



South Gloucestershire Council

Family and **friends care**

This booklet describes how South Gloucestershire Council will support children who are cared for by a relative or someone who is connected to their family. It also summarises the law in this area, and gives details of useful organisations for Family and Friends Carers.

www.southglos.gov.uk

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What happens when parents are unable to care for their child?

South Gloucestershire Council believes that children should be brought up by their parents wherever it is safe for them to do so. We can give parents help to care for their child; however for a variety of reasons some children's parents are unable to safely look after them and their child cannot remain in their care.

Unless it is in an emergency, no child should come into care until there has been a thorough assessment their needs. Our aim will always be to return a child to their parents in a way that protects the child and promotes their well being. If a return home is not possible suitable alternative long term arrangements must be made. Wherever possible, these arrangements will be made in partnership with the parents, and the child's wishes will be taken into account (dependent upon their age and ability to express a view).

When a child needs substitute carers we will ask the child's parents to identify a suitable relative or person connected to their family. To help with this a meeting called a Family Group Conference will be organised (where possible) to help the parents and family support the child and identify a connected person. Wherever possible siblings will be placed together, and will live close to their home area so that they can continue to attend their current school and be close to their parents and family.

The Law requires a relative or connected person who is to become a substitute carer to be assessed by a social worker. The assessment will depend on the legal status of the child. Not all children who are unable to live with their parents need to be in care. If the child is unable to return to their parents then the connected person may be encouraged to apply for a legal order such as Residence, Special Guardianship or Adoption Order, to secure the arrangement to care for the child.

Types of family and friends care

Private arrangements

If parents are unable to look after their child they may arrange for someone else to care for them. This will be a private arrangement between the parent and the new carer. Where the new carer is a close relative or someone who has Parental Responsibility for a child there is no need for the Local Authority to be involved. In some cases, the carer may apply for a Residence Order but the Local Authority does not necessarily need to be involved. The child's parent should provide the carer with money to care for their child. However, if the arrangement is to last for a long time, the carer should apply for Child Benefit, Child Tax Credits or other benefits.

Informal family care

It is our policy that when a child is assessed as in need or deemed unable to remain safely with their parents that the first option of substitute care will be for the parents or family to identify a family member or connected person to care for the child.

A kinship assessment of that person will be undertaken by a qualified social worker and, if the arrangement is suitable, the child will move to the care of that person. This will not be deemed as being "placed in care" by the Council but as a private arrangement by the parent(s) who retain full responsibility for the child. For a close family member, this will be an Informal Family Care arrangement and as a Private Fostering arrangement if the carer is a distant relative or an unrelated person. Some short term financial assistance may be available from the Local Authority if it will make the placement viable and the parent is not providing reliable funding. Any financial assistance will be paid in line with the amount payable by state benefits. Where a claim for benefits is back dated the Local Authority will be reimbursed.

When a private arrangement has lasted for ten months, and reunification has not been successful or cannot be achieved, a decision will be made about permanent arrangements for the child.

If permanent arrangements are to be achieved through a legal order (such as a Residence Order, Special Guardianship Order or Adoption Order) and the Local Authority is in agreement with the plan, then the legal costs may be payable by the Local Authority if Legal Aid is not available.

Private Fostering

Where parents make a private arrangement with someone who is not a close relative, or someone who does not have Parental Responsibility, to care for their child for more than 28 days the situation will become Private Fostering. The law describes a close relative as an aunt or uncle, grandparent, brother or sister. A private fostering assessment will be undertaken by the Local Authority and a decision about the suitability of the arrangement will be made by a senior manager. If it is decided that the child is a Child in Need the arrangement will be subject to regular reviews. The private foster carer will be supported by a social worker from the Family Placement Team, and the child will have their own social worker. The private foster carer can take part in training courses run by the Family Placement Team.

