

Relative Value

The experiences of kinship carers using
the Scottish CAB Service

*based on the evidence of Citizens Advice Bureau
clients across Scotland*



by Keith Dryburgh
Social Policy Officer

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The experiences of kinship carers using the Scottish CAB service

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Citizens Advice Scotland and its CAB offices form Scotland's largest independent advice network. CAB advice services are delivered through service points throughout Scotland, from the islands to city centres.

The CAB service aims:

to ensure that individuals do not suffer through lack of knowledge of their rights and responsibilities, or of the services available to them, or through an inability to express their need effectively

and equally

to exercise a responsible influence on the development of social policies and services, both locally and nationally.

The CAB service is independent and provides free, confidential and impartial advice to everybody regardless of race, sex, disability or sexuality.

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Summary

1. All across Scotland, thousands of people care for children, because their natural parents are unable to do so. These are often grandparents, aunts and uncles but can also be family friends. People who look after children in these kinds of circumstances are often known as 'kinship carers'.
2. In March 2009, 2,990 children and young people were formally 'looked after' in kinship care arrangements in Scotland, with an additional estimated 10,454 in kinship care but not formally 'looked after'. The number of children looked after formally by kinship carers more than doubled between 2001 and 2007. Using these statistics gives an estimate of around 13,444 children who are cared for in formal and informal kinship care arrangements - around 1 in 70 children in Scotland.
3. This research is based on a sample of 368 kinship carers who called the Kinship Care Helpline or visited a bureau for advice between January and December 2009. The research establishes a number of key findings on kinship carers and their caring responsibilities, including:
 - **Gender:** 87% of kinship carers seeking advice were female
 - **Age:** The majority of kinship carers were aged between 45 and 59
 - **Employment:** Compared with the adult population in Scotland, kinship carers were significantly less likely to be in full time employment, but more than three times as likely to be looking after family, showing the additional care responsibilities of this group
 - **Relationship to child:** Three-quarters of kinship carers were the grandparents of the child that they were caring for, while one in five were the aunt or uncle
 - **Number of children cared for:** Two-thirds of kinship carers cared for one child, while 1 in 12 cared for at least three children
 - **Age of children:** Around two-thirds of children being cared for by kinship carers were under the age of 10, with the average age being around nine years old. A quarter of children were cared for by a kinship carer who was at least 50 years older than the child
 - **Family problems leading to kinship care:** The situation leading to kinship care was noted for a third of carers in the sample, with addiction problems (36%), bereavement (24%), neglect (16%), and prison (13%), being the most common circumstances. Many of the kinship care arrangements came about due to two or more of these situations.

4. The research examined the many potential difficulties that kinship carers experience in their care responsibilities. These include kinship carers having to give up work to meet their care responsibilities; pressure on relationships; health problems of the children cared for; financial problems; and strain on the mental health of the carers.
5. The research looked at the 'looked after' status of the children being cared for by kinship carers:
 - 55% of children were 'looked after'
 - 26% of children were non 'looked after'
 - 19% of kinship carers were unsure of the status of the child.
6. Discounting the kinship carers that were unsure of the status of the kinship care arrangement gives an indication of the proportion of carers that would be eligible for kinship care allowance:
 - 62% of kinship carers were eligible for kinship care allowance
 - 6% were eligible, but their local authority was not offering an allowance
 - 32% were ineligible (but could receive discretionary payments).
7. These figures are likely to underestimate the proportion of kinship carers in Scotland who have informal arrangements and are ineligible for kinship care allowance, as national statistics suggest that there are significantly more informal kinship care arrangements than formal arrangements.
8. The level of local authority payments to kinship carers per week varied significantly, ranging from £23 to £148 for a 0 to 4 year old. A minority of local authorities are yet to implement kinship care allowance or do not currently have the budget to offer payments.
9. The main issues that kinship carers enquired about on the helpline or at a bureau covered a wide range of subjects, including:
 - Initial enquiry about kinship care allowance (29%)
 - Better off enquiry after being offered the allowance (27%)
 - Complaints about ineligibility for payments (16%)
 - Complaints about local authority administration (7%)
 - Complaints that the local authority wasn't offering payments (5%)
10. Around a third of kinship carers had informal caring arrangements and were not automatically entitled to Kinship Care Allowance. However, this research has found that these carers had the same difficult circumstances and support needs as those caring for 'looked after' children.
11. Around a quarter of kinship carers in the study enquired whether they would be better off taking kinship care payments. Depending on the legal mechanism by which the care arrangement is made, kinship carers can lose

entitlement to benefits, potentially making the carer worse off if they chose to take the allowance. Based upon this research, the majority of kinship carers would be better off taking the allowance, but some would be worse off depending on their circumstances and the level of payment being offered by the local authority.

12. Around 1 in 12 kinship carers who should have been eligible for Kinship Care Allowance reported that the local authority either had not implemented a Kinship Care Allowance yet or could not offer payments at that time.

Recommendations

13. Based upon the findings in the report, we have made a number of recommendations that we believe will benefit kinship carers in Scotland:
 - All stakeholders in kinship care need to recognise that the needs of kinship carers of non looked after children are often the same as the needs of kinship carers of looked after children
 - Scottish and UK Governments, alongside local authorities, need to look at ways in which the interaction between UK benefits law and Scottish children's law can be made clearer and simpler
 - Local authorities need to recognise the immediate benefits of respite care and make arrangements accordingly
 - Local authorities, voluntary agencies and health boards need to recognise the need for practical and emotional support, including counselling, for kinship carers and children
 - Voluntary agencies and local authorities need to continue and/or establish support for the development and maintenance of peer support groups for kinship carers
 - All stakeholders need to look at ways in which kinship carers can be supported to stay in employment if this is in the best interests of the carer and child being cared for
 - Local authorities and voluntary agencies need to ensure that professionals who have contact with kinship carers have adequate training and a sound understanding of relevant kinship care issues
 - Local authorities need to ensure that there are no barriers to suitable family and friends caring for children if this is in the best interests of the child
 - Local authorities need to ensure that all kinship carers have clear and easy to follow information regarding their kinship care arrangement as well as details about where they can get independent advice and peer support

Introduction

14. Citizens Advice Scotland (CAS) is the umbrella organisation for Scotland's network of 83 Citizens Advice Bureau (CAB) offices. These bureaux deliver frontline advice services throughout nearly 200 service points across the country, from the city centres of Glasgow and Edinburgh to the Highlands, Islands and rural Borders communities. In 2008/09, Scottish Citizens Advice Bureaux dealt with over half a million new issues for clients – nearly one issue for every minute of the year.
15. All across Scotland, thousands of people care for children, because their natural parents are unable to do so. These are often grandparents, aunts and uncles but can also be family friends. People who look after children in these kinds of circumstances are often known as 'kinship carers'.
16. In March 2009, 2,990 children and young people were formally 'looked after'¹ in kinship care arrangements in Scotland, with an additional estimated 10,454 in kinship care but not formally 'looked after'.² The number of children looked after formally by kinship carers more than doubled between 2004 and 2009. Using these statistics gives an estimate of around 13,444 children who are cared for in formal and informal kinship care arrangements.
17. The Scottish Government and COSLA have agreed that by 2011, kinship carers of children who are 'looked after' (i.e. have a specific legal status) will receive an allowance from the local authority to make sure they are treated on an "equivalent basis" to foster carers.
18. The Scottish Citizens Advice Bureau (CAB) Service is working with the Scottish Government to provide an advice and information service for kinship carers. The service aims to enable kinship carers to understand the legal status of the child for whom they are a carer and any assistance from the local authority that may be available, as well as the benefits to which they may be entitled. This is operated through the Citizens Advice Bureaux network in Scotland and through the Kinship Care Helpline delivered by Citizens Advice Direct (CAD).
19. This report is based on evidence from a sample of 368 kinship carers who called the Kinship Care Helpline or visited a bureau for advice between January and December 2009. This evidence was collected through Social Policy Feedback Forms (SPFFs) which were sent by Citizens Advice Direct and other bureaux to the Social Policy Team at CAS.

¹ A child becomes looked after by a local authority as a result of either being provided with accommodation by a local authority under section 25 of the Children (Scotland) Act 1995 (where either no one has parental responsibility for them, they are lost or abandoned, or the person who has been caring for them is prevented from providing suitable care), through a children's hearing leading to a supervision requirement, or where the child is subject to an order, authorisation or warrant.

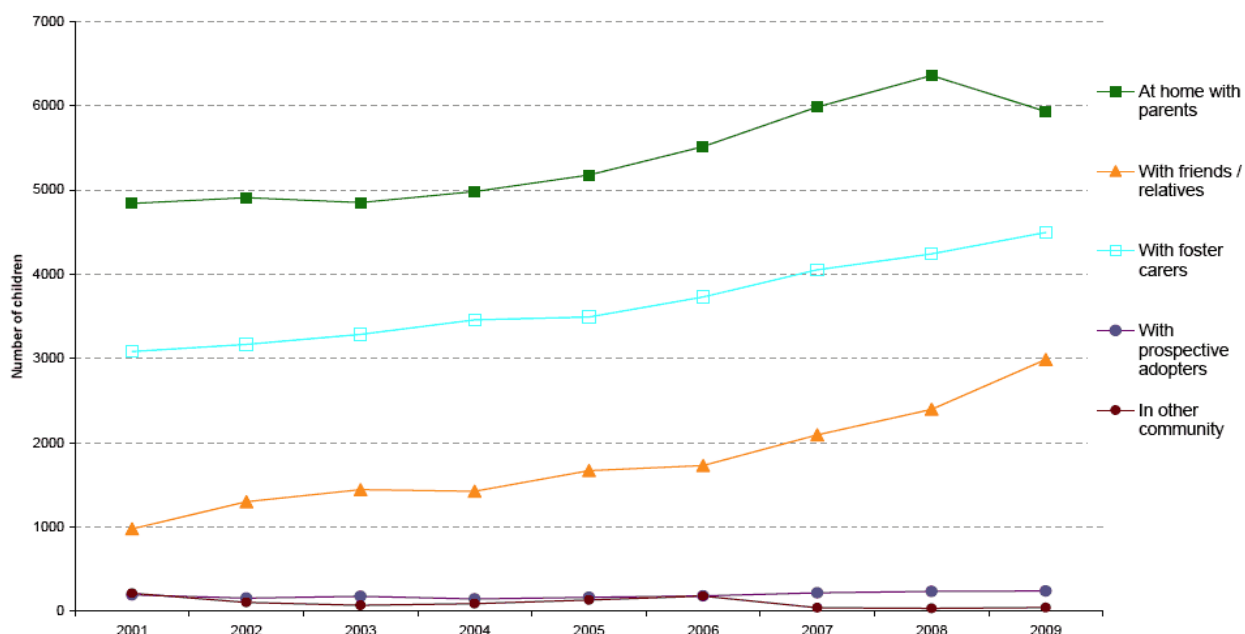
² Kinship Care – SPICe briefing' (2008) Camilla Kidner, <http://www.scottish.parliament.uk/business/research/briefings-08/SB08-03.pdf#4>

Kinship carers in Scotland

20. Thousands of grandparents, aunts, uncles, siblings and family friends care for children in Scotland. These kinship carers step in when children's parents are unable to manage, whether because of drug misuse, being sent to prison, becoming a parent at a very young age, poor physical or mental health, or a range of other reasons.

Numbers of kinship carers

21. It is difficult to estimate how many kinship carers there are in Scotland, but it is likely to be a significant number. In March 2009, there were 2,990 looked after children being formally cared for by relatives or friends in Scotland, a 25% increase on the previous year. Around 1 in 5 looked after children are now cared for by kinship carers, compared to 1 in 10 looked after children in 2001.³



Source: *Children Looked After Statistics 2007-08*, Scottish Government

22. There are also children who are living with friends or relatives who have no contact with the local authority, and others who are known to social work but are not formally looked after by the local authority. In 2003, extrapolating from information in the Scottish Household Survey, it was estimated that 10,454 children, unknown to local authorities, were living with family or friends, many of them in kinship care arrangements. However, this extrapolation is based on data from seven years ago, so it is likely that this number will have increased in following years.

³ Children Looked After Statistics 2008-09 (February 2010), Scottish Government <http://www.scotland.gov.uk/Resource/Doc/303417/0095145.pdf>

23. Using these statistics gives an estimate of around 13,444 children who are looked after in formal and informal kinship care arrangements. This is around 1.5% of all children in Scotland – **1 in 70 children in Scotland**.
24. This number may even be an underestimate, with The Who Cares? Trust estimating that there are up to 300,000 children in kinship care in the UK, making up 1.7-2.5% of the whole UK children population.⁴ If this proportion was applied to the Scottish child population, it would suggest that there were between 15,200 and 22,400 children in kinship care arrangements in Scotland.
25. The proportion of looked after children that are cared for by kinship carers ranges between 12% and 33% by local authority in Scotland. Local authorities in the major cities were slightly more likely proportionally to have kinship care arrangements (23% of looked after children compared to 17% in all other local authorities). Over half of looked after children in kinship care lived in Glasgow, Edinburgh, Dundee or Aberdeen. One in five looked after children in kinship care lived in Glasgow.

Profile of kinship carers

26. A number of recent studies have uncovered insights into the profile of kinship carers in Scotland and the UK. It is well researched that children who become looked after are mostly drawn from families who live in areas of deprivation and disadvantage⁵, while recent research suggests that kinship carers also contend with high levels of deprivation. Farmer and Moyers (2008) found that kinship carers were significantly more disadvantaged than unrelated foster carers and the general population.⁶ Over a quarter were lone carers (mainly lone women), and over a third lived in overcrowded conditions. Many kinship carers in the study had a disability (31%) and experienced financial hardship (75%).
27. In terms of the relationship of the kinship carer to the child being looked after, it has been suggested that the majority of kinship carers are the grandparents of the child. Grandparents Plus published findings that there are 14 million grandparents in the UK, with an estimated 200,000 taking on the role as full-time carer for their grandchildren⁷.
28. A number of different situations can lead to kinship care, including addiction problems, violence, parental desertion, mental health problems and bereavement. Richards (2001) found that 24% of kinship care arrangements stemmed from a parental inability to care (including neglect and domestic violence), 23% from parental desertion (mainly resulting from addiction problems), 16% from family breakdown, 13% from parental illness, and 10% from parental bereavement.

