

CAS briefing on Scottish Government Debate on Fostering and Kinship Care

Wednesday 5th December 2007



Advice and information is central to a successful strategy on kinship care. As policies and procedures change, the need for accurate and accessible information for kinship carers will become even more important.

Kinship care, unlike fostering, is a main full time care arrangement provided by a member of the child's extended family or wider network of friends. There are presently around 1,700 looked after children in a kinship care arrangement (as opposed to fostering). It is estimated that as many as 10,000 children have more informal arrangements.¹

The CAB service has a crucial role to play as a trusted intermediary which can provide accurate and up to date information to kinship carers. Independent advice is important for those kinship carers whose arrangement is informal as they are unlikely to have much contact with social services and so may not be aware of their rights and responsibilities. It is also important for kinship carers of looked after children, for whom an alternative, independent source of advice can be of great benefit.

Advice and information needs include:

- information on the legal status of children looked after by relatives and assistance that may be provided by the local authority and other statutory bodies
- provision of information giving a factual, contextual description of benefits and tax credits as they relate to and impact on any household where children and young people up to the age of 18 are resident
- provision of advice and support on the issues that may prevent households receiving their entitlements
- help for kinship carers in accessing the types of assistance which could enable them to access the benefits system more easily

The benefits system is complex, particularly for kinship carers, but it is also an important source of support. CAS was recently asked by the Scottish Government to produce information about the impact of a child joining a household on the weekly household income². The resulting publication, 'Kinship Carers: Possible Benefit Entitlement and Potential Issues when Claiming Benefits', outlines the potential relevant benefits and tax credits for kinship carers and illustrates the maximum entitlement in a number of scenarios. It then discusses the difficulties kinship carers can face in accessing the benefits system.

¹ <http://www.scottish.parliament.uk/business/officialReports/meetingsParliament/or-07/sor1024-02.htm#Col2647>

² Kinship Carers: Possible Benefit Entitlement and Potential Issues when Claiming Benefits, <http://www.scotland.gov.uk/Resource/Doc/181297/0051506.pdf>

There are a number of reasons why kinship carers may potentially have difficulties with accessing the benefits system when they take over the responsibility for a child, including:

- understanding the benefits system
- proving 'responsibility for a child'
- the time taken to administer claims
- the need to report all changes of circumstance
- intermittent care responsibilities or shared care
- the possible impact on the benefit entitlement of the child's parent
- mortgage payments for owner occupiers
- the complexity of the effect of payments for child maintenance (by the local authority or child's parents) on benefits
- consideration of options for low income kinship carers
- the income of the kinship carer may be too high for means tested benefits

In order to navigate the benefits system successfully a kinship carer needs:

- information on their possible benefit entitlement, including
 - what benefits to claim, how to make a claim and to which agency;
 - what to do if their circumstances change;
 - other potential sources of help, to include agencies that will provide advice and information on their entitlement;
- assistance as they take over responsibility for the child, both
 - financial, to help them over the initial weeks until their benefits start to be paid using existing powers in Children (Scotland) Act 1995; and
 - support to prove that they are the person responsible for the child, for child benefit, child tax credit and disability living allowance purposes.

In July 2007, the Scottish Government announced funding for kinship care to include a one-stop information and advice service for kinship carers, run by Citizens Advice Scotland.³ The intention is that "each bureau will provide advice, information and support on the income, tax and benefits entitlements when a child joins the household and it will identify the appropriate legal status of the kinship carer's relationship with, and responsibility for, the child."⁴

We are committed to continuing to develop information that is relevant, trustworthy and accessible to kinship carers. This complements and supports the expertise that other organisations, including local charities and social workers, can offer kinship carers.

The provision of such high quality independent advice is integral to any kinship care strategy. As policies and procedures change, the need for accurate and accessible information for kinship carers will become even more important.

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³ <http://www.scotland.gov.uk/News/Releases/2007/07/05101004>

⁴ <http://www.scotland.gov.uk/Resource/Doc/205513/0054689.pdf> page 10