CHILDREN, FAMILIES AND EDUCATION DIRECTORATE
CHILDREN’S SOCIAL SERVICES

PAYMENTS TO RELATIVE/FRIEND CARERS
POLICY

Introduction and scope

This document sets out Kent’s policy in relation to what payments may be made to relatives or friends who are approved as foster carers to care for a child from within their family or who is known to them.

Its purpose is to ensure that social work and fostering practitioners are clear about the policy and advice prospective relative/friend carers accordingly.

National Policy context

There is no legislative framework for foster carer payments and every local authority is free to make its own arrangements according to its perceived need. In 2006 the government issued guidance relating to minimum maintenance payments for foster carers but stopped short of making this a requirement.

There has been no guidance regarding payments to relative/friend carers and local authorities rely upon the Manchester judgement to help them determine these arrangements:

\textit{R(L and others) v Manchester City Council and R (R and another) v Manchester City Council} were applications by relative/friend foster carers for judicial review of the legality of a local authority’s policy under which it paid relative/friend foster carers differently and at lower rates than other foster carers. The judgement by Mr. Justice Munby in the High Court in September 2001 was that Manchester were discriminating against the relative/friend carers by not treating them the same as other foster carers.

Mr. Justice Munby’s judgement related to Manchester’s payment arrangements only and did not transfer directly to other authorities that had different payment arrangements.

This judgement does not apply to relative/friends who care for children subject to a Residence Order or informally, where an authority agrees to pay an allowance or any other contribution towards the child’s maintenance, but the Directorate would need to show that it has undertaken a proper assessment of financial need and that the contribution is adequate.

Kent Policy

Kent County Council’s policy is to prevent children being admitted to the care system wherever it is safe to do so and, therefore, approval of family or friends as foster carers for children subject to care orders is exceptional and, ideally, short term.

Kent’s payment policy in relation to relative/friend foster carers was informed by the formal written Opinion of the QC who had represented the relatives in the Manchester cases. His Opinion was that Kent did not have to pay relative/friend carers the reward element of the foster payment, but cannot require any relative or friend to contribute to the maintenance of a looked after child even if he/she is a relative.
It is Kent’s policy, therefore, that all relative/friends who are approved as foster carers in line with Kent’s *Kinship Care policy* should be paid the full maintenance appropriate to the age of the child but will not be paid the fee or reward element on the basis that:

- As a matter of principle relatives should not receive a financial reward for caring for children within their family;
- Mainstream carers are required to undertake a range of tasks that do not apply to relative/friend carers:
  - Provide placements for children that they do not know;
  - Provide placements on demand;
  - Contribute to assessments for court reports;
  - Attend court as witnesses;
  - Undertake direct work with the Children and Young people placed.
  - Undertake initial training
  - Attend ongoing training; as part of the carer pathway.
  - Attend local support groups

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