

Written evidence to the House of Commons Welfare Reform and Work Bill 2015

Submitted 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

The Grandparents' Association

Grandparents Plus

Kinship Carers UK

Kinship 'Foster' Carers Group

Mentor UK

Nagalro

The Open Nest

Prison Advice and Care Trust (PACT)

Quaker Social Action

PAC

TACT

Unison

1. The Kinship Care Alliance is an informal network of organisations working with family and friends carers (also known as kinship carers) who subscribe to a set of shared aims and beliefs about family and friends care. Since 2006, members have been meeting regularly to develop a joint policy agenda and agree strategies to promote shared aims

which are:

- a) to prevent children from being unnecessarily raised outside their family,
- b) to enhance outcomes for children who cannot live with their parents and who are living with relatives and
- c) to secure improved recognition and support for family and friends carers.

The Kinship Care Alliance is serviced by the charity Family Rights Group.

2. Family Rights Group, which drafted this response, is the charity in England and Wales that works with parents whose children are in need, at risk or are in the care system and with members of the wider family who are raising children who are unable to remain at home. Our expert advisers, who are child welfare lawyers, social workers, or advocates with equivalent experience, provide advice to over 6000 families a year via our free and confidential telephone and digital advice service. We advise parents and other family members about their rights and options when social workers or the courts make decisions about their children's welfare. We also campaign for families to have a voice, be treated fairly and get help early to prevent problems escalating. We lead the Kinship Care Alliance and champion Family Group Conferences and other policies and practices that keep children safe in their family network.
3. We have significant concerns about the impact that some of the proposals that the Welfare Reform and Work Bill will have on relatives and friends who are raising children who cannot live with their parents (kinship carers).
4. We welcome that the focus of the Family Test is on stable and strong family relationships and the explicit reference to kinship carers in the Test. We would argue that the welfare reform proposals clearly impact on kinship care families and therefore fall within the scope of the Test. The above exemptions would therefore, we believe, be consistent with the application of the Department for Work and Pension's own Family Test.
5. There are an estimated 200,000 children being raised by kinship carers across the UK. Kinship carers are grandparents, older siblings and other relatives and friends who step in to care for children, many of whom would otherwise be in the care system. The current Government have a long standing commitment to ensuring families are stable and to create the best possible environment for children to flourish, as was outlined in the 2010 election manifestoⁱ.
6. These children typically are unable to live safely with their parents due to parental abuse or neglect, alcohol or drug misuse, domestic violence, mental ill health, disability, imprisonment or bereavement. As evidence from the Centre for Social Justice showsⁱⁱ, these factors can have severely limiting effects on children's life chances.
7. 95% of children living in kinship care arrangements are not 'looked after' by the local authority, therefore by keeping children out of the care system these carers save the taxpayer billions of pounds each year in care costs,

8. By becoming the full-time carer of a child or children, often in an emergency, kinship carers face significant additional costs both in terms of equipment needed (eg: beds, school uniform, larger car) and maintenance costs. Their family size increases and can even double overnight. Unlike adopters, they are not entitled to a period of paid leave for the children to settle in, despite the children having suffered similar prior adversities. A recent survey we undertook of kinship carers found 49% of kinship carers had to give up work permanently to take on the children, thus becoming reliant on benefits (Ashley et al, 2015).
9. This situation is further exacerbated when kinship carers take on a disabled child. The legislation as it currently stands means the 2 child limit for Child Tax Credit will apply to the child element for disabled children. The disability premium (the disabled and severely disabled child elements in Child Tax Credit) and an amount for each disabled child in Universal Credit will be protected regardless of the number of children in a family. However, the Child Element in Child Tax Credit and Universal Credit will only be paid in respect of two children in a family, even where the third child is disabled.
10. The survey of kinship carers found that 57% received child tax credits and 30% housing benefit (Aziz, 2015)
11. We are particularly concerned that the proposed reduction in the benefit cap will mean some kinship carers will be forced into severe debt and have to move home, away from their own children's school and support network.
12. The limiting of tax credits could plunge new kinship carers into severe poverty and may even jeopardise some placements. Moreover, it could significantly deter some potential kinship carers for a child from coming forward, particularly from taking on siblings groups, or a kinship care when the potential kinship carers already has dependent children of their own.
13. This could increase the number of children in care, which would not be in the children's best interests and at considerable cost to the Government – for one child to be in an independent foster care placement for a year costs £40,000ⁱⁱⁱ.
14. The Bill, as it stands, also sees the introduction of measures which mean that those making a new claim to Universal Credit can be disadvantaged in a way that is inconsistent with the approach applied through Tax Credits. For Child Tax Credits claims made after April 2017, more than 2 children could be included *providing* they were born before April 2017. Conversely, for Universal Credit the 2 child limit will be imposed regardless of when the children were born (unless the Universal Credit claim is linked to a previous Child Tax Credit claim).
15. The Welfare Reform Act 2012 exempts kinship carers from work conditionality requirements for a year after they take on the care of a child. This was a significant step 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. We are concerned however, of the impact on kinship carers of new measures in the Bill that will require the carer of a child aged 3 or 4 to be subject to all work-related requirements; the 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. Given that the children that kinship carers are taking on, often have severe needs including insecure attachment, we would suggest that kinship carers should be exempted from these measures.

Recommendations

16. We would urge MPs to consider the contribution that kinship carers make to providing children who cannot live with their parents with love, care and stability, at great savings to the public purse. It should be incumbent upon the state not to penalise those who provide this crucial form of support to vulnerable children and strengthen, rather than break, family relationships.

17. In particular, we would recommend the following amendments to the Bill to:

- exempt kinship carers from the benefit cap; and
- exempt kinship carers from the proposed two children tax credit limit by including kinship care in the category of 'exceptional circumstances'.
- That the conditionality changes proposed in the bill do not apply to kinship carers raising under 5 year olds.

18. Questions for the Minister:

- To ask the Minister how many kinship carers the Government estimate will be affected by the introduction of the limiting of the child element of child tax credits to the first two children?
- To ask the Minister how many kinship carers the Government estimate will be affected by the lowering of the benefit cap in a) London and b) outside London?

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ⁱ Conservative Party Manifesto, Chapter Two: Making Britain More Family Friendly, 2010

ⁱⁱ Rethinking Child Poverty, Centre for Social Justice, 2012

ⁱⁱⁱ Children in Care, National Audit Office, 2014