

WEST DUNBARTONSHIRE

KINSHIP CARE GUIDANCE

Revised Draft

April 2017

Current guidance for staff in respect of the assessment and approval of kinship carers for children / young people who have been placed with kinship carers by the local authority; i.e. In a formal kinship arrangement.

This guidance is in draft, pending full implementation of the Children and Young People (Scotland) Act 2014 and Scottish Government Guidance.

1. Introduction

Guidance for children living within a formal kinship arrangement is underpinned by the Looked After Children (Scotland) Regulations 2009, and the Children and Young People (Scotland) Act 2014, both of which require that the well being needs of children and young people living away from home are assessed and reviewed regularly.

West Dunbartonshire provides a kinship care allowance for all formal kinship carers, including those who are caring for children on a permanent legal basis; assessment of the kinship carer must first however consider whether the carer can meet the needs of the child / young person, and whether any practical and / or emotional support may be required to ensure that the child will be brought up in a loving and stable environment.

The assessment must focus on both the kinship carer`s capacity to meet the needs of the individual child/ young person as identified in the child`s plan, and any support the carer may require to assist them in meeting these needs. This will include provision of the kinship allowance, but may also require that assistance in kind – such as access to parenting programmes- be provided.

The kinship assessment will contribute to the overall comprehensive assessment of the child and will identify any outcomes required to inform actions within the child's plan. The child's plan will be reviewed regularly, and in accordance with the Looked After Children (Scotland) Regulations 2009 – please refer to

<http://www.legislation.gov.uk/ssi/2009/210>

2. Definition and parameters of Kinship Care

Regulation 10 of [The Looked After Children \(Scotland\) Regulations 2009.mht](#) defines a kinship carer as;

- i) A person related to the child by blood, marriage or civil partnership, with no restrictions on closeness of that related status
- ii) A person known to the child and with whom the child has a pre-existing relationship. This could include close friends or people who know the child through regular contact and can be seen as part of child's network.

2.1 Formal Kinship

All children placed within formal kinship arrangements whereby the local authority have made the placement, are considered looked after and accommodated and must be subject to the appropriate legislation. Consequently, arrangements must be both assessed and managed in compliance with the 2009 Regulations.

Permanency should be viewed as a positive outcome within a kinship arrangement, and will be supported within our local arrangements. Carers should therefore be provided with the means to achieve permanency and will continue to receive support – both financial and in kind – thereafter.

The Form attached at Appendix 10 must be used in the assessment of the kinship carer(s). This must be accompanied by a comprehensive assessment of the child / children / young person.

2.2 Informal Kinship

Informal kinship carer arrangements i.e. where families / friends have assumed the care of children, may be provided with financial support under the criteria laid out in respect of Section 12 of the Social Work Scotland Act 1968 or section 22 of [Children \(Scotland\) Act 1995.mht](#)

Assistance in kind may also be considered; this may include signposting or assistance to access parenting or other appropriate supports/ resources as required.

Where more formal support is required in respect of the wellbeing of children / young people in an informal kinship arrangement, this may be provided following either a single agency assessment completed by the named person, or a comprehensive assessment coordinated by a lead professional (likely to be a social worker).

Any support to the child or informal kinship carer identified during the assessment process will not include provision of the kinship allowance, as this is only available to formal kinship carers.

2.3 Private Fostering

Private fostering is an arrangement whereby a parent arranges to have their child cared for by someone who is not an approved foster carer, legal guardian or informal kinship carer for more than 28 days.

Such arrangements are covered by private fostering legislation and both national [Private Fostering in Scotland - Practice Guidance for Local Authority Children's Services.mht](#) and local guidance based on the above.

3. Legal basis for Kinship Placements

Where children and / or young people have been placed with kinship carers by the local authority, there are four primary legal means by which the kinship arrangements are secured;

- i) Providing accommodation under section 25 of the Children (Scotland) Act 1995 (however grounds should subsequently be placed before the Reporter).
- ii) A child who is subject to section 83 of the Children's Hearing (Scotland) Act 2011 with a condition of residence with the kinship carer(s).
- iii) A Residence Order under section 11 of Children (Scotland) Act 1995 where the child was previously `looked after` by local authority
- iv) A Parental Responsibilities Order in terms of section 86 of the Children (Scotland) Act 1995

4. Formal Kinship Care Assessment and Review

4.1 Principles

Where children are placed in a formal kinship arrangement the following process / principles should apply;

- The named person for the child must be consulted in respect of consideration of a kinship placement.
- Children currently subject to formal kinship arrangements must be assessed and reviewed in line with this guidance going forward.
- All kinship care assessments and on-going case work must be allocated to a qualified social worker / youth services worker within the Health and Social Care Partnership
- The child / children / young person will be subject to a comprehensive, multi-agency assessment and statutory child's plan. Where children are subject to kinship, the kinship arrangements will be included in the overall planning for the child, and will be subject to formal review by the team around the child.
- Assessment must also include consideration and assessment of the needs of the kinship carer(s) and an outcome plan for the carer(s) also agreed as required.
- Financial assessment and support in respect of welfare benefits advice must be provided at the initial assessment stage and at least annually thereafter.