The parent is financially responsible for the care given to their child by the private foster carer, but financial assistance from the Local Authority may be possible in some cases. A Private Fostering arrangement lasts until the child becomes 16 years of age. However, in some cases, financial help may continue until the child is 18 years of age or ceases their education or training, whichever is earliest.

Connected foster carer

A child may become “looked after” if there is no person with parental responsibility for them; or they have been abandoned; or the person who has been caring for them is unable to provide them with suitable care. Where it is not possible for the child to remain in the care of their parent, the child should be placed in the most suitable placement, preferably with a relative, friend or connected person.

If a relative or family friend comes forward to care for the child who is subject to an Interim Care Order or Care Order, they must become an approved foster carer. They will take part in a viability assessment to assess whether they are suitable to become an approved foster carer. If the viability assessment decides that they could be suitable, a sixteen week fostering assessment will be started. Temporary approval of the person will be granted by the Corporate Parenting Manager so that they can begin to care for the child before the child moving there. The full assessment will be presented to the Fostering Panel and the final approval decision will be made by the agency Decision Maker, who is a senior manager in the Local Authority.

The approved foster carer will be known as a Connected Foster Carer and the child will be a Looked After Child. The planning arrangement will include regular reviews by an Independent Reviewing Manager. Like other foster carers, the Connected Foster Carer will be required to take part in training and will be subject to annual appraisals and review. A social worker from the family placement team will be allocated to the carer, and the child will have their own social worker who will visit at least every six weeks.

Connected Foster Carers receive a weekly allowance for the child they are caring for, which will increase as the child gets older. If a child is disabled, additional allowances may be payable depending on the severity of the disability. Money may be available towards the cost of secondary school uniform, otherwise all clothing and other equipment, including travel costs and pocket money will be covered by the weekly allowance. The amount of money paid will be reviewed each year and carers will be informed in March of each year of the new allowance for the next financial year.

Connected Foster Carers receive the same allowance as mainstream foster carers. However, mainstream carers are also paid a fee in addition to the weekly allowance. Connected Foster Carers do not receive this fee unless they meet the criteria set for mainstream carers, which is based on training, expertise and availability to foster other children

Residence orders, special guardianship orders and adoption orders

These orders are granted by a court, and are a way of achieving permanence for a child because Parental Responsibility is transferred to the new carer and lasts until the child becomes an adult. With such an order the new carer can make decisions about the child either in partnership with the parent or to the exclusion of the parent. There are three different types of order:

- **Residence Order:** Where the parent and Connected Foster Carer work together in agreement to meet the needs of the child, the arrangement can be formalised through a Residence Order. This gives Parental Responsibility to the carer with the parent and Residence Order holder having equal rights, and the order states that the child will live with the person who holds the RO. The child ceases to be a Looked After Child and is no longer in care.

There is no legal duty for the Local Authority to support a Residence Order, but where the Local Authority has been involved with a child in need and agrees with the making of the Order, support may be available. Where a Connected Foster Carer applies for an order as part of the care planning for the child, means tested financial help may be available. Legal fees may be payable by the Local Authority where the application for the order is agreed by the Local Authority. A booklet describing the financial help is available from the Family Placement Team.

- **Special Guardianship Order:** Carers may wish to become Special Guardians because they wish to give their child permanence, and the child continues to need protection from their parents. The order provides them with Parental Responsibility to the exclusion of all others, and it removes the child from the care system.

The carer is required to inform the Local Authority of their plan to apply for an order giving three months notice. A report is prepared for the court by a social worker, who will guide the carer through the legal process.

Once it is granted the child ceases to be “Looked After” but support services are available to the child, carer and parent.

If legal aid is not available and the Local Authority is in agreement with the application, a Special Guardian will receive financial help towards the legal costs of the application to a court, or to resolve contact issues. A Special Guardian may ask their support social worker to assess them for ongoing financial help. If it is agreed that a payment will be made, an annual means test which requires the carer to provide proof of expenditure and income will be used to determine the level of payment.

