

# The vital role of grandparents raising grandchildren



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Kinship is the national kinship care charity in England and Wales. We advise and support all kinship carers, including grandparents and other family members who have stepped in to raise a relative's child. We also campaign for rights and support



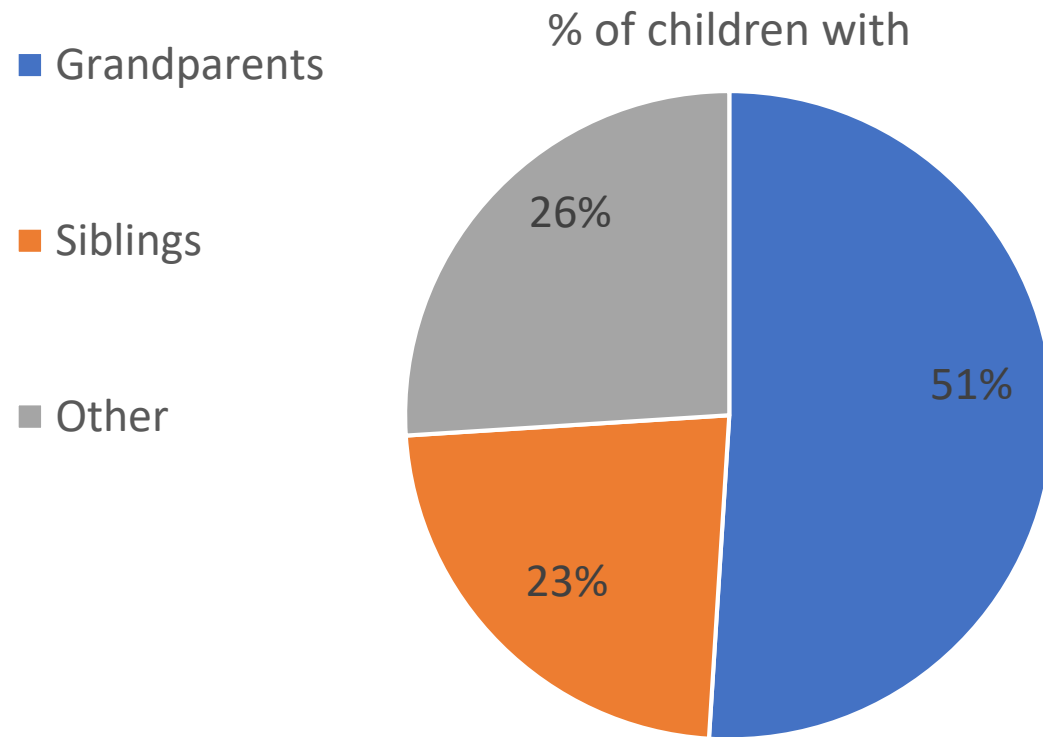


“Kinship care is the care, nurturing and protection of children who are separated from their parents or whose parents are unable to provide that care and support. Instead, this care is provided by grandparents, siblings, aunts, uncles or other relatives, godparents, step-grandparents, or other adults who have a relationship with or connection to the child. This may be a permanent, temporary, formal or informal arrangement.”

(Lawson and Raine, *The Kinship Care Guide for England*, Grandparents Plus, 2018)



# 153,000 children in kinship care in England (2011 census)



# Kinship care includes children living with relatives or family friends

- in informal/private arrangements
- with a legal order
  - Child Arrangements Order/Residence Order
  - Special Guardianship Orders
  - Care Order (in kinship foster care)

3x more children in kinship care than foster care – and increasing



# Key legal principles

- Must follow key principles in the Human Rights Act 1998
- Must ensure children's rights as in the UN Convention on the Rights of the Child
- Children Act 1989:
  - 1. The child's welfare is paramount consideration
  - 2. There should be minimal delay when making decision for children
  - 3. The welfare check list needs to be considered
  - 4. No order principle – least restrictive option



# Key legal principles – family first

- Placement priorities for local authorities (councils) section 22 Children Act 1989:
  - 1. With parents
  - 2. With relative, friend or other person connected to the child. If child is in the care of the local authority they must be approved as a foster carer (temporary approval is possible)
  - 3. With an approved foster carer or registered children's home



# Key legal principles – parental responsibility (PR)

- Mothers always have PR
- Fathers have PR if they are married to the mother or if they are not married but their name is on the birth certificate (after December 2003)
- Care Orders and Interim Care Orders mean local authorities (councils) share PR with all others who already have it
- Child Arrangements Orders can give PR to the holder if the child lives with them
- Special Guardianship Orders give PR to the holder and they can exercise PR to the exclusion of everyone else





# Focus on special guardianship orders (SGOs)

## They are increasing – most often for grandparents

- SGOs were designed to be a permanent placement option for children until they reach 18
- They are mainly used for kinship care
- SGOs are more secure than other kinship options
- SGOs can be granted in different ways, including private care proceedings or application from a grandparent, or the court can grant them as an outcome of public or private care proceedings without any application if it is assessed as being in the child's welfare best interests



# Rights and support

- SGOs give PR to the holder (eg grandparent) and they can exercise their PR to the exclusion of anyone else
- Local authorities must consider the support needs of special guardianship families, and they have the power to support
- In reality, support for special guardians – including financial support – is limited in comparison to support for foster carers and adoptive parents



# Why support kinship care?

*(Growing Up in Kinship Care, Wellard et al)*

- Children experience continuity, stability and close relationships with their carers – and this leads to **good outcomes for children**
- **Continuity**
  - Prior relationship with carers reduces disruption and promotes stability
  - Children more likely to remain with brothers and sisters
  - Relationships with wider family network
- **Stability**
  - Children likely to remain with carer until independence
- **Closeness of relationships with carers**
  - Children feel able to confide in them



# Summary and future developments

- **More children** in kinship care than adoption and foster care – and rising. Policy and practice needs to catch up
- Children do better in kinship care than the care system – a reason to **invest in it**
- Evidence is clear that kinship carers are under strain. They need more practical and financial support – there's a **risk** grandparents and other family won't cope if we don't support them
- Pioneering councils are investing in kinship care support
- In England, the Independent Children's Social Care Review is underway. Its Case for Change report includes a focus on kinship care
- We must recognise and support grandparents and other family who step in to raise a relative's child – it makes sense to invest

