

# **Kinship Policy 2025.**

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## Introduction

Kinship Care is a type of caregiving arrangement where a child is looked after by relatives or close family friends. Kinship Care is also known as Connected Persons Care, which is the idea of keeping children within their family when they cannot be cared for by birth parents.

Kinship Care is needed for children when their birth parents are unable to provide safe, stable, or appropriate care - whether due to illness, substance misuse, domestic violence, mental health issues, incarceration, or other challenges. Kinship Care can be a good option for children who are separated from their birth parents, as it offers stability and permanence whilst maintaining links to the child's birth family.

There are different types of kinship care arrangements – including Kinship Foster Care, Special Guardianship Orders, Child Arrangement Orders, and informal care arrangements.

In 2023 the Government launched the first ever national Kinship care strategy. *The vision is to build a children's social care system where more children who cannot live with their parents are supported to live with people who are known to them and love them. Kinship care will be the first consideration for a child who can no longer live with their parents. By receiving the right support at the right time, kinship carers will be empowered to provide care for children that allows them to thrive.*

Milton Keynes City Council supports this vision which underpins the work with kinship families.

## Kinship Foster Care

A Kinship Foster Carer is someone who is approved by the local authority to care for a child who is a relative or someone the child already knows.

The child is placed with the Kinship Foster Carer under a Care Order, Emergency Protection Order, or Section 20 of the Children Act 1989 - which is a voluntary agreement where the parents agree to the child being looked after by the local authority. In these cases, the child is considered to be 'looked after' by the local authority.

Kinship Foster Carers do not automatically have parental responsibility for the child that they are caring for. This means that they may not have the legal authority to make key decisions about the child's life - such as consenting to medical treatment, choosing a school, or applying for a passport. These decisions are usually made by the local authority, in consultation with the child's birth parents.

There are different routes into Kinship Fostering:

**Regulation 24** – This is where a child is placed immediately with a relative or connected person in an emergency situation, before the carer has been formally approved as a Kinship Foster Carer. Under Regulation 24 of the Care Planning, Placement and Case Review

Regulations (2010), the local authority can grant temporary approval for up to 16 weeks, allowing the child to be placed quickly while a full assessment is carried out.

During this period, a viability assessment is completed to ensure the carer can meet the child's needs and the carer must agree to undergo a full fostering assessment. If the carer successfully completes the assessment, they can be formally approved as a **Kinship Foster Carer**.

If not, the local authority must find an alternative placement for the child.

**Non-Emergency Placements** – If a child cannot live with their birth parents, the carer can put themselves forward to be assessed as a Kinship Foster Carer. In these cases, the child may already be living with a mainstream Foster Carer, or arrangements may be made while the child is still at home or in temporary care. During this time, the carer goes through a formal assessment and approval process.

## **The Assessment Process**

All Kinship Foster Carers must be formally assessed by the local authority, in line with the Fostering Services (England) Regulations 2011 and the Care Planning, Placement and Case Review Regulations 2010. This process ensures that the carer is suitable to meet the child's needs and provide a safe, nurturing environment. The assessment process is the same for mainstream Foster Carers employed by the local authority.

You will be allocated an Assessing Social Worker who will complete your assessment, checks and references. The assessment includes home visits and interviews, health and safety checks, Disclosure and Barring Service (DBS) checks, reference from employers and people who know the carer, training and preparation sessions. The assessment aims to explore the carer's parenting capacity, motivation, and understanding of the child's needs, and a recommendation will then be made.

Once completed, the assessment is presented to the **Fostering Panel**, which makes a recommendation to the local authority about whether the carer should be formally approved.

## **Post-Approval**

Once approved, the Kinship Foster Carer becomes part of the local authority's Fostering Service and receives ongoing support. Kinship Foster Carers are monitored and supported in line with the Fostering Regulations 2011. Please refer to the Fostering Policy for details.