⁴ Richards and Tapsfield (2003)

⁵ Kinship Care: Fostering Effective Family and Friends Placements (2008), Farmer and Moyers

⁶ Kinship Care: Fostering Effective Family and Friends Placements (2008), Farmer and Moyers

⁷ *Recognition, Reward, Respect*, Grandparents Plus (October 2009)

Kinship Care Allowance

29. Following research into the extent of kinship caring in Scotland and calls for more focused policy on the issue, the Scottish Executive published a strategy for consultation in 2006, which was published by the new Scottish Government in December 2007. The key principles in the kinship care and fostering strategy include that, unless there are clear reasons why placement within the family would not be in the child's best interests, care within the wider family and community circle will be the first option for the child.
30. In November 2007, an agreement between the Scottish Government and the Convention of Scottish Local Authorities (COSLA) committed the Scottish Government and local authorities to do what was required to provide "allowances for kinship carers of 'looked after' children to treat them on an equivalent basis to foster carers". The agreement commits local authorities to implement support to kinship carers of 'looked after' children before April 2011.⁸
31. Levels of allowance currently vary considerably between local authorities. COSLA recognises "there is variation in the amount paid in allowances to those caring for children". Most local authorities were offering payments by the start of 2010, while others had not yet implemented a Kinship Care Allowance.
32. Kinship carers who look after non- looked after children – whether under a private arrangement or under a Residence Order – are not entitled to Kinship Care Allowance. However, local authorities can offer these kinship carers discretionary payments if the child is deemed to be 'in need'. Some local authorities are offering payments to the kinship carers of both looked after and non looked after children, while others offer lower rates of payments to kinship carers in private arrangements.

The Kinship Care Project

33. The Scottish Government strategy included provision for Citizens Advice Scotland (CAS) to be funded from April 2008 to provide advice to kinship carers. The service, including the helpline, was formally launched in September 2008. The project is currently scheduled to run until mid-2011.
34. The Kinship Care Project delivers a national advice and information service for kinship carers, comprising:

⁸ The concordat agreement is available at:
www.cosla.gov.uk/attachments/aboutcosla/concordatnov07.pdf

- A **National Advisory Group** made up of representatives of statutory and voluntary organisations who have an interest in kinship care. The group helps shape the project
- A **National Co-ordinator** who manages the implementation of the project
- A national **Kinship Care Helpline**, delivered by Citizens Advice Direct, which enables kinship carers to understand the legal status of the child for whom they are a carer and any assistance from the local authority that may be available, as well as any benefits they may be entitled to
- Five citizens advice bureaux who deliver a **Kinship Care Regional Support Service** to other bureaux in their areas. These bureaux:
 - Manage the delivery of the regional kinship care service
 - Provide casework support for kinship care cases
 - Work with CAS to develop and deliver training to bureau advisers
 - Undertake regional relationship management and marketing
 - Co-ordinate and collate social policy and statistical information.

Progress of the project

	Sep 08 - March 09	April - Sep 09	Oct 09 – Jan 10	Total
Queries to helpline	137 c. 23/month	200 c. 33/month	166 c. 42/month	503
Reported queries in bureaux	161 (some of these queries preceded Sep 08)	116 c. 19/month	Not available at present	277
Total	298	316		780

Note: some of queries in bureaux may be generated by follow up to helpline queries

35. In the first six months of operation (Sep 08 – Mar 09) the helpline service was limited to identifying whether or not the child in question had looked after status, identifying any entitlement to UK benefits and/or local authority payment, and referring on to a bureau more accessible to the client.
36. In the period Apr 09 – Sep 09, in response to both the needs of callers and the level of demand, Citizens Advice Direct recruited a dedicated worker to handle and/or supervise the calls. The dedicated worker participates in regular national meetings with the project co-ordinator and other regional officers. The new worker enables the helpline to offer, where appropriate, a much more intensive service.

The research

37. This analysis is based on evidence from a sample of 368 kinship carers who called the Kinship Care helpline or visited a bureau for advice between January and December 2009. This evidence was collected through Social Policy Feedback Forms (SPFFs) which were sent by Citizens Advice Direct and other bureaux to the Social Policy Team at CAS.
38. The information gathered on the kinship carers was based only on the information that was required for their query. Kinship carers were not asked to complete a questionnaire or survey, only to provide details where needed. Consequently, information was not gathered from every kinship carer on every aspect of care. However, the feedback on kinship carers provides a rich and reliable seam of data, which uncovers many aspects of life for kinship carers in Scotland.
39. The research also sought the views and experiences of kinship carers across the country, which included a focus group in Edinburgh and informal interviews with carers in other parts of Scotland. Carers talked about the problems that they experience in kinship care, and the support that they feel they need to best look after the children they care for.
40. This report examines the different aspects of kinship care in Scotland under the following chapters:
 - Profile of kinship carers
 - Caring responsibilities
 - Experiences of kinship care
 - Local authorities and Kinship Care Allowance
 - Issues brought by kinship carers
 - Conclusion and recommendations.

Profile of kinship carers

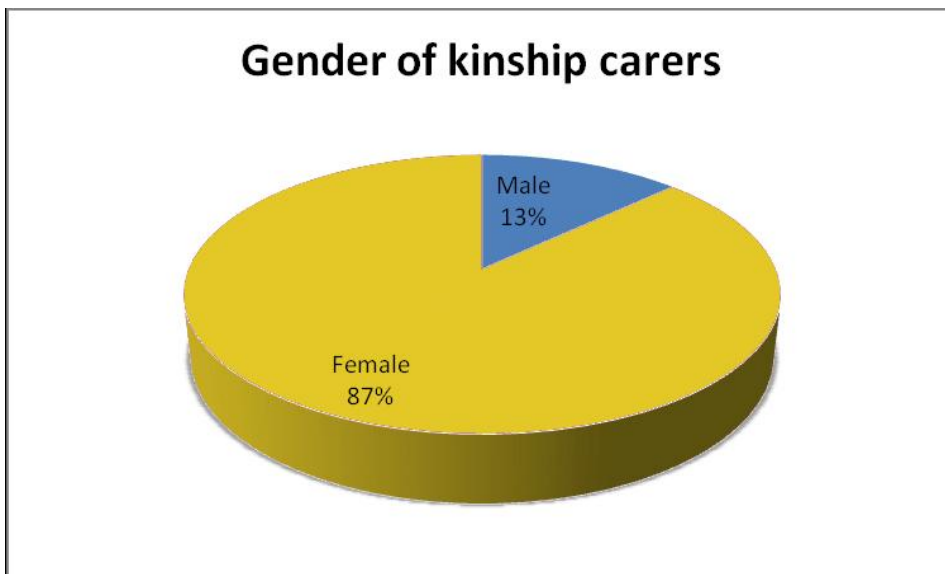
41. Evidence collected on kinship carers included information on the carers themselves, including:

- Gender
- Age
- Employment status

Gender

42. Data on the gender of the kinship carers phoning the helpline was recorded in all cases, as is shown in Figure 1:

Figure 1



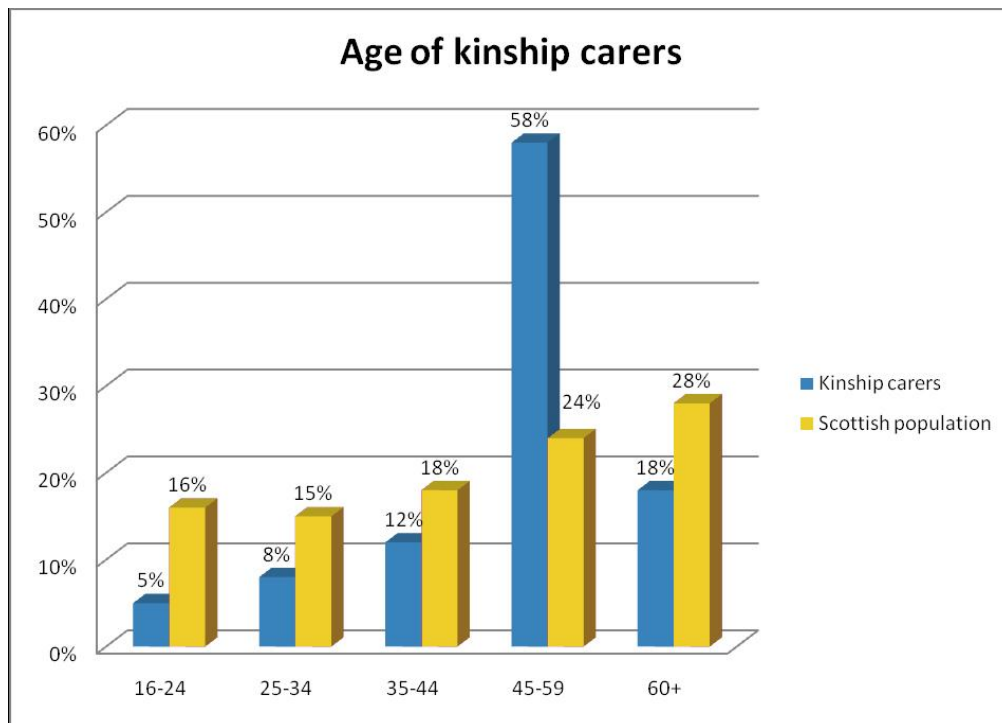
Base: 364 kinship carers

43. Figure 1 appears to show that the majority of kinship carers are women. However, the research does not include information on married status, meaning that many kinship carers may be married or co-habiting couples. However, there is case and anecdotal evidence that suggests that many kinship carers are single and female. The data do show that it is mainly female carers who seek advice.

Age

44. Kinship carers come from a broad range of ages and backgrounds. Figure 2 shows the age ranges of kinship carers who have contacted the helpline, compared to the overall composition of adults in Scotland (as taken from the Scottish Household Survey figures from the adult population):

Figure 2



Base: 222 kinship carers

45. Figure 2 shows that more than half of the kinship carers were between the ages of 45 and 59, and that nearly three quarters were between the ages of 45 and 64. Compared with the adult population in Scotland, kinship carers were more than twice as likely to be aged between 45 to 59 than the general population. Around half of the kinship carers in the study were female and aged between 45 and 59.

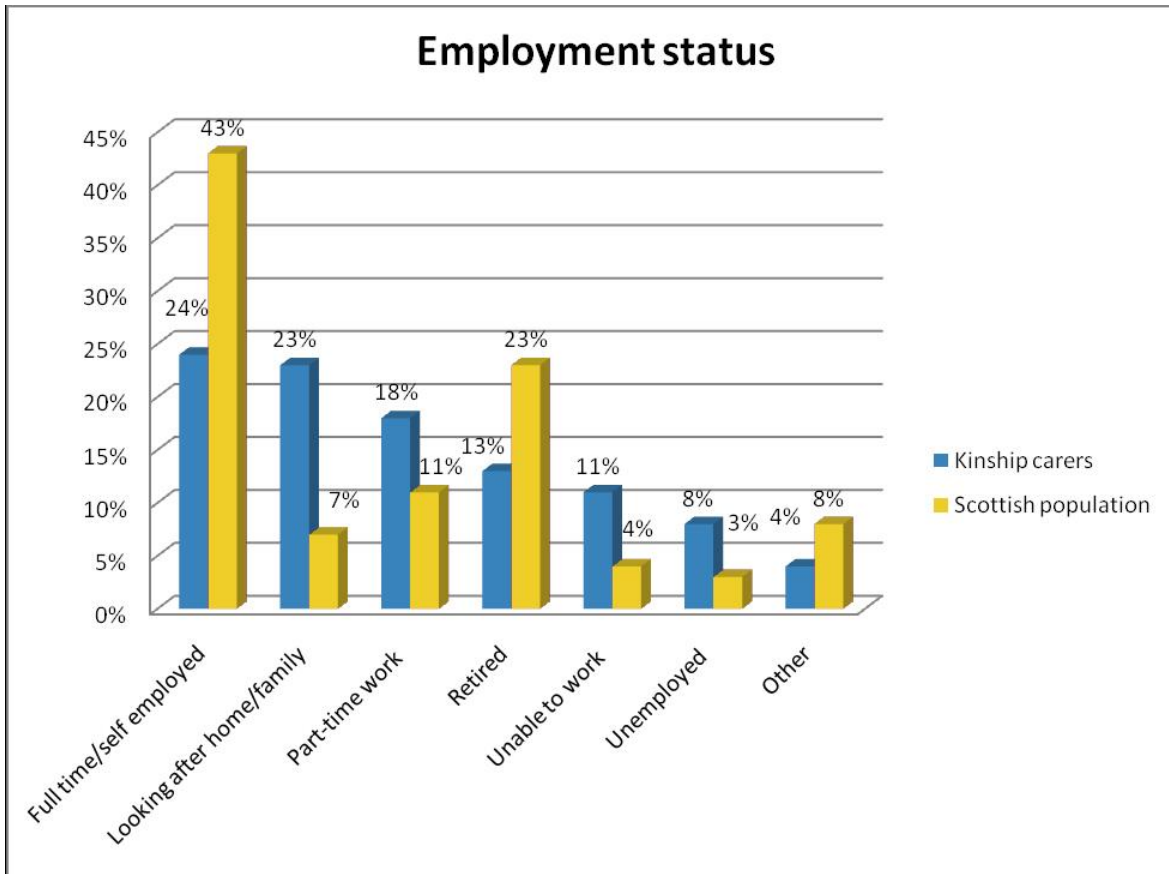
46. However, a minority of kinship carers were younger, with around 1 in 20 being under the age of 25.

An East of Scotland CAB reports of a 17 year old client who is caring for her 8 year old brother. The client's mother has recently been released from prison and under the terms of the order is not allowed to live at the property with her children. The client is an apprentice hairdresser and earns only £75 per week, while her mother is still receiving Child Benefit for both the client and her brother.

