

Warwickshire County Council Family and Friends (Kinship Care) Strategy

1. Introduction

- 1.1 This strategy is informed by the 'Family and Friends Care: Statutory Guidance for Local Authorities' issued by the Department of Education in 2010. It aims to improve outcomes for children and young people who, because they are unable to live with their parent/s, are being brought up by members of their extended families, friends or other people who are connected with them. The Local Authority is required to publish its Family and Friends policy setting out its approach towards meeting the needs of children living with family and friends or other connected people.

'The Guidance makes it clear that children and young people who are unable to live with their parents should receive the support that they and their carers need to safeguard and promote their welfare, whether or not they are looked after.' (Statutory Guidance 1.2)

- 1.2 Many family and friends support children and young people without recourse to the Local Authority. However in some circumstances the needs of children and young people living with family and friends are similar to those of children who have become looked after where the Local Authority has facilitated the placement arrangements. For looked after children, the Local Authority will actively explore the family and friends network as a means of securing permanency for the child or young person in its care.
- 1.3 The circumstances of the individual children to large extent will determine the present and future responsibilities of the Local Authority towards the placement.

'The most common reasons for family members and friends taking on the care of children are those related to parental factors such as domestic violence, alcohol or substance misuse, mental or physical illness or incapacity, separation or divorce, imprisonment, or death of a parent. Child related factors such as disability or challenging behaviour may also be reasons. In many instances the characteristics and needs of children living with family and friends carers in informal arrangements are very similar to or the same as, those of children who have become looked after.' (Statutory Guidance 2.5)

2. Policy and Underpinning Principles

- 2.1 The Warwickshire County Council strategy for Family and Friends (Kinship) arrangements are underpinned by two existing policy directives

To ensure that children and young people, who are unable to live with their birth parents, are securely attached to carers capable of providing them safe and effective care for the duration of their childhood

(Corporate Parenting Policy 2006)

To provide quality and safe care within a family setting for children and young people who are unable to live within their own families

(Foster Care Statement of Purpose 2010)

- 2.2 In practice the Family and Friends (Kinship) Strategy is further reinforced by the following principles:-

Warwickshire County Council will:

- Ensure that the welfare and best interests of children and young people remain paramount in all decisions that affect them
- Facilitate and support families to make their own arrangements to care for children and to avoid the need for children and young people to be looked after by the Local Authority.
- Make arrangements for children and young people in all 'kinship' arrangements to receive the support that they and their carers need to safeguard and promote their welfare whether or not they are looked after and irrespective of the legal basis for the placement. They should be supported to access universal, targeted and specialist services according to their assessed needs and the circumstances of their living arrangements.
- Work in partnership with others so that every child and young person, including those who are vulnerable and disadvantaged, has the greatest possible opportunity to be the best they can be
- Given primary consideration to the duty placed on the Local Authority to maintain or rehabilitate the child/young person to their family where this is safe and consistent with their welfare to do so.
- Give due regard to the views and wishes of the child/young person who should be placed at the centre of decision making and planning
- Explore the full range of family and friends placements and arrangements and those with other connected people as either
 - (i) an alternative to the child/young person entering care or
 - (ii) to enable the child/young person to be discharged from care at the soonest possible opportunity where this is consistent with their safety, wellbeing and wishes.

- Allow family and friends and connected people to access the County Council Complaints and Representation process if they are dissatisfied with services received.

2.3 To achieve these objectives Warwickshire County Council and its partner agencies recognise:-

'A range of agencies providing family support and early intervention services should be aware of and sensitive to the needs of children who are living with family and friends carers.' (Statutory Guidance 2.10)

2.4 Warwickshire County Council with its partner agencies will:-

- Recognise that children and young people who are living with relatives, friends or other connected people fall within the ambit of Warwickshire's definition of a 'child in need.' The 'Threshold for Intervention: Meeting the Needs of Children in Warwickshire' (2011) forms the basis for determining the most appropriate response to the child and families circumstances.
- Promote the use of the Common Assessment Framework (CAF) as means of assessing the needs of family and friends placements and drawing services together
- Encourage the uptake of Family Group Conferences for family and friends in circumstances where there is a high likelihood that a child or young person becoming 'looked after' and where family members require assistance in determining the most appropriate living arrangement for the child or young person.
- Under the Public Law Outline give consideration to extended family members or friends at every stage in the care planning and decision making process
- Provide prospective 'kinship' carers with information and advice about their rights, responsibilities and legal options both verbally and in writing and ensure that this information is widely available through various means
- Will assess and support children, young people and carers where the Local Authority has been involved in the placement arrangements.
- Promote support services/groups and training specifically commissioned for 'kinship' foster carers to enable them to meet the needs of children and young people placed.
- Develop and maintain a dataset of the needs and support services being provided to 'kinship' arrangements including special guardianship and private fostering arrangements.
- Review and update its policies and procedures as they relate to 'kinship' arrangements and provide training to staff and partners as appropriate.

3. Nominated Officer, Responsibilities and Representations

3.1 The senior manager responsible for family and friends care policy is

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3.2 Key tasks for the nominated officer in implementing this strategy are

- To review and update the Family and Friends Strategy and Action Plan and related procedures and guidance
- To ensure that the policy is widely available and distributed
- To ensure that we consult with children , young people, family and friends carers and their parents
- To quality assure the work of the Kinship Services Team
- To commission training on 'kinship' and related practice areas
- To establish a database on the support needs of all kinship placements and to promote and develop service provision in this area
- To monitor and act upon the findings of complaints and representations arising from family and friends and connected others

4. Informal and other Placement Arrangements

4.1 Children and young people living in an informal family and friend's arrangement can access the full range of universal services and targeted services through the CAF processes. Services and support in the agreed plan will be coordinated and reviewed via the lead professional.