The child continues to be looked after by the local authority, and they will have their own allocated Social Worker and Independent Reviewing Officer. The child's Care Plan will be regularly reviewed to ensure that their needs are being met and that the placement continues to be appropriate, in the form of Looked After Child (LAC) reviews, Personal Education Plan (PEP) meetings, and health assessments.

These reviews consider the child's emotional wellbeing, education, health, and relationships, and involve input from the carer, the child (where appropriate), and professionals involved in the child's care. Kinship Foster Carers are expected to attend these reviews, to maintain fostering records, and work in partnership with Social Workers and other agencies to support the child's development.

Any support or resources that the child needs, such as specialist assessments and therapies, can be discussed with their allocated Social Worker and organised by the professionals involved in their care.

Many Kinship Carers choose to explore other routes, such as Special Guardianship Orders, to secure permanency for the child without involvement from the local authority.

## **Support Services**

Kinship Foster Carers are able to access the same services as Mainstream Foster Carers, including:

- Financial allowances to help with the cost of caring for the child
- Access to training and development opportunities
- Regular supervision and reviews
- Support from a Supervising Social Worker

Supervising Social Workers are the main point of contact within the Fostering Service. This worker provides guidance, emotional support, and practical advice, and ensures the carer is meeting the standards expected of Foster Carers. The Social Worker can also help the carer to navigate any challenges that arise, and coordinate access to training, resources, and specialist services. Supervising Social Workers carry out regular supervision visits, offer reflective discussions, and support the carer in attending required meetings.

## **Special Guardianship**

A Special Guardianship Order, often known as an SGO, is a legal order made by a Family Court where a carer is appointed as the 'Special Guardian' of the child until they turn 18 years old. This is a permanent order, intended to provide long-term stability for children who cannot live with their birth parents.

Applications may be made by an individual or jointly by two or more people to become Special Guardians. Joint applicants do not need to be married.

Special Guardians must be 18 or over. The parents of a child may not become that child's Special Guardian.

A court may make a Special Guardianship order in respect of the child on the application of:

- any guardian of the child
- any individual who is named in a Child Arrangements Order as a person with whom the child is to live



- a local authority foster parent with whom the child has lived for a period of at least one year immediately preceding the application
- a relative with whom the child has lived for a period of at least one year immediately preceding the application
- any person with whom the child has lived for three out of the last five years
- where the child is in the care of a local authority, any person who has the consent of the local authority
- anyone who has the consent of all those with parental responsibility for the child in any case where a Child Arrangements Order in force with respect to the child regulates arrangements relating to with whom the child is to live or when the child is to live with any person, any person who has the consent of each of the persons named in the order as a person with whom the child is to live
- any person, including the child, who has the leave of the court to apply

The court may also make a Special Guardianship order in any family proceedings concerning the welfare of a child if they consider an order should be made. This applies even where no application has been made and includes adoption proceedings. When considering whether to make a Special Guardianship Order, the welfare of the child is the court's paramount consideration and the welfare checklist in section 1 of the Children Act 1989 applies.

When a Special Guardian Order is granted, the carer is given parental responsibility for the child - which they share with the birth parents. The Special Guardian's parental responsibility overrides that of the birth parents in most decisions, allowing them to make major choices about the child's life and day-to-day care without needing to consult or inform the birth parents. The birth parents retain parental responsibility, but it is limited under the order.

## **The Assessment Process**

When someone applies to be a Special Guardian for a child, the local authority must carry out a Special Guardianship Assessment. This is typically ordered by the Family Court during care proceedings for the child, but it can also be initiated in private law cases.

The assessment includes background information about the child and proposed guardian, the relationship between the child and the proposed guardian, the guardian's capacity to meet the child's needs, any history of harm or future risk of harm to the child, the guardian's capacity and understanding of the responsibilities involved in caring for the child, the views of the child (where appropriate) and the support needs of the carer. A number of checks will also be completed as part of the assessment, such as health and safety checks and a Disclosure and Barring Service (DBS) check, as well as references from people who know the carer.

