GUIDE 2

Kinship care: what families need

For grandparents, aunts, uncles, older brothers and sisters and family friends who step in when a child cannot live with their parents, and for the professionals who work with them.

Dr Charlotte Ritchie October 2026 England Reading time 12 minutes

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Based on chapters 3 and 5 of *Child Protection – A Public Health Approach: Reducing the Numbers in Care* (2021), updated with the law and policy in force in October 2026.

In brief

- When a child cannot live with their parents, the best place is usually with people who already love them. The law already tells councils to prefer family and friends over strangers.
- How a child comes to live with you matters. It decides who has parental responsibility, and whether you get money and support.
- If you might need to step in, say so early, ask for a family meeting, and get free advice before you agree to anything.
- Since 2026, councils must publish what support they offer kinship families, and must offer a family meeting before going to court. Seven areas are testing an allowance equal to fostering.
- This guide is not legal advice. Free, confidential advice is available from the services at the end.

13,360
children in care living with relatives or friends approved as foster carers, 31 March 2025
DfE 2025

4,110
children left care through a special guardianship order in 2024–25, usually to family
DfE 2025

7
council areas testing an allowance for kinship carers equal to fostering, from April 2026
DfE 2026

1 Why family should come first

One obvious way to keep a child within a known world is kinship care, also called family and friends care. The child stays with people they know, often in the same community and the same school, with the same smells and the same rules.

There is much to be said for it. Research has found that kinship care brings greater stability, fewer emotional and behavioural problems, and a lower chance of further abuse than care with strangers.

The law agrees. When a council has to find a home for a child it looks after, it must give preference to a relative, friend or other person connected with the child who is approved as a foster carer.[1] Yet too often the wider family is overlooked. Grandparents are judged too old or too disabled to cope, despite their protests. Relatives are rejected because they are close to the parents, as if trouble were catching. Surprised and uninformed, family members find themselves struggling with low incomes, a complicated legal system and a new child to bring up.

> Prioritising family and friends over stranger foster care, children's homes or adoption offers a way forward, but only if it is properly supported.

2 The ways a child can live with you

Kinship care can be informal, or arranged through children's services or the courts. The route matters, because it decides who makes decisions for the child and what help you can get.

Arrangement	What it means	Support
Informal arrangement	The parents ask you to look after the child, without any order. The parents keep parental responsibility.	Usually little or none. Ask the council whether the child counts as a "child in need".
Kinship foster carer	The council looks after the child and places them with you after assessing and approving you as a foster carer.	A fostering allowance and the support given to foster carers.
Special guardianship order	A court order. You can exercise parental responsibility to the exclusion of anyone else with it, apart from another special guardian.[2]	Depends on your council. In the seven Kinship Zones, an allowance at the national minimum fostering rate where the child would otherwise be in care.
Child arrangements order ("lives with")	A court order saying the child lives with you. You share parental responsibility with the parents.	Depends on your council. Also covered by the Kinship Zones allowance where the child would otherwise be in care.

Ask for advice before you agree to any of these. A family who "privately" fosters with the council's blessing may get nothing, while a family approved as foster carers is paid.

3 If you might need to step in

1

Tell the social worker early that you are willing

Don't wait to be asked. If the case is going to court, ask to be assessed as a carer as soon as possible. Parents facing proceedings should put forward any family member who could care for the child, so that there is a fallback if the court makes a care order.

2

Ask for a family meeting

Family group conferences bring the wider family together, with an independent coordinator, to make a plan to keep the child safe. Since 15 July 2026, councils must offer the parents a family group decision-making meeting before applying to court, unless they decide it would not be in the child's best interests.[3]

3

Get free advice before you agree to anything

Ask Family Rights Group or Child Law Advice what the different arrangements would mean for you and the child. See where to get free advice.

4

Find out whether the child is "looked after"

If the council places the child with you, ask in writing whether the child is looked after by the council. It affects the support you are entitled to.

5

Talk about money and support before any order is made

Once a court order is made, it can be much harder to get help. Ask what support will come with it, and get it in writing.

6

Keep a record

Write down who you spoke to, when, and what they said. Keep copies of letters and emails.

