

# Kinship Care Offer



North  
Tyneside  
Council



**When children are cared for by members of their extended family, friends or other people who are connected to them we call this kinship care.**

Kinship care arrangements are when children are separated from their parents, or parents are unable to provide the care and support a child needs. Kinship care arrangements may happen for a variety of reasons and may be permanent or temporary. Sometimes the arrangement is made by the Local Authority or it can be arranged within the family.

Many people become Kinship carers and they include, grandparents, brothers, sisters, aunts, uncles, stepparents (who have separated from the birth parent) Step grandparents, great grandparents, friends of the family or other people connected to the child.

Consideration of a child's welfare and best interests will always be at the centre of the work we do. It is an underlying principle that children should be enabled to live within their families, unless this is not consistent with their welfare. We will therefore work to maintain children within their own families and facilitate services to support any such arrangements, wherever this is consistent with the child's safety and well-being. This principle applies to all children in need, including those children in our care by the Local Authority. Where a child cannot live within their immediate family and the Local Authority is considering the need to care for the child, we will make strenuous efforts to identify potential carers within the child's network of family and friends who are able and willing to offer care.

We will provide support for any such arrangements based on the assessed needs of the child and will seek to ensure that Kinship Carers are provided with support to ensure that children do not become children in our care of the Local Authority or do not have to remain in a care arrangement longer than necessary.

The Local Authority has a general duty to safeguard and promote the welfare of children in need living within its area and to promote the upbringing of such children by their families. The way in which we fulfil this is by providing a range of services appropriate to those child's assessed needs. This can include for example, financial, practical or other support.

It is important to note that the Local Authority does not have a general duty to assess all arrangements where children are living within their wider family or friends' network rather than their parents, but it does have a duty where it appears that services may be necessary to safeguard or promote the welfare of a child in need.

Other legal arrangements include children in the care of the Local Authority under Section 31 of the Children Act 1989 or via S20 of the Children Act 1989. In both cases the children may be cared for by family and friends only if the carers have been approved as Local Authority Foster Carers under the Fostering Regulations 2011 and where the Local Authority can demonstrate they are supporting the carers to meet the requirements of the National Minimum Fostering Standards 2011. This can include using Regulation 24 of the Care Planning, Placement and Case Review Regulations 2010, to allow for the temporary approval of a connected person to the child as Foster Carers for a period of up to 16 weeks, to allow for immediate care and sufficient time for a detailed assessment to be undertaken and presented to Fostering Panel, to consider full approval.

Further legal arrangements for children to live with family and friends include Adoption Orders and Special Guardianship Orders under the Adoption and Children Act 2002; Child Arrangement Orders under the Children Act 1989 and Private Fostering under the Private Fostering Regulations 2005. Private Fostering is where a parent arranges for their child to live with someone who is not directly related to them or who is a friend of the family, and the length of stay is for more than 28 days.



# What types of Kinship Care arrangements are there?

## Informal Family Arrangements

The parent makes the arrangement or a close family member steps in to help support the care of a child. The length of the arrangement is decided by the person with parental responsibility (PR) or someone who has taken out a legal order for the child.

The Local Authority does not have a duty to assess informal family arrangements, unless it appears necessary to the Local Authority that services may be necessary to safeguard or promote the welfare of a child in need. In such cases, the Local Authority has a responsibility under section 17 of the Children Act 1989 to assess a child's needs and provide services to meet any assessed needs of the child.

Parental responsibility remains with the birth parents, but the carer may do what is reasonable to safeguard or promote the child's welfare.

## Private Fostering

A privately fostered child is a child under 16 (or 18 if they are disabled) who is cared for by a carer who is not a parent or close relative. Close relative is defined as a 'grandparent, brother, sister, uncle or aunt (where of full blood, half blood or by marriage or civil partnership)'. If the arrangement is intended to last for 28 days or more as decided by the person with PR, the arrangement needs to be approved by the Local Authority. The parent will still hold parental responsibility for the child and agree the decision-making arrangements with the private foster carer.

The Local Authority has a duty to assess and monitor the welfare of all privately fostered children and the way in which they carry out these duties is set out in schedule 8 of the Children Act 1989, with a new paragraph inserted by section 44 of the Children Act 2004 and Private Arrangements for Fostering Regulations 2005.

The parent and or the person caring for the child can ring North Tyneside Council's Social Care Front Door on 03452000109 for help and advice on private fostering arrangements. If a professional or member of the community feels a child may be privately fostered then they must also report this into Children's services.

## Connected Person Foster Carer

A Connected Person Foster Carer is someone who is either being assessed via Regulation 24 of the Care Planning, Placement and Case Review Regulations 2010, or has been assessed by the Local Authority Fostering Service to be a Registered Foster Carer for the child (The Children Act 1989, Guidance and Regulations Volume 4: Fostering Services). The child in this case would be a Child in our Care.

