

Falkirk Council
Family Placement Team



Kinship Procedures


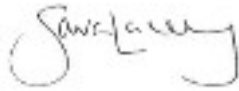
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1. Context

Getting it Right in Kinship and Foster Care states: the process of considering whether a child needs to become Looked After, for however short or long a period, the first option for consideration should be the ability and capacity of the wider family to provide a child with a safe and permanent home.

This procedure takes account of the requirements of the Kinship Care Assistance (Scotland) Order 2016 and reflects the principles and requirements of the Adoption and Children (Scotland) Act 2007

Where "Regulations" are referred to throughout this document, these are The Looked After Children (Scotland) Regulations 2009.

The Promise Scotland states for children and young people the following:

Children and young people can be care experienced if cared for by family members who aren't your parents, or if you have been in the past. For example, you might have been cared for by your aunt, uncle, or grandparents. www.thepromise.scot

Care of this kind is often called **Kinship Care**. You can be in kinship care that is informal; organised by your own family or you can be in kinship care as part of a legal order

2. Purpose

In compliance with the Regulations, this document outlines Falkirk Council's approach to the assessment and support of Kinship Carers who:

- are caring for a child or young person in an informal manner.
- are caring for a looked after child or young person.
- are caring for a child or young person who is subject to a Kinship Care Order or equivalent.

These procedures reflect legislation, regulation, and good practice in Kinship Care. It does not replace, but should work in conjunction with, regulation and practice relevant to looked after children

3. Definition

A Kinship Carer is defined as:

- (a) a person who is related to the child or
 - (b) a person who is known to the child and with whom the child has a pre-existing relationship."
- (Ref: Regulation 10, Looked After Children (Scotland) Regulations, 2009)

Kinship Carers may be referred to as formal carers (when caring for a looked after child or hold a Kinship Care Order for a child) or informal carers (when a private family arrangement).



Children who are **looked after away from home** by the Local Authority are subject to at least one of the following:

- Child Protection Order, Section 37 Children's Hearing (Scotland) Act 2011
- Interim Compulsory Supervision Order, S86 Children's Hearing (Scotland) Act 2011
- Compulsory Supervision Order with a condition of residence, S83 Children's Hearing (Scotland) Act 2011
- Permanence Order, S.80 Adoption and Children (Scotland) Act, 2007
- Section 25 of the Children (Scotland) Act, 1995

Regardless of the legal route, any order made should be consistent with the principle of minimum intervention.

Where a Kinship Care Order is secured the Compulsory Supervision Order is usually discharged and a child ceases to be "looked after." If a child remains in Kinship Care on a Compulsory Supervision Order or Permanence Order, they continue to be looked after, and their care managed accordingly.

4. Aims

Falkirk Council adheres to the minimum intervention principle as embedded within Children (Scotland) Act 1995. As noted within Getting it Right in Kinship and Foster Care, when planning for the care of looked after children: the first option for consideration should be the ability and capacity of the wider family to provide a child with a safe and permanent home.

These procedures offer a guide to the measures to meet a child's short term and safety needs. Further, these procedures provide guidance surrounding making informed and evidence-based decisions regarding the interim and permanent placing of children within Kinship Care arrangements where required.

5. Kinship Assessments

Falkirk Council provides services for Kinship assessments, support, and guidance via the Family Placement Team. These assessments should be undertaken within a 12-week period. Requests for Kinship Assessments come from the children and families locality teams by completing a [Kinship Referral Form](#).

6. Procedures/Guidance

(a) Informal Family Care

When a child moves to live with a Kinship Carer, and this is an agreement within the family the child is **not** looked after. This is usually referred to as an informal/ private family arrangement. In this situation the role of the child's Social Worker is to ensure that the care arrangement made by the family is safe for the child, and that appropriate supports are provided where needed. This should include financial advice and assistance to claim welfare benefits.

A short-term financial payment may be provided to assist until welfare benefits are received



The child's social worker will alert the Family Placement Team to the child's Kinship Care arrangement, to ensure contact can be made with the carer to inform of the supports on offer from the team and to enable them to be included in support groups.