Employment status

47. The employment status of 144 kinship carers was recorded in the data, as is shown in Figure 3:

Figure 3



Base: 144 kinship carers

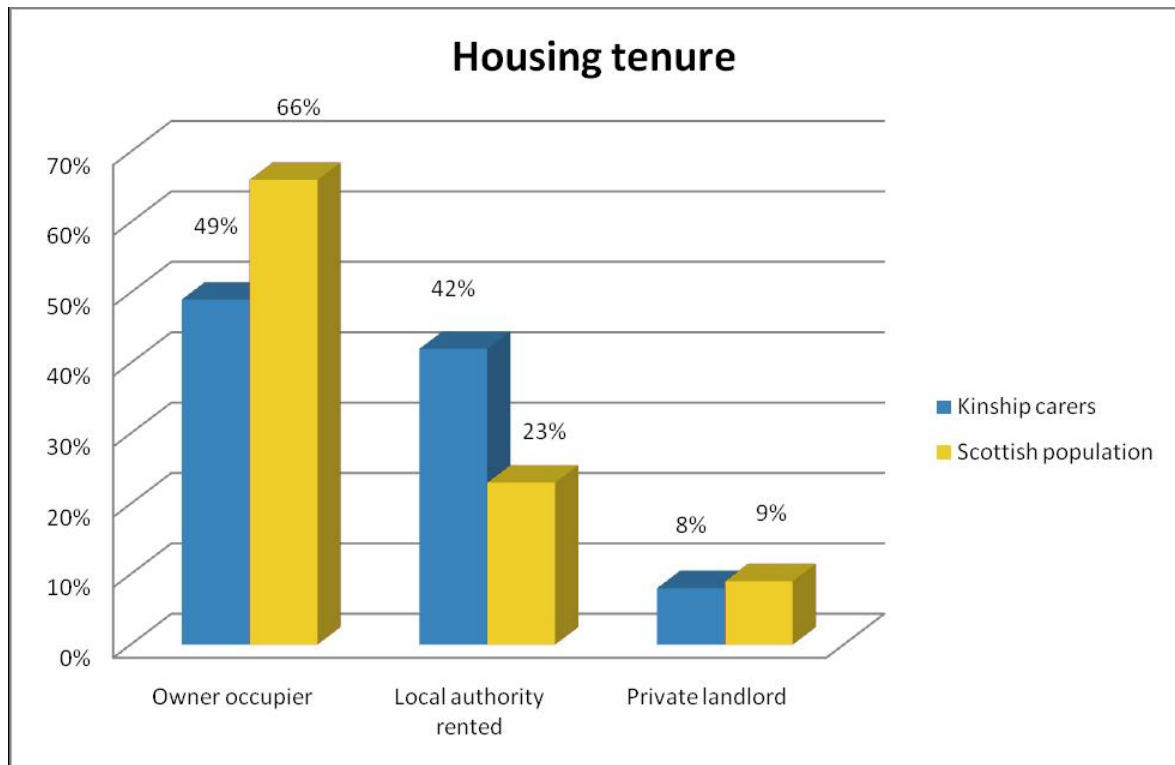
48. Figure 3 shows that more than half of kinship carers were not in employment, with a quarter of all carers in the role of looking after the family. Case evidence in this research suggests that many carers have had to give up employment to look after children.

49. Compared with the adult population in Scotland, kinship carers were significantly less likely to be in full time employment, but more likely to be working part-time. Kinship carers were more than three times as likely to be looking after family than the adult population in Scotland, showing the additional care responsibilities of this group. Carers in this study were also significantly more likely to be unable to work due to disability or ill health than adults in Scotland.

Housing tenure

50. Housing tenure was given by 131 kinship carers, as is shown in Figure 4:

Figure 4



Base: 131 kinship carers

51. While owner occupier was the most likely housing tenure of kinship carers in the research, kinship carers were less likely to be home owners than adults in the Scottish population, and almost twice as likely to be in social rented accommodation.
52. Previous research on kinship carers in the UK has suggested that kinship carers suffer more greatly from deprivation than the general population⁹. While the data in the research does not take into account levels of income, the data on housing tenure may suggest that kinship carers are more likely to live in areas of deprivation than the general Scottish population, as national evidence suggests that social rented tenants are more likely to live in deprived areas than owner occupiers.

⁹ Kinship Care: Fostering Effective Family and Friends Placements (2008), Farmer and Moyers

Caring responsibilities

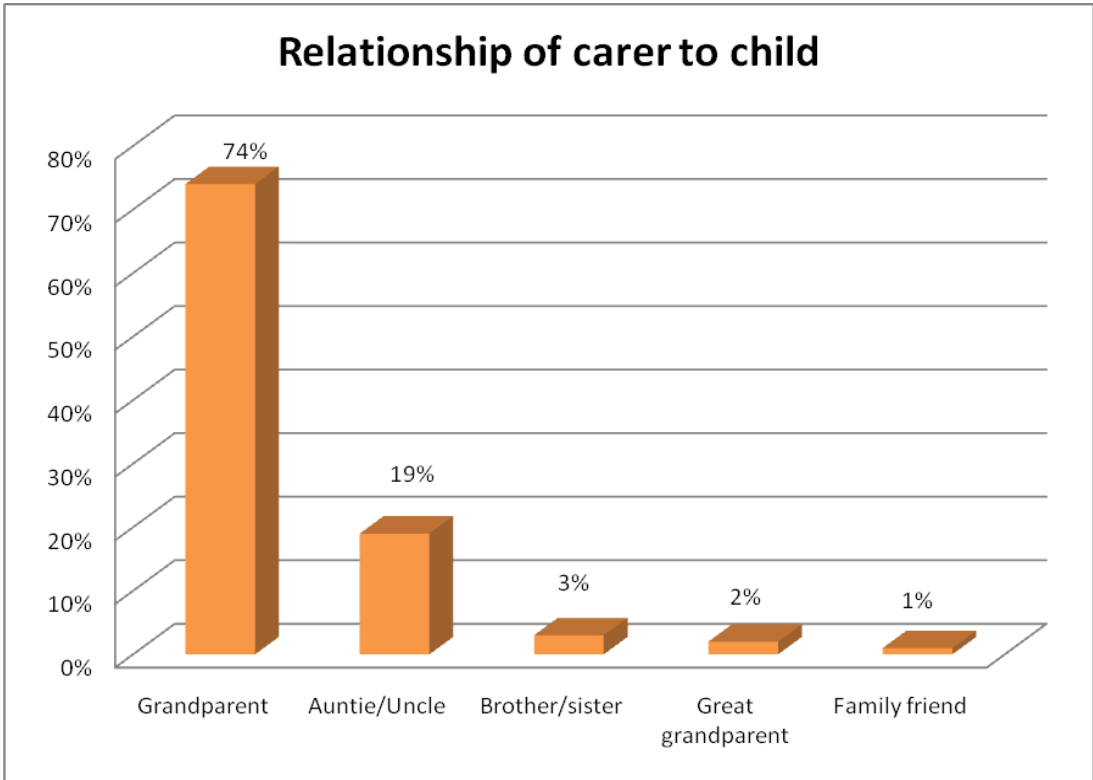
53. Evidence was collected on the caring responsibilities of kinship carers, including:

- Relationship of carer to child
- Number of children cared for by carer
- Age of children in kinship care
- Family problems leading to kinship care

Relationship of carer to child

54. The data on kinship carers included information on the carer’s relationship to the child being cared for. This information was collected from over two-thirds of kinship carers, the results of which are shown in Figure 5:

Figure 5



Base: 269 kinship carers

55. Figure 5 shows that nearly three-quarters of kinship carers in the research were the grandparent of the child being cared for. The majority of the carers who were grandparents to the child were under the age of retirement, and around half weren’t working. Around a fifth of kinship carers were the aunt or uncle of the child being cared for.

56. The role of kinship carer for a grandparent has significant consequences. Grandparent carers may need to look after a child while struggling with feelings of loss or guilt over the circumstances of their own children. The grandparents may also lose out on being a grandparent who can treat the children and instead need to take up a sterner parenting role. Older kinship carers may struggle to look after young children through a lack of energy or illness, and carers may miss out on the company of their peers. This report has already used national figures to estimate that 1 in 70 children in Scotland may be in kinship care – using these profile data shows that around 1 in 90 children in Scotland may be looked after by a grandparent.
57. Around one in thirty kinship carers in this research were looking after a younger brother or sister. Many of these carers are young themselves, and may face additional problems in providing kinship care as they are less likely to have been in a caring role before.

A West of Scotland CAB reports of a client under the age of 25 who is going to look after her 13-year-old brother as a kinship carer. The client's brother is presently in a care home, but social workers are making arrangements for him to live with her.

A West of Scotland CAB reports of a 25 year old client who is looking after his two teenage sisters after their mother died. The client moved back into the family home to care for his sisters, one of whom is in receipt of incapacity benefit for depression.

58. Six kinship carers in the research were the great grandparent of the child or children being cared for, showing that kinship care can affect many generations of the same family.

A West of Scotland CAB reports of a retired client who is looking after her great granddaughter who is only two weeks old. Both parents are drug addicts and have two other children who have also been taken into care. The social worker asked members of the family if anyone could help out and the client volunteered. It is hoped that the child will be placed with the parents when they recover from their problems, but in the meantime the client's only income is a basic pension and she is struggling financially.

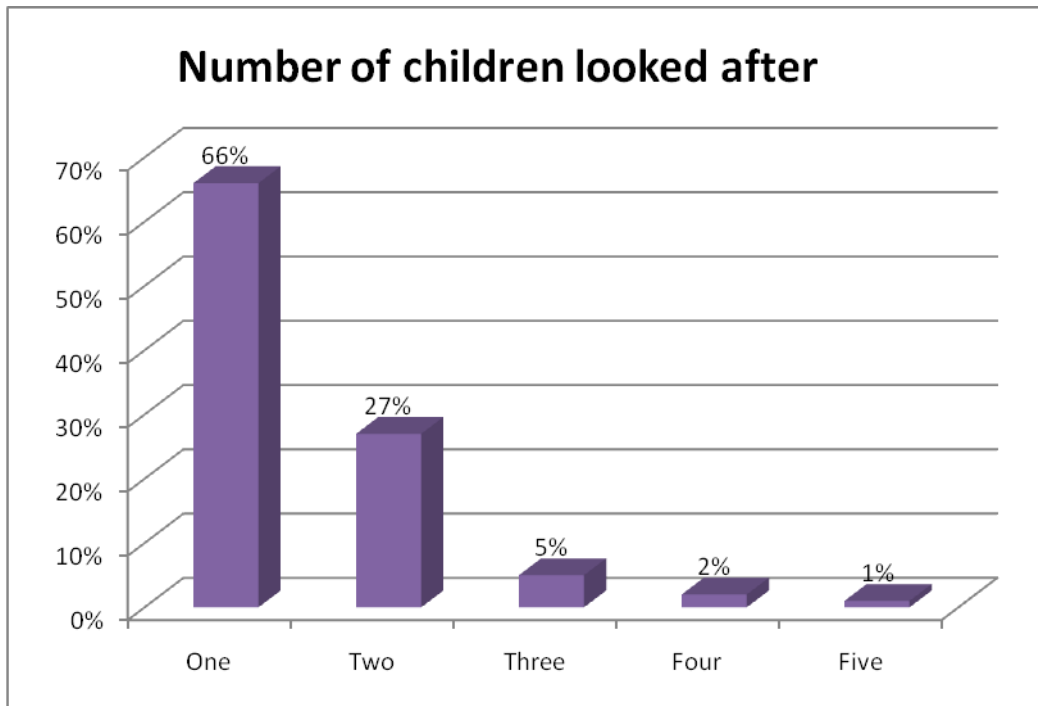
59. A minority of kinship carers looked after a family friend, most often a friend of their son or daughter.

A West of Scotland CAB reports of a client who looks after a 16-year-old friend of her daughter. Her daughter's friend was in foster care, but agreed to look after her because the foster care didn't work out. The social work department gave permission for her to live with the client but she does not receive any financial help.

Number of children cared for by carer

60. Data was collected on the number of children cared for by each kinship carer, with information being collected from around three-quarters of carers. This is shown in Figure 6:

Figure 6



Base: 286 kinship carers (does not include other dependent children in the household)

61. Figure 6 shows that almost two-thirds of kinship carers cared for one child (in addition to other dependent children that may be cared for in the household), and that over a quarter were caring for two children. Around 1 in 12 carers were caring for at least three children. Using these findings suggests that the 368 kinship carers in this study were caring for around 530 children under kinship care arrangements (around 1 in 25 of the estimated children in kinship care in Scotland).

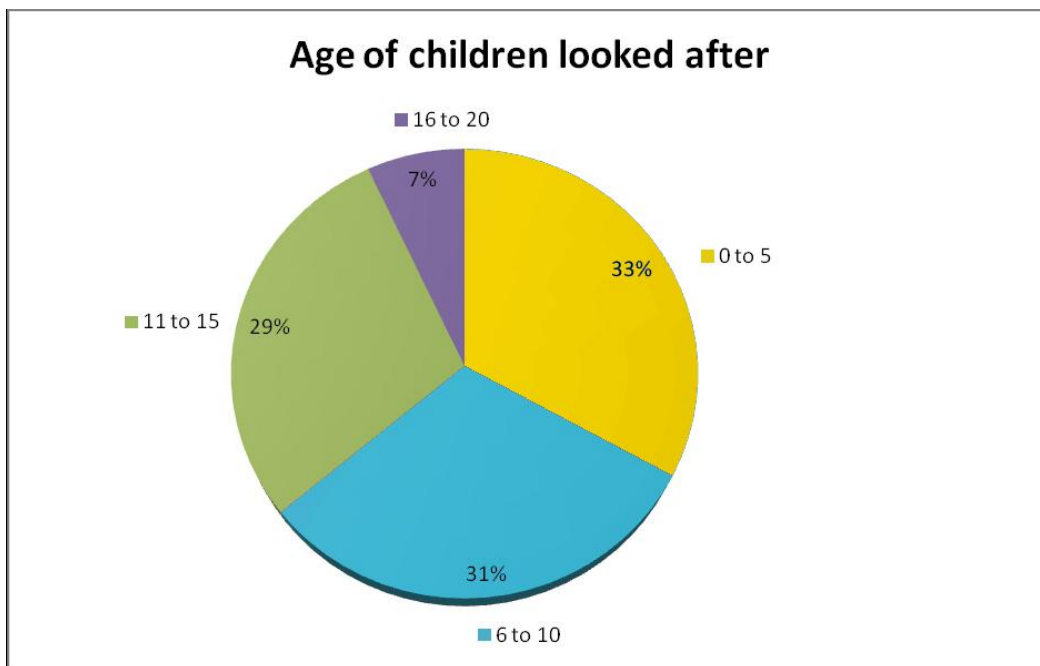
A West of Scotland CAB reports of a client who is looking after five of his brother's children. The client's brother has now died and the mother is not allowed to look after the children. The children have been formally placed with the client, but the client is struggling financially.