If the carer was the foster carer of the child prior to the order being granted, they will receive weekly payments at the level they were paid as a foster carer, minus Child Benefit, for a maximum period of two years. Following this period the allowance will be means tested.

The level of payments is set using the weekly allowance payable to foster carers and payments cannot exceed this level. There is no fee allowance payable to Special Guardians. A booklet describing the financial help is available from the Family Placement Team.

- **Adoption Order:** In some situations, the Connected Carer may wish to adopt the child. This will end the Parental Responsibility rights of the birth parent and the adoptive family assume all responsibility for the child. An assessment of the carer is undertaken by a social worker and presented to the Adoption and Permanence Panel. The final decision is made by the Decision Maker, who is a senior manager in the Local Authority. Once this decision is made the prospective adopter will make an application to the Court for an Adoption Order. Support and training is available to adopters, provided by a social worker within the Family Placement Team.

If legal aid is not available and the Local Authority is in agreement with the application, a prospective adopter will receive financial help towards the legal costs of the application to a court. Adoptive parents are responsible for the financial upkeep of the adopted child, but in some circumstances financial assistance may be available. All financial help will be subject to an assessment of need and will be means tested. Prospective adopters are able to claim Child Benefit from the time of placement and may also claim other state benefits.

Support for carers and children

Contact between the child and their parents and other adults can often be difficult, and the South Gloucestershire Family Placement Team offer mediation and assistance in making contact arrangements. Children may need emotional support to come to terms with past difficulties. South Gloucestershire Child and Adolescent Mental Health Service (CAMHS) provide a therapeutic service for children who live away from their birth families. To receive a CAMHS service the carer should speak to their social worker or the child's GP.

The Local Authority's foster carers receive a wide range of training and support from the Family Placement Team. A quarterly magazine, giving information and news about caring, is produced for carers and sent out to their home address.

A child who is cared for in an informal arrangement or lives with foster carers will be supported by a social worker for as long as the Local Authority is involved with the child. Many family and friends carers find community support groups for families and carers helpful. A Guide to these services is available on the Local Authority website for Family and Friends care. When the Local Authority involvement with a child is to end, an assessment of need will be made and on-going community support may be identified.

Compliments, Comments and Complaints

If you would like to make a comment, compliment or complaint about this policy, or any other aspect of South Gloucestershire's work with children and families, please contact Fabian Fick (Complaints Manager) Tel: **01454 866374**

Email: **Fabian.fick@southglos.gov.uk**



Family and friends care: statutory guidance for local authorities

	Private Fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
Route into the caring arrangement	<p>This is a private arrangement whereby the child is being cared for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative.</p> <p>Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent.</p> <p>The child is not a looked after child.</p>	<p>The relative has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the local authority.</p> <p>The child is not a looked after child.</p> <p>Relative may perceive the parents to be unable to care for the child; or the parents may be dead or otherwise not available (e.g. in prison); or there may be an agreement between relatives due to difficult family circumstances.</p>	<p>The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care.</p> <p>The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer.</p> <p>The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.</p>	<p>The child is a looked after child being accommodated by the local authority under section 20 Children Act 1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority.</p> <p>(Alternatively, the local authority may choose to place a child into residential care where this is considered to best meet the child's needs).</p>	<p>The child may be at risk of becoming 'looked after' and a friend or relative applies for an order, or</p> <p>The child may have been 'looked after' and their foster carer or other relative/friend applies for an order.</p> <p>In either circumstance, application can be made without the support of the parents or the local authority. Relatives may apply for an order after the child has lived with them for one year.</p> <p>Or, there can be benign reasons, e.g. after parents' death and in line with a prior agreement between the birth parents and the carer.</p>	<p>Looked after children: the LA may decide that the child should be placed for adoption. They can only do so with the consent of the birth parent or under a placement order made by a court.</p> <p>An approved foster carer can apply for an adoption order after a year of caring for the child.</p> <p>Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years.</p>	
Parental Responsibility	Remains with birth parents	Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare	Remains with birth parents if child accommodated under section 20 CA, or if the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others.	Shared by parents and holder of residence order.	PR shared with parents and any one else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusion of all others with PR, apart from another special guardian.	Transfers to adopters and relationship with birth parents is severed.	