The assessment and approval process for family and friends who apply to be Foster Carers for a specific child in our care will be fully explained during the Placement Planning Meeting. Please see support for Connected Person Foster Carers document for more details.

Once approved as Foster Carers, they will be allocated a Supervising Social Worker from the Kinship Care Team within the Fostering Service to provide them with support and supervision. Connected Person Foster Carers will receive fostering allowances as per all North Tyneside registered Foster Carers for as long as they are caring for a child in our care.

While the child remains a child in our care, as a Foster Carer they will be expected to co operate with all the processes that are in place to ensure that the child receives appropriate care and support, for example: - completing training, working with the child's social worker and contributing to the child's care plan.

Specific support may be required for Connected Person Foster Carers to ensure that they can meet the day-to-day requirements of being a registered Foster Carer. Support may include 1-1 support from a Fostering Support Worker on areas such as a child play, support and guidance on areas such as housing, understanding of children needs where they have suffered trauma, support to attend groups and activities with a child alongside attendance at or 1-1 bespoke training.

Authority for day-to-day decision making about the child should be delegated to the carer, unless there is a valid reason not to do so. During the placement planning meeting delegated responsibilities and what is delegated to who, is discussed in more detail.



## Child Arrangement Order

A Child Arrangement Order (CAO) is a Court Order which sets out the arrangements as to when and with whom a child is to live and spend time with. A CAO may give parental responsibility to the person in whose favour it is made, PR is shared with the parents.

Authority for the day-to-day decision making about the child should be delegated to the carers, unless there is a valid reason not to do so.

Child Arrangement Orders may be made in private family proceedings in which the Local Authority is not a party nor involved in any way in the arrangements. However, a CAO in favour of a relative or previous Connected Person Foster Carer with whom the child was living with may be an appropriate outcome as part of a plan of permanence for a child in our care. Please see the Child Arrangement Order guide to payments for further information on financial support offered.

Where the Kinship Care Team were involved in the assessment for the CAO to be granted, then a Post Order Support Plan would have been devised with the carers so that they knew what support and advice was available to them post order until the child reached the age of 18.

Should a carer with a Child Arrangement Order feel they require further support and advice then they should contact the Kinship Care Team in North Tyneside on 0191 6432540 asking for an assessment of support needs.

Should the child have been a child in our care immediately before the making of the order, then the Adoption and Special Guardianship Support Fund (ASGSF) may be accessed for therapeutic support for the child. This will be something which is discussed via the assessment of support needs that will be completed with the carer by a Social Worker and Foster Support Worker from the Fostering Service.

## Special Guardianship Order

Special Guardianship offers a further option for children needing permanent care outside their birth family. It can offer greater security without absolute severance from the birth family as in adoption.

Relatives may apply for a Special Guardianship Order after caring for a child for one year, however, if a Special Guardianship Order is part of the Local Authorities plan of permanence for a child, then the length of time caring for a child can be shorter, depending on the circumstances.

Special Guardians will have parental responsibility for the child which, while it is still shared with parents, can be exercised with a greater autonomy on day-to-day matters than where there is a Child Arrangements Order.

Where the child was a child in our care immediately prior to the making of the Special Guardianship Order, the Local Authority has a responsibility to assess the support needs of the child, parents and special guardians, including the need for financial support.

Once the Special Guardianship assessment is complete recommending a Special Guardianship Order for the child, a support plan will be devised by the Kinship Care Team and the Child's Social Worker, outlining what support is available post order. A Special Guardian can contact the Fostering Service and ask for an Assessment of Support Needs at any point up until the child is 18 years of age.

Upon the completion of a positive full assessment for a Special Guardianship Assessment, then North Tyneside Council will provide carers with a letter outlining how they can access two hours of free legal advice with a solicitor of their own choosing.

Post Order support may include 1-1 support from a Fostering Support Worker on areas such as family time, life story work, support and guidance on areas such as housing, understanding of children needs where they have suffered trauma, support to attend groups and activities with a child alongside attendance at training.



All North Tyneside Council Special Guardians are able to access the full training package on offer to all North Tyneside Foster Carers. Please refer to our full training brochure that provides course contents and learning outcomes.

The Kinship Care Team offer quarterly support groups to Special Guardians via a newsletter that all Special Guardian's will be requested to join upon the granting of a Special Guardianship Order. This is a chance to stay connected to the Kinship Care Team, other Special Guardians, and to hear from guest speakers who may attend.

Should the child have been a child in our care immediately before the granting of the order then the Adoption and Special Guardianship Support Fund (ASGSF) may be accessed for therapeutic support for the child. This will be something which is discussed via the assessment of support needs.