A West of Scotland CAB reports of a client who cares for her three nieces and nephews all under the age of three. The client is confused as to why she is receiving Kinship Care Allowance for the eldest two but not the baby.

Age of children in kinship care

62. Information was collected on the age of the children being cared for by kinship carers where possible. Around 38% of kinship carers provided this information on 230 children:

Figure 7



Base: 230 children

63. The ages of the children were varied, ranging from 1 month old to 19 years old. Around two-thirds of children were under the age of 10, with a further 29% aged between 10 and 15. The average age of a child in kinship care was 8.5 and the median was 9.

64. Using Scottish Government statistics on looked after children in Scotland, children looked after formally in kinship care are significantly younger than children looked after in other settings (75% in kinship care were under the age of 12 compared to 56% of all looked after children).¹⁰

65. Many kinship carers reported caring for young children, including those who had cared for children from birth.

A West of Scotland CAB reports of a client who looks after her two young grandchildren on a voluntary basis. The client has cared for the oldest grandchild for nearly ten years and has cared for her grandson since birth. The parents of the children were both arrested in the hospital shortly after the birth, and the client picked up her grandson from the hospital.

¹⁰ Children Looked After Statistics 2008-09 (February 2010), Scottish Government <http://www.scotland.gov.uk/Resource/Doc/303417/0095145.pdf>

66. There were interesting relationships between the ages of the children being looked after and the age of the kinship carer. As might be expected, the younger the carer, the younger the child is likely to be, and vice versa. This is shown in Table 1:

Table 1: Age of children by age of kinship carer

Age of kinship carer	Age of child				Average age
	0-5	6-10	11-15	16-20	
35-44	60%	33%	0%	7%	4.7
45-59	30%	37%	30%	4%	8.4
60-64	10%	38%	48%	3%	10.5
Overall	33%	31%	29%	7%	8.5

Base: 147 children (where their age and their carer’s age are both known)

67. Table 1 shows that there is a positive relationship between the age of the carer and the age of the child. However, this does not mean that there aren’t large age gaps between carers and children. The average age of a child being cared for by a carer over the age of 60 was at least 50 years younger than the carer themselves. This finding is further detailed in Table 2 below:

Table 2: Age gap between carer and child

Age gap between carer and child	Number of children	Proportion of children
At least 40 years	62	42%
At least 50 years	37	25%

Base: 147 children (where their age and their carer’s age are both known)

68. Approaching half of children (42%) were cared for by a carer that was at least 40 years older than themselves, while a quarter were cared for by a carer at least 50 years older. Two children in the research were cared for by carers that were at least 60 years older.

Family problems leading to kinship care

69. A third of kinship carers noted the circumstances that had led to them becoming a carer. While this is a minority of all the carers, the data provide an important insight into the family problems that lead to care issues. This is shown in Table 3:

Table 3: Family problems leading to kinship care

Situation leading to kinship care	Proportion of kinship carers
Addiction problem	36%
Bereavement	24%
Neglect/abandonment	16%
Prison	13%
Health problems	5%
Violence	4%

Base: 123 kinship carers

70. Table 3 shows that bereavement and addiction problems were the circumstances that most often led to kinship care. In a number of cases, children were given to grandparents to look after when their son or daughter had drug or alcohol problems. A minority of kinship care cases were caused by the mother or father being incarcerated in jail.
71. In many cases, a combination of problems led to children going into kinship care. For example, parents who had drug problems receiving jail sentences, or parents with health problems consequently being unable to look after their children. It is possible that addiction problems affected families more than was reported, with violence and prison sentences likely to be connected to substance misuse in some cases.
72. Studies on kinship carers in the UK have uncovered similar findings showing the high levels of family problems that lead to kinship care. A recent study found that 11% of children in kinship care had a parent who had died, 52% had experienced domestic violence, 44% had a parent with mental health difficulties, and 60% had a parent with an addiction problem.¹¹

¹¹ Kinship Care: Fostering Effective Family and Friends Placements (2008), Farmer and Moyers

Addiction problems

73. Over a third of kinship carers who reported the circumstances that led to kinship care stated that addiction problems had been the instigating factor. A number of parents also experienced other problems related to their addiction, including prison sentences, health problems, and ill health of their children.

A West of Scotland CAB reports of a client who is caring for her pregnant 16 year old niece. The local authority had asked the client to look after her niece as her mother had drug addiction problems, and the niece was in danger of having her baby being taken into care after birth. The client is receiving no financial help as the local authority deems the care arrangement to be informal.

A West of Scotland CAB reports of a client who is looking after her five-year-old grandson on an informal basis as the mother and father are both drug addicts. The child was left with the client last year and the parents have not been in contact since.

An East of Scotland CAB reports of a client who is trying to become the kinship carer of her four grandchildren. The client's son is a recovering drug addict, while the children's mother has recently died as the result of a substance overdose. The youngest child was born with withdrawal related symptoms and is still in hospital.

A West of Scotland CAB reports of a client who has been asked to look after her 13 year old nephew. His mother, who has addiction problems, was arrested for dealing drugs a few months ago and has recently been evicted from the homeless unit she was staying in.

Bereavement

74. Around a quarter of the reasons given for kinship care involved the death of one of the child's parents. This is likely to have been traumatic for the children involved, making the task for kinship carers potentially even more difficult.

A West of Scotland CAB reports of a client aged under 35, who has cared for her sister's three children since her sister was murdered by her partner. The client is not entitled to kinship care allowance as the arrangement is voluntary.

An East of Scotland CAB reports of a single parent of three children who is now looking after her late sister's two children. The client's sole income is derived from benefits. The client cares for the children under a private arrangement, and has been told by the local authority that they have no involvement in the case, although they were involved when the client's sister was alive as she was an alcoholic.

Prison

75. More than one in ten of the situations reported that led to kinship care involved one or both of the parents serving a prison sentence. This can be very stressful for kinship carers as they may have to cope with looking after a young child alongside coping with their son or daughter being in prison.

A West of Scotland CAB reports of client who is informally caring for her granddaughter while her daughter serves a six year prison sentence. The whereabouts of the child's father is unknown. There is no social work involvement in the care arrangement meaning that the client is not eligible for kinship care payments. The granddaughter has been diagnosed with ADHD and has had problems at school, for which the client believes she is not receiving support.

A West of Scotland CAB reports of a retired client who is caring for her great granddaughter whose mother is currently serving a sentence in prison. The baby's mother said she had organised benefits for her daughter to be paid to the client before she went into prison, but it soon became apparent that no arrangements had been made. The client has received no financial support and is not entitled to kinship care payments as the baby is not a looked after child.

Health problems

76. A minority of kinship care arrangements came about directly because of the health problems of a parent. This often involved mental health problems that led to the parent feeling unable to look after their children.

A West of Scotland CAB reports of a client who cares for her two grandchildren as her daughter has mental health problems. It was hoped that the daughter's health would improve and the children would go back into her care. However this has not happened. The client now intends to take the necessary steps to have the children formally placed with her.

A West of Scotland CAB reports of a client who looks after her two grandchildren as her daughter suffers from mental health problems and has been hospitalised on several occasions.

77. Kinship care arrangements also occurred as a result of the child's parents experiencing serious illnesses.

A West of Scotland CAB reports of a client who is caring for his two young grandchildren as their mother is terminally ill. The client is currently on sick leave from work. Although the client is caring for the children under a residence order, the social worker believes that there is a good chance that they will receive Kinship Care Allowance.

Domestic violence

78. A minority of kinship carers reported that serious domestic violence was the main reason for kinship care arrangements being made. In many of these cases, the partner or parent responsible for the violence is still involved with the family, causing further complications in caring for the children.

A West of Scotland CAB reports of a client who looks after her granddaughter due to domestic violence in her family home. The mother of the baby kept allowing the father of the child back into their home despite prosecutions for domestic abuse. The client is struggling financially as ill health has left her unable to work in the last year.

A West of Scotland CAB reports of a client who looks after her three year old granddaughter as the child's mother was in a violent relationship. The social work department have been allowing the child to stay with the mother three days a week in the hope of reintegrating them permanently, on the understanding that the violent boyfriend was not in the picture. However, the client's daughter has now found out that she is pregnant, and the boyfriend has returned and caused criminal damage. The client is supposed to hand over the child to her daughter for a three night stay, but is concerned about their safety.

The experience of kinship care

79. The method of collection of data for this research means that the problems that kinship carers experienced were highlighted far more than their successes. Citizens Advice Bureaux are a major source of advice for anybody with a problem or issue, and subsequently relatively few clients approach bureaux to talk about improvements in their life and the lives of others, and therefore this research did not look specifically at their successes.
80. However, it is well worth highlighting the sacrifices and dedication of kinship carers in Scotland. The following section outlines the difficulties that kinship carers experience in their care responsibilities. They can be quite extensive and traumatic. However, despite these difficulties, not a single kinship carer in the research reported that they were considering giving up their caring responsibilities.
81. Kinship carers experience a number of difficulties coping with the quite often sudden responsibility of caring for a loved one. Foster carers can adjust their lifestyle before looking after a child, but kinship carers often unexpectedly need to care for a child without the chance to make any sort of plan. As a result, many carers need to make sacrifices and give up employment to look after the children.
82. Many of the kinship carers in the research reported the difficulties that they had faced in caring for children. This included the stress that caring responsibilities had placed on the carer and the children themselves, the financial implications of kinship care, relationship difficulties, and problems maintaining employment.

Effects on children

83. The problems that lead to kinship care – such as addiction problems and bereavement – can have severe effects on the health and the wellbeing of the children involved. This can lead to difficulties for kinship carers to provide support and care for the children they are looking after, who can have significant mental health problems as a result of their family history.

A West of Scotland CAB reports of a client who looks after her two grandchildren as her daughter suffers from mental health problems and has been hospitalised on several occasions. The client is very concerned about her youngest granddaughter, aged 5, whom she feels is not coping with the situation and can be aggressive or withdrawn. The children see their mother regularly, but when their mother misses visits due to her illness, the children are very upset.

A West of Scotland CAB reports of a client who was told by her social worker that it would be necessary for her to give up work to look after her granddaughter as the child is suffering from “trauma” and requires constant care. The child’s mother has recently died after suffering from alcohol misuse.

84. Various studies on children in kinship care have found that they are much more likely than those in the wider population to have serious emotional or behavioural problems. Grandparents Plus¹² found that almost half of children cared for by friends and family were reported to have serious emotional or behavioural problems.
85. This study sought the views and experiences of kinship carers across the country, which included a focus group in Edinburgh and informal interviews with carers in other parts of Scotland. Many carers talked about their experiences of the problems that children present with as a result of the often traumatic experience that led to the kinship care arrangement.
86. Kinship carers described how problems with their parents had affected the child’s self esteem, and their efforts to try and build up the confidence of the child:

“She found out when she was five years old that she had a brother and sister and we didnae know. My daughter had disappeared. It’s all had an effect on her. It’s affected her behaviour. Affected her self esteem. Although you’re doing your utmost best to give these kids self-esteem... doing what any parent would dae... there is something there within these kids... I can tell her that she looks beautiful and she’ll say ‘what you saying that for?!’ She doesn’t believe it within herself. It’s a constant battle building that all the time.”

87. In a minority of cases, kinship carers can experience violence from the children they are looking after, possibly as a legacy of the child having experienced violence from their parents:

“See she’s lashing out at me the now and I cannae take no more of it, to be honest, I’ve had enough.”

“... she’s very violent to me the now, I mean the abuse I’m getting is horrendous.”

88. Children in kinship care can also experience problems as a result of still being associated with a dysfunctional family. Many children will remain in the same school. While this has the benefit of the children keeping their friends, the downside can mean that many in the community will know their parents and their situation, which can cause problems for the children.

¹² *Recognition, Reward, Respect*, Grandparents Plus (October 2009)

“At primary, she (her grandchild) had a really hard time, ‘cause a lot of families knew her mum.”

“She would sometimes kick off. One time it was because of her name. Her name was {surname} and ours is {surname}. She kept on writing in her book our surname, and she went to the headmistress and said, look, I want this changed, I don’t want to be a [surname], I don’t want to be part of them.”

Problems experienced by kinship carers

89. Kinship carers report of the pressures that they experience due to their caring responsibilities. Many are already in stressful situations prior to caring for the children. The situation that led to the care arrangement – which can often include the death of a family member or their son or daughter struggling with substance misuse – can mean that kinship carers have to cope with bereavement or trying to help the parent through their own problems, as well as coping with new caring responsibilities.

A West of Scotland CAB reports of a client who is caring for her nephew while five months pregnant. The child was placed with the client due to her sister’s drug addiction problem. A hearing will take place in the near future to decide the child’s future, but the client feels stressed by the situation and is unsure if she can cope with looking after her nephew on a permanent basis.

A West of Scotland CAB reports of a client who is struggling to look after her five year old grandson. The client approached the bureau as she felt that she wasn’t strong enough to cope with looking after her grandson, supporting her son in prison, trying to hold down a job, and cope with the recent loss of her mother. The client’s grandson has struggled at school because of parental neglect and is going to repeat his first year; while the client worries that his mental health has been severely affected by the behaviour of his parents.

Other caring responsibilities

90. Many kinship carers already have other caring responsibilities when they agree to a kinship care arrangement. In some cases, this can lead to very difficult circumstances for carers trying to look after a number of children.

An East of Scotland CAB reports of a single parent of three children who is now looking after her late sister’s two children. The client’s sole income is derived from benefits.

A West of Scotland CAB reports of a client who has been asked to look after his nephew and has six children of his own. The client has been offered Kinship Care Allowance, but the client would be over £50 worse off if he took the allowance due to losing other benefit entitlements.

91. In other cases, kinship carers may already be looking after a member of their family, such as their parents or partner, which puts further stress on the carer.

A West of Scotland CAB reports of a client who looks after her granddaughter as her father was given a prison sentence. The child has a disability and will never have a capacity of more than a five-to-seven year old. The client also receives carers allowance for looking after her husband who has a disability.

Pressure on existing relationships

92. Kinship carers report that caring responsibilities can have an adverse affect on their existing relationships. It appears that this is particularly the case where the partner of a kinship carer is unrelated to the children being cared for. A recent report on kinship care found that 10% of kinship carer couples found that their marriages came under severe strain as a result of the changes they needed to make to care for children.¹³

A West of Scotland CAB reports of a client whose wife left him after he started caring for his two grandchildren aged 3 and 4. The children were placed with him by the social work department after his daughter developed a drug addiction. The client is self-employed and has had to cut his hours to meet his care obligations. The client has also had to give his wife her half of the equity in the house.