4.2 Process

At the point a child is placed in a formal kinship placement, the following process will ensue;

- The date of commencement of the kinship assessment must be notified to the local Administration Officer.
- Please note - this date is the date of initial placement with the prospective kinship carer.

- The social worker will then be given a date twelve weeks hence to attend the kinship panel; exceptions must be notified to the Fieldwork Manager in writing and supported by the local Team Leader.
- The monthly screening and review panel will take place on the last Friday of each month, and will include all;
 - New
 - Reviewed (either historical applications for review or a change in circumstances impacting on the placement)
 - Terminated kinship assessments / arrangements.
- A full financial assessment must be undertaken, and carers on low / no income must be subject to full welfare benefits check / advice. Where financial support is required in the interim, this must be formally requested and agreed by the Fieldwork Manager.
- The comprehensive assessment and the kinship carer assessment must be lodged with the appropriate Team Leader one week before the identified panel date for authorisation.
- Please ensure that the agreement (Appendix 5) is signed and available to be co signed by the Kinship Panel Chair.
- Kinship payments will commence from the date of the kinship panel.
- Interim kinship payments may be made to support the carer during the assessment process.
- Once the placement is ratified, the team around the child will review the placement according to the Looked After Children (Scotland) Regulations 2009.
- This will include a full review of the placement, outcomes to be achieved and assurance that the placement is meeting the needs of the child / children.
- Full review of the kinship carer (s) should take place on an at least annual basis – this must include a financial review and welfare benefits check. This must coincide with the annual government review of welfare benefits.
- Where kinship carers wish to seek permanent care of children, this should be notified to the panel for agreement of reasonable legal costs.

- Where a child / children/ young person moves to reside with an out of authority kinship carer, this must be highlighted within the assessment report and the “receiving” authorities (education, health and social work) notified. This may include negotiation of a requirement for overview of the case on our behalf.
- Where children move out with authority the Ordinary Residence rules will be applicable after a period of two years. This must be discussed with the receiving authority as part of the negotiation / disclosure.

In addition to the above the following must be completed;

4.3 Care First;

- Legal basis to be updated
- Relationship links to be updated
- Education and health advised of change of status of child and legislation applicable.

APPENDICES

** Denotes required FIELD within each section.

Page 7; APPENDIX 1; Kinship Process

Page 9; APPENDIX 2; Core information required for Kinship Placement

Page 10; APPENDIX 3; WD HSCP Kinship Carer Assessment Guidance

Page 12; APPENDIX 4; Kinship Carer Assessment Checklist

Page 13; APPENDIX 5; Kinship Carer / HSCP Agreement

Page 15; APPENDIX 6; GP Mandate

Page 16; APPENDIX 7; Police Check Mandate

Page 18; Kinship Carer Assessment Proforma

APPENDIX 1

INITIAL KINSHIP PLACEMENT

****TL agreement to placement with kinship carer**

- ****Consult / notify named person**
- ****Visit to Kinship Carers Home**
- ****Basic checks Police, health, local authority for kinship carer**
- ****Legal status of child/parents**
- ****Parental agreement to placement - Yes / No**
- **If no, CPO required**

WITHIN 3 WORKING DAYS

- ****Initial agreement with kinship carer**
- ****Initial Childs Plan**
- ****Contact arrangements**
- **Kinship Carers needs/supports**
- ****Notify SCRA**
- **Visit to Child in placement**
- **Financial arrangements discussed and addressed if required**
- ****Date set for 12 weeks – Kinship Panel**

UP TO 12 WEEKS

- ****Full comprehensive assessment of child / children**
- ****Plus - full assessment of kinship carer(s) using WD HSCP kinship assessment to include;**
 - **Kinship Care written agreement between WDC and identified Kinship Carer(s)**
 - **Full police checks on all adult household members**
 - **Information request to GP for prospective Kinship Carer(s)**
 - **Medical Report on Prospective Kinship Carer(s)**
 - **Parental Consent to Emergency/Preventative Treatment**