4 What to ask the council

Every council must now publish information about its general approach to supporting kinship families, including the financial support that may be available.[4] Ask for it, and ask:

- [ ] Is the child looked after by the council while living with me?
- [ ] Can I be assessed and approved as a kinship foster carer, and how long will it take?
- [ ] What financial support is available, and is this council one of the Kinship Zones?
- [ ] What help is there with contact with the child's parents, brothers and sisters?
- [ ] Can the child get counselling or mental health support, and how quickly?
- [ ] Will the council help with legal costs if I apply for a special guardianship or child arrangements order?
- [ ] Who is my named contact, and how do I reach them?

5 Money

Many kinship carers live in poverty already. Many give up work to care for a child. Yet kinship carers outside formal fostering often receive little or nothing. It can seem far easier and cheaper for a council to encourage

relatives into private arrangements, special guardianship or child arrangements orders than to approve them as foster carers and pay them.

In an evaluation of Family Rights Group's work, one grandparent put it this way:

> "They placed the child with us, but won't admit this was not a private arrangement. We needed support and there were contact issues, but the social workers kept fobbing us off … The child was referred to CAMHS but it took years to get help. We also had financial problems. We were up to our eyes in debt at the time, but our income looked good on paper. We couldn't get legal aid."
>
> A grandparent, quoted in Ritchie (2010)

Things are starting to change. Since 1 April 2026, seven council areas (Bexley, Bolton, Newcastle, North East Lincolnshire, Medway, Thurrock and Wiltshire) have been testing a kinship allowance, paid at the same rate as the national minimum fostering allowance, for special guardians and "lives with" carers where the child would otherwise be in care. The Government has committed £126 million, to reach around 5,000 children.[5] A child in Bolton should not get support that a child in Bristol does not. The allowance should be available everywhere.

6 The law is changing

The Law Commission is consulting on reforming kinship care law in England and Wales. Its provisional proposals include a new kinship care order: a flexible order that could be tailored to the circumstances of the child, their parents and the kinship carer.[6] The consultation closes on 16 October 2026. Kinship carers, parents and professionals can respond, and an easy-read version is available.

A clearer legal route is welcome. But a new order will only help children if money and support come with it.

7 Common questions

- ▶ **Will I be paid for looking after the child?**
- ▶ **The council says I am too old, or not well enough. What can I do?**
- ▶ **I don't get on with the child's parents. Can I still help?**
- ▶ **Do I need a solicitor?**
- ▶ **What if the child has been through a lot?**

8 For professionals

- **Explore the wider family at the first sign of concern,** not as a last resort before court. Use a family group conference with an independent coordinator.
- **Question the "contamination" assumption.** Being close to a parent does not make a relative unsafe.
- **Look for ways to say yes.** Age, disability or a small flat are reasons to provide support, not automatically reasons to refuse.
- **Be clear about status.** Tell families in writing whether a child placed with them is looked after, and what that means for support.
- **Never steer families away from approval** to save money. Children placed with family because of a child protection concern deserve the same support as children placed with strangers.

Where to get free advice

- **Family Rights Group**: free, independent and confidential advice for parents and wider family. 0808 801 0366. frg.org.uk
- **Child Law Advice (Coram)**: free legal advice by phone, email and webchat. 0300 330 5480. childlawadvice.org.uk
- **Civil Legal Advice**: the government legal aid helpline. 0345 345 4345.

Questions for discussion

Q1 Is there any justification for the current system of stranger foster care while kinship carers go unsupported?

Q2 Should kinship carers receive the same allowance as foster carers, whatever the legal route by which the child came to them?

Q3 How could councils involve the wider family earlier, before relationships with the parents have broken down?

Sources

1. Children Act 1989, section 22C(6)(a) and (7)(a).
2. Children Act 1989, section 14C(1)(b).
3. Children's Wellbeing and Schools Act 2026, section 1 (new section 31ZA of the Children Act 1989); in force 15 July 2026 (SI 2026/803).
4. Children's Wellbeing and Schools Act 2026, section 5 (new section 22H of the Children Act 1989).

5. Department for Education (27 February 2026) *Government launches investment in support for kinship carers*; Kinship Zones programme specification (2026).
6. Law Commission (2026) *Kinship care* consultation paper.
7. Department for Education (2025) *Children looked after in England including adoptions: 2025*.
8. Ritchie, C. (2010) Evaluation of Family Rights Group's work, as quoted in Ritchie, C. (2021).

Photo

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