



The highs and lows of kinship care: supplementary analysis of a comprehensive survey of kinship carers in Scotland 2019

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About Family Rights Group

Family Rights Group is a charity that works with parents in England and Wales 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. We advise parents, grandparents, other relatives and friends about their rights and options when social workers or courts make decisions about their children's welfare.

We campaign for families to have their voice heard, be treated fairly and get help early to prevent problems from escalating. We champion policies and practices that keep children safe within their family and strengthen the family and community support networks of children in the care system.

About CELCIS

CELCIS is a leading improvement and innovation centre in Scotland. We improve children's lives by supporting people and organisations to drive long-lasting change in the services they need, and the practices used by people responsible for their care. For more information about our work, see www.celcis.org

What is kinship care?

Kinship care (also known as family and friends care) is any circumstance where a child is being raised by a friend or family member other than their parent. Kinship carers are commonly grandparents, but can be brothers and sisters, aunts and uncles, or close family friends who have stepped in to take on the care of a child, who is unable to live with their parents due to tragedy or trauma. In the UK, more than 180,000 children are raised by kinship carers; of these, 12 630 children are in Scotland.¹

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¹ Wijedasa, D (2017) [Children growing up in the care of relatives in the UK](#), Bristol: University of Bristol.

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Acknowledgement

Thank you to Cathy Ashley and Dorit Braun for the first UK-wide report on which this supplementary report is based. Where possible, the authors have replicated the key findings relevant for Scotland.

Introduction

This survey was undertaken by the charity [Family Rights Group](#) to help develop an in-depth understanding of the current experiences of kinship carers and the children they are raising. The full survey, which consisted of more than 60 questions, was created in order to:

- Get an extensive snap shot of the current situation facing kinship carers and the children they are raising;
- Consider whether the experiences of kinship carers now differ from survey findings from previous years (some of the questions have been asked in previous surveys);
- Explore specific matters in greater depth than have previously been examined, such as
 - o whether kinship children are living with their siblings, and if not, why not; and
 - o how kinship carers' access legal advice and what their understanding is from the outset of the legal situation and its consequences.

Alongside learning from published research in the field and from previous surveys that Family Rights Group has conducted, the survey questions were also informed by: calls from kinship carers to Family Rights Group's advice line; matters raised by members of the charity's kinship carers' panel; and by kinship carers and young people who have participated in a series of discussion events hosted on behalf of the [Parliamentary Taskforce on Kinship Care](#)² reporting to Westminster.

The Family Rights Group are extremely grateful to all the kinship carers who took the time to complete the survey and to Esmée Fairbairn Foundation and John Ellerman foundation whose generous grant funding made the research possible.

The first report of the Family Rights Group reported on the experiences of 845 kinship carers caring for 1,252 kinship children across the UK.³ The report was developed to support the Family Rights Group's services, policy and campaign work; including the work of the Parliamentary Taskforce on Kinship Care.⁴ This supplementary analysis provides an in-depth analysis of the kinship carers in Scotland and provides the legal context to influence national and local kinship care policies, practices and services of local authorities and other public agencies.

² The Parliamentary Taskforce on Kinship Care is for England and Wales only.

³ See Ashley, C & Braun, D (2019) [The highs and lows of kinship care: analysis of a comprehensive survey of kinship carers 2019](#), London: Family Rights Group.

Methodology

The survey was designed in partnership with kinship carers, who helped focus the questions on the key concerns affecting their lives. The Survey Monkey on-line platform was used to host the survey in order to make it accessible to as many kinship carers as possible, and for ease of analysis. Respondents could choose to answer all, or some, of the questions. The survey was widely promoted on Family Rights Group's website, newsletter and social media feeds, to members of kinship care Facebook groups; via MPs who are members of the Parliamentary Taskforce on Kinship Care; and organisations in the Kinship Care Alliance. The survey was open from April 2019 to June 2019. Excel and Survey Monkey software were used to analyse results.

The report is laid out to enable responses to each (closed) survey question to be easily read. Where open survey questions were asked, the report provides illustrative quotes or quantifies the results. Under each question, it sets out the number and percentage of respondents as well as the total number of kinship carers who answered the question. Some of the original questions in the UK survey were difficult to interpret in the Scottish context due to different legislation, allowance policy and practice guidelines, therefore these questions have been omitted.

The legal status of the child and the consequences of this

The type and level of support that a kinship carer is entitled to largely depends on the legal status of the child's placement with them. Whether or not a kinship carer has parental responsibility for the child will also depend upon the child's legal status. Having parental responsibility enables the carer to make key decisions for the child, such as agreement to a medical operation or whether the child can go on a school trip.

Some kinship carers step in and take on the care of a family member's child without the prior involvement of children's services and without the matter being considered by the Sheriff Court or the Children's Hearing System. In this scenario, even when a kinship carer has been caring for the child for some time, they do not have parental rights and responsibilities for the child and children's services are not under any duty to provide the child or kinship carer with any specific support. The kinship carer in this situation may apply to the court for a court order that gives them parental rights and responsibility for the child. These are most likely to be courts orders under section 11 of the Children (Scotland) Act 1995, which will set out conditions of residence for the child and may transfer some (or all) parental rights and responsibilities. These types of formal orders can also be classified as Kinship Care Orders (KCO) for the purpose of the Children and Young People (Scotland) Act 2014, as set out in section 72(1). The 2014 Act introduces a duty on local authorities to provide assistance to kinship care families with such a Kinship Care Order or people who are seeking such a Kinship Care Order (including financial legal assistance).

A child can be 'looked after' in the care system as a result of the local authority obtaining a care order or a voluntary agreement between parents and the local authority. In Scotland, the majority of children in formal kinship care are legally 'looked

after' using a voluntary agreement under section 25 of the Children (Scotland) Act 1995 or under a Compulsory Supervision Order under section 83 of the Children's Hearings (Scotland) Act 2011 (reviewed annually). These legal orders do not provide long-term legal security for a child or carer. Despite this, children can remain on these orders in some cases for the duration of their childhood. Another option that is less frequently used is a Permanence Order under section 80 of the Adoption and Children (Scotland) Act 2007. One of the advantages of a Permanence Order is it can be tailored to best suit the needs of the individual child, with the potential for parental responsibilities and rights to be shared between the kinship carer, parents, and the local authority.

In Scotland the rate of the financial allowance provided to kinship carers and foster carers is determined by individual local authorities and independent fostering agencies, in line with Regulation 33 of the Looked after Children (Scotland) Regulations 2009. Scottish Ministers have powers under section 110 of the Adoption and Children (Scotland) Act 2007 to set the level of payments to kinship carers, but have not utilised these powers. There is currently no national statutory guidance on the allowance rate that is to be paid to carers, or thresholds indicating a minimum or maximum payment to meet the costs of caring for a child in kinship care or foster care.

Local authorities can utilise one of three legal powers to make payments to kinship carers: either section 22 of the Children (Scotland) Act 1995, section 50 of the Children Act 1975 or regulation 33 of the Looked After Children (Scotland) Regulations 2009. Which legal basis the local authority uses is important because of the potential interaction with the social security system (for more information, see CPAG (2018) [Kinship care and benefits factsheet](#)). Access to child-related social security benefits such as child benefit is an important point of difference between kinship carers and foster carers.