- Informal Kinship Carers are entitled to support from the Family Placement Team and therefore a referral can be made for more regular support if assessed as required using the [Kinship Referral Form](#). Further details on support offered by the team is present in Section 8.
- Informal Kinship Carers are not entitled to receive a formal and regular Kinship Care Allowance from Falkirk Council. However, it would be good practice at this stage to open the carer on the record management system Liquid Logic LCS to record their Kinship Carer status, and the nature of the Kinship Care provided

(b) **Initial Approval of Carers of a Looked After Child: (Reg 36)**

Prior to or at the time of moving to live with Kinship Carers, **Locality Social Worker's** must:

- Open a case record on Liquid Logic LCS specifically for the carers.
- Assess the suitability and capacity of the proposed carers, by undertaking the relevant checks (for all adult members of the family)
- Obtain the views of the child
- Confirm the proposed carers meet the standards in accordance with National Care Standards.
- Complete Paperwork [Kinship Care Finance Allowance Form \(KC3\) – Request for Emergency Approval](#) and complete associated actions. The child's social worker should ensure this form is sent to the Assistant Team Manager to ensure all relevant checks are completed. Assistant Team Manager will then forward to Team Manager for approval
- Team Manager will then forward KC3 to Locality Manager for final authorisation
- Locality Manager will forward completed KC3 to the Finance Department and the Kinship Care Team. This will trigger the Initial Kinship Care Allowance. ([KC3a – Kinship Finance Guidance note](#) provides further information)

The [Initial Kinship Care Allowance](#) for looked after children is the fostering equivalent allowance minus child benefit amounts, paid from point of when the child is placed in Kinship Care. Child Benefit is deducted from Kinship allowances automatically whether a claim is submitted or not, if the kinship carers are eligible.

- In some circumstances children may become looked after at a later stage and not at the point of being placed initially with Kinship Carers. In these cases, it is important that the necessary checks and risk assessments are done as soon as the child is subject of a legal order.



- Once the Family Placement Team receive the Initial Assessment form, they will undertake the financial assessment for the Kinship Carers. The worker will update Business Support when the financial assessment is completed to allow tracking. This Financial Assessment will be reviewed annually. It is important to note that Annual Financial Reviews are a mandatory part of Kinship Carers' support plans. Kinship Carers allowances may stop if a response from kinship carers is not received following attempts made.
- A signed copy of the Financial Assessment should be saved on Liquid Logic LCS.
- Check the accommodation and complete the [Health and Safety Checklist](#).
- Obtain [consent from the proposed carers](#) to carry out Liquid Logic LCS, local authority and police checks. Consent forms should also be signed by any other [adults who reside in the Kinship Carers household](#). (This consent can be used to carry out substantive checks if the Kinship Carers progresses to an assessment). A signed copy should be saved on Liquid Logic LCS
- The consent form should then be forwarded to Business Support - Family Placement Team to allow mandatory checks to be progressed.
- Address any preliminary financial constraints and seek to resolve these via an emergency payment or equipment.
- Ensure a [Kinship Carer agreement](#) is signed and saved on Liquid Logic LCS
- Business support should be updated and will subsequently update the Kinship database.
- A member of the Family Placement Team will then contact the Kinship Carer and inform them of support, information and assistance provided by the team.

The **Children & Families Team Manager** must:

- Consider the approval of the Kinship Carers and sign the Initial Assessment Form. (A copy of this must be sent to the Kinship Care Team and relevant Locality Manager to trigger Initial Kinship Care Allowance).
- Discuss the kinship arrangement with the Assistant Team Manager to progress a planning meeting within 72 hours. The Family Placement Team should be invited to the 72-hour planning meeting.
- The Team Manager will decide the invitees of this meeting as dictated by the circumstances.
- Confirm the legal status of the child and include a copy of the legal order in the kinship carer file



(c) The Role of Child Care Reviews

The procedures detailed within this document must be carried out alongside and in conjunction with Looked After (Scotland) Regulations 2009. The Child Care Review plays a crucial role in assessing and recording the child's needs and how these are and should be met.

The frequency of the reviews for Looked After Children must comply with the timescales set out in Regulation 45. This being:

- Within 6 weeks of the placement being made
- Within 3 months of the first review
- Thereafter 6 months from the previous review
- Annually if the child is on a Permanence Order

As per Annex B of Guidance on Looked After Children (Scotland) Regulations 2009 and the Adoption and Children (Scotland) Act 2007 (see references), the **6-week** Child Care Review plays a crucial role in recommending whether the Kinship care arrangement should progress to a Kinship Assessment.