The local authority prepares a report for the court which includes the full assessment, a recommendation on whether the court order should be granted, and a support plan outlining services to be provided to the carer and family. The court will then make a decision about whether to grant the SGO.

## **Support Plans**

Regulation 14 requires that a Support Plan must be prepared if the local authority proposes to provide Special Guardianship support services to a person on more than one occasion and the services are not limited to the provision of advice or information.

The plan should set out:

- The services to be provided;
- Any financial support and the amount payable
- Time-scales for provision;
- Procedures for review;

The provision of services is always discretionary, even in those cases where it is mandatory to carry out an assessment.

If the assessment is prior to the making of a Special Guardianship Order, the Support Plan should be filed with the Court as an appendix to the court report.

## **Financial Support**

Milton Keynes City Council has a duty to offer a financial assessment to determine what support is available to Special Guardians who are caring for a child or children who had ordinarily lived in Milton Keynes prior to the SGO being granted. This is a means tested assessment and will consider income and expenditure. We do not means test any Special Guardians who are receipt of full Universal Credit, as a full allowance is given.

An assessment of financial circumstances will be completed prior to the making of an SGO and then subject to annual reviews. If SGO carers financial circumstances change before the annual review, the SGO carer must notify Milton Keynes City Council and request an earlier assessment.

Milton Keynes City Council align SGO allowance with Fostering Maintenance South-East Rates and these fees are uplifted each year in line with inflation. The allowance provided is expected to pay towards the care and upbringing of the child subject to SGO.

On occasions exceptional payments are made additional to the SGO allowance, any request for exceptional payments needs to be assessed and presented to Support Services Panel for Head of Corporate Parenting Approval.

## **Review of the Support Plan**

Regulation 17 requires that plans for Special Guardianship support must be reviewed taking into account the following:

- Any change of circumstances affecting the support planned;
- At whichever stage of implementation of the plan is considered most appropriate;
- In any event at least annually.

Reviews do not have to involve direct contact where there is no change or a minor change in circumstances. The format of the review will depend on the circumstances of the case and may be limited to an exchange of correspondence.

If the local authority decides to vary or terminate the provision of support services after the review, such a decision must be communicated in writing. The revised plan must be sent and a timescale for response. Those affected should be advised of how to access sources of independent advice and advocacy and given 28 days to make representations.

## **Post-Order**

When a Special Guardianship Order is granted, the local authority no longer holds parental responsibility for the child. This marks a significant shift in legal responsibility and involvement.

The local authority may carry out post-order reviews or offer ongoing support if this was agreed in the Special Guardianship Support Plan, however this support is not automatic and requires the guardian to contact the Fostering Team directly to request this and re-engage with services.

## **Support Services for Special Guardians**

The local authority has a dedicated Special Guardianship (SG) Support Service, which operates as part of the Fostering Team. The level and type of support offered depends on individual circumstances and needs and may be outlined in a Special Guardianship Support Plan agreed at the time that the order was made.

Special Guardians and their families can access post-order support via Milton Keynes City Council if:

- The Special Guardianship Order was granted via Milton Keynes City Council and the court, or
- The order was made by another local authority, but the special guardians live in Milton Keynes, and it has been three years since the order was made.
- The child was 'looked after' by Milton Keynes City Council prior to the Special Guardianship Order being made and it is less than 3 years since the order was made.

Special Guardians have access to a variety of services, MKCC generic support offer includes:

- General advice, guidance, and information around your role and responsibilities as a Special Guardian.
- Coordinating services to work as a team around the family, including education.
- Signposting to organisations who specifically offer support and guidance to Special Guardians.

- Advocating
- Management of financial queries, including support completing the annual financial assessment and access to additional financial support.
- Signposting to services who can support with accessing resources.
- Details of the local Kinship Support Group.
- Access to specialist online/face-to-face training and webinars on a variety of subjects.
- Access to Clinical Supervision with an attachment-expert, to provide emotional support and a safe space to talk.