	Private Fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
Approval Basis	The arrangement is assessed by LA, but the carer is not 'approved' as a local authority foster carer is. The arrangement may be prohibited if assessed by the local authority as unsuitable.	None	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If child is looked after, carers must be approved as foster carers even if close relative.)		Appointed by court following application.	Appointed by court, following application from the applicant. LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian.	Adoption agency assesses and approves prospective adopters, court makes order regarding specific child. If the child is not looked after then notice of intention to adopt must be given to the LA who then carry out an assessment / report for the court.
Duration	Subject to discretion of person with PR and readiness of private foster carer.	Subject to discretion of person with PR	So long as placement remains in line with child's care plan, as determined by LA		Age 18.	Age 18 unless varied or discharged by the court before the child reaches 18 years.	Permanent lifelong relationship
Placement Supervision	It is not a placement, but there are statutory visits to child by social worker (minimum 6 weekly in first year, then 12 weekly)	None	Statutory: visits to child by social worker and supervision of foster carers by supervising social worker			None	When child is placed for adoption by the LA, the placement is supervised and there are statutory reviews. Once the adoption order is made, none.
Review of Placement	It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits.	None	Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of local authority foster carers' approval		None	None	See above

	Private Fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
Support Services	Provision of advice and support as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989	No entitlement but the LA may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989	Support to meet child's needs including health plan and personal education plan. Training and practical support to foster carers in accordance with the Fostering services Regulations, NMS and CWDC standards. Young person may be entitled to leaving care support services		No entitlement (But LA has discretion to provide services / support for child/family under section 17 of the CA)	If child was looked after prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to provide support. Young person may be entitled to leaving care support services if was a looked after child prior to making of the SGO.	Entitlement to assessment for adoption support services, which may be provided at discretion of LA in accordance with Regulations and NMS
Financial Support – entitlement	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR. Guardians Allowance payable if both parents have died, or the only surviving parent cannot be found or serving 2 years or more prison sentence.	Child benefit and child tax credit not payable. Weekly allowance to meet the costs of caring for the child. This should meet at least the national minimum rate set by DCSF. The Manchester City Council judgment ruled that allowances must be the same for all foster carers, whether or not family & friends.		Can claim child benefit and child tax credit if not being paid to parent	Can claim child benefit and child tax credit if not being paid to parent.	Can claim child benefit and child tax credit if not being paid to parent. Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.

	Private Fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
Financial Support – Discretionary	LA has discretion to make one-off or regular payments under section17 Children Act	LA has discretion to make one-off or regular payments under section17 Children Act	Some fostering providers pay their foster carers a fee to recognise the carers' skill, experience and commitment. The Manchester City Council judgement (which requires allowances to be paid on the same basis regardless of the relationship of the carer to the child) did not consider fees. However, Statutory Guidance for Fostering Services requires that any policy in relation to the payment of fees must be applied to all foster carers who meet the criteria in the same way and must not discriminate on the grounds of a pre-existing relationship with the child.		LA has discretion to pay residence order allowance – usually if child was previously fostered by the carers, or exceptionally if making residence order prevents child becoming looked after. Any allowance reviewed annually.	Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child looked after prior to order and meets the criteria in the regulations. Subject to assessment as above and for former foster carers can include an element of remuneration. Regular or one off payments. Any allowances reviewed annually.	Subject to assessment, one off payments or regular adoption allowance may be paid.



Useful organisations and information for family and friends carers

Advice on drugs and alcohol

Addaction

Offers a range of support developed for families and carers affected by substance misuse.