The Team Manager will have oversight of performance to ensure reviews are held within these procedural timescales

(e) Assessment of a Kinship Carer of a Looked After Child/Young Person

The Kinship Care arrangement will be monitored by the Child's Social Worker and Child Care Review Team. Where a positive recommendation is made for the arrangement to continue, a [Kinship Assessment Referral](#) must be made to the Family Placement Team and initial police checks, consent and agreement must be included. The assessment must be completed within 12 weeks of the case being allocated for assessment. The assessment should be presented to the Kinship Panel with a recommendation as to whether the carer should be approved or not. The Family Placement Team worker will lead the assessment while liaising regularly with the locality worker, to ensure the assessment considers the needs of the child and the capacity of the kinship carer to meet those needs.

A social work assistant may also be appointed to support the assessment process.

The assessing worker must:

- Request a Home Visit to obtain consent for the following checks. A partnership approach will be taken, encouraging the family to fully contribute to the assessment.
- Provide a copy of the signed consent form and request the following checks via Business Support: PVG's, medical assessments and two references plus an employer reference, if appropriate, for each Kinship Carer and previous partner checks
- An updated [Health and Safety checklist](#) should be completed
- Seek information from any local authorities the Kinship Carer has resided in within the previous 10-year period.



- Business support - Family Placement Team will progress the administration and tracking of these checks
- The Assistant Team Manager will ensure a panel date is secured within 12 weeks of assessment commencing by contacting the [Panel Administrator](#).
- The assessment should be an analysis of Kinship Carers competence, strengths and vulnerabilities and how these will be supported.
- The assessment should also explore the Kinship Carers' relationship with the child's parents and how this will be supported for the duration of the Kinship Care.
- Parents will be contacted to seek their views on the proposed plan. It should be made clear to the family that the purpose of this assessment is to seek appropriate approval. The implications of this should be discussed with Kinship Carers and it should be highlighted that where permanent care is being sought for the child/ren, they will not have to undergo another assessment.
- Submit all required reports to the [Panel Administrator](#), a minimum of 14 days prior to the panel.
- Should there be clear evidence to suggest that the Kinship Carers are not appropriate to care for the child and the arrangement should cease/not commence, this assessment can be ended by mutual agreement, and a decision can be signed off by the Team Manager.
- Where this is not mutually agreed a Kinship Panel will be sought via the [Panel Administrator](#). A full report will be provided to the Kinship Panel. Reports for this panel should clearly detail the reasons why the potential carer(s) is not assessed as appropriate.

When the Kinship Carer is recommended for approval by the Kinship Panel and this is agreed by the Agency Decision Maker, the Panel Administrator will alert the Finance Department and the Locality Manager by forwarding the Agency Decision Maker decision. This allows for payments to be updated to Kinship Care Approved Allowance which will provide the Kinship Carer with additional payments over the course of the year as follows:

- 1 week's extra allowance at birthdays
- 1 week's extra allowance at Christmas
- 2 weeks extra allowance at summer

Overall allowances should not change for the Kinship Carer at this stage unless there has been a significant change in circumstances however the Family Placement Team will continue to undertake [annual reviews of the Kinship Care Allowance](#). It is worth noting at this stage that Kinship Carers of Looked After Children and young people should not be receiving the child element of Universal Credit.

Approved Kinship Care Allowance can be paid to the Kinship Carer until the child ceases to be looked after. The allowance will also continue to be paid until the age of 18 where the young person remains in education.



A looked after young person will also be entitled to support from the Leaving Care Team and the Kinship Carer will receive continuing care allowance from the ages of [18 until 21 years](#). The young person may be entitled to benefits dependant on their circumstances.

The Looked After Away from Home review closest to the young person's 16th birthday should record the young person's decision to opt in or out of Continuing Care.

At this stage it is useful to update the [Kinship Carer agreement](#).

(f) [Achieving Permanency for children and young people through Kinship Care](#)

Maintaining a child long-term on a Compulsory Supervision Order is not usually in keeping with the principle of permanence and seeking a Kinship Care Order is therefore the preferred option for achieving ordinary family life. This is in line with the minimal intervention principle and is considered the least intrusive legal means of securing the child in Kinship Care permanently. This removes the child from the care system and vests parental rights with the carer enabling them to make day to day decisions for the child/young person. This legal order is a successful means of securing the child's future when birth family relationships have the capacity to work in partnership positively and effectively.

- Kinship Care Order (also known as Section 11)

The child's Social Worker and/ or Family Placement Team worker when appropriate, must have a full and detailed discussion with the Kinship Carer to ensure they are able to make this lifelong commitment, and to support them to fully understand the responsibility attached to such a decision

- Permanence Order by local authority

When a Kinship Care Order is not applied for by a Kinship Carer, the local authority may consider achieving permanency through a Permanence Order; this removes some rights and responsibilities from birth parents and maintains the looked after status of the child throughout their childhood.