- ****Review / development of statutory child's plan**
- ****Address contact**

AT ELEVEN WEEKS

- **Completed comprehensive assessment**
- **Completed kinship carer assessment**
- **Financial assessment**

****To Team Leader**

KINSHIP PANEL AT 12 WEEKS

- ****Completed comprehensive assessment**
- ****Completed kinship carer assessment, including financial assessment**

6 MONTH REVIEW

- **Statutory child's plan reviewed and updated assessment completed.**
- **Kinship carers assessed needs reviewed and updated**
- **Rehabilitation/permanence considered**
- **Legal advice/plans if required**
- **Date set for further review**

APPENDIX 2

****Core information required for kinship placement**

The child;

- Name address and dob
- Legal status of child, any responsibilities allocated to the local authority
- Who has right to contact/care for child
- Name of Childs SW
- Identity and location of Named Person
- Childs nationality/race/religion and language
- Other members of child's family/siblings and where are they living
- Initial health info and history, any current conditions asthma epilepsy food restrictions etc.
- School/Nursery details
- GP details
- Why is care away from parents needed?
- What is child's view and understanding (age appropriate)

Parent(s);

- Names, address, dob and telephone number
- Are parents consenting to Kinship placement, if not what is legal basis for placing child?

Kinship Carer(s)

- Police checks on all adult member of household
- Departmental checks on all adults
- Visit to accommodation, sleeping arrangements etc.

APPENDIX 3

****Prompts to assist in the provision of the kinship carer assessment**

Guidance / prompts;

- **Kinship Carers personal and family background/history/significant events and relationships.**
 - Describe personalities, family life and interests.
 - State applicants motivation. Is their partner`s commitment at same level?
 - Impact be on their own children / grandchildren (if any)?
 - Understanding of applicants own personal experience and impact on them
 - Ability to understand and provide a good standard of care; healthy physical/emotional development/commitment to education/social and leisure interests
 - Health information regarding prospective carers. Please comment on the carers` ability to meet the physical and emotional challenges of providing substitute care for a child/ children / young person.
 - Care First check – previous relevant knowledge of carer(s)?
 - Any other relevant information e.g. does the carer have any other caring commitments.
 - A police check is required for all adult members of the household.
 - Any relevant information which may impact of the placement which relates to a family member who is not an adult, e.g. problematic sexual behaviour / offending.

- **Provision of a protective, nurturing environment;**
 - Does the applicant understand the child / children / young person, their individual needs, challenging behaviours or additional needs?
 - How will they manage behaviour / set boundaries and discipline, and are they committed to no physical chastisement?
 - How does the applicant understand the child / children / young person`s needs from the history / assessment and analysis?
 - Does the carer have an understanding of the developmental needs of the child / children / young person, both now and projected into the future?

- **What are the applicants support or training needs**
 - Assessment of applicant`s ability to work with the family and all professionals in the team around the child.
 - Assessment of needs related to the specific history / issues faced by the child / children / young person pre placement e.g. Domestic abuse, neglect, parental substance use or mental health.

Please also ensure the following area addressed within the Comprehensive assessment in respect of the child;

- **Child`s views about placement, including observations of the child / children / young person with the carer(s) and in placement.**
- **Parental views regarding the proposed kinship placement**
- **Parental consents regarding health and educational arrangements.**

APPENDIX 4

CHECKLIST

Please ensure all of the following are addressed within the assessment process;

- Applicable legislation applied regarding kinship placement.
- Referral to SCRA.
- Date placement commenced recorded.
- Police checks completed on all adult members of the household.
- PVG/Enhanced Disclosure
- Kinship Carer GP/Medical report (standard letter attached)
- Welfare Rights check
- Carefirst / local authority checks
- Visit to Kinship Carer`s home
- Health checks completed (child / children / young person)
- Observation of child / children / young person with carer and in placement
- Record of discussion with Parent
- Record of discussion with Child
- Parental agreement to Medical Consent Signed
- Kinship Carer agreement signed and brought to panel (appendix 5)
- Date for Kinship Panel/Report completion
- WD HSCP agreement signed – copy returned to Kinship Carer
- Out of authority negotiations where applicable



West Dunbartonshire Health & Social Care Partnership

APPENDIX 5

Chief Officer: Keith Redpath

*****This must be completed**

West Dunbartonshire

Health and Social Care Partnership (HSCP)

Kinship Care Agreement

I / we

Re the child / children / young person

.....
.....
.....