Website: www.addaction.org.uk
Address: **67-69 Cowcross Street, London, EC1M 6PU**
Tel: **020 72515860**
Email: info@addaction.org.uk

Adfam

Works with families affected by drugs and alcohol, and supports carers of children whose parents have drug and alcohol problems.

Website: www.adfam.org.uk
Address: **25 Corsham Street, London, N1 6DR**
Tel: **020 75537640**
Email: admin@adfam.org.uk

Mentor UK

Promotes the health and wellbeing of children and young people to reduce the damage that drugs can do to lives.

Website: www.mentoruk.org.uk
Address: **Fourth Floor, 74 Great Eastern Street, London, EC2A 3JG**
Tel: **020 77398494**
Email: admin@mentoruk.org

TalktoFrank

The government's national drugs helpline which offers free confidential drugs information and advice 24 hours a day. Information and advice is also available via the website.

Website: www.talktofrank.com
24 hour advice line: **0800 776600** Text: **82111**
Email: frank@talktofrank.com

Advice for those affected by prison

Action for Prisoners' Families

Works to reduce the negative impact of imprisonment on prisoners' families. Produces publications and resources, and provides advice, information and training as well as networking opportunities.

Website: www.prisonersfamilies.org.uk
Address: **Unit 21, Carlson Court, 116 Putney Bridge Road, London, SW15 2NQ**
Tel: **020 88123600**
Email: info@actionpf.org.uk
Advice line: **0808 8082033**
Email: info@prisonersfamilieshelpline.org.uk

Partners of Prisoners and Families Support Group

Operates helpline and provides a variety of services to support anyone who has a link with someone in prison, prisoners and other agencies.

Website: **www.partnersofprisoners.co.uk**
Address: **Valentine House, 1079 Rochdale Road, Blackley, Manchester, M9 8AJ**
Tel: **016 7021000**
Offenders' Families
Helpline Tel: **0808 8082003**
Email: **info@prisonersfamilieshelpline.co.uk**

Prison Advice and Care Trust (PACT)

Provides practical and emotional support to prisoners and to their children and families. The Kinship Care Support Service provides support and advice to family members and friends who care for children whose parents are in the HMP Holloway.

Website: **www.prisonadvice.org.uk**
Address: **Park Place, 12 Lawn Lane, Vauxhall, London, SW8 1UD**
Tel: **020 77359535**

General Advice/Help Centres

Advisory Centre for Education (ACE)

Offers free independent advice and information for parents and carers on a range of state education and schooling issues, including admissions, exclusion, attendance, special educational needs and bullying.

Website: **www.ace-ed.org.uk**
Address: **1c Aberdeen Studios, 22 Highbury Grove, London, N5 2DQ**
General advice line: **0808 8005793**
Exclusion advice line: **0808 8000327**
Exclusion
information line: **020 77049822** (24 hr answer phone)

Children's Legal Centre

Provides free independent legal advice and factsheets to children, parents, carers and professionals.

Website: **www.childrenslegalcentre.com**
Address: **University of Essex, Wivenhoe Park, Colchester, Essex, CO4 3SQ**
Tel: **01206 877910**
Email: **clc@essex.ac.uk**
Child Law
Advice Line: **0808 8020008**
Community Legal
Advice – Education: **0845 3454345**

Citizens Advice Bureaux

Helps people resolve their legal, money and other problems by providing free, independent and confidential advice through local bureaux and website.

Website: **www.citizensadvice.org.uk**

Department for Education

Lists details of telephone help lines and online services to provide information, advice and support on a range of issues that parents and families may face in bringing up children and young people.

Website: www.education.gov.uk/childrenandyoungpeople/families

Family Fund Trust

Helps families with severely disabled and seriously ill children to have choices and the opportunity to enjoy ordinary life. Gives grants for things that make life easier and more enjoyable for the disabled child and their family.

Website: www.familyfund.org.uk

Address: **4 Alpha Court, Monks Cross Drive, York, YO32 9WN**