(g) [Support & assistance following a Kinship Care Order being granted.](#)

Financial assistance towards legal costs incurred in relation to obtaining a Kinship Care Order will be considered by Falkirk Council. Legal Aid may also be available, and Carers should make an application for such independently.

Any request for financial assistance towards legal costs should be put in writing to the Locality Manager, including quotes from three separate solicitors. This will then be considered by the Locality Manager in compliance with The Kinship Care Assistance (Scotland) Order 2016.

Once a Kinship Care Order is awarded, the Social Worker should refer to the Family Placement Team and request an [updated financial assessment](#). Kinship Care Order Allowance for an eligible child (detailed later) is the Kinship Allowance minus the child benefit payments and any child element of Universal Credit. At this point it should be



noted that the additional payments received around the time of birthday, holiday and Christmas will cease to be paid. The disability element of these child benefits is not deducted from the Kinship Care Order Allowance.

It is important to note that the income threshold for Kinship Care Order Allowance is calculated on net income the top of Grade K (currently £53786) and as such it is important to gather all household income for this assessment.

Once a Kinship Care Order is in place the child or young person is no longer looked after. The Kinship Care Order Allowance will continue until the young person leaves secondary education. As the young person is not looked after there is no entitlement to a continuing care payment.

The young person can seek advice and guidance with regards to financial support from our Income Maximisation Team.

Kinship Carers who are granted a Kinship Care Order for a child/young person in their care continue to be entitled to support and advice from the Family Placement Team, regardless of whether they are entitled to Kinship Care Order Allowance or not. This is detailed further in section 8.

(h) Review and de-registration

There is no requirement to review Approved Kinship Carers, however they should be referred to the Kinship Carer Panel for consideration of de-registration where:

The child no longer lives with Kinship Carers

In these circumstances a brief de-registration report should be submitted for consideration by the Child's Social Worker to the first available Kinship Panel. The Carers should read and sign this report before submission. The Kinship Carers would be invited but not expected to attend this Panel.

Where there are significant concerns about carers capacity to care for the child(ren) as approved Kinship Carers either due to significant changes in their personal circumstances or following allegations, offences or serious concerns being raised.

The child's welfare is paramount and should be addressed prior to any review at Kinship Panel.

The Social Worker should complete the [Approved Kinship Carer Review/De-registration Report](#) depending on the recommendation being made.

In both cases Falkirk Council must notify Disclosure Scotland they are no longer Kinship Carers following the deregistration outcome.

The Carers should read and sign this report before submission. If the Carers decline to sign this report their reasons should be recorded and submitted to Panel. The Kinship Carers would be invited to attend this Panel it should be noted that Panel will go ahead should they choose not to attend.



7. Panel function and procedures

The Kinship Panel is a formally constituted and independent Panel which complies with Regulation 17 and 18 of the Looked After Children (Scotland) Regulations 2009.

The primary function is to recommend whether a Kinship Carer should be approved and to review the approval of Kinship Carers referred to it by the Council.

The Child Care Review Co-Ordinator may also refer a case to the Kinship Care Panel where they feel that advice or additional scrutiny would be useful.

Kinship Carers are required to be approved within 12 weeks from the start of the assessment.

Recommendations made by Panel are to be approved by the Agency Decision Maker within 14 days of the Panel.

Should a prospective Kinship Carer disagree with the Agency Decision Maker an appeal Panel can be requested in writing within 28 days of being notified of the outcome of the Panel.

A new Panel and a new Chairperson will consider the appeal, and its recommendations go to a different Agency Decision Maker for impartiality. The applicant will be advised they have the opportunity to prepare and submit information to the appeal Panel stating their case for appealing the previous decision. The outcome of this process will be advised to Kinship Carer applicants in writing.

8. Provision of Support

- (a) All Kinship Carers, regardless of the legal status of the child they care for, should be offered support, and particularly access to the Kinship Care Support Group and a variety of training opportunities.
- (b) Falkirk Council are committed to providing assistance to Kinship Carers in order to safeguard, support and promote the wellbeing of children within Kinship arrangements. When children and young people are Looked After, their Kinship care arrangement will be monitored via visits from the child's Social Worker and regular Looked After Away from Home reviews. Children/young people who are subject to Kinship Care Orders often do not have a routinely reviewed Child's Plan. If a review is required, this would likely be in the form of a Team Around the Child (TAC) meeting which would be led by the child's Lead Professional (if in place, dependent on the child's legal status) or Social Worker from the Family Placement Team.