Giving up work

93. A number of kinship carers reported that they have had to give up work to care for children. This is particularly the case where kinship carers are looking after young children or children who have health problems. Giving up work can have a significant impact on the kinship carer's finances, particularly if they are not supported by payments from the local authority.

An East of Scotland CAB reports of a client who has had to give up work to care for her two infant grandchildren. The client is described as a kinship carer by the social work department, but due to pressure on budgets, the local authority is unable to make any kinship care payments. The client is worried that they will be unable to keep up with their mortgage payments unless they receive financial help.

A West of Scotland CAB reports of a client and his wife who are full time carers for their two grandchildren who are both autistic. The client's wife has recently had to give up work to care for the children. The children have always to be with either the client or his wife unless the person in charge has had a disclosure check.

¹³ Kinship Care: Fostering Effective Family and Friends Placements (2008), Farmer and Moyers

94. A survey of grandparent kinship carers for Grandparents Plus in 2009 found that three out of five carers gave up work or reduced their paid working hours when they became the main carer.¹⁴

Childcare

95. Related to employment are problems with the cost of childcare. Kinship carers reported that problems in both arranging and paying for childcare can threaten their employment and income.

A West of Scotland CAB reports of a client who may have to give up work as she can't afford to pay for childcare when she is working. The client stated that she needed more support at the children's hearing, but was told by the chair that she shouldn't be working if she couldn't afford childcare, and that other people were in a much worse position and she would just have to make more sacrifices. The client is adamant that she doesn't want to give up her part-time job.

A West of Scotland CAB reports of a client who is struggling with the cost of childcare while looking after her nephew. The client's biggest concern is that there can be a gap between the client going to work and her husband getting home. The client doesn't know in advance what shift she will be working. The situation had led to the client struggling to meet costs for childcare.

Poor health

96. Kinship carers report additional problems caused by the ill health of children they are looking after. Problems with health can mean numerous visits to hospitals and doctors for carers, taking time off work and giving up employment to provide additional care, and can cause financial problems.

A West of Scotland CAB reports of a client who cares for her granddaughter who has significant health problems. The client cares for her two year old granddaughter who regularly attends hospital for epilepsy and reflux problems, thought to be caused by the mother shaking her daughter when she was a baby. The client is struggling financially with the additional costs caused by hospital visits. The client cares for her granddaughter through a residence order, and is therefore not entitled to automatic kinship care payments.

A West of Scotland CAB reports of a client who cares for her nephew who has a disability and needs to undergo a substantial amount of extra care, hospital appointments, and surgery. The client is struggling with the costs of health care and childcare.

¹⁴ *Recognition, Reward, Respect*, Grandparents Plus (October 2009)

97. Using the Children Looked After Statistics 2008/09, around 1 in 10 looked after children in all settings had a disability. Of these looked after children, 39% had social, emotional and behavioural difficulties, 17% had learning difficulties, and 15% had multiple difficulties.¹⁵

Financial problems

98. Agreeing to be a kinship carer can cause significant financial problems for a carer, particularly where the carer struggles to claim benefits and/or does not receive financial support from the local authority.

An East of Scotland CAB reports of a kinship carer who is struggling financially and is likely to go into sequestration. The client cares for her great niece who suffers from a suppressed immune system due to her mother taking drugs during her pregnancy. The client owes £6,000 to various creditors and is likely to apply for bankruptcy. The client has received no financial help and is worried that the child will be taken away from her if she is made bankrupt.

A West of Scotland CAB reports of a client and her husband who have used all of their savings looking after their three grandchildren while waiting on a decision on their benefit applications. It took seven months for the clients to receive child benefits and child tax credits, but they only received three months of backdated payments. The clients have had to spend £7,000 of savings to care for their grandchildren in the meantime.

99. Kinship carers spoke of the financial problems they experienced and the ways in which they coped with these problems:

“Sometimes I have to borrow from the rest of the family to help pay”.

Relationship with parents

100. Kinship carers may also experience problems in their relationship with the parents of the children they are caring for. In many cases, the relationship is stable, with the parents maintaining access to the children and gradually becoming more likely to be able to care for them again. In other cases, however, the relationship can break down, leaving disputes over who should be caring for the children, which can lead to threats of violence and false accusations. Farmer and Moyers (2008) found that difficult relationships between kinship carers and the children’s parents or other family members emerged in over half of cases.

¹⁵ Children Looked After Statistics 2008/09 (February 2010) - <http://www.scotland.gov.uk/Resource/Doc/303417/0095145.pdf>

A West of Scotland CAB reports of a client and his wife who have voluntarily cared for their great niece for the last four years after the mother said she wanted nothing to do with her. The niece's parents had ongoing drink and drug issues. The client is now in dispute with the parents about the care of the niece, and the client is concerned that they will "turn up and try to lift her". The client is concerned that his niece will be at risk with her parents.

101. Kinship carers reported that relationships with the parents of the children can be the biggest worry for them. The circumstances leading to the care arrangement – which can include drug addiction and violence – can lead to the children being scared of their parents, with chance encounters with parents turning into traumatic experiences:

"As she's got older, there's been flashes of contact (with the child's mother), where she's tried to come back, but it's no been in a very healthy way. It's been through violence, it's been through approaches in the street, shouting, screaming, and my granddaughter's experienced this."

102. Kinship carers reported that there was an emphasis from social workers on ensuring that the children kept in contact with their parents. While this arrangement can be beneficial for many carers and children, some kinship carers stated that this wasn't necessarily the case in every situation:

"Social work departments seem to think it's better for the parents to have contact, when it's no always the case. They've got this idea that it's always beneficial for the kids, but it is no."

"On a negative note it was always very difficult to see the difference in him when he had contact with his mother, he was a different child and not in a good way."

103. Kinship carers also reported that they can feel threatened by the parents of the children they are looking after, especially where the parents remain in the situation that led to the kinship care arrangement. These experiences make caring for a child ever more difficult:

"He (child's father) is such a violent person, he's a drug dealer, he's a wee... you know. Just going down there will make it worse. He's threatening to stab me the first time I'm on my own. I've got this worry every day of my life."

Respite care

104. The difficulties and stresses on kinship carers can mean that they sometimes need respite care to provide a break from caring responsibilities. This is particularly the case for carers who are under strain or caring for challenging children. However, respite care appears to be difficult to arrange for carers, particularly for those looking after non-looked after children. Many parents can turn to their own parents to look after their children if they need a break; however, it is not always clear who can provide this break for grandparents who are kinship carers.

A South of Scotland CAB reports of a kinship carer who was experiencing problems trying to arrange respite care for her grandchildren when she had to go into hospital. On one occasion, the client asked the local authority for respite care, but was told that because the children's father lived in London she should send the children there. The client had to ask the neighbours to call in on the children and persuade the hospital to keep her in for only one night (against their advice).

105. Kinship carers reported that respite care was an important issue for them, and that it was very difficult to find:

“Sometimes you just want to go ‘ahhhhh!’... and then you go and ask the social work for some respite... that’s a joke, right.”

“I got told with [child’s name] when he was younger that I could get a break... you bring him on a Saturday, but you have to sit with them. What is the point of that? It was only two hours, but I had to sit with them.”

Kinship care allowance and local authorities

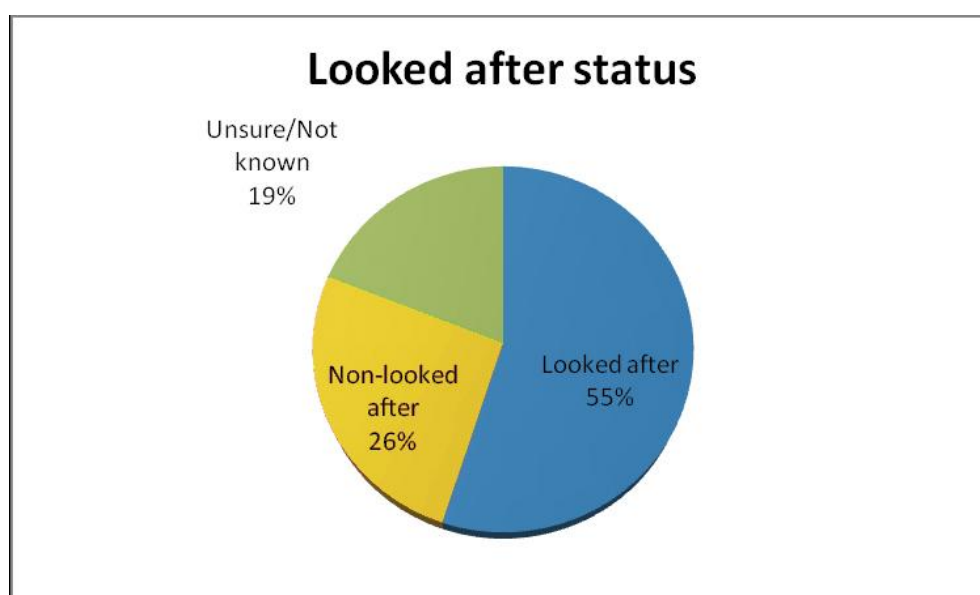
106. The Scottish Government and COSLA have agreed that by 2011, kinship carers of children who are looked after will receive an allowance from the local authority to make sure they are treated on an equivalent basis to foster carers.¹⁶ Levels of allowance may vary considerably between local authorities. COSLA recognises “there is variation in the amount paid in allowances to those caring for children”.

Looked after status

107. An important part of eligibility for Kinship Care Allowance is the looked after status of the child involved. If the child is classed as looked after, the local authority will have an obligation to pay the kinship carer an allowance by 2011, and many local authorities have already met this obligation. However, if the child is placed with a kinship carer and has a non-looked after status (such as a Residence Order) or the arrangement is an informal arrangement, it is at the local authority’s discretion whether they pay the carer an allowance.

108. Figure 8 shows the proportions of children under each status. Around a fifth of kinship carers were unsure of the looked after status of the child they were caring for at the point of advice. It is concerning that such a high proportion of carers were unclear of the looked after status of the child they are caring for, suggesting that some may be missing out on support they are entitled to due to a lack of knowledge of their own position.

Figure 8



Base: 368 kinship carers

¹⁶ The concordat agreement is available at: www.cosla.gov.uk/attachments/aboutcosla/concordatnov07.pdf

109. Figure 8 shows that the majority of kinship carers were caring for a looked after child, which means that they are likely to be eligible for a kinship care payment. However, at least a quarter of kinship carers in the research were caring for a child under a different or informal status and are unlikely to receive the allowance.

110. A number of kinship carers were ineligible for the allowance, including at least a fifth who were regarded as caring for non-looked after children. A further fifth were unsure about their child’s status, so were unsure of their eligibility. There were 17 kinship carers in the research who were eligible for the allowance, but who were told that the local authority didn’t have the budget to offer them any payments. Eligibility for the Kinship Care Allowance is summarised in Table 4:

Table 4: Eligibility for Kinship Care Allowance

	Proportion of carers	Proportion of carers (excluded those unsure)
Eligible	50%	62%
Eligible, but local authority is not offering payments	5%	6%
Not eligible (but could receive discretionary payment)	26%	32%
Unsure	19%	

Base: 368 kinship carers

111. Removing kinship carers who were unsure of their looked after status shows that **around two-thirds of kinship carers had a looked after status and third of kinship carers did not**. However, as will be explored in more detail in the next chapter, the majority of kinship care arrangements are thought to be informal, meaning that the majority of kinship carers are ineligible for Kinship Care Allowance.

Local authority payments

112. Twenty four local authorities offered Kinship Care Allowance payments in 2009 based on four comparable age groups. The other eight local authorities either made payments based on individual circumstances or were yet to put Kinship Care Allowance into place. Table 5 outlines the levels of payments offered by the 24 comparable local authorities in Scotland and compares the payments to the recommended minimum allowance for fostered children:

Table 5: Local authority payments

Kinship Care Allowance (per week)	0 to 4 years old	5 to 10 years old	11 to 15 years old	16 to 18 years old
Average payment	£79.10	£91.76	£113.65	£139.72
Median	£70.41	£87.43	£107.46	£140.91
Lowest	£23.50	£23.50	£40.00	£40.00
Highest	£148.18	£168.78	£210.12	£255.57
<i>Fostering Network – recommended minimum allowance for fostered children¹⁷</i>	£125.09	£142.49	£177.38	£215.74

Base: 24 comparable local authorities

113. The table shows that the level of payments offered by local authorities varies significantly across Scotland. This could lead to the situation in which a kinship carer would be markedly better off in one local authority over another. The highest payment for a kinship carer who is caring for a looked after child under four years old was over six times higher than the lowest payment.

114. If we are to assume that every kinship carer of looked after children in Scotland were to receive a Kinship Care Allowance (this will not be the case at the time of writing as a minority of local authorities are yet to offer payments), and that they receive roughly the average payment from the table above, the amount of payments across Scotland could be over £230,000 per week or around £12 million a year.¹⁸ This doesn't include other costs involved, such as the cost of implementing the payments and other support costs. While this may look like a significant expenditure, it is less money than would be required to pay foster carers to care for the same children, and significantly less than would be required for residential care.

¹⁷ From April 2010

¹⁸ Calculation based on the age profile of children in this research = an average payment per looked after child of £97.30 per week

115. If payments were equivalent to the recommended minimum allowance for fostered children, then payments for looked after children in kinship care could exceed £360,000 a week or nearly £19 million a year. However, not all kinship carers would take Kinship Care Allowance as complexities in the benefit system mean that a minority of kinship carers would be better off without the payment. This is because these carers may lose their benefit entitlement as a result (this is explored in the next section). Additionally, some local authorities are offering payments to kinship carers of non looked after children.
116. At the time of the agreement to offer Kinship Care Allowances in 2007, a Government press release suggested that the Fostering Network's recommended minimum allowance would be the recommended level of payment to kinship carers.¹⁹ As of the time of writing, only three of the 24 local authorities offering comparable payments met or exceeded the recommended minimum allowance for fostered children. However, other local authorities were offering the same rates for kinship carers and foster carers, although at a level below the Fostering Networks recommended allowance.
117. In most local authorities there is still a disparity between the payments offered to kinship carers and foster parents, although this gap has narrowed since the advent of the Kinship Care Allowance. However, even with the allowance, many kinship carers will remain worse off financially than their foster carer counterparts.