Please see Special Guardianship Order Financial Support document for more details.

## Adoption Order

Adoption is the process by which all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by the court. As a result, the child legally becomes part of the adoptive family.

An Adoption Order in favour of a relative or foster carer with whom a child is living may be an appropriate outcome as part of a permanence plan for a child in care.

Early Permanence enables a baby or young child who may need adopting to live with a potential permanent family earlier than a conventional adoption. Early Permanence is an umbrella term used when talking about certain types of adoption arrangements for young children. It includes arrangements also referred to as Fostering for Adoption (FfA) and Concurrent Planning.

Local Authorities must make arrangements, as part of their Adoption Service, for the provision of a range of adoption support services. They have to undertake assessments of the need for adoption support services at the request of the adopted child, adoptive parents and their families, as well as birth relatives. The support required is then set out in an Adoption Support Plan and this may include financial support.

Should the child have been a child in care immediately before the granting of the order then the Adoption and Special Guardianship Support Fund (ASGSF) may be accessed for therapeutic support for the child.

Any North Tyneside Adopters needing post order support should contact Adopt North East for further support and advice on **0191 643 5000**.





# What support is on offer to Kinship Carers within North Tyneside Council?

The Majority of Kinship Care Arrangements work well and meet the needs of the child with the support of universal agencies such as health, education and housing services. Where kinship carers do require some additional support or advice then they can contact the Kinship Care Team based in the Councils Fostering Service.

Carers can also access support via Kinship Care Charity, Family Rights Group and by seeking their own independent legal advice. Some solicitors offer one off advice and should a positive Special Guardianship assessment be completed, then North Tyneside Council will fund 2 hours free legal advice to carers to support them in considering what is the right legal order for them and their family. An assessing Social Worker will guide carers through this process at the appropriate time.

The Kinship Care Charity, is the leading kinship care charity in England and Wales. They work with all Kinship Carers who are caring for children when their parents can't. Kinship aims to provide support, advise and training to all Kinship Carers irrespective of under which Kinship Care arrangement they are in.

Family Rights Group are a charity that advises parents, grandparents, relatives and friends about their rights and options when Social Workers or courts make decisions about their child's welfare.

## **Support Groups are open to Kinship Carers of North Tyneside**

North Tyneside Council has a Fostering Support Worker who takes responsibility on being the point of contact for Kinship carers within the Fostering Service. Information is gathered and quarterly emails are sent to all kinship carers who have consented to being on the mailing list. This email includes up to date information, resources and links to services which are relevant to Kinship carers.

A quarterly event is held in different areas around the borough where this includes the kinship care team, and at times guest speakers. This is an opportunity for kinship carers to meet together, gain support and widen their networks.

There are four independent kinship groups that run within North Tyneside that Kinship Carers can be signposted to and the Kinship Care Support Worker, attends as and when requested to consider themes and issues to bring back to the Local Authority. This supports the shaping of future policy and practice.







### **What should agencies and practitioners do?**

Agencies working with Kinship carers should acknowledge not only the joy and fulfilment experiences, but also the personal cost and sacrifice that many kinship families make in order to care for children, often having to change their lifestyle and plans for the future and take this into account when working with them.

Practitioners should encourage kinship carers to access all the universal services available to them, both locally and nationally, including any universally available benefits and allowances, and to seek advice when the child's needs exceed these by contacting the Kinship Care Team on **0191 643 2540**.

### **Accommodation**

It is recognised that when Kinship Carers take on the care of a relative or friends' child that the space in their home is a big consideration. The Kinship Care Team therefore has developed good working relationships with North Tyneside Council Housing Department to ensure that should they be living in social housing, they are given appropriate priority to move to more suitable accommodation wherever appropriate and possible. It should be noted, however, that North Tyneside Council Housing Department do not have many larger properties in their stock for rent and therefore the Kinship Care Team will work with carers alongside housing colleagues to look at realistic options should housing be an issue they are facing.



## Education

The Hive Team (Health, Information and Advice, Virtual School, Emotional Wellbeing), virtual school offer is for pupils attending North Tyneside Schools who are in our care or have previously been children in our care and have now achieved permanency through living under a Special Guardianship Order, Child Arrangement Order or Adoption. Pupils living in Kinship Care Arrangements that have not been previously been in care are also able to access support. The Virtual School Staff are available to offer advice and guidance to schools, social workers and families.

Schools receive Pupil Premium Plus of £2530 for all children who are in our care or were previously children in care, where their parents/ guardians have notified the school of the eligibility. The School's Designated Teacher now has oversight for children who were previously children in care and is responsible for this funding and how it is used in school.