In addition, the Family Placement Team at Falkirk Council offer support, including advice, guidance, and assistance. This team maintains a record of the Kinship Carers and the legal status of the children/young people they are caring for. There will be an annual review of the Kinship Carers' financial circumstances and assess if there are any other support needs. Whilst an annual review will be undertaken, it will remain the Kinship Carers' responsibility to update staff of any changes in their circumstances.



The Family Placement Team can provide specialist advice and guidance in relation to Kinship Care. This may include:

- Home visits
- Support to attend meetings.
- Emotional support
- Practical support/advice
- Support regarding Social Work procedures.
- Kinship carer support groups
- Kinship carer issue-based workshops
- Sign posting to specialist services and resources.
- Annual financial review

Falkirk Council will regularly send out invitations to Kinship Carers to attend appropriate training in accordance with the child's needs. Falkirk Council would endeavour to meet any identified training needs, in the interest of sustaining the child's care arrangements with Kinship Carers.

- (c) Where a child or young person is subject to a Kinship Care Order, financial assistance may be provided via part 13 Children and Young People (Scotland) Act 2014 to eligible children and carers.

This includes:

- Those applying for or considering applying for a Kinship Care Order for child who is under 16 years old.
- Someone who currently holds a Kinship Care Order for a child under the age of sixteen.
- A guardian or child subject to guardianship - Carers of "eligible children" are entitled to a regular allowance.

Kinship Carers who hold a Kinship Care Order (or similar) can request an eligibility assessment. This would be completed by Kinship Care Workers. For the purpose of these assessments, an "eligible child" is defined as

- The child who was previously Looked After
- The child is at risk of becoming accommodated.



9. References

- ❖ The Looked After Children (Scotland) Regulations 2009.
<http://www.legislation.gov.uk/ssi/2009/210/contents/made>
- ❖ Annex B Guidance on Looked After Children (Scotland) Regs 2009 and the Adoption and Children (Scotland) Act 2007
<http://www.gov.scot/Publications/2010/06/01094202/25>
- ❖ Children & Young People (Scotland) Act 2014
<http://www.legislation.gov.uk/asp/2014/8/contents>
- ❖ The Kinship Care Assistance (Scotland) Order 2016
<http://www.legislation.gov.uk/ssi/2016/153/contents/made>
- ❖ Scottish Legal Aid Board
<https://www.slab.org.uk/>
- ❖ www.thepromise.scot
- ❖ Kinship.Scot
- ❖ Cpag.org.uk

10. Implementation

Implementation of this policy will take place on 1st August 2025



11. Form Templates

[KC Referral Form](#)

[KC Assessment Format](#)

[Assessment Framework Practice Notes](#)

[KC1a Kinship Consent Form for applicants](#)

[KC1b Kinship Consent Form for other adults in the household](#)

[KC2 Letter to applicant to complete Part B of AH1](#)

[KC2A Letter to GP](#)

[KC3 Kinship Allowance Finance Form Emergency Approval](#)

[BACS Bank Mandate Form](#)

[KC3a Kinship Finance Guidance note](#)

[KC Initial Agreement](#)

[KC Emergency Consent Form](#)

[KC4 Personal Reference Request covering letter](#)

[KC4a Personal Reference Form](#)

[KC5 Employer Reference Request covering letter](#)

[KC5a Employer Reference Form](#)

[KC6 School/Nursery Reference Request covering letter](#)

[KC6a School/Nursery Reference Form](#)

[KC7 Health Visitor Reference Request covering letter](#)

[KC7a Health Visitor Reference Form](#)

[KC8 Ex-partner Reference Request covering letter](#)

[KC8a Ex-partner Reference Form](#)

[KC9 Inter Authority Check covering letter](#)

[KC9a Inter Authority Check Form](#)

[KC10 Medical Adviser covering letter](#)

[KC11 NHS Invoice covering letter](#)

[KC12 Health and Safety Checklist](#)

[KC13 Application for KCO Allowance](#)

[KC14 Kinship Carer Agreement](#)

[KC15 Kinship Review Panel Report](#)

[KC16 Kinship De-registration Panel Report](#)

[KC17a Kinship Finance Review Form \(LAC\)](#)

[KC17b Kinship Finance Review Form \(KCO\)](#)

[KC18a Kinship Registration Panel Agenda](#)

[KC18b Kinship Appeal Panel Agenda](#)

[KC18c Kinship De-registration Panel Agenda](#)

[KC19 Landlord Letter](#)

[KC19a Landlord Form](#)