A West of Scotland CAB reports of a client who is caring for her daughter's 14 year old friend. The child's mother felt unable to care for her children and the client offered to care for her daughter under a supervision order, while her sister went to foster parents. The client is receiving £35 a week from the local authority, but is still struggling financially. The client is in touch with the foster parents of the other child and feels there is a big difference in the payments in which they are getting. The client has also been waiting for nearly four months for a decision on her Child Benefit application.

118. The disparity in payment is significant as kinship carers are likely to care for a loved one unexpectedly with little time to prepare, and often find that they need to make immediate sacrifices, such as giving up employment or having to spend savings, to cope with the care arrangement. Foster parents are much more likely to have made preparations so that they are in a position to cope financially with a care arrangement. Kinship carers are therefore likely to be at a financial disadvantage very quickly in a care arrangement.

¹⁹ 'Kinship Care – SPICe briefing' (2008) Camilla Kidner, pg. 14
<http://www.scottish.parliament.uk/business/research/briefings-08/SB08-03.pdf#4>

Kinship carers and benefit entitlement

119. There are a number of issues relating to the interaction of the UK benefits system and payments made by local authorities to kinship carers. One key issue is that of the interaction between Kinship Care Allowance and Child Benefit/Child Tax Credit. UK benefits law does not recognise the category of looked after-and-in-kinship-care in Scotland. This can lead to challenges when determining Child Benefit entitlement. CAS and CPAG Scotland believe that most kinship carers of looked after children are currently entitled to Child Benefit, however the complexity of the benefits system means that this is as yet unclear.

120. Under the current UK rules, a kinship carer of a looked after child receiving such an allowance is disqualified from receiving Child Tax Credit for that child. The loss of Child Tax Credit can have significant consequences for the finances of that family. Table 6 explains in more detail the legal status of kinship care arrangements, and the benefit entitlements that are afforded to kinship carers under each legal status.

Table 6: Kinship Care – Legal Status Overview

Legal status	Kinship Carer payments from the Local Authority	Kinship Carer entitlements to Child Benefit and Child Tax Credit
Not 'looked after' kinship care – <i>Informal placement or under a 'residence order'</i>	Power to make payments based on need	<input checked="" type="checkbox"/> Child Benefit <input checked="" type="checkbox"/> Child Tax Credit (if on a low income)
'Looked after' and staying with a kinship carer – <i>Payment made using Section 50 or 22</i>	Requirement to make payments at a level equivalent to those paid to foster carers <i>Under the concordat a scheme must be in place by 2011</i>	<input checked="" type="checkbox"/> Child Benefit ²⁰ <input type="checkbox"/> Child Tax Credit (if on a low income)
'Looked after' and staying with a kinship carer – <i>Payment being made using Section 26²¹</i>	Requirement to make payments at a level equivalent to those paid to foster carers <i>Under the concordat a scheme must be in place by 2011</i>	<input type="checkbox"/> Child Benefit <input type="checkbox"/> Child Tax Credit (if on a low income)
Foster Carers	Requirement to pay a foster allowance (rate varies across Local Authorities)	<input type="checkbox"/> Child Benefit <input type="checkbox"/> Child Tax Credit (if on a low income)

²⁰ Note: The UK benefit regulations are not designed to cover this particular case. CAS and CPAG's interpretation of the regulation is that there is an entitlement to Child Benefit in these circumstances. This interpretation may be open to challenge.

²¹ Note: From 28 September 2009, Section 26 of the Children (Scotland) Act 1995 is no longer available as a means to make payment. From this date, local authorities have been able to exercise the option of using Section 110 Adoption and Children (Scotland) Act 2007 (in conjunction with Regulation 33 of Looked After Children (Scotland) Regulations 2009) to make payments. The interaction of this payment mechanism with UK benefits law remains subject to interpretation.

121. If the kinship carer of a looked after child is on a low income and, as a result, entitled to Child Tax Credit, then they may actually lose out if they receive an allowance from the local authority, or may end up only marginally better off. This is shown in the following case study, where the fortunes of kinship carers with the same circumstances can vary by local authority and section the looked after child is formally placed under.

Better off case study

122. Ken and Nancy are a retired couple who receive a state retirement pension, an occupational pension, and Pension Credit. Their total income looks like this:

Original Income

State Retirement Pension (Ken)	102.00
State Retirement Pension (Nancy)	57.45
Occupational Pension	56.00
Pension Credit	20.00
<i>(Rent payable)</i>	<i>(£6.61)</i>
<i>(Council tax payable)</i>	<i>(£2.03)</i>
Total Income	£228.04

123. Ken and Nancy agree to care their grandson, Neil, who is a looked after child. They have agreed to care for Neil for the next three years. None of them have a disability. Ken and Nancy are offered Child Benefit and Child Tax Credit to help them look after Neil. Their total income would now look like this:

Income with Child Benefit and Child Tax Credit

State Retirement Pension (Ken)	102.00
State Retirement Pension (Nancy)	57.45
Occupational Pension	56.00
Child Benefit	20.00
Child Tax Credit	53.41
Total Income	£309.09

124. Ken and Nancy hear that they may be better off if they claim a Kinship Care Allowance for caring for Neil. After asking a bureau for advice, they are told that they are eligible for Kinship Care Allowance. However, the couple find out that the amount they can claim varies between local authorities, and that they could be better or worse off depending on the local authority:

Table 7: Kinship Care Allowance – selected local authority examples

	Local Authority 1	Local Authority 2	Local Authority 3	Local Authority 4	Local Authority 5
Section	50	22	26	50	50
Kinship care payment	121.68	125.56	84.00	148.18	31.00
Pension income	235.68	235.68	235.68	235.68	235.68
Child Benefit	20.00	20.00	X	20.00	20.00
Child Tax Credit	X	X	X	X	X
Rent Payable	-	-	(6.61)	-	-
CT Payable	-	-	(2.03)	-	-
Total amount payable through child benefit and tax credit	£309.09	£309.09	£309.09	£309.09	£309.09
Total amount payable under kinship care	£377.36	£381.24	£311.04	£403.86	£286.68
Amount better off with KC payment	+ £68.27	+ £72.15	+ £1.95	+ £94.77	- £22.41

125. The case study shows that the same carers with the same circumstances can receive varying levels of payment depending on the section their child is looked after under and the local authority in which they live. Kinship carers are more likely to be better off by taking Kinship Care Allowance, but the level that they benefit depends on a number of factors.

126. Case evidence gathered by CAS shows that this is an actual effect and not merely theoretical. Of the 100 Kinship carers who requested a better off calculation in this analysis, 14 had the final calculation recorded in the data. Table 6 shows the type of client and the amount that they would be better off per week if they took the payments. The majority of carers were better off, but a minority would actually be worse off taking the Kinship Care Allowance:

Table 6: Better off enquiries

Age	Number of children	Better off per week
-	One niece	+£75
18-24	Two nieces (4 and 5)	+£66
18-24	-	+£56
45-59	One grandson	+£47
45-59	One grandson(14)	+£39
-	One grandson(15)	+£38
35-44	One child	+£20
45-59	One grandson(4)	+£17
-	One child	+£9
25-34	-	+£5
45-59	One grandson(1)	+£3
45-59	-	-£11
35-44	Two children	-£33
-	Looks after her sister	-£181

127. The table shows the range of outcomes that Kinship Care Allowance can hold for carers. It is important to note that many kinship carers can be significantly better off with the allowance, with almost half of the carers used in the case studies above being at least £1000 better off a year.

A West of Scotland CAB reports of a client who will be better off by £38.35 a week if she takes Kinship Care Allowance. The client looks after her 15 year old grandson and has been offered an allowance of £112.35 per week by the local authority.

A West of Scotland CAB reports of a client who has been asked to look after his nephew and has six children of his own. The client has been offered Kinship Care Allowance, but due to his nephew receiving other benefits for a disability, the client would be over £30 worse off if he took the allowance due to losing other benefit entitlements.

Issues brought by kinship carers

128. Kinship carers called the helpline and approached bureaux for advice on a range of issues. The main issue enquired about was recorded for the 368 kinship carers included in this study.

129. This section will look at kinship carer enquiries under the following sections:

- Main issues
- Eligibility issues
- Problems experienced with local authorities
- Better off enquiries
- Problems claiming benefits
- Other enquiries

Main issues

130. The types of issues that kinship carers asked about on the helpline were recorded and are briefly summarised in Table 7. The Table shows the **main** issue brought by each kinship carer, although many carers asked for advice on multiple issues.

Table 7: Main issues brought to bureau regarding kinship care

Type of issue	All enquiries	Kinship carers of 'looked after' children	Kinship carers of <i>non</i> 'looked after' children
Enquiring about Kinship Care Allowance	30%	24%	16%
Better off enquiry	27%	43%	13%
Eligibility issues	16%	0%	60%
Local authority actions/practices	7%	10%	1%
Local authority isn't offering payments	5%	7%	1%
Checking rates	3%	5%	1%
Other	12%	10%	7%

131. Around a third of issues concerned the initial stages of enquiring about the allowance, nearly a fifth of issues concerned not being eligible for the allowance due to the status of the looked after child, while a quarter were issues that arose after being offered the allowance. A minority (12%) concerned problems with the local authority, such as there not being a budget for the allowance or problems with payments.
132. Almost half of enquiries from kinship carers with looked after children concerned better off enquiries, where carers had already been offered kinship care payments and wished to check that they would be better off financially through these payments. Kinship carers have their child benefit and child tax credit entitlements affected by Kinship Care Allowance, so it is essential that kinship carers have a better off calculation before accepting payments.
133. Around a fifth of enquiries concerned the initial stages of applying for Kinship Care Allowance. Many had only just heard of the allowance and phoned the helpline for advice, while others were actually first told of their possible entitlement after visiting a bureau for advice on another issue.
134. The majority of kinship carers with a non looked after status were enquiring about why they were ineligible for Kinship Care Allowance – about one in seven of all kinship carers in the study. Many of these kinship carers were upset at the lack of support that they were receiving, with some insisting that they had previously been promised financial support if they became a kinship carer.

Eligibility issues

135. The majority of kinship carers in this research care for looked after children and are therefore entitled to Kinship Care Allowance payments. However, at least a quarter of kinship carers cared for non looked after children – and are not entitled to kinship care payments – while almost a fifth were unsure of the looked after status of the children they were caring for. About one in seven kinship carers calling the helpline or visiting a bureau were asking why they had been told they were ineligible for Kinship Care Allowance by their local authority.

Table 8: Eligibility for Kinship Care Allowance

	Proportion of carers	Proportion of carers (excluding those unsure)
Eligible	50%	62%
Eligible, but can't receive payment	5%	6%
Not eligible (but could receive discretionary payment)	26%	32%
Unsure	19%	

Base: 368 kinship carers

136. Removing the kinship carers who were unsure of their looked after status shows that around two-thirds of kinship carers had looked after status and a third of kinship carers did not.

137. This is a significant finding, as it shows that a significant proportion of kinship carers in this research are not eligible for Kinship Care Allowance. However, as this research does not cover all kinship carers in the population, it is possible that this proportion could be higher. It can be expected that kinship carers who have contact with social workers would be more likely to know of their entitlement to Kinship Care Allowance, and consequently be more likely to approach a bureau and take part in this research.

138. Conversely, informal kinship carers who have little contact with social workers are less likely to know about Kinship Care Allowance and may not even realise that they are a kinship carer – just that they cared for a loved one when the need arose. Therefore, it is highly likely that the proportion of kinship carers in the Scottish population who are not entitled to Kinship Care Allowance will be higher than these figures suggest.

139. Indeed, recent figures suggest that informal kinship care arrangements may outnumber formal arrangements by a significant extent. This would suggest that the majority of kinship carers would not be entitled to payments. In March 2009, there were 2,990 children who were looked after and in kinship care. It is not known how many are looked after informally by kinship carers, but an extrapolation of the Scottish Household Survey estimated that 10,454 children, unknown to local authorities, were living with family or friends, many of them in kinship care arrangements.²² Using these figures suggests that more than 4 in 5 kinship care arrangements are informal.

140. The decision to make kinship care payments available automatically for only those with a looked after status implies that the care needs of these kinship carers are greater than those without a looked after status. However, the findings in this research suggest that this is not always the case, with many informal carers experiencing very difficult circumstances. Table 9 compares the circumstances leading to kinship care by different looked after status:

Table 9: Situation leading to kinship care by looked after status

Situation leading to kinship care	Looked after	Non looked after
Addiction problem	30%	34%
Bereavement	28%	20%
Neglect/abandonment	18%	19%
Health problems	10%	3%
Prison	8%	17%
Violence	8%	3%

Base: 123 kinship carers

141. Table 9 shows that non looked after children were more likely to be in kinship care due to addiction problems and prison sentences than looked after children. This shows that situations leading to private kinship care arrangements are likely to be as stressful and problematic as formal arrangements.

Non 'looked after' kinship care arrangements

142. A number of kinship carers took in children through an **informal or private arrangement**, with little social work involvement in the care of the children. However, social workers were often involved in the case prior to the kinship care arrangement. Given the limited involvement that social workers have in these arrangements, there is a possibility that these kinship carers are 'invisible' to authorities even though their needs can be as great as those with looked after children.

²² Kinship Care – SPICe briefing' (2008) Camilla Kidner, <http://www.scottish.parliament.uk/business/research/briefings-08/SB08-03.pdf#4>

143. In many cases it appears that the distinction between looked after and private arrangements is the mechanism by which the child becomes looked after, rather than on the circumstances that led to the child needing care arrangements. For example, if a grandparent steps in to offer to care for a child before social workers decide to formally put the child into care, then it is likely the arrangement will be deemed a private one. However, if the child is taken into care first, then the arrangement with the grandparent is more likely to be under a formal supervision order. Therefore, the same circumstances and same people can lead to very different outcomes depending on whether the care arrangement is made before or after a crisis point is reached.

144. The distinction between informal and formal kinship care can have significant implications for kinship carers. As it stands, only formal kinship carers will automatically receive kinship care payments as of 2011. Kinship carers with private arrangements will only stand to receive discretionary payments. However, as the following cases show, the needs of these kinship carers are the same as any other carer.