The Hive Team can also provide therapeutic support and advice and guidance around emotional wellbeing related to early life experiences.

To find out more or to get in touch with the team please contact them on **0191 643 8365**  
<https://nthive.org.uk/virtual-school/HIVETeamAdmin@northtyneside.gov.uk>

## Financial Support

Informal care arrangements that were organised within the family are funded by the child's parents and agreement should be reached between all parties who is going to apply for any child related benefits as applicable.

Child in the care of the Local Authority within a Fostering Arrangement will be supported by the relevant child age related Fostering Allowances as set by the Government minimum allowance to Foster Carers. It should be noted that children who are looked after by the LA, are not entitled to claim any child benefits.

North Tyneside Council has a policy for the calculation and payment of Child Arrangement Order Allowances and Adoption Order allowances. This policy refers to Child Arrangement Order Allowances and Adoption Order Allowances as 'Permanence Allowances' and may be paid to a parent/ carer to support the permanent placement of a child.

The council does not have a legal requirement to financially assess parents/ carers who are awarded a Child Arrangements Order or Adoption Order but will do so. All allowances will be reviewed annually, or when there is a change of circumstances. It is important that any changes relating to a child or carer are reported to the Council finance team as a change in circumstances may affect the financial support available. Requests for information will be sent out by the finance team and any delay in providing evidence for the review will result in payments being suspended.

A Policy for the calculation and payment of Special Guardianship allowances is also in place for Special Guardians.

A Special Guardianship Allowance (on-going financial support paid periodically to meet a need which is likely to give rise to recurring expenditure) will be payable where:

The Council consider that it is necessary to ensure that the Special Guardian can look after the child; and/or

The Council consider that the child's assessed needs require a greater expenditure of resources than would otherwise be the case because of his illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect.

All allowances will be reviewed annually or when there is a change of circumstances. Any requests for support that is deemed exceptional and not within the current policy will be presented to a panel, chaired by the Head for Safeguarding and Children's Services.







## Supporting family time with birth parents

Family time when it works well can reassure children that their family members are alright and still care about them. It can help them process why they no longer live with them and come to terms with their past. It can help them to continue to develop relationships with siblings and their wider family network which may be very important to them as they get older.

The Local Authority is under a duty to promote family time for all children who are in the care of the Local Authority 'unless it is not practicable or consistent with the child's welfare'. The overall objective of the family time arrangements will be included in the child's care plan and will be regularly reviewed.

Where a child has a plan of permanence via either a Child Arrangement Order or Special Guardianship Order than the level of family time for the child and parents will be specified by the court. Following the granting of a Special Guardianship Order it is up to the carer to follow the plans set by the court however, family time must always be reflective of what is in the best interests of the child and can be changed.

Support for Kinship Carers who have a legal order such as a Child Arrangement Order or Special Guardianship Order can contact the Kinship Care Team for further advice and support around family time issues on **0191 643 2540**.

Where a child is not a child in care, the Local Authority is required to promote family time between the child and their family 'where it is necessary to do so in order to safeguard and promote their welfare.' As part of support arrangements, it may be identified that specific assistance is required to ensure that any such family time can be managed safely. If necessary, information will be made available to friends and family carers about local contact centres and family mediation services and how to make use of their services.



## Family Network Meetings

North Tyneside Council Children's services follow the Signs of Safety Practice Model, and therefore believe that involving family, friends and community networks is crucial to keeping children safe.

Family Network meetings are held between professionals and family members, which aim to achieve the best outcomes for children. They promote the involvement of the wider family to achieve a resolution of difficulties for children in need/ children in our care and may help to identify short-term and/or permanent solutions for children within the family network.

North Tyneside Council aim to hold a family network meeting at an early stage of working with families. If a child becomes a child in care, we will arrange one as soon as possible. A family network meeting may also be held to find a resolution to a permanent care arrangement within a Special Guardianship care arrangement or child arrangement care arrangement and there are issues which may de stabilise the care arrangement where the wider family can support.

## Disruption meetings

Disruption meetings are held following a non-planned ending of a Special Guardianship Care Arrangement where the child has not returned to birth parents care. The disruption meeting should focus on the needs of the child and help the child and carers to move on while also informing future planning, particularly with a view to securing permanency for the child by preventing any further breakdowns. These meetings are also an opportunity for the service to consider what could have been done differently for any future learning.

## Complaints Procedure

Where a Kinship Carer is not satisfied with the level of support provided to enable them to care for the child, then they have access to the Local Authorities complaints process. Our aim would be to resolve any such dissatisfaction without the need for a formal investigation but where an informal resolution is not possible, then a formal investigation will be arranged.

The timescale and process are set out in the Council's Complaint Procedure.







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