Local authorities can also use powers to support informal kinship carers at their discretion. The use of legislation for payments for informal kinship care was either the section 50 of the Children Act 1975 or a child 'in need' section 22 of the Children (Scotland) Act 1995.

There is no legal requirement for the local authority to be notified when a child is being cared for in an informal kinship care arrangement with a close relative (through blood, marriage or civil partnership). This differs for a child who is being cared for by a person who is not a close relative for more than 28 days where the parent and carer have a duty to notify local authorities, as this is a private foster care arrangement (Scottish Government, 2013).

The Scottish Government funds Citizens Advice Scotland to provide the Kinship Care Advice Service for Scotland which includes four regional Kinship care advice officers, national telephone advice line and Facebook page (Freephone telephone 0808 800 0006, email and resources - www.kinshipcarescotland.org.uk).

Summary of key findings

The kinship carers:

- The survey was completed by 54 kinship carers who are raising at least 75 kinship children.
- 98% of kinship carers who filled in the survey are women, 96% are aged under 65 years old and the respondents are also overwhelmingly of White British ethnicity. 67% are grandparents raising their grandchildren, 20% are aunts or great aunts raising their nieces or nephews.
- Over half, 52% are single carers.
- 41% of kinship carers reported a limiting long-term illness or disability
- A quarter are also raising their own birth children, who are aged under 18.
- Just under a quarter of kinship households also have another adult living there, aside from the carer and their partner. In the overwhelming majority of cases, this is an adult birth child.

The kinship children:

- 17% of the kinship children are aged under five years old, 37% are aged between 5 and 9 years old, 31% between 10-15 years of age. 10% are aged 16 or 17 years old. 96% are White British and 4% of mixed ethnicity.
- Over half of respondents (54%) said that one or more of the kinship children they are raising have special needs or disabilities. 88% of these children are described as having emotional and behaviour problems and half of the children had learning disabilities.
- Two-fifths the kinship carers⁵ report that the children had previously suffered harm, in the main this was emotional abuse and/or neglect.
- Parental drug use was the main reason as to why the children are unable to live with parents.
- Just over one in ten kinship carers reported that a child that they care for was temporarily excluded from school and 6% of carers reported that a child they care for had been permanently excluded.

⁵ In this report we often refer to the proportions of carers rather than the proportion of children because the questions refer to their caring experience rather than each of the children they might be caring for.

- The majority of children had lived with their birth parents prior to living with their kinship carer
- One in ten of the kinship children had been placed with an unrelated foster carer (i.e. a foster carer who is neither their family member nor friend of the family) prior to going to live with the kinship carer.
- 75% of the kinship carers shared that they were caring for a child who had a brother or sister living elsewhere.
- Nearly two-thirds of kinship carers reported that a child they are caring for has been involved in a Children's Hearing. Two-thirds of kinship carers shared that the child/ren they were caring for had been subject to a child protection plan. Where known, four in ten kinship carers reported that a child they were caring for is subject to a care order.

Employment situation of kinship carers:

- 17% of kinship carers are in full-time paid work
- 44% of kinship carers in a job had to give up work and a further 19% reduced their hours when they took on the kinship child/ren.
- 6% of the partners of kinship carers, who had been in work, had to give up their job and a further 4% had to reduce their hours due to taking on the kinship child/children.

Legal advice and representation:

The legal status of the child, for example whether or not they are looked after in the care system, or whether they are subject to a legal order, affects what practical and financial support they are entitled to. This can have life-long implications for both the kinship carer and the kinship child. It also determines whether the kinship carer has parental responsibility for the child/ren and thus can make key decisions for them. The survey results highlight the extent to which kinship carers are either left without legal advice or representation, or end up paying significant amounts towards legal fees from their own pocket.

- The vast majority (81%) of kinship carers said they felt that they did not have enough information, when they took on the care of the kinship child/children, about legal options to make an informed decision
- 55% of respondents said there had been legal costs associated with the kinship child/ren.
- Two-fifths of kinship carers had all the legal costs covered by the local authority and a further 17% had some help from the local authority. Where legal costs were incurred, 13% of kinship carers had no financial help with these costs.
- 10 kinship carers who had paid out of their own monies for all or part of the legal costs specified how much they had contributed. It averaged £3168, ranging from £200 to £10,000. 1 kinship carer had paid £10,000 or more.

- The majority of kinship carers (65%) where the child/ren were subject to legal proceedings, were represented by a solicitor. 8 respondents had no legal representation at all.
- 61% feel that the kinship child/ren is now on the most appropriate legal order for them, but 26% felt that they are not.

Financial challenges:

- Over 80% of kinship carers said becoming a kinship carer had caused financial hardship. The emotional price of paid by kinship carers and other family members can also be huge.
- Just over four in ten kinship carers rated the process of obtaining financial support as very difficult.
- 38% of kinship carers reported not having had not a holiday in the last year. This compares to only 14% of the wider population not having had a holiday between September 2017-August 2018.⁶
- 77% of kinship carers had to make some changes to their accommodation when the kinship child/ren came to live with them. Nearly 90% of them received no help.
- 32% of respondents said their current housing is not suitable, with some kinship carers sharing the children did not have enough space to play.

Practical and emotional support:

- Almost one in five rated the support from children's services as good or excellent. 64% rated the support they'd received from children's services as poor or very poor.
- One in four (24%) kinship carers said they'd received no help of any kind from children's services.
- Where there had been help from children's services, contact with the children's social worker featured highest. Only one in twenty kinship carers had received support from children's services on managing contact with the child's parents or other relatives, despite this often being a major source of concern for kinship carers.
- Kinship carers reported that family and friends are their main source of help and advice (43%). 35% of kinship carers identified the child's school as a source of help or advice. Support groups (on-line and local groups) came in for praise from kinship carers.
- 92% of kinship carers said some additional support would have made/would make a difference, only 8% said no additional support was needed.
- Four in ten kinship carers reported that emotional support for them would have made a difference. The highest response for support from kinship

⁶ ABTA (2018) Holiday Habits Report <https://www.abta.com/sites/default/files/2018-10/Holiday%20Habits%20Report%202018%20011018.pdf>

- carers was for help with the child's behaviour/emotional difficulties (58%), counselling or therapeutic support for the child (43%) would be valuable.
- Life-story work for the child would have been helpful for 38% of kinship carers. More than two-fifths (43%) of kinship carers reported that respite care (also known as short-breaks), counselling for the kinship carer (23%), mediation with family (23%) managing family contact (20%), and training courses (35%) would make a difference.

The kinship carers

This section sets out the demographics of the respondents

Q1 Gender of kinship carer:

53 (98%) of respondents are female and only 1 (2%) was male. 54 kinship carers responded to this question.

Q2 Age of kinship carer:

Age of kinship carer completing the survey (number and percentage of respondents):

Age	Respondents	% of Respondents ⁷
25-34 years old	5	9
35-44 years old	9	17
45-54 years old	23	43
55-64 years old	15	28
65-74 years old	2	4

26% of kinship carers are under 44 years of age, 71% were aged 45 – 64 years. Only 4% were 65 years old or over.