Agree to;

- Care for the child / children / young person within the Kinship Carer`s home in a safe, appropriate and caring way.
- Agree to no physical punishment of the child / children / young person.
- Agree to care for any child / children / young person placed with them under the age of 5, in a smoke free environment.
- Seek medical attention for the child / children / young person when necessary and to notify the HSCP of any significant event or serious illness or occurrence involving the child / children.

In addition, I / we will

- Ensure that any information about the child / children / young person is kept secure and treated as confidential.
- Allow the placing authority, West Dunbartonshire HSCP, access to the child at all reasonable times including on occasion time alone with the child / children / young person.
- Work as part of the team around the child / children / young person to ensure that their outcomes are met, and attend reviews of the child / children / young person`s plan as required.

- Comply with any specific requirement about the care of the child / children / young person, including contact arrangements, as described in any legal order or as detailed by the HSCP in placing the child / children.
- Comply with an initial financial assessment and thereafter to notify the HSCP of any change in benefits or income, allowing the HSCP sight of the annual benefit award letter where this applies.

Signed

.....

Kinship Carer (s)

The Health and Social Care Partnership also agree:

- To provide support to the carers and child / children / young person, including the appropriate and agreed Kinship Care Allowance.
- To provide support with any identified resources required to assist in the practical aspects of caring for the child / children / young person.
- To assist the carer to negotiate social, educational and health support to meet the child / children / young person's assessed needs.
- To provide information timeously as to how any concerns will be managed, and provide support and guidance where this applies.
- To support the Kinship Carer to seek financial and benefits advice from West Dunbartonshire Working 4 You financial advice service.
- To ensure that the Kinship Carer's needs are reviewed at least annually, enabling them to continue to care for the child / children / young person.
- To provide opportunities for training and development where it is agreed that this would be of benefit to the carer in caring for the child / children / young person.

Signed

Team Leader on behalf of the HSCP.

****APPENDIX 6**



**West Dunbartonshire
Health & Social Care Partnership**

Chief Officer: Keith Redpath

Date:
Direct Line:
E-Mail:

If calling or phoning please ask for:

I/We _____

of _____

Authorise a nominated representative of West Dunbartonshire Council in this instance a Children and Families Social Worker, based at Church Street Office Alexandria to carry out any investigations as required with my/our General Practitioner as necessary to clarify my/our situation.

Client's signature _____ Date _____

Witnessing Officer _____ Date _____

****APPENDIX 7**



**West Dunbartonshire
Health & Social Care Partnership**

Chief Officer: Keith Redpath

Seeking immediate information/Police Checks

Request made to DS by telephone Date: _____

Request followed up by email (SSW to DS) Date: _____
Date _____

DETAILS REQUIRED

Child's Name		
DOB		
Address		
Adult significant to child		
Name		
DOB		
Address (also include prev address)	<u>Current Address</u>	<u>Previous Address</u>
Reason for request		
Reason why this needs to be done urgently		

Nature of Concern (eg. addictions/violence/violence against children/schedule 1 offender./information shared by the carer or subject)

Which system do you want checked (eg. all/including intelligence)

Requested By _____ Date of request _____



West Dunbartonshire
Health & Social Care Partnership

Chief Officer: Keith Redpath

West Dunbartonshire Health and Social Care Partnership
Kinship Care Assessment

Section A

Details of Social Worker completing the Kinship Assessment

Name of social worker		Name of team manager	
Telephone		Telephone	
Email		Email	
Date assessment commenced		Date assessment completed	
Date of Kinship Panel			

Prospective Kinship Carer 1

Family name	
Forename(s)	
Other "known by" names	

Date of birth		Age	
Place of birth			

Prospective Kinship Carer 2

Family name			
Forename(s)			
Other "known by" names			
Date of birth		Age	
Place of birth			

Home address (please include details of living arrangements and bedroom capacity for children placed)
Summary pen picture of the prospective kinship carer(s) and their wish to assume kinship care (not more than 300 words)

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Child/ren's full name(s)	Date(s) of birth	Relationship to the prospective kinship carer(s)

Identity

	Prospective kinship carer 1	Prospective kinship carer 2
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	Prospective kinship carer 1	Prospective kinship carer 2
Sex		
Nationality		
Ethnic origin		
Primary language spoken in the home		
Other language(s) spoken in the home		
Religion or faith group		
Practising or non-practising		
Is / are the prospective kinship carer(s) registered as disabled?		
Does/ do the prospective kinship carer(s) have any health issues which may impact on the kinship placement ?		