## **Support with Education**

To help overcome the impact of their early experiences, children who were previously 'looked after' are entitled to the highest level of the pupil premium (pupil premium plus).

Pupil premium plus is available for children from reception age to Year 11. It entitles state schools to access funding per pupil per academic year and can be used for a variety of purposes, including:

- part-time teaching assistant support training around attachment issues, managing transitions, emotional regulation and anger and aggression.
- Specific resources such as timers and creating visual timetables, communications,
- book extra resources such as lessons, special school trips and even residential trips.

In order to access the pupil premium plus Special Guardians should inform the school the child is subject to an SGO.

Special Guardians can also access support from the Virtual school team who can offer advice.

## **Therapeutic support to children and their carers**

We recognise a child who has been removed from their parents may require professional support to help resolve early trauma and/or adverse childhood experiences.

The Adoption and Special Guardianship Support Fund (ASGSF) is available to most children being raised under a Special Guardianship Order who meet the criteria following an assessment of need.

This also includes children up to and including the age of 21, or 25 with an education, health and care (EHC) plan who were either:

- looked after by the local authority immediately before the SGO was made
- looked after by the local authority immediately before the SGO was made but subsequently changed to an adoption order, or vice versa
- looked after by the local authority prior to living under a child arrangement order (CAO) to enable the assessment of a potential special guardian. They remain eligible if an SGO is subsequently made.



The Special Guardian is required to request an assessment of need via the Post SGO Service.

### **Informal Support Group**

There is a Kinship Support group supporting all Kinship carers, which includes Kinship Foster Carers, Carers with no orders, Carers with Child Arrangement Orders, Residence Orders and Special Guardians.

This group meets regularly in Milton Keynes –  
Every Thursday (Term Time) 9.30am until 11.30am in the Community Room at Morrisons Supermarket in Westcroft, Milton Keynes. *No booking required.*

The 3<sup>rd</sup> Thursday each month is an evening Zoom meeting.

Details on joining these meetings and any information about the group is available by emailing [kinshipmk@outlook.com](mailto:kinshipmk@outlook.com)

### **Training for Special Guardians**

Milton Keynes Fostering Service offers a wide range of direct and indirect on-line training for foster carers, including kinship carers and special guardians.

The training can be accessed via the Fostering Duty Desk or Post SGO Service who will support you to set up an account and identify training suited to your needs.

There is a Quarterly newsletter, which is sent to all Special Guardians and informs carers of National and Local news on Kinship care, including links to helpful websites and training.

### **National Support**

**Kinship** is a National Charity set up to support Kinship carers, including Special Guardians, they offer support, advice and connection with other carers. They have a helpful website, where you will find a range of links to the support, as well as research, news and how to get involved: <https://kinship.org.uk/for-kinship-carers/>

**Family Rights Group** is a charity that advises families about their rights and options within the care system: <https://frg.org.uk/>

### **Legal Support**

Where the child is subject to Family Proceedings all Special Guardians will be advised to seek independent legal advice prior to applying for an SGO. Milton Keynes City Council will pay for 3 hours of legal advice at legal aid rates prior to the making of an SGO where we are supporting you to seek an SGO in respect of a child.

Additional legal advice will be considered on an individual case by case basis.

Advice about legal support can also be had from the charity Kinship <https://kinship.org.uk/for-kinship-carers/> and from the Family Rights Group <https://frg.org.uk/>

## **Entitlement to Leaving Care Services**

If the child was immediately looked after prior to the making of a Special Guardianship Order, the child will be considered qualifying for advice and assistance under Children Act 1989, as amended by Children (Leaving Care) Act 2000 and the Adoption and Children Act 2002.

To qualify for advice and assistance child must

- have reached the age of 16, but not the age of 21
- if less than eighteen years old, have a special guardianship order in force
- if eighteen years old or above, have had a special guardianship order in force when they reached that age, and
- have been looked after by a local authority immediately before the making of the special guardianship order

Please contact 16 to 25 Team and speak with a Duty Social Worker on 01908 253434 For advice and assistance or access website for more information [Care Leavers Hub | Milton Keynes City Council \(milton-keynes.gov.uk\)](#).