'To enable family and friends to offer appropriate care for children and young people who cannot live with their parents, access to a range of high quality support services at universal, targeted and specialist levels will be needed.'
(Statutory Guidance 2.11)

4.2 At the onset of any such informal arrangement the social worker should ensure that the status of the arrangements is set out in writing to include details of any support offered by the Local Authority, including financial support. Legal advice may be necessary and the agreement needs to be reviewed regularly in accordance with the relevant procedures

4.3 Where there is a need to safeguard or promote the welfare of the child or young person as a 'child in need' an assessment under the Assessment Framework will be offered and a 'Child in Need Plan' formulated.

4.4 Private Fostering is an arrangement that is made privately, without the involvement of the Local Authority for the care of a child under the age of 16 (under 18 if disabled) by someone other than a parent or close relative for

longer than 28 days. Under the Children Act 1989 a close relative is defined as: a grandparent, sibling, uncle or aunt (whether full or half blood or by marriage) or step-parent. These arrangements will be assessed and reviewed under the Private Fostering Regulations. (See separate procedures)

- 4.5 Where a family and friends foster carer wishes to adopt a child in their care the 'Approval to adopt by Foster Carers or Members of Staff' procedures are to be followed.
- 4.6 Where children and young people are living with family and friends as an alternative to initiating care proceedings, or where the Local Authority have placed the child/young person in the arrangement, the Local Authority will support the carers (subject to an assessment of need).

'No child or young person should have to become a looked after child, whether by agreement with those holding parental responsibility or by virtue of a court order, for the sole purpose of enabling financial, practical or other support to be provided to the child's carer.' (Statutory Guidance 2.19)

- 4.7 Where the child is not formally looked after by the Local Authority support will be provided in the following ways
- by providing advice and written information as to their rights and the legal options available to them for securing the placement of the child/young person through either a Residence Order or Special Guardianship application
 - by completing an assessment of the support required to the placement and completing a support plan outlining how these assessed needs will be met under Section 17, by giving assistance in kind or as a financial payment as an exceptional or regular payment.
 - under Section 17 as a family support service provide advice, guidance, mediation and counselling on how to manage the issues arising from contact or caring for the child/young person who may show emotional or behavioural difficulties

5. Looked after Children and Young People

- 5.1 Where the child/young person meets the threshold for accommodation under section 20 the assessing social worker, in consultation with their line manager will explore placements with family or friends or other connected people as a positive alternative to the placement with an unrelated foster carer.
- 5.2 The Local Authority Safeguarding Children's Services will explore potential alternative carers within the family and friends network before any application is made under section 31 of the 1989 Act for a care or supervision order. Subject to legal advice, an assessment will be completed following the recommendation of a Family Group Conference, or alternative meeting. The assessment will determine whether care for the child/young person can be safely provided by a relative or friend and will give consideration to the most appropriate legal status of such arrangements. The Local Authority will always

give preference to the placement with a person who is a relative, friend or other connected person where this appropriate and in the child/young person's interests

- 5.5 Where the child/young person has or is to be looked after the Local Authority will assess the family and friends as foster carers in line with the Fostering Regulations and National Minimum Standards for Fostering Services. This will be through the designated Kinship Service where in each case a robust assessment will be completed to ensure that the placement is beneficial for the child/young person and consistent with the overall objectives of the Care Plan.
- 5.6 Family and Friends foster carers will receive the same level of allowances as those paid to mainstream foster carers. Carers will be expected to access the core training programme and will receive the same levels of support and supervision.
- 5.7 Additionally through the designated Kinship Service consultation will take place with family and friends foster carers to identify additional training and/or support needs.

6. Residence Orders and Special Guardianship Orders

- 6.1 In many circumstances Residence and Special Guardianship Orders are effective options for achieving 'safe and secure care' for children and young people who are unable to live with their own families.
- 6.2 These orders are made within the context of existing relationships and from the child/young person's and their family's perspectives have the following advantages
 - They support existing relationships and in the case of family members the desire to support the birth parent(s) and child/young person concerned
 - They reduce the stigma that can be associated with being 'in care'
 - They maintain the child/young person's links with birth parents and wider family and community
 - They promote or maintain the child/ young person's racial, religious and cultural heritage.
- 6.3 Where the child/young person is looked after by the Warwickshire County Council, immediately prior to the application for a Special Guardianship Order or Residence Order, the applicant and child/young person will be entitled to an assessment of their need for support services or residence order allowance under the Special Guardianship and Residence Order Procedures.

7. Support to Kinship Arrangements.

- 7.1 Research has identified that 'kinship' carers, irrespective of the legal basis of the placement often require a range of support to assist them caring for the child. This increases the likelihood of the stability of the placement.
- 7.2. A Support Plan should be completed for all placements. For informal placements under section 17 this can be the 'Child in Need Plan'. There are specific support plans for special guardianship and private fostering arrangements, and 'family and friends' foster placements will be underpinned by the Placement Plan.
- 7.3. Except where the placement falls within the Fostering Regulations the 'kinship' carers will always be encouraged to claim all relevant benefits and allowances. Prospective residence order holders or special guardianship orders holders will be eligible for an assessment for financial support, in line with the county council's policy and approved scheme, where the child/young person is looked after immediately prior to their application where this necessary to secure the arrangement.
- 7.4. Where a legal process is required to secure the child with the 'kinship carer', the Children's Team may contribute towards the legal fees for the 'kinship' carer where the application is supported by the Children's Safeguarding Team following the assessment process.
- 7.5 Family and Friends foster carers and private fostering carers can access support, advice and training from the dedicated Kinship Services Team and their allocated Kinship Service social worker.

Strategy approved by the Senior Leadership Team – Safeguarding

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