

## **Briefing for the House of Lords on an amendment to the Welfare Reform and Work Bill in respect of exempting kinship carers raising children aged under 5 from work conditionality requirements**

### **Proposed Amendment**

#### **Clause 15 Page 14, line 43, at end insert—**

- a) “( ) The provisions in this section shall not apply to kinship carers responsible for a child aged 4 or under who is not the child’s parent or step parent and has undertaken to look after the child because the child:
- I. has no parents or has parents who are unable to care **or**
  - ii. would likely be otherwise looked after by the local authority because of concerns about the child’s welfare.

**This briefing is drawn up by Family Rights Group on behalf of the Kinship Care Alliance and endorsed by:**

Barnardo’s	Buttle UK	Caritas Social Action Network	
Childhood Bereavement Network	Children England	The Children’s Society	
CoramBaaf	The Fostering Network		
Grandparents Plus	Kinship Carers UK	Kinship ‘Foster’ Carers Group	
Mentor UK	Nagalro	The Open Nest	
Prison Advice and Care Trust	Quaker Social Action		
PAC-UK	TACT	Unison	YBont

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## 1. The current situation

The Welfare Reform Act 2012 (Universal Credit Regulations, Reg 91 (3)) exempts kinship carers (also known as family and friends carers) from work conditionality requirements for a year after they take on the care of a child. It defines **a friend or family carer** as a person caring for a child who

**1** is responsible for the child but is not the child's parent or step-parent **and**

**2** has undertaken to look after the child because the child

**2.1** has no parents or has parents who are unable to care **or**

**2.2** would likely be otherwise looked after by the local authority because of concerns about the child's welfare.

2. This welcome measure was a significant step taken by Lord Freud and the Government towards recognising the particular circumstances that kinship carers face, and the valuable contribution they make and acts as a precedent for the exemptions we are recommending above. The measure reflected Lord Freud's willingness to listen to the experiences of grandparents and other relatives who had to give up work to take on children who had suffered serious trauma or tragedy.

## Our concerns in relation to the Welfare Reform and Work Bill

3. We are very concerned about the impact on kinship carers of new measures in the Bill that will now require the responsible carer of a child aged 3 or 4 to be subject to all work-related requirements; the responsible carer of a child aged 2 to be subject to work-focused interview and work preparation; and the responsible carer of a child aged 1 to be subject to work-focused interview requirement.
4. The 2011 census analysis by the University of Bristol (Wijedasa, 2015) of children in kinship care in England found that there were 40,300 children aged under 5 years old who were being raised by a kinship carer. This is a 21% rise on the numbers of under 5s in kinship care in 2001. Some kinship carers are raising sibling groups aged under 5 years old.

Rachel is a grandmother in her 50s who took on the care of her three young grandchildren when her daughter died in a car accident last year. The children's father is in prison. She has had to give up work in order to raise the oldest grandson who aged 6 years old and her two youngest granddaughters who are aged 3 and 1 years old. She is also grieving the loss of her daughter, just as the children are grieving the loss of their mother.

5. Many kinship carers have to give up work with the children come to live with them. The largest survey undertaken of kinship carers (Ashley et al 2015) found that 49% had to give up work in order to raise the children. Many of the children that kinship carers are taking on have severe needs including insecure attachment. They struggle to find or afford suitable childcare. The survey found that kinship carers reported that 43% of the children had emotional and behavioural problems.
6. The additional stress of being required to undertake strict work conditionality requirements on kinship carers raising young children, could put the placement at risk of breakdown.
7. The above amendment would exempt all kinship carers of young children aged under 5 years old from having to go through the work conditionality requirements that the Bill is proposing. It would also leave in place the current 1 year exemption from work conditionality arrangements for kinship carers taking on the care of older children to assist during the child's transition to a new household.
8. For further information please also read briefings on kinship care and the Welfare Reform and Work Bill 2015 published on the Kinship Care Alliance's webpages <http://www.frg.org.uk/involving-families/kinship-care-alliance/kinship-care-alliance-briefings-and-campaigns>