## **Discharge of Special Guardianship Order**

A Special Guardianship Order is in place until a child reaches the age of 18.

A Special Guardianship Order can be varied or discharged by Family Proceedings court, where there is concern about welfare of the child, if a Special Guardian makes an application to vary or discharge the order or a parent with leave of the court can make an application to vary or discharge the SGO. Special Guardians should update the local authority to notify of the changes being made.

## **Changes to the arrangements for the child**

In certain circumstances Special Guardians must notify the parent or any other person with parental responsibility where the child is no longer living with them and new arrangements for the child have been made or if the child dies.

Where a Special Guardian is in receipt of a financial allowance in respect of the child, Special Guardian must notify the local authority if the child is no longer living with them.

## Child Arrangement Orders

A Child Arrangements Order (CAO) is a legal order made by the Family Court, which sets out the arrangements for a child's care. This type of order can determine who the child lives with, who the child spends time with, and how and when contact takes place. These are 'private law' orders which local authorities do not typically have direct involvement in.

A CAO may be granted if the child's parents are unable to agree on arrangements for the child, or if a person with significant connection to the child (i.e. grandparent, step-parent) applies to the court. To apply for a CAO, the person must be the child's parent or guardian or someone with parental responsibility. A significant person in the child's life may also apply, however they must have permission from the court to do this.

CAOs can be granted alongside another order – such as a Special Guardianship Order. As these are private law matters, the courts do not inform the local authority when Child Arrangements Orders are made, nor do the local authority have access to a list of all children under CAOs.

Someone with a Child Arrangements Order can access universal support from the local authority. This can be done by contacting the Multi-Agency Safeguarding Hub (MASH).

The MASH acts as the front door to children's services within the local authority. It is the central point of contact for families and professionals who are seeking support for a child or where there are concerns about a child's welfare. The MASH Team is made up of professionals from social care, health, education, and the police, who work together to ensure that children and families receive the right help at the right time.

If a CAO is in place a Kinship carer can contact the MASH Team to help access the right services. MASH Team can be contacted on 01908 253169 to request:

- General advice and guidance on parenting and child welfare.
- Signposting to local services such as family support, mental health, or housing.
- An assessment of needs if there are concerns about a child's safety or wellbeing.
- A referral to targeted or specialist services, where appropriate.

## Financial Support

If the named person on CAO requires any financial support to care for the child, then this could be provided by the child's birth parents, government benefits or through a request to Children's Services.

The named person on CAO will be able to access Child Benefit in relation to the child, providing their earnings do not exceed the stated threshold. Additionally, they may be entitled to claim other benefits.

Children's Services will consider a means tested allowance for any child who was immediately looked after prior to the making of the CAO. The allowance will be discretionary and dependent upon the circumstances of the person caring for the child. The allowance is means tested. Any allowance granted will be subject to regular reviews. For children who were not looked after prior to the making of CAO then an assessment of needs and provision of finances is required, this would be considered under Section 17 Children Act 1989. This is likely to be a one-off payment and not an ongoing allowance.

### **Informal Kinship Care**

This is arranged privately within the family, without involvement from the local authority. For example, this can include children living with grandparents, aunts, uncles, siblings, or other close relatives. Informal kinship carers are able to access support from the Kinship carers group and by contacting MASH, as well as being eligible for universal services.

### **Universal Financial Support**

Kinship Carers have the same right to benefits as a birth parent would. The Citizens Advice Bureau can help advise what support might be available.

Entitlement to income support can be calculated by using the Turn2Us benefits calculator: <https://benefits-calculator.turn2us.org.uk/>

Other financial support, might also be available such as:

**Childcare** - The government help eligible families with childcare costs. Check eligibility at: <https://www.childcarechoices.gov.uk/>

