

Parliamentary Briefing

Estimates Debate: The spending of the Department for Education on childcare and early years, Wednesday 8th March 2023

This briefing outlines a discrepancy in the eligibility rules for free childcare provision which means some children in kinship care are eligible and others with similar needs are missing out on important support.

**Kinship care is where family or friends step in to raise children who cannot stay at home. Many are grandparents but can also be aunts, uncles, brothers and sisters. There are more than 180,000 children across the UK raised in kinship care.*

Free childcare for 2-year-olds in kinship care

- The Government scheme providing [15 hours of free childcare for 2 year olds](#) is available to families where the parent/carer is in receipt of certain benefits or the child meets one of the following criteria:
 - They are looked after by a local authority
 - They have an education, health and care (EHC) plan
 - They receive [Disability Living Allowance](#)
 - They have left care under an adoption order, special guardianship order or a child arrangements order
- For children in kinship care, this means that they are generally only eligible if they are:
 - formally looked-after in the care system by kinship foster carers, or
 - they were previously in the care system but are now living with a relative or friend who has a special guardianship order or a child arrangements order.Some will also be eligible by virtue of having an EHC plan or receiving DLA.
- This excludes those children in kinship care who have not spent time in the care system, creating a perverse disincentive where families stepping in early to avert the child needing to go into the care system are not supported. The needs of these children are often the same as those who are in the care system, including many having experienced tragedy and trauma.
- Becoming a kinship carer for a child, especially at short notice with little warning, can be a difficult transition with a huge impact on family life. For example, if the carer is an elderly grandparent they would not have been expecting to have parenting responsibilities for a child at this time in their life.
- Half of carers have to give up work when the child comes to live with them in order to focus on meeting their needs. In the APPG's 2022 survey, nearly three quarters (72%) of kinship carers said that becoming a kinship carer had caused them financial hardship.
- An area where kinship carers commonly express a need for extra support is in relation to breaks and respite, which is rarely available. Whether in the form of day care, occasional relief, baby-sitting, holiday clubs/activities or short breaks – this support can make a huge difference to a carer's wellbeing (Parliamentary Taskforce on Kinship Care, 2020).
- **The state needs to make things easier for families who step up to raise children, especially at a time when record numbers of children are in the care system and more could be living safely and thriving within their family and friends' network.**

The policy ask:

- All children in kinship care should be afforded access to free childcare for 2-year-olds, including those who are:
 - subject to a special guardianship order or child arrangements order but have not previously been formally looked-after in the care system
 - in an informal arrangement without prior consideration by the Family Court or children's services
- This support would be beneficial to the child's development, support the wellbeing of their carer, and help facilitate the carer remaining in employment where appropriate. Kinship employment leave, akin to adoption leave, would also help carers to remain in work by giving them time in the early days to help the child settle in.
- This could be facilitated by the creation of legal definition of kinship care written into legislation, as proposed by Family Rights Group in our [Time To Define Kinship Care](#) campaign and supported by the MacAlister Review. A simple, clear definition of kinship care enshrined in law could then smoothly passport kinship families through to accessing this vital support. It would be particularly beneficial to those in informal kinship care arrangements who are very often not visible to policymakers and public services but still have support needs.

This briefing has been prepared by the Public Affairs and Communications team at Family Rights Group, who provide the secretariat to the [All Party Parliamentary Group on Kinship Care](#).

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