Occupation or profession

	Prospective kinship carer 1	Prospective kinship carer 2
Current occupation (if any)		
Current employer (if any)		
Date started		
Current hours of work		
Income from occupation or profession		
Proposed hours of work following placement of child / children		

Who else lives in the household?

Children under 18

Family name	Forename(s)	Sex M/F	Date of birth	Ethnic descent	Relationship to prospective kinship carers()	Current school

Adults (including grown-up children) living in the household

Family name	Forename(s)	Sex M/F	Date of birth	Ethnic descent	Relationship to prospective kinship carer(s)	Education/employment	Were they interviewed?

Are there other adults (not in the household) who may have responsibility on a regular basis for the care of any child/ren to be cared for on a kinship basis?

Family name	Forename(s)	Sex M/F	Date of birth	Ethnic descent	Relationship to prospective kinship carer(s)	Were they interviewed?

Are there children (under 18) from a current or previous partnership living elsewhere?

Family name	Forename(s)	Sex M/F	Date of birth/death	Ethnic descent	Relationship to prospective kinship carer(s)	Were they interviewed?

Does / do the prospective kinship carer(s) have adult children living elsewhere?

Family name	Forename(s)	Sex M/F	Date of birth/ death	Ethnic descent	Relationship to prospective kinship carer(s)	Were they interviewed?

Household finance

	Prospective kinship carer 1	Prospective kinship carer 2
Monthly earned income (after deductions)		
Monthly state benefits (please indicate type)		
Monthly income from any other source		
Monthly mortgage or rent payments		
Monthly council tax payments		
Any other significant regular expenditure		
Are there any significant debts or loans apart from a mortgage?		

Section B

What has made the prospective kinship carer into the person they are today and what creates stability and security in their adult life that would enable them to become a kinship carer? (Family and environmental factors)

1. For each individual prospective kinship carer, provide information and evaluate the significance of the prospective kinship carers:

Family of origin, including siblings and other significant family members
Other significant relationships that have influenced the prospective kinship carer(s) development (including any that may have ended)
Identity (personal, class, "racial" and ethnic, gender, sexual, cultural, language and spiritual). This should also include the prospective kinship carers attitudes and experiences of diversity
Education
Employment
Health (including physical and mental health and emotional well-being)
Leisure and recreational interests

Any other information that is relevant

2. For couples and for single prospective kinship carers, provide information and discuss the prospective kinship carers:

Current adult relationships (by marriage, civil partnership, cohabitation for couples, key adult support relationships for single prospective kinship carers)
Household, its membership and their relationships with each other, including any birth or adopted children, and other adults related or not
Social and support network including their integration into the local community
Accommodation (including an evaluation of its safety and suitability for children)
Financial circumstances

Access to and use of key local services relevant to family life
Neighbourhood and community and its suitability for children

3. Becoming kinship carers – the assessment of alternative parenting capacity

What is / are the motivation(s) for agreeing to become a formal kinship carer(s)?
What is/are the prospective kinship carer(s) understanding and expectations about children and the nature / implications of kinship care?
What experiences of caring for children have prepared the prospective kinship carer(s) to become a kinship carer? In what ways are those experiences indicative of how they might parent a kinship child / children?

What views do/ does the prospective kinship carer(s) have about promoting the child's cultural heritage and religious beliefs, where applicable / different from their own?
What are the anticipated changes in the prospective kinship carer(s) life and lifestyle following the placement of a child / children / young person, and what plans do they have to address this?
What additional support is anticipated in respect of the prospective kinship carers wider family and support network?
Are / is the prospective kinship carer(s) in a position to identify potential carer(s) for the child / children / young person in the event they are no longer able to provide care?

Analysis, evaluation and summary of key factors leading to the recommendation. For the kinship carer (s) This should identify;

- **Strengths (e.g age/ previous parenting experience/ adaptability/ understanding of the child's circumstances and experiences / age and stage parenting ability/ managing contact)**
- **Vulnerabilities / Concerns (e.g. Age/ health/ ability to work with the team around the child/ understanding of the child's experiences/ age and stage parenting ability)**
- **Areas for the prospective kinship carer(s) further development as a kinship carer (Understanding of child's experiences e.g. impact of neglect / domestic abuse / relationships)**

Comment [AR1]: Add views of the child. Attach comp assessment of child.

Recommendation to the Kinship Panel

Using the analysis, evaluation and summary above, what is the recommendation to the panel about the suitability of the prospective kinship carer(s) to be approved as kinship carer(s) for the child / children / young person concerned. .

Signature of social worker completing the report

Date

Signature of team manger responsible for the report

Date

Agreed at Kinship Panel on;

Date.....

Membership of Panel;