A West of Scotland CAB reports of a client who has cared for her grandson for the last four years on an informal basis. The child's mother has addiction problems and the father has mental health problems. The father had recently become involved with his son again, but assaulted the son putting him in hospital. Social services became involved and said that the father was not to have any contact with his son, but apart from that they are happy to leave things as they are. There is no supervision or residence order in place, and social work have said they don't have the money to put an order in place. The client has had to give up work as she cannot get care for the child while she is at work.

A West of Scotland CAB reports of a client who is looking after her five-year-old grandson on an informal basis as the mother and father are both drug addicts. The child was left with the client last year and the parents have not been in contact since. The client reported the situation to social workers who were involved for about a year, and will be involved again if the parents come back on the scene. The client wanted to know if there is any financial support available to her, but because the arrangement is informal any kinship care payment from the local authority would be discretionary.

A West of Scotland CAB reports of a client who has a voluntary arrangement to look after her granddaughter as her daughter has drug and alcohol problems. The client was told that she doesn't qualify for kinship care payments as the arrangement is voluntary. The client had informed the social work department when she started caring for her granddaughter, but they felt that there was no need to get involved.

A West of Scotland CAB reports of a client who has cared for her granddaughter for six years on an informal basis. The client's daughter is an alcoholic and is recognised by social work as unfit to look after her child. However, the arrangement has no legal status and the client does not qualify for Kinship Care Allowance.

145. Many kinship carers reported that they had initially taken on care arrangements on a short-term basis with the belief that the children would return to their parent(s) when the problem had been resolved. However, this isn't always the case, and kinship carers can be left with long-term caring responsibilities based on a short-term arrangement.

“My intention was that the bairn comes and lives with me till she [child’s mother] gets herself sorted out and then the bairn goes back. That’s the intention of everybody. It just doesnae happen that way. A few months later she [child’s mother] died.”

146. Kinship carers can also care for children under **residence orders**, which are made by a court and which regulates the arrangements about where, and with whom a child will live. If an order is made in favour of someone who does not have parental responsibilities and rights (e.g. grandparents, aunts) then that person will hold responsibilities and rights until or unless the order is changed. Children cared for under residence orders are known to the local authority, but are not classed as looked after and therefore are not automatically entitled to Kinship Care Allowance.

A West of Scotland CAB reports of a client who is caring for his two young grandchildren as their mother is terminally ill. The client is currently on sick leave from work. Although the client is looking after the children under a residence order, the social worker believes that there is a good chance that they will receive Kinship Care Allowance.

Changes in looked after status

147. A number of kinship carers reported that they had initially looked after children under a supervision order which was then changed or removed at a later date. These kinship carers were therefore not entitled to Kinship Care Allowance, although they would have been prior to the supervision order being removed. Lifting a supervision order should be a positive step in a care arrangement – however, if this action takes away a carer’s eligibility for Kinship Care Allowance, it may actually create a perverse incentive to stay within the looked after system.

A West of Scotland CAB reports of a client who has been turned down for Kinship Care Allowance as the supervision order for the child she is caring for was removed three years ago. The client stated that she is a member of a kinship care support group and that she is aware of a number of carers in the group who are in the same situation.

A West of Scotland CAB reports of a client who looks after her three-year-old grandchild who is not eligible for automatic kinship care payments. The child's mother could not cope with her baby when she was born, and shortly after her birth, the father was sent to prison. Rather than the child going into care, the client and her husband stepped in to look after their grandchild. The child was originally cared for under a supervision order, but the client was encouraged to go for a residence order by the social work department. At this point, the client 'fell out' with the social work department regarding financial support and neither orders were pursued. The client is therefore not entitled to Kinship Care Allowance, but would be better off by £45 per week if she were to receive payments.

Different arrangements for different children

148. Over a quarter of kinship carers in this research were looking after at least two children. An issue that emerged for a significant number of this group of carers was that the status of the children they were caring for could be different for each child, meaning that one could be entitled to Kinship Care Allowance with another child not entitled to any payment. This led to confusion for many kinship carers, as it was often the same set of circumstances that led to the care of the children.

A West of Scotland CAB reports of a client who cares for her three nieces and nephews all under the age of three. The client is confused why she is receiving kinship care allowance for the eldest two but not the baby. This is due to the youngest being voluntarily handed over by her sister after the older two children being given supervision orders. The client stated that the child would have soon gone into care due to her sister's drug problem.

A West of Scotland CAB reports of a client who receives Kinship Care Allowance for one child but not for another. The client cares for two of his grandchildren, but looks after one child under a supervision order while the other is cared for under a voluntary arrangement. The client took the child voluntarily as he already had the other two and feared that his daughter would neglect the child in the same way as the other two. The social work department has refused to give financial help as they have said that it is a voluntary arrangement although they have admitted that had he not intervened they would have become involved. The client is finding it hard to cope with his caring responsibilities as he has been diagnosed with having heart problems and been advised to give up work.

149. These circumstances can also arise when siblings are cared for by different family members, where one child becomes looked after and the other is looked after under an informal agreement. This situation can lead to the kinship carers of siblings receiving different levels of support and payments.

“What really done me was my granddaughter’s wee sister is with her other nan, and she gets the payments from the day she had her. When I put in for it, they knocked me back.”

Problems experienced with the local authority

Local authorities not offering payments

150. Almost one in twelve of the kinship carers of looked after children in this research were not receiving Kinship Care Allowance due to the local authority either not having the budget to make payments or were yet to implement the allowance. These kinship carers are in the unfortunate position of being unable to claim support that they should be entitled to due to where they live.
151. The following cases show kinship carers who are entitled to payments, but aren't receiving them due to budget constraints. Many of these clients are experiencing difficult circumstances in which payments would offer a welcome boost.

A West of Scotland CAB reports of a client who has been told that the local authority has no money available for kinship care payments. The client has cared for her 12 year old granddaughter for most of the last 9 years, latterly under a supervision order after the child's father went to prison. The client hasn't received any financial help and has now been told that there is no money available for kinship care payments.

A West of Scotland CAB reports of a client who has been told that the local authority does not have the budget to offer Kinship Care Allowance. The client is caring for his four grandchildren under supervision orders.

An East of Scotland CAB reports of a client who is described as a kinship carer by the social work department, but due to pressure on budgets, the local authority are unable to make any payments. The client and her husband are caring for their two infant grandchildren, and the wife has had to give up her job to care for them. The client is worried that they will be unable to keep up with their mortgage payments unless they receive financial help.

A West of Scotland CAB reports of a client who has been told that the local authority has no funds to pay out an allowance. The client has cared for her niece for 10 years under a supervision order, and should qualify for kinship care payments.

152. As of the time of writing, there are still local authorities who are yet to implement a Kinship Care Allowance in their area ahead of the 2011 deadline. This is leaving many kinship carers without access to financial support.

A West of Scotland CAB reports of a retired client whose local authority hasn't yet implemented kinship care payments. The client has been looking after her grandson and has done for the last seven years. The child's parents both suffer from alcohol and drug problems. The client and her husband are both in their 70's and have been waiting for financial support for some time.

A West of Scotland CAB reports of a client who has been told that the local authority hasn't yet implemented the Kinship Care Allowance. The client is looking after his grandson under a supervision order. The client has had to give up work to care for his grandson and is struggling to manage financially.

153. In recent months, bureaux have reported that local authorities are reducing the payments made to kinship carers, or are introducing means testing to restrict the number of carers who can access payments.

A West of Scotland CAB reports of a kinship carer who has been told that her Kinship Care Allowance payments will be halved as the local authority has to pay more kinship carers than expected. The client will struggle to live financially on the lower amount, as she had to reduce her hours of work to care for her nephew.

Administrative problems/poor advice

154. Around one in fourteen kinship carers complained about mistakes or poor service from the local authority. This included poor advice from social workers, delays in payments, and unkept promises regarding financial support.

155. Kinship carers have complained that they were not told by their social worker that they were entitled to Kinship Care Allowance. It has been reported that a number of social workers have called the kinship care helpline to receive advice on behalf of their clients, suggesting that knowledge of Kinship Care Allowance is not universal. It may therefore be the case that a number of kinship carers with an entitlement to Kinship Care Allowance will be unaware of this entitlement.

A West of Scotland CAB reports of a client who was not told by her social worker or the local authority that she is entitled to kinship care payments. The client cares for her three grandchildren under supervision orders, but the client only receives financial support for the children to go to afterschool clubs. The Kinship Care Allowance will amount to around £45 per week per child, and will make a vast difference to her income.

156. Kinship carers felt that social workers didn't always have the right information needed to support them, but equally felt that this wasn't always their fault:

"It's no a case of sort of being down on the social worker all the time. I think a lot of the cases the social worker is in the same sort of plot as us. They are no being told everything and nothing's being passed down the line."

157. Kinship carers also felt that this lack of information led to situations where nobody was willing to speak to them, as local authority workers did not have clear information to be able to help them.

"Everybody you go to palms you off somewhere else, no interested..."

158. Many of the kinship carers who care for non looked after children state that they were initially told that they would receive financial support if they cared for the child. However, for many the support was not forthcoming, and they now find themselves without access to Kinship Care Allowance. In many cases, clients felt that they had 'been abandoned' by the local authority.

A West of Scotland CAB reports of a retired client who has yet to receive financial support despite being promised help when she agreed to care for her grandson. The client's daughter couldn't care for her son, so agreed that he should go into care. The social work department stated that there were no placements available and asked the client to look after him. The client felt that she had no choice and was promised that financial help would be forthcoming. However, this help has not materialised, and the client is struggling to cope financially.

A West of Scotland CAB reports of a kinship carer who was told that the social work department would pay for transport and other expenses for her grandchildren, although this support has not materialised. The client states that she has seen 8 different social workers since the children were placed with her less than a year previously.

159. Another complaint from kinship carers was that they had been told that they were entitled to Kinship Care Allowance, but then had to wait months for payments.

A West of Scotland CAB reports of a client who has been waiting four months for promised Kinship Care Allowance payments. The client was awarded backdated payments and was told that she would then receive fortnightly payments. However, four months later, the client has yet to receive a payment and has been unable to contact her social worker.

A West of Scotland CAB reports of a client who was told that she is entitled to Kinship Care Allowance, but has been waiting for more than six months for a payment. The bureau enquired with the local authority who currently have a hold on processing any new kinship care clients.

160. A number of kinship carers reported that they had been left in limbo by the decisions regarding caring arrangements. Kinship carers can be left as temporary carers, with no time limit in place and no financial support forthcoming. This situation often comes about due to a shortage of foster parents in an area, with relatives left literally 'holding the baby' in the meantime. These uncertain agreements can be stressful for kinship carers.

A West of Scotland CAB reports of a retired client who is acting as a "babysitter" for her two grandchildren. The children were placed with the client by the social work department as their parents weren't looking after them properly and there was a shortage of foster parents in the area. The parents are keeping the Child Benefit payments to help pay off their debts, while the client is struggling financially after being turned down for benefits. The client has not received any support from the social work department as they do not know how long the children will be with the client and consider her only a "babysitter".

161. Kinship carers reported that these short-term solutions can stem from the uncertainty surrounding the situation leading to the care arrangement. Many kinship carers start caring for children in the belief that it will be a short-term arrangement, and that the children will be returned to the parents when the situation improves. However, this isn't always the case, and kinship carers can be left with long-term caring responsibilities based on a short-term arrangement.

Difficulties becoming a kinship carer

162. While many kinship carers find the process of taking over the care of a child to be relatively unproblematic, other clients have reported significant difficulties in trying to look after grandchildren after they are taken into care. This can be very traumatic for grandparents who face the possibility of seeing their grandchildren taken into foster care.

163. Scottish bureaux have reported clients who have been told that they don't fit the criteria to look after their grandchildren after they have been taken into care, which is very upsetting for the client.

A West of Scotland CAB reports of a client who would like to care for her grandchildren, but has been told by the social work department that she didn't meet the criteria for doing so. The client's grandsons are both in foster care and the client sees them every weekend. The client's daughter had addiction problems, and although she is improving, the social work department feels that she will not be able to look after the children again. They have decided that the best option for the youngest child is to put him up for adoption. The client is very upset at the thought of this and wants to adopt the child herself. The client approached the social work department about adopting him but was told she didn't meet the criteria.

164. Clients also report that they have been told that they cannot care for children due to circumstances outwith their control.

A West of Scotland CAB reports of a client who was asked to look after her 9-month-old granddaughter by the local authority, but who has now seen the child go into foster care after nine weeks because of childcare costs. The client lives in a different local authority area to her daughter and granddaughter, and was told that the reason that the child was going into foster care was that childcare costs were too high in her local authority area and there were no council run contact centres. The client feels it is unfair that her place of residence is dictating the local authority's decision. The client is unsure of her rights, but she and the child's mother would like the client to care for her granddaughter rather than being placed into foster care.

165. Clients have reported circumstances in which technicalities, such as being unable to officially prove that you are related to the child, can block a kinship care agreement that could well be in the child's best interests.

An East of Scotland CAB reports of a client who is struggling to become the kinship carer of her four grandchildren. The client's son has four children, the oldest of whom is not his child, and he was not named as the father on the birth certificate of the other three who are his children. The client's son is a recovering drug addict, while the children's mother has recently died as the result of a substance overdose. The client is desperate to care for the children who are currently in foster care, but appears to have few rights due to her son not being named on the birth certificates. The youngest child was born with withdrawal related symptoms and is still in hospital, but the client is denied access to the child, as she is not one of the parents. The client was originally told that she could not attend the Childrens Hearing as she was not a 'relevant person', although the bureau have managed to argue that the client should attend to support her son. The client then found that the Childrens Hearing was scheduled for the same day as the children's mother's funeral. The client asked that it be postponed but this was refused.

166. For many kinship carers and potential carers, it is very important to keep the children in the family. Many grandparents are worried that if they are not cared for in the family, they will no longer be able to contact them or will not have the same level of contact as before. They are worried that they will no longer be able to have a relationship with their grandchildren. This means that barriers to kinship care can be traumatic for potential carers, especially for grandparents.

"I'm glad I did it to keep them in the family, and stop them getting taken into care and adopted away".

Support for parents vs. support for kinship carers

167. Anecdotally, kinship carers feel that the parents of the children have more support from the local authority and other sources than they do. This isn't supported by firm evidence, but is strongly felt by many kinship carers. For example, kinship carers reported that the parents can receive money for *visiting* the children (which doesn't always happen), yet the kinship carers aren't receiving any financial support for *caring* for the children.