Q3 Ethnicity of carer

Ethnicity	Respondents	% of Respondents
White/White British	52	98
Prefer not to say	1	2

Total respondents: 53

Q4 Does kinship carer have a limiting long term illness or disability?

Illness or disability	Respondents	% of Respondents
Yes	22	41
No	30	56
Prefer not to say	2	4

Total respondents: 54

⁷ Rounding of percentages to whole numbers means that throughout this report the cumulative percentage reported may be greater than 100%

In Scotland, two-fifths of kinship carers (41%) who responded said they have a limiting long-term illness or disability; this compares with around a quarter (24%) of the UK kinship carer.

Q5 How many kinship children under the age of 18 years are you raising as a kinship carer? This does not include respondents' birth children

Number of children being raised by carer	Respondents	% of Respondents
1	36	67
2	16	30
3	1	2
4	1	2

Total respondents: 54

In total 54 kinship carer households who responded are raising at least 75 kinship children aged under 18 years old.

Q6 Relationship to the kinship children you are caring for?

Relationship to kinship children	Respondents	% of Respondents
Grandmother	35	65
Grandfather	1	2
Friend	2	4
Sister	1	2
Aunt	9	17
Great Aunt	2	4
Cousin	1	2
Other	3	6

Total respondents: 54

67% of those who answered are grandparents. This compares with the Scottish analysis by Wijedasa⁸ of the 2011 census which found that 72% of kinship carers related to the child were grandparents and 8% were siblings.

Analysis of the survey respondents who answered 'other' is interesting in that it includes: two step-grandmothers and a brother's ex-girlfriend's child.

⁸ Wijedasa, D. (2017). *The prevalence and characteristics of children growing up with relatives in the UK: Characteristics of children living with relatives in Scotland*, Bristol: University of Bristol. Retrieved from: <http://www.bris.ac.uk/policybristol/policy-briefings/kinship-care/>

Q7 Kinship carers also raising at least one birth child aged under 18

Birth child/ren under 18	Respondents	% of Respondents
1	9	64
2	5	36

Total respondents: 14

Around a quarter of kinship carers responding to the survey have birth children under 18 who they are also raising.

Q8 Do you have a wife or husband/partner living with you?

Wife or husband/partner living with kinship carer	Respondents	% of Respondents
Yes	26	48
No	28	52

Total respondents: 54

Just over half of all kinship carers responded are single; this compares with a third of kinship care in the UK survey.

Q9 Are there other adults in household?

Other adults in household	Respondents	% of Respondents
Yes	12	23
No	41	77

Total respondents: 53

Just under a quarter of kinship care households also have another adult living with them who is not the carer's partner.

Q10 Kinship carers were asked more detail about the other adults in the household (excluding a husband/wife or partner)

12 of the 53 kinship carers who had answered yes to Q9 answered this question and described their relationship to these other adults in more depth:

- 15 birth children aged 18 or over were living with in kinship care households;
- 2 kinship 'children' aged 18 or over living with them;
- One household had one other adult living there (who are not the carer's partner/wife/husband).



Employment and kinship care

Q11 Employment status of kinship carer

Employment status of kinship carer	Respondents	% of Respondents
Full time paid work	9	17
Part time paid work	11	20
Retired	3	6
Unemployed	4	7
Not working due to ill health	10	19
Not working due to caring responsibilities	17	32

Total respondents: 54

Just over a third (37%) of kinship carers are in full-time or part time paid work; around a fifth are not working due to ill-health and 32% are not working due to being a kinship carer.

Q12 Employment status of carer's partner (where applicable)

Employment status of carer's partner	Respondents	% of Respondents
Full time paid work	18	34
Part time paid work	2	4
Retired	4	8
Unemployed	0	0
Not working due to ill health	2	4
Not working due to caring responsibilities	1	2
Not relevant, I don't have a husband/wife/partner living with me	26	49

Total respondents: 53

Only 34% of respondents had husbands, wives or partners in full-time work.

Q13 Did you have to give up work or change your hours to care for the kinship child/children?

Kinship carers work status/change of working hours

	Respondents	% of Respondents
Yes, gave up work	24	44
Yes, reduced hours	10	19
Yes, increased hours	1	2
Yes, made other changes to my working pattern	5	9
No, didn't change work pattern	4	7
Not applicable/not working at the time	10	19

Total respondents: 54

44% of kinship carers had to give up their job and a further 19% had to reduce their hours due to taking on the kinship child/children. If you exclude those who were not working at the time they began caring for the children, this figure increases to 55% having to give up work and a further 23% reducing their hours.

Q14 Has caring for your kinship child/children resulted in your partner having to give up work or changing their hours?

Kinship carers work status/change of working hours

	Respondents	% of Respondents
Yes, gave up work	3	6
Yes, reduced hours	2	4
Yes, made other changes to my working pattern	4	8
Yes, increased hours	2	4
No, didn't change work pattern	15	28
Not applicable/not working at the time	1	2
Not relevant - I didn't have a husband/wife/partner living with me	26	49

Total respondents: 53

6% of the husbands, wives or partners of kinship carers had to give up their job and a further 4% had to reduce their hours due to taking on the kinship child/children. An additional 12% had to make some other adjustment to their working pattern.

The kinship children

Q15 Ages of kinship care children



Q16 Has one or more of your kinship child/children previously suffered harm?

Has one of more of your kinship child/children previously suffered harm?

	Respondents	% of Respondents
Yes	22	42
No	22	42
Don't know	7	14
Other	1	2

Total respondents: 52

Our child welfare and family justice system categorises harm to a child as emotional, physical and/or sexual abuse and/or neglect. Around two-fifths (42%) of kinship carers said the kinship children had previously suffered harm.

Q17 The kinship carer was asked, if the kinship child/children had previously suffered harm, to describe the abuse experienced (carers could tick more than one answer)

The percentage figures in the table below reflects the proportion of respondents who ticked each option. Because carers could tick more than one option, the total percentages adds up to more than 100%.

Abuse Experienced by kinship child/ren	Respondents	% of Respondents
Physical abuse	8	35
Sexual abuse	2	9
Neglect	21	91
Emotional abuse	12	52

Total respondents: 23

Neglect and emotional abuse were the main categories of abuse that children had experienced.

Q18 Main reasons the kinship child/children are unable to live with their parents (carers could tick more than one reason)

The percentage figures in the table below reflects the proportion of respondents who ticked each option. Because carers could tick more than one option, the total percentages adds up to more than 100%.

Abuse Experienced by kinship child/ren	Respondents	% of Respondents
Parental drug misuse	31	60
Parents could not cope	22	42
Parental mental ill health	19	37
Parental alcohol misuse	19	37
Parental abandonment or parent relinquished child	5	10
Parental imprisonment	5	10
Parent's separation	5	10
One or both parents have died	4	8
Domestic abuse	4	8
Breakdown in relationship between parent and child	4	8
Parental illness or disability	3	6

Child or adolescent behavioural difficulties	3	6
Very young parent	3	6
Don't wish to answer	2	4
Partner/parent sex offender	0	0
Child is beyond parental control	0	0
Other	4	8
Don't wish to answer	2	4

Total respondents: 52

Main reasons as to why the children were unable to live with parents included parental drug misuse, not being able to cope, parental mental ill health or parental alcohol misuse. The diversity of kinship family circumstances also include: parental abandonment, imprisonment, parents have died, parental separation and domestic abuse.

Q19 Race and ethnicity of kinship children

Race and ethnicity of kinship children	Respondents	% of Respondents
White/White British	44	96
Mixed	2	4

Total respondents: 46 (based on 46 children)

Q20 Do any of the kinship children have special needs or disabilities?

	Respondents	% of Respondents
Yes	28	54
No	24	46

Total respondents: 52

Over half of kinship carers responded that at least one or more of the kinship children they are raising have special needs or disabilities.

Q21 If the kinship child or children have special needs or disabilities, the carer was asked to specify the type of disability (carers could tick more than one answer)

The percentage figures in the table below reflects the proportion of respondents who ticked each reason. Because carers could tick more than one option, the total percentages adds up to more than 100%.

Types of special needs or disabilities of kinship children	Respondents	% of Respondents
Physical disability	4	16

Learning disability	13	52
Chronic health condition	3	12
Special educational needs	10	40
Emotional and behavioural difficulties	22	88
Other (please specify)	10	40

Total respondents: 25

Other conditions specified:	Respondents
ADHD	4
Autism	4
Attachment Disorder	1
Developmental delay	1
FASD	1
Hypermobility	1

Total respondents: 10

88% of respondents raising a kinship child with special needs or disabilities, stated the child has emotional and behavioural problems and over half said the child has learning disabilities.

Q22 Have your kinship child/ren ever been temporarily excluded from school? All respondents that answered

Kinship children temporarily excluded from school	Respondents	% of Respondents
Yes	6	12
No	46	89

Total respondents: 52

Of the 52 kinship carers who responded this question, 12% indicated that at least one of the kinship children they care for have been temporarily excluded from school.

Q23 Have your kinship child/ren ever been permanently excluded from school?

Kinship children permanently excluded from school	Respondents	% of Respondents
Yes	3	6
No	48	94

Total respondents: 51

Three kinship carers indicated that at least one of the children they cared for had been permanently excluded from school.

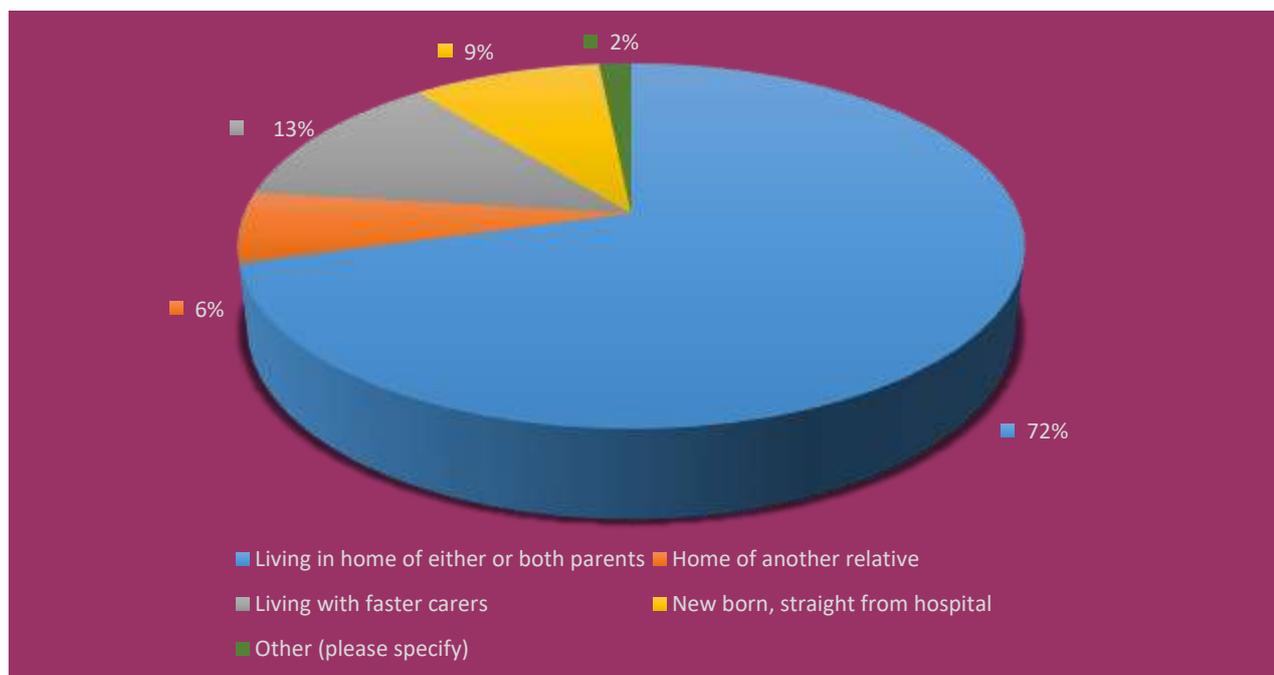
More details about the kinship children including where they previously lived

Q24 Where did the child live prior to coming to the kinship carer?

The percentage figures are the proportion of kinship children who had lived in the following placements prior to coming to the kinship carer.

Kinship child/ren's living arrangements	Respondents	% of Respondents
Living in home of either or both parents	46	72
Home of another relative	4	6
Living with foster carers	8	13
Newborn, straight from hospital	6	9
Other (please specify)	1	2

Total respondents: 45 (64 children)



The majority of children had been living with parents prior to their kinship carer. Just over one in ten kinship children had been placed with an unrelated foster carer (i.e. a foster carer who is neither their family member nor friend of the family) prior to going to live with the kinship carer. Six children had been cared for by their kinship carer straight from hospital as a new-born baby.

Q25 Do the kinship child/ren living with you have any siblings not living with you?

Kinship child/ren's siblings not living with kinship carer	Respondents	% of Respondents
Yes	38	75
No	13	26

Total respondents: 51

Three-quarters of the kinship carers shared that the child they were caring for have a sibling or half-sibling who they are not living with.

Q26 If kinship child has siblings not living with them, where do the siblings live?

The percentage figures in the table below reflects the proportion of respondents who ticked each reason. Because children may have more than one sibling and carers could tick more than one option, the total percentages adds up to more than 100%.

Kinship child/ren's siblings living arrangements	Respondents	% of Respondents
With the birth parent(s)	13	34
With unrelated foster carers	9	24
With other relatives	14	37
They are adopted	9	24
In a residential children's home	0	0
They are adults	1	3
Other (specified)	2	5

Total respondents: 38

When examining where the siblings live, 37% of kinship carers reported that siblings are living with another relative and just over a third of kinship carers reported that siblings are living with at least one of their parents. 24% reported that siblings are in an unrelated foster care placement and 24% reported that the sibling have been adopted. Where siblings or half-siblings are living with another parent, in some cases this is because at least one of their parent(s) are in a better place in terms of being able to raise the child (e.g. they have a new partner who isn't violent) or because it is a half-sibling, who is living with a parent, who is not a cause for concern.

Q27 If the kinship carer's sibling(s) is not living with you, did you put yourself forward to raise their siblings?

Did kinship carer put themselves forward to raise siblings	Respondents	% of Respondents
Yes	14	28
No	26	51
Not applicable	11	22

Total respondents: 51

Almost three in every ten kinship carers, who are raising a kinship child who has a sibling living elsewhere, put themselves forward to raise the sibling (or half-sibling).

Q28 If you put yourself forward to care for one or more of the kinship child's siblings, what happened that resulted in them not currently being in your care?

Why kinship child's siblings are not being raised by kinship carer	Respondents	% of Respondents
A negative local authority assessment	2	10
A court judgement	5	24
Parent hostility	1	5
The placement broke down	1	5
Other (please specify)	12	57

Total respondents: 21

A common reason why kinship carers were not caring for siblings was due to a legal decision being made that required a brother or sister to live elsewhere. Other reasons given by kinship carers included, that the sibling was not related to the kinship carer due to having a different birthparent to their sibling, the child was being cared for by other relatives, and placement breakdown.

Legal and social care interventions

Q29 Has your kinship child/children ever been subject to any of the following? (respondents could tick all that are relevant)

The percentage figures in the table below reflects the proportion of respondents who ticked each reason. Because carers could tick more than one option, the total percentages adds up to more than 100%.

Legal and social care interventions	Respondents	% of Respondents
A children's hearing	33	65
A child protection plan	34	67
A child in need plan	10	20
A family group conference	7	14
A supervision order	21	41
A care order	13	26
A voluntary arrangement (also known as voluntary accommodation under section 25 of Children (Scotland) Act 1995)	9	18
Don't know	5	10
None of the above	4	8

Total respondents: 51

Nearly two-thirds of kinship carers responded that their kinship child/ren had been involved in a Children's Hearing. Two-thirds had children subject to a child protection plan. Two fifths of carers reported that children they were caring for had been subject to a Compulsory Supervision Order (CSO). Other legal orders included a Permanence Order under the Children and Adoption (Scotland) Act and a section 11 order under the Children and Young People (Scotland) Act 2014.

Q30 Is the kinship child or children looked after by the local authority?

The figures in the table are the number of kinship children looked after by the local authority. The percentage figures are the proportion of kinship children who are looked after by the local authority.

Is the kinship child/ren looked after by the LA	Respondents	% of Respondents
Yes, the child is currently under an interim or full care order	25	40
No	33	53
Not sure	2	3
Other	2	3

Total respondents: 47 (62 children)

Just over half of the kinship children were not legally 'looked after' by the local authority. A child is looked after by the local authority i.e. in the care system, if they are under a care order (including interim care order) or as a result of a voluntary arrangement between those with parental responsibility (normally the parents) and the local authority.

For two children respondents did not know whether or not the child is looked after. For two children respondents said 'other' with 'looked after child in Scotland' and 'Permanence order in place'. This indicates that there is some confusion about the legal orders for children in kinship carer and the looked after child status.

Q31 What legal order,⁹ if any, do you have for the child/ren?

The figures in the table are the number of kinship children subject to different legal orders. The percentage figure reflects the proportion of kinship children under the different legal orders.

Legal orders	Respondents	% of Respondents
None, the child is under no legal order	3	9
None, but the local authority has an interim or full care order	0	0
I have a Special Guardianship Order for the child ¹⁰	1	3

⁹ Note: some of the figures differ between questions 30 and because some respondents chose to answer question 30 but not 31 and visa versa.

¹⁰ In Scotland we do not have Special Guardianships Order. It may be that the kinship carer has moved to Scotland after living in England so does have this order. It could also be that there is confusion over the names of different legal orders.

I have a Residence order for the child	24	75
Not sure	2	6
Other (please specify)	2	6

Total respondents: 27 (32 children)

Three-quarters (75%) of kinship carers have a Residency order for the child.

Legal advice and representation

Q32 Have there been any legal costs incurred in relation to the kinship child/ren?

Legal costs in relation to the kinship children

	Respondents	% of Respondents
Yes	22	55
No	27	45

Total respondents: 49

Q33 If yes, what were the legal costs for

The percentage figures in the table below reflects the proportion of respondents who ticked each reason. Because carers could tick more than one option, the total percentages adds up to more than 100%.

Legal orders	Respondents	% of Respondents
Legal advice	11	50
Legal representation pre proceedings	8	36
Legal representation in court proceedings	18	82
Costs of bringing proceedings	11	50

Total respondents: 22

Q34 Have you had any help with these legal costs?

Legal orders	Respondents	% of Respondents
No	4	13
Yes - I qualified for public funding (legal aid) for part of the legal costs	8	27
Yes- I qualified for public funding (legal aid) for all of the legal costs	1	3
Yes - I received some help from the local authority for legal costs	5	17
Yes - the local authority covered all the legal costs	12	40

Total respondents: 30

Two-fifths of kinship carers had all the legal costs covered by the local authority and a further 17% had some help from the local authority. Where legal costs were incurred, 13% of kinship carers had no financial help with these costs.

Q35 How much have you contributed/paid towards legal costs?

10 kinship carers who had paid out of their own monies for all or part of the legal costs specified how much they had contributed. It averaged £3168, ranging from £200 to £10,000. One kinship carer had paid £10,000 or more.

Q36 If child/ren were the subject of legal proceedings were you represented by a solicitor?

The figures in the table excludes those kinship carers who responded that the question wasn't applicable to them.

Representation by solicitor	Respondents	% of Respondents
Yes, throughout	26	59
Yes, some of the time	3	6
No, but had access to legal advice	1	2
No	7	16
Not applicable	7	16

Total respondents: 44

A majority (65%) of the kinship carers raising children who were subject to legal proceedings, were represented by a solicitor. 8 respondents were not represented by a solicitor. They are therefore unlikely to have seen relevant assessments provided setting out the child’s past trauma and health and emotional conditions, and support needs. Lack of representation is likely to have significantly impeded their ability to influence decisions about contact arrangements and the support plan, including financial, emotional and practical support.

Q37 If you had access to legal advice, please state who you got legal advice from?

Who gave legal advice	Respondents	% of Respondents
A high street solicitor	23	72
A solicitor recommended to you	7	22
Family Rights Group	2	6

Total respondents: 32

Q38 When you took on the care of the kinship child/children, do you feel you knew enough about the legal options and their implications in terms of support to make an informed decision?

Total respondents: 47



5 respondents elaborated on their responses:

“It was meant to be a gradual transition from foster care but was hastened due to foster mother dying. I was given a day’s notice he was coming full-time. I had been asking social work for help with getting a bigger social housing for months as my adult son had one bedroom and we had a two bedroom flat. I got no help and my three year old grandson had to share a bed with my 22 year old son.”

“Nobody cares.”

“Not at all - Social work only tell you the positives.”
“Not a lot of info was available to me at the time”

“We were phoned by children’s services and was told if we did not take the children there and then they were going into care.”

Q39 Are you satisfied with the current legal status of the kinship child/children?

Satisfaction of current legal status of the kinship child/ren

	Respondents	% of Respondents
Yes	30	61
No	14	26
Not Sure	5	9

Total respondents: 49

Some respondents gave a further explanation for their answer. Specifically these include difficult relationships with birth parents over parental rights and general confusion about legal rights:

“Birth parents can cause a lot of issues and still have parental rights which can be used as a weapon and the children suffer as a result.”

“Parents still have parental rights as do we. But we can’t move abroad or change child’s surname on passport to our surname which she is known as.”

“I want a section 11 but I would be forced back to work but my grandson had many hospital appointments and doesn't sleep. Social [work] are forcing this order on to Carers saying nothing will change very, very untrue. Everything changes.”

Financial support

Q40 If you receive or have received a regular financial allowance from your local authority, has the amount reduced during the last two years?

Has your financial support from your LA been reduced during the last 2 years?	Respondents	% of Respondents
Not applicable, we have not received a regular allowance from your local authority	5	12
Not applicable, we only have recently started receiving an allowance	2	5
No, the allowance has increased	9	22
No, the allowance has stayed the same	13	32
Yes, the allowance has been reduced due to a change in local authority policy/cuts	9	22
Yes, the allowance has been reduced but it is due to a change in our circumstances (e.g. the child is now 18 years old)	1	2
Yes, the allowance has been reduced but we do not understand why	2	5

Total respondents: 41

9 kinship carers said the allowance had increased, 13 said it had stayed the same and 12 kinship carers said the allowance had been reduced or cut entirely.

There appeared to be challenges in the interaction for kinship carers with the social security system and Child Benefit:

“I have applied for a kinship care allowance recently there was a lot of missed information. I thought I couldn't apply because I already get tax credits but that is not the case as I will be paid under a section 25.”

“Reduced as receiving child benefit”

“The amount was reduced by £66 a month because the local authority decided to reduce it because of the amount carers would receive through child benefit. A benefit I was told by DWP I wasn't entitled to.”

Q41 If your kinship child/children's legal status has changed since they have been living with you, did this affect the financial support you received from children's services?

Did change in kinship child/ren's legal status affect financial support from children's services

	Respondents	% of Respondents
Yes	2	5
No	25	68
Not Sure	10	27

Total respondents: 37

Q42 Do you receive any of the following benefits or tax credits?

Respondents could tick more than one answer; hence the percentage total is greater than 100%

Benefits	Respondents	% of Respondents
Child Benefits	34	83
Child tax credit	23	56
Council tax benefit	12	29
Housing benefit	15	37
Disability living allowance for the child you are raising	13	32
Carers Allowance	12	29
Working Tax Credit	6	15
Disability living allowance/personal independent payment (PIP)	9	22
Income Support	7	17
Universal Credit	3	7
Employment Support allowance	3	7
Pension Credit	2	5

Bereavement/widows benefit	2	5
Guardians allowance	0	0
Other (please specify)	3	7

Total respondents: 41

This demonstrates the importance of child benefit and child tax credit, as well as Disability Living Allowance, particularly for the child, to many kinship care households.

Q43 Have you been affected by the benefit cap?

Have you been affected by the benefit cap

	Respondents	% of Respondents
Yes	1	2
No	30	73
Not Sure	10	24

Total respondents: 41

The vast majority of kinship carers in Scotland had not been affected by the benefit cap. One kinship carer responded,

“I was affected when I wasn’t working when the youngest reached 9 months. They cut my benefits.”

Another kinship carer commented they thought it would have an impact:

“Not yet but it will affect me when I need to change over to universal credit”

Q44 Have you been affected by the bedroom tax?

Affected by bedroom tax

	Respondents	% of Respondents
Yes	0	0
No	42	98
Not Sure	1	2

Total respondents: 43

In Scotland, the bedroom tax (officially known as the Under occupancy charge) was mitigated against by Scottish national policies in recognition of the impact on communities. Kinship carers and foster carers are exempt from the bedroom tax. Hence no respondents have been affected by the bedroom tax in Scotland.

Q45 Have you been affected by 2 child tax credit limit

Affected by 2 child tax credit	Respondents	% of Respondents
Yes	0	0
No	37	86
Not Sure	6	14

Total respondents: 43

In Scotland, no kinship carers responded that they were affected by the two-child tax credit limit. CELCIS provided evidence to the Department of Work and Pensions consultation highlighting the social justice issues and impact on kinship carers specifically in Scotland.¹¹ Kinship carers are exempt from the two-child child tax limit. This was following a successful campaign, led by Family Rights Group in conjunction with the Children's Society, members of the House of Lords and organisations in the Kinship Care Alliance, the Welfare Reform and Work Act 2016 exempts kinship children from the restriction of child tax credit to two children in the household.

Q46 Have you ever had your benefits sanctioned?

Benefits sanctioned	Respondents	% of Respondents
Yes	3	7
No	36	86
Not Sure	3	7

Total respondents: 42

Whilst only 7% of respondents said that they had been benefit sanctioned, those who had described the extreme impact including the severe knock on consequences:

¹¹ Hill, L (2016) [Response to DWP Public consultation on entitlement to child tax credits for children in kinship care](#), Glasgow: CELCIS.

“I was made redundant shortly before my nephew was removed. Originally we were not accepted to take on my nephew but then they resided they were happy for it to go through I was looking to return to work during this time. I was sanctioned as I explained we were taking him on. And that would mean I had to stop looking as he needed to settle in and dealing with meetings, Contact, etc. as it was all over the place. This caused many issues until that Xmas also we stopped getting housing benefit because we started getting help 50.00 per week from local authority so this apparently was income so we had to live off my husband’s wage. He now had reduced hours and tax credits kept cancelling we had him in our household because his mum kept reapplying for him. It was horrible to go through.”

“Late signing on meant I received no income for several weeks. I had to take out a loan.”

“Struggled to do activities and food shopping, gas, electric....”

Q47 Do you think you were given enough information about benefits, finances and sources of financial support when you became a kinship carer?

Information about benefits, finances and sources of financial support

	Respondents	% of Respondents
Yes	3	7
No	38	88
Not Sure	2	5

Total respondents: 43

88% said they didn’t have enough information about benefits, finances and financial support when they became a kinship carer.

Q48 How would you rate the process of obtaining financial support from the local authority or claiming benefits? (1 is very easy and 5 is very difficult)

Rating the process of obtaining financial support

	Respondents	% of Respondents
1	5	12
2	3	7
3	6	14
4	10	23
5	19	44

Total respondents: 43

Just over four in ten kinship carers rated the process of obtaining financial support as very difficult.

Q49 Has becoming a kinship carer caused you financial hardship?

Financial hardship	Respondents	% of Respondents
Yes	36	84
No	2	5
Not Sure	5	12

Total respondents: 43

Over 80% of kinship carers said becoming a kinship carers has caused them financial hardship.

The following quotes indicate some of the struggles that kinship carers face:

“All my money goes on kids and food”

“I had to stop working so we had to switch our mortgage on interest only as we only got £30.00 a month from local authorities. Then when we got second child seven years later and she was put to the [children’s] panel we got kinship care allowance for her.”

“I gave up work and had to go on benefits worked all my life was financially secure....but not now.”

“Although we work full time and receive an allowance for having our granddaughter, we hadn't budgeted for full time care of another, expenses for school trips/clothing/everyday living with

raising a 10 year old through to this age at 18 and care is ongoing. The money we receive to look after her doesn't cover the costs of raising her and this has at times added financial stresses to our lives. This is something we wouldn't change though, even if we received no money for her care, we would have had her anyway. She is what's most important.”

A common theme was kinship carers having to give up work, reduce hours or accept lower paid positions due to the flexibility needed to care for children:

“I have had to give up my career and take part time work in a much lower position. Due to child care responsibilities i can only work part time.”

“In the beginning. We are now set for everything having a system but my partner is still part time and I can't work as he is very troubled after all this. Previously we had two incomes to now half and some help from benefits.”

“We only have 1 wage coming in now instead of 2 full time wages. Kinship allowance does not cover the wage I earned when working plus we have 2 young children to clothe, feed and that's not including general bills to cover for extra heating and fuel, it all adds up. Then there are clubs to help the boys with confidence and behaviour that needs to be paid. We can't afford to take them on holiday. Something we did as a couple once every 2 years.”

Kinship carers also described the additional financial and emotional struggles of raising children who have special needs, emotional and behaviour difficulties and/or disabilities:

“I had a well-paid job with the NHS and I have had to give it up, the job was stressful but I loved it but the two children I look after are both complex needs and the stress at home has taken its toll on me. Our social worker never gave me any advice about benefits or suggested I might try for any, they come out to our home spend an hour asking "how was school" and then leave. It is pathetic, if this is the best children can expect then local authorities should be sued and their social workers.”

“I only get £50 a week. My partner left I am now a single parent. Also kinship kid has a rare skin condition I can only work part time to go to his needs”

Q50 Have you and your family taken or booked a holiday in the last 12 months?

Holiday	Respondents	% of Respondents
No	16	38
Yes, paid for by ourselves/our family	24	57
Yes, paid for by charity/organisation	2	5

Total respondents: 42

Almost 4 in 10 kinship care households hadn't had a holiday in the last year. This compares to only 14% of the wider population not having had a holiday between September 2017-August 2018.¹²

¹² ABTA (2018) Holiday Habits Report <https://www.abta.com/sites/default/files/2018-10/Holiday%20Habits%20Report%202018%20011018.pdf>

Housing

Q51 Did you have to make any changes to your accommodation when your kinship child/children came to live with you?

Holiday	Respondents	% of Respondents
No	9	23
Yes, decorated/refurbished	15	38
Yes, extended the house/loft conversion	3	8
Yes, moved to a bigger home	9	23
Yes, decorated/refurbished, extended/loft conversions and moved to a bigger home	1	3
Yes, extended the house/loft conversion and moved to a bigger home	1	3
Yes, decorated/refurbished and moved to a bigger home	1	3

Total respondents: 39

More than seven in every ten (77%) kinship carers had to make some changes to their accommodation when the kinship child/ren came to live with them. Additional comments from kinship carers included: Having to move due to challenging relationships with birth parents; having to move to a bigger property in a different area for the children; breakdown in relationships due to change in circumstances and the need for additional space to provide care for the kinship child.

“Had to find another home as my then partner did not want to bring up my grandchild.”

“Had to move twice due to ongoing difficulties living near to birth parents. Eventually had to relocate.”

“I had to move from the town I was living in as there was no chance of me getting a bigger property. I had tried for 8 1/2 years. I had to move 15 miles to a rural village where I didn’t know anyone and became very isolated.”

“Need another room and toilet. Nobody listens.”

Q51 If you had to make any changes to your accommodation, did you get any help from the local authority, housing association or any other agency?

Help from the LA re. changes to accommodation

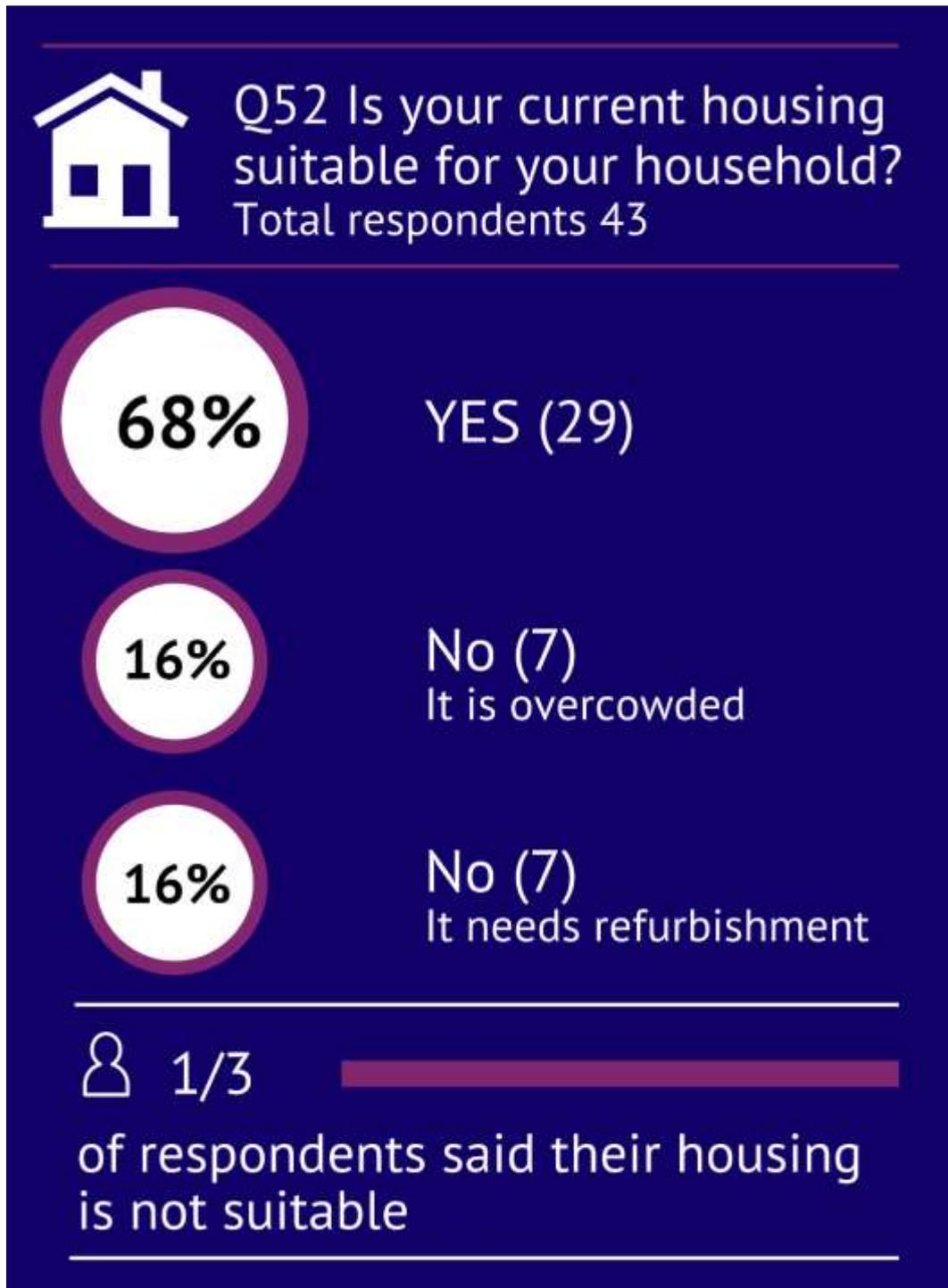
	Respondents	% of Respondents
Yes	5	12
No	38	88

Total respondents: 43

88% of kinship carers who incurred costs or had to make changes to their accommodation got no help.

Help that a minority of kinship carers received varied. Examples of housing support included: securing a bigger home from the housing association or a local authority tenancy move, funding an extension to the carer’s house and rehousing locally with removal costs covered.

Q52 Is your current housing suitable for your household?



Some kinship carers described the importance of children having space to play, grow and develop.

“I’m in a flat which is very small and no safe outside area for my growing granddaughter to play or explore”

“My grandson needs more space. Sensory issues. Tiny bedroom.”

“Although the house is suitable, we live in a very secluded rural area and for the children it's not suitable as they have no other children to play with or make friends with.”

“Not enough room”

Practical and emotional support

Q53 On a scale of 1 to 5, where 1 is very poor and 5 is excellent, how would you rate the help that you've received from children's services?

Rating the help received from children's services

	Respondents	% of Respondents
Very poor	16	38
Poor	11	26
Neutral	7	17
Good	6	14
Excellence	2	5

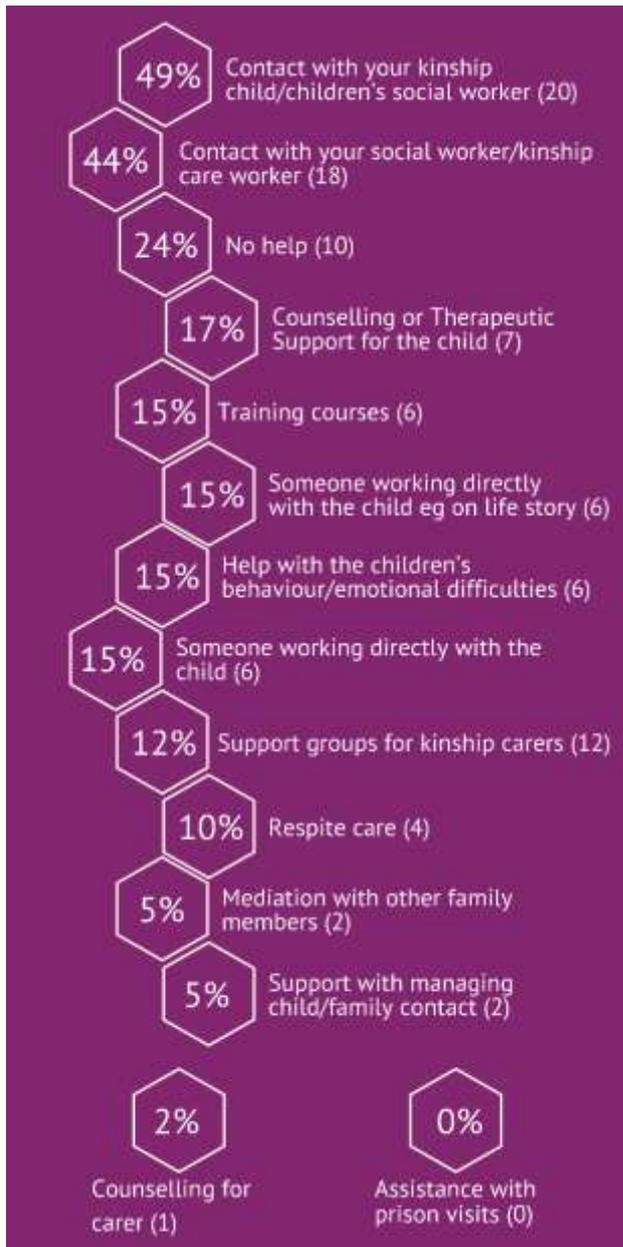
Total respondents: 42

Almost one in five rated the support from children's services as good or excellent. 64% rated the support they'd received from children's services as poor or very poor.

Q54 Since you have been a kinship carer, have you received any help of this kind from children's services:

Respondents could tick more than one answer, so percentages total more than 100%

Total respondents: 41



Only one in twenty kinship carers had received support from children's services on managing contact with the child's parents or other relatives, despite this often being a major source of concern for kinship carers. One in ten had received any respite care. Although five kinship carers were raising a child due to parent imprisonment (Question 20), no kinship carers responded that they had help with prison visits, despite research on the potential benefits enabling children to be supported to see a parent who is imprisoned.

“Kinship care social worker has been very good and has tried to help me a lot. But that's it.”

“Only saw social worker after panel meeting, they never after we got a section 11 order.”

“Rare call from social worker, no visits.”

Q55 Have you received help or advice from any other source, as a kinship carer?

Respondents could tick more than one answer so the percentages total more than 100%

Help or advice from other source	Respondents	% of Respondents
Family and friends	17	43
School	14	35
Online support group	9	23
A local kinship care support group	13	33
CAMHS	12	30
Health Visitor	10	25
GP	12	30
Children's centre/Sure Start	3	8
Charity or Voluntary Organisation	1	3
None	4	10

Total respondents: 40

Family and friends were the main source of help and advice (43%). 35% of kinship carers identified the child's school as a source of help or advice. The range of support needed for children from family, friends, health and school was recognised:

“The GP helped diagnose the hypermobility and the school were a great support both with understanding needs for her hypermobility and her family history. Family have been incredibly supportive. For instance when our granddaughter was 10-14, My mum provided all the childcare during every holiday to allow myself and my husband to continue working. The fees for a holiday club were ridiculous, running to £200-300 per week.”

“My health visitor has been amazing.”

Support groups (on-line and local groups) came in for praise from kinship carers. Around a third of kinship carers who responded attended a local kinship care support group. In recognising local need, one respondent shared:

“There was no support group when I became a kinship carer I identified a need and started a kinship care support and advice service.”

Q56 Is there any support that you did not receive but which would have/would make a difference?

Respondents could tick more than answer so percentages total more than 100%



92% of kinship carers said some additional support would have made/would make a difference, only 8% said no additional support was needed.

Four in ten kinship carers reported that emotional support for them would have made a difference. The highest response for support from kinship carers was for help with the child's behaviour/emotional difficulties (58%), counselling or therapeutic support for the child (43%) would make a difference. Life-story work for the child would have been helpful for 38% of kinship carers. More than two-fifths (43%) of kinship carers reported that respite care (also known as short-breaks), counselling for the kinship carer (23%, mediation with family (23%) managing family contact (20%), and training courses (35%) would make a difference.

Additional comments made by kinship carers reflecting the financial challenges and in this case, the need to fight on behalf of kinship children:

I am constantly fighting for their rights at school and with children's services. School to keep to plans made for child with ADHD and to children's services to get allowance for child to stay on in education.”

Conclusion

The supplementary analysis of kinship carers in Scotland highlights the highs and lows of kinship care. Serious challenges remain for kinship carers in receiving the financial, legal, practical and emotional support needed to raise the kinship children they demonstrate such love and commitment to. The level of inequality in the provision of support across Scotland for kinship care families is a cause for concern and must be addressed. In the words of the Independent Care Review for kinship care,

“ Scotland must hold the hands of those who hold the hand of the child. ”

The Promise, Independent Care Review, 2020, pg. 20 [LH1]