



Perth & Kinross Council

Education & Children's Services

**Services for Children,
Young People & Families**

**Kinship Care
Finance Policy**



Guardian/Keeper:	Services for Children, Young People & Families
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There are three groups of Kinship Carers and each group is entitled to different financial support.

The groups and entitlement are described below.

1 Approved Kinship Carers

This group are carers who are caring for children and young people who are looked after by the local authority. The definition of looked after children is that they are subject to any of the following legal statute(s)

- S25 Of Children's Scotland Act 1995 – voluntary accommodation
- S83 of Children's Hearing Scotland Act 2011- supervision requirement with named place
- S80 of Adoption and (Children) Scotland Act 2007 – permanence order

Payments to this group are made under Section 110 of the Adoption and Children (Scotland) Act 2007 and the carers are assessed and approved under Regulation 33 of the Looked After Children (Scotland) Regulations 2009. The payment is for maintenance and to promote their wellbeing.

The payment will be the equivalent to foster care age [allowances](#) and the four weeks holiday allowance. The payment will be made directly into the carer's bank account and paid fortnightly in advance. Carers who are receiving payments in this group are not entitled to welfare benefits as well.

When a decision is made in terms of the child's care plan for permanence and the legal route is recommending securing the child through a residence order a payment of up to £3000 will be made towards the legal costs. This would be made directly to the legal firm involved. A quote for the legal costs should be obtained prior to the submission.

2 Previously Approved Kinship Carers

This group are carers who have a Kinship Care Order, were previously assessed by Perth & Kinross Council as Approved Kinship Carers, where the child ceases to be Looked After and the Carers have secured a Kinship Care Order.

This group are entitled to the equivalent of the foster care [allowance](#) minus any child related benefits. These payments will be made under Section 50 of the Children Act 1975. The payment would be made following an assessment of their individual circumstances by the Welfare Rights Team. This payment will also be made directly into their bank account and paid fortnightly in advance.

3 Informal Kinship Carers

This group of carers are those caring for children through a private arrangement between family members. The children are not formally looked after (as above) but may have Social Work involvement under Section 22 of the Children (Scotland) Act 1995.

This group of carers are entitled to claim welfare benefits for children in their care. It is advisable that the carer is supported to do so by the Welfare Rights Team. This group of carers can be supported under Section 50 of the Children Act 1975 for one off payments which can be used for furnishings, additional expense etc. A case must be made on an individual basis for this payment and it cannot be used for ongoing maintenance.

4 Process

Approved Kinship Carers

Following 72 hrs of accommodation, an assessment will be required to begin, in line with Regulation 33 of the Looked After Children (Scotland) Regulations 2009. The Family Based Care Team will undertake the assessment and add their involvement to the carer on Swift (social work practitioner system).

- The carer has the option at this point to claim welfare benefits or take an allowance from the Council. A check by the Welfare Rights Team will allow for the carer to be informed as to their choice. Broadly speaking, the carers who will have greater advantage in claiming welfare benefits are those where they are caring for a child with disabilities or looking for child care vouchers.
- If payments are to be made by the Council then these must be added to Swift by the assessing worker. The carer should be advised of the amount they will receive and when.

Previously Approved Kinship Carers

As the child's care plan is developed and a recommendation is made at a Looked After Review that the child is in need of permanence then an updated assessment will be undertaken and presented to the Kinship Care Panel. If legal route recommended is a Permanence Order then the child will remain looked after and allowances will remain the same.

If the legal route is recommended as a Residence Order then the child will not be looked after and an assessment of their entitlement to allowances requires to be undertaken. This assessment should involve the Welfare Rights Team and a calculation of their entitlement for child related benefits. These will then be deducted from the amount of allowance paid. The balance will then be paid in the usual way.

The carer should be informed of the payments they will receive prior to the Kinship Care panel recommending a match.

5 Kinship Care Assistance

In July of 2016, the Scottish Government published National Guidance on Part 13 of the Children and Young People (Scotland) Act 2014 – support for Kinship Care. The guidance has clarified the position in relation to Scottish Government's expectations of Local Authority support.

The 2014 Act and Guidance set out the type of assistance which must be available when children are in a Kinship Placement but where this is not with an Approved Kinship Carer or Previously Approved Kinship Carer. In these instances of informal Kinship Care, there will be a requirement to provide kinship care assistance if the Child or Young Person was previously Looked After or at risk of becoming Looked After.

In the first instance a Kinship Carer must apply to the Local Authority for assessment as to their entitlement to Kinship Care Assistance. If the child is deemed as an eligible child then the assessment should determine the nature and level of support offered. Financial support can be offered by:

- Contribution towards seeking of a Kinship Care Order up to a maximum of £750
- A living allowance which will be the equivalent of the foster care age [allowance](#) minus their entitlement to child related benefits

Any financial support will be paid from the point at which the carer applied for support. If the carer doesn't wish to pursue state benefits then an assessment will continue to be undertaken by the Welfare Rights Team and an estimate of their entitlement calculated and deducted.

6 Informal Kinship Carers

When a situation becomes known then a Welfare Benefits check should be undertaken by the Welfare Rights Team. The carer should receive their payments directly from the DWP (Department for Work and Pensions). When there is an additional one-off expense required an application should be made under Section 50 (Children Act 1975) and authorised by an Improvement Officer.