"They [social workers] knew that my granddaughter was living with me, but still insisted on paying my daughter support that amounted to thousands of pounds... she had no contact with her daughter or sent birthday cards or anything, but would say 'it's my daughter's birthday and I need money to send her things'... she would claim money everytime that she said she was taking her daughter out, which she wasn't doing. She then had two other children that went into care and did the same with them. She wasn't turning up and they were still paying her the money."

168. In other cases, parents of the children receive support to combat their drug addiction, while the grandparent kinship carers struggled. This can lead to resentment between the kinship carers and the parents, between grandparents and their own sons and daughters.

"My daughter got it four times (local authority grant) and I'm bringing up her kids and not a penny."

"When you phone up, you get nothing, you're not allowed it! And yet they (child's parents) can get it just like that to spend on what they want."

"... it's so frustrating that they (the parents) can get help no problem at all, get anything they want, the grandparents have got to struggle to get everything."

169. Kinship carers explained that this resentment was not about money, but about the support that they felt they should be receiving. They found it difficult to accept that the parents of the children could receive support, while the kinship carers who were providing for the children were struggling:

"I know a lot of the time when you listen to all this it sounds like it's all money orientated, but it's not. It's because you are so angry at what they [the child's parents] get, and you're fighting for the least wee thing. You are fighting for that child because it's no being provided by the parents... It's a battle."

170. Again, these findings are based on anecdotal evidence, and not on evidence of payments. However, it is clear that many kinship carers consider this to be an issue for them.

Problems with benefit entitlement

171. Kinship carers are entitled to Child Benefit and Child Tax Credit payments, although claiming Kinship Care Allowance can affect entitlements to these benefits. A number of kinship carers report experiencing problems and delays in receiving the benefits to which they are entitled, often waiting up to half a year to receive payments. In the meantime, kinship carers often struggle financially.

A West of Scotland CAB reports of a kinship carer who has waited for nearly five months for a decision on her application for Child Benefit. The client is a lone parent who is caring for her two grandchildren. The client has phoned to chase up the decision on many occasions, but each time is told that they would call her back which has not happened.

A West of Scotland CAB reports of a client receiving Kinship Care Allowance who has waited for nearly four months for a decision on her Child Benefit application. The client has phoned to chase up the application many times, and on the last occasion it was questioned whether the client was entitled to payments.

A West of Scotland CAB reports of a kinship carer who is experiencing problems receiving the benefits to which he is entitled. The client is caring for his two grandchildren and is receiving an allowance from the local authority. The client is unable to get his Housing Benefit sorted out, as he has been told that he needs to be receiving Child Benefit before they can process it. The client has applied for Child Benefit but has been told that it will take some time. The client is now experiencing financial problems.

A West of Scotland CAB reports of a client and her husband who have used all of their savings looking after their three grandchildren while waiting on a decision on their benefit applications. It took seven months for the clients to receive child benefits and child tax credits, but they only received three months of backdated payments.

172. Kinship carers have reported that problems with receiving benefits can stem from the child's parents keeping benefit payments even though they are no longer caring for their child. While the parents are receiving the payments incorrectly, it may be difficult for a kinship carer to report this to the authorities. The result is that kinship carers can suffer financially while dealing with a moral dilemma.

An East of Scotland CAB reports of a 17 year old client who is caring for her 8 year old brother. The client's mother has recently been released from prison and under the terms of the order is not allowed to live at the property with her children. The client is an apprentice hairdresser and earns only £75 per week, while her mother is still receiving Child Benefit for both the client and her brother.

A West of Scotland CAB reports of a client who is looking after her granddaughter. The client needs financial support, but cannot receive any payments while her daughter remains in receipt of benefits for the child, and is unwilling to do anything that would stop the payments reaching her daughter as it "may tip her over the edge".

173. Kinship carers can experience problems with the administration of benefits, including overpayments, which can impact significantly on the finances of a carer who is likely to already be in a vulnerable situation.

A West of Scotland CAB reports of a client who is experiencing problems with child tax credits after being a kinship carer for the last 13 years. The client's child tax credit payments have been stopped apparently because of an overpayment in 2003/04. When asking how much she owes and why, the client has been told different amounts on each occasion she has asked.

174. These cases show the problems that kinship carers experience when claiming their benefit entitlements. However, there are many kinship carers who are unaware of their entitlement, and are consequently not receiving the support they need and are entitled to. A number of kinship carers in this study were only aware of their entitlement to child benefit after enquiring on the kinship care helpline about another issue. A study on kinship carers who are grandparents for Grandparents Plus found that one in three family and friends carers is not claiming child benefit.²³

²³ *Recognition, Reward, Respect, Grandparents Plus* (October 2009)

Conclusion and recommendations

175. Kinship care is becoming an increasingly important avenue of care for both looked after and non looked after children in Scotland. The number of formal kinship care placements in Scotland doubled between 2001 and 2007, while the Scottish Government's kinship care and fostering strategy – which places priority on kinship care – is likely to lead to a further increase.
176. Official statistics shows that around one in six looked after children were in a kinship care arrangement in 2007/08. Using Scottish Government estimates of informal kinship care, around 1 in 70 children and young people in Scotland are looked after by family or friends. UK statistics may suggest that this is an underestimate of the true number.
177. Kinship care is therefore an important issue for children and their carers, as well as for social work departments, schools, and health care providers, all across Scotland. This report has looked at many aspects of the lives and caring responsibilities of kinship carers, showing who carers are, the situations that lead to kinship care, the difficulties that carers experience, and issues on which they seek advice. The report also looks at the progress of Kinship Care Allowance in helping kinship carers.
178. Kinship carers are mainly the grandparents of the children they care for, are most likely to be women in their late 40's or 50's, are likely to stay at home to look after the family and/or had to give up work to care for the children, and are likely to care for one or two children. However, there are many kinship carers in Scotland who don't fit the typical profile. A fifth of kinship carers were either the aunt or uncle of the child they were caring for, 1 in 20 were under the age of 25, and 1 in 12 cared for at least three children. Kinship carers come from every walk of life in Scotland.
179. The family problems leading to kinship care are often stressful and upsetting for both the carer and the children being cared for. Many kinship carers reported that the parents of the child had an addiction problem which led to the care arrangement, while a number of arrangements were also set up as a result of bereavement or imprisonment. Kinship carers need to deal with the situation leading to the care arrangement, such as the death of a loved one, as well as cope with the often sudden responsibility of looking after children.
180. Most kinship carers reported experiencing problems as a result of being a kinship carer, including financial problems, strain on existing relationships, and having to give up work due to caring responsibilities.
181. The majority of local authorities are making Kinship Care Allowance payments to kinship carers, although a minority are yet to implement payments. These payments vary significantly, with the highest payment being six times higher than the lowest payment being offered.

182. Kinship carers in Scotland are providing indispensable care for children in vulnerable situations. Until recently, this role was little known and unsupported, leaving many kinship carers struggling and having to make sacrifices to care for a loved one. However, recent research and changes in public policy have changed the perception of kinship carers, while the Scottish Government's strategy and agreement with COSLA means that kinship carers of looked after children are beginning to receive the type of support that they need.
183. However, kinship carers still face many difficulties in providing much needed care, and further work needs to be undertaken to address these difficulties. Many kinship carers in the report felt abandoned by the local authority – it is imperative that carers feel valued and supported. Based upon the findings in the report, we have made a number of recommendations that we believe will benefit kinship carers in Scotland:

Recommendations

- 1) *Local authorities and Scottish Government need to recognise that the needs, including the need for financial support, of kinship carers of non looked after children are often the same as the needs of kinship carers of looked after children*

This research found that kinship carers caring for non looked after children – often through private arrangements – experience the same types of problems as carers of looked after children. More often than not, the main difference between the two groups of kinship carers is that the kinship carers of non looked after children stepped in just before, rather than after, the situation had reached a crisis point and the child was taken into care. As it stands, the majority of informal kinship carers do not receive support from the local authority – however, their need is often just as great as any other carer. Many kinship carers are right on the edge of being able to cope with their caring responsibilities; appropriate support would help bring these carers back from the edge.

Potentially successful kinship care arrangements for non looked after children run the risk of failure for the want of modest investment in payments and support services. The price of failure of such arrangements is high, both in terms of the grave personal cost to the children and carers as well as the significant and ongoing financial cost to the public purse, e.g. for residential care or fostering.

- 2) *In setting levels of kinship care allowances, local authorities need to recognise that, compared to foster carers, kinship carers are likely to be in greater rather than the same or less need of support, including financial support, to enable them to provide effective care*

Kinship carers are more likely to live in deprivation and experience financial difficulties than foster carers, and often have to make sacrifices financially

and in employment to cope with an unexpected care arrangement. Kinship carers are also likely to receive less support than foster parents. If a local authority believes that its foster carers need a given amount of allowance to provide effective care, it is difficult to see how it could believe that kinship carers would need any less.

- 3) *Scottish and UK Government, alongside local authorities, need to look at ways in which the interaction between UK benefits law and Scottish children's law can be made (a) clearer, i.e. by acting to eliminate current sources of uncertainty; and (b) simpler*

Despite pressure from a range of stakeholders, there remains a lack of clarity over how kinship carers fit into the UK benefits system. This situation is compounded by the fact that local authorities interpret the law in different ways. Some kinship carers, at least on some interpretations of the law, can be left worse off by accepting a kinship care allowance than they would be if they rejected it. The complexity of interaction, and the variety of means by which local authorities can make payments, creates an unwelcome burden for kinship carers. The lack of clarity and complexity needs to be addressed to ensure that kinship carers receive a consistent service and know what financial support they can expect in different circumstances.

- 4) *If local authorities intend to pursue means testing, they need to be aware of both the risk that this approach will lead to those in need losing out on payments and also the certainty that this approach will mean adding yet more complexity to the already complex arrangements imposed on kinship carers*

Kinship carers in certain areas report that they are being means tested when being assessed for Kinship Care Allowance. We are concerned that kinship carers in need are losing out on payments in this process. This runs contrary to the agreement in the Concordat that kinship carers will receive an allowance from the local authority to make sure they are treated on an equivalent basis to foster carers.

- 5) *Kinship carers need to receive additional forms of support delivered alongside the Kinship Care Allowance*

Kinship carers stressed the importance of aspects of support other than financial payments, such as respite care, access to health services, free school meals, and support groups. Kinship Care Allowance is just the starting point of support for carers. The wider support needs of carers need be regularly assessed and met.

- 6) *Local authorities need to recognise the immediate benefits, not least the reduced risk of kinship care arrangements failing, that the provision of respite care can bring and make arrangements accordingly*

Kinship carers reported difficulties in receiving respite care from the local authority when they were struggling with their care responsibilities or had health problems. This is an area that could be improved that would have an immediate benefit for kinship carers and the children for whom they care.

- 7) *Local authorities, voluntary agencies and health boards need to recognise the need for practical and emotional support, including counselling, for kinship carers and children, especially where the situation leading to the care arrangement was traumatic, including the death of a loved one or coping with drug addiction problems*

Many of the situations leading to kinship care arrangements are traumatic for both the carer and the children involved, and can lead to mental health problems. Where this is likely to be the case, the provision of counselling and health services may be needed to ensure a kinship care arrangement can be safely sustained and, hence, avoid children being taken into residential or foster care unnecessarily.

- 8) *Voluntary agencies and local authorities need to continue and/or establish support for the development and maintenance of peer support groups for kinship carers*

Kinship carers in the study reported the benefits of a local peer support group. Carers can share experiences, learn important information about entitlement and support, and share caring responsibilities with other carers. It is important that all kinship carers have access to this type of group to enable this form of support. Many of the current groups are run without any funding, relying on the hard work and dedication of kinship carers themselves. Modest support from voluntary agencies and/or local authorities can make a big difference to such groups.

- 9) *Local authorities, Scottish Government and UK Government need to look at ways in which kinship carers can be supported to stay in employment if this is in the best interests of the carer and child being cared for, including affordable child care being provided if necessary*

A number of kinship carers in the research reported that they had to give up work in order to care for children, while others felt that circumstances would force them to leave employment in the near future. In some cases, where a carer has a partner in a well paid job, this can be coped with, but in others loss of employment can cause significant problems. Everyone can gain – children, kinship carers, government – if kinship carers can be supported to stay in employment where suitable, and provided with support, such as childcare, to do so.

- 10) *Local authorities and voluntary agencies need to ensure that social workers and other workers who have contact with kinship carers have adequate training and a sound understanding of relevant kinship care issues*

Case evidence shows that kinship carers of looked after children are not always well informed by their social workers about kinship care arrangements and payments. The presence of a knowledge gap is further evidenced by the number of social workers who called the kinship care helpline to get information. This suggests that workers who need to be familiar with kinship arrangements, including but not limited to the operation of allowance schemes, were not, at the time of writing, sufficiently well informed.

Note: All local authorities in Scotland have and, at the time of writing, continue to be offered training free at the point of delivery from either CAS or CPAG Scotland (funded by Scottish Government).

11) *Local authorities need to ensure that there are no barriers to suitable family and friends caring for children if this is in the best interests of the child*

The Scottish Government's kinship care and fostering strategy places a priority on kinship care arrangements where possible and in the best interests of the child. Examples in this research showed that, in a minority of cases, family members have been prevented from caring for children due to circumstances outwith their control.

12) *Social work departments need to ensure that all kinship carers – whether formal or informal carers – are provided with clear and easy to follow information regarding their kinship care arrangement as well as details about where they can get independent advice and peer support*

Kinship carers – and sometimes their social workers – often reported uncertainty about the legal status of a kinship care arrangement or about details of local authority schemes. Such uncertainty creates additional burdens for the kinship carer, e.g. it creates further uncertainty about entitlement to benefits. It would also be good practice for communications from social work to draw attention to sources of independent advice, such as the CAB service, as well as sources of locally available peer support.

13) *For kinship care policy to be effective and reach all those in need, research is needed to ascertain the number of informal kinship carers in Scotland and their support needs*

At the present time, the only figures on the number of informal kinship carers in Scotland are extrapolations from national data. It is probable that many kinship carers would not identify themselves as such – only that they cared for a loved one when the need arose. Many of these carers will be unknown to the local authority, and conversely these carers may be unaware of the support that may be available to them. In order to provide support to kinship carers in need, authorities need better data on who informal carers are, and how to reach them. Without further research, many kinship carers may remain invisible to authorities.

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