.0 MAIN TEXT

4.1 Background

- 4.1.1 The National Strategy, published by the Scottish Government in December 2007, is designed to demonstrate the commitment of the Scottish Government and Local Government to children and young people who are unable to remain with their parents and to demonstrate commitment to the carers of these young people. The guiding principles of the strategy are:
 - The needs of the child must be paramount and the child's preferences should be taken into account.

- Unless there are clear reasons why placement within the family would not be in the child's best interests, care within the wider family and community circle will be the first option for the child.
 - If that is not possible, the child should be placed with foster carers with a specific purpose and plan, designed as:
 - a) part of a planned short-term arrangement; or
 - b) a planned process that will result in a return home or to a more suitable temporary care
 - c) arrangement; or
 - d) in care with a permanent substitute family arrangement underpinned by a permanence order or an adoption order or other relevant court order.
- 4.1.2 The Strategy provides a definition of kinship care, which should be supported by local authorities, as children who are looked after by the local authority by virtue of:
- being placed by the local authority with friends or relatives or
 - being subject to an order by the court or children's hearing to reside with a named person.
- 4.1.3 In these cases the kinship carer will be entitled to the same level of payment of allowances (not fees) and support as foster carers. They will also have to undergo an assessment of their suitability to act as carers and approval by the local authority as kinship carers.
- 4.1.4 The UK Welfare benefits system does not work well in Scotland for kinship carers. This has meant that many kinship carers are worse off as a result of being awarded kinship carer allowances. Their benefits entitlement has been affected, as has their entitlement to Tax Credits. The UK Government have already made it clear, in their discussions with Scottish Ministers that they do not intend to make any changes to the benefits system.
- 4.1.5 At the present time it seems that the rules in relation to payment of Child Benefit, other Department of Work and Pensions benefits and Tax Credits are not being applied in the same way across Scotland. Local authorities have some discretion in relation to calculations for Council Tax and Housing Benefit where a kinship care allowance is being paid, and this is also being applied differently across the country.
- 4.1.6 The Strategy notes that where relatives and friends are caring for children who are not looked after these will be considered as informal arrangements and carers will not be entitled to kinship carer allowances. Local authorities will have discretion to provide financial and other support but no additional funding will be provided for this purpose.
- 4.1.7 The Government has entered into a three year arrangement with Citizens Advice Scotland to provide financial and support advice, including financial advice, to all kinship carers, including "informal" carers.
- 4.1.8 Where a child requires to be accommodated the role of extended family members should be considered in the first instance. The Strategy recommends that this could be achieved by greater use of Family Group Conferencing, a process of bringing together extended family members, the child and local authority to plan care arrangements for the child.
- 4.1.9 The Scottish Government commissioned the British Association of Adoption and Fostering (BAAF) and The Fostering Network (TFN) to lead a reference group to consider developing or updating the recruitment, assessment and training requirements arising from the new Strategy. Under this umbrella, a number of task groups were established to take forward key areas. The reference group submitted their final report to the Scottish Government in September 2008. A response is awaited.
- 4.1.10 As a result of the work undertaken by the task group on kinship care the Scottish Government has issued interim guidance on the assessment and approval of kinship carers. The recommendation of the Scottish Government is that local authorities should

begin to put these guidelines into practice as soon as possible. These will be reviewed in light of the new Looked After Children Regulations which are currently being redrafted. .

- 4.1.11 The task group makes a number of recommendations in relation to enhancing support to all kinship carers, including those caring for children who are not Looked After. The report highlights the responsibilities of the corporate parent and health services, the need for universal services to provide early intervention and support and the need for kinship carers to have access to specialist legal and financial advice. The group also recommends greater development of family meetings, training and kinship carer support groups.

4.2 **Dundee's kinship carer service**

- 4.2.1 Dundee is already well on the way to meeting many of the aspirations of the GIRFEC Strategy and has been one of the lead authorities in supporting kinship carer placements as a direct alternative to children being accommodated. In the majority of cases these placements are providing long- term or permanent care to children significantly affected by parental drug or alcohol abuse.
- 4.2.2 Dundee currently supports 223 kinship carers caring for 293 children. Of these 134 carers and 173 children would meet the definition of kinship carer as defined by the GIRFEC Strategy. The remainder are informal carers although in the majority of cases the children were Looked After at the point of placement but have now ceased to need to be Looked After as a direct result of being cared for by relatives or friends. The numbers of children being looked after by kinship carers, both formal and informal has risen by approximately 30% year on year over the last 5 years.
- 4.2.3 The Link Carer scheme, introduced in 1997, provides financial support to relatives and friends of children looked after by the local authority, where the placement is a condition of a supervision requirement or warrant made by a Children's Hearing. An assessment of the kinship carers' suitability to care for a specific child is presented to the Fostering Panel for a recommendation and subsequent approval by the Agency Decision Maker. The assessment differs from that of a foster carer given the qualitatively different tasks involved.
- 4.2.4 The Residence Allowance scheme, again introduced in 1997, provides financial support to relatives or friends of children who are not looked after but where the local authority were involved in arranging the placement. This financial support is currently at the same level as the Link Carer Allowance. The majority of Residence Allowance payments are in respect of children who have previously been looked after and supported via the Link Carer scheme. Transfer to the Residence allowance scheme enables them to continue to be financially supported without having to remain looked after on a long-term basis.
- 4.2.5 The definition of a kinship carer, as defined by the Strategy is essentially the same as the criteria applied for the Link Carer scheme. The interim guidance issued by the Scottish Government on assessment and approval of kinship carers is, in many ways, similar to the processes that have been in place in Dundee for over a decade and are well-established in practice. One of the key differences is the emphasis on family meetings/Family Group Conferences as part of the assessment process.
- 4.2.6 In 2006 Dundee commissioned Children 1st to provide a Family Group Conferencing service within a limited geographical area in Dundee. Over 2008 this has been extended to provide a city wide service. Options for extending the use of Family Group Conferencing and Family Meetings as an integral part of the assessment process and support service for kinship carers are currently being explored.
- 4.2.7 Although a number of agencies are delivering services to children in kinship care placements there is currently no co-ordinated approach to offering support to the kinship carers themselves. Within Children's Services the Family Support Service has begun to develop a variety of services in response to demand in their local communities. These include kinship carer support groups, a kinship carer's newsletter and including kinship carers in parenting and behaviour management training. Kinship carers have also been

provided with training materials and access to training events using one-off funding provided by the Scottish Government for this specific purpose in December 2007.

4.3 Recommendations for service development

- 4.3.1 Dundee should continue to provide services for both formal and informal kinship carers, including the payment of financial allowances. To do otherwise would likely lead to even greater numbers of children becoming or remaining looked after simply to access financial support. Consideration should be given to continuing to ensure parity of financial support to formal and informal carers.
- 4.3.2 Dundee will continue to make strong representations to the Scottish Government in relation to the underfunding of the Strategy.
- 4.3.3 The local authority should exercise its discretion in calculating Housing and Council Tax Benefits for recipients of kinship carer allowances to ensure that they are not disadvantaged.
- 4.3.4 Options for developing family group meetings/Family Group Conferences in partnership with Children 1st will be explored in line with recommendations from the Strategy and incorporated into the assessment processes for kinship carers.
- 4.3.5 Options for developing kinship carer support services in partnership with local voluntary agencies will be explored in addition to the Family Support Service continuing to develop in house provision.

5.0 POLICY IMPLICATIONS

This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance have been consulted in preparation of this report.

7.0 BACKGROUND PAPERS

None

Alan Baird
Director of Social Work

DATE: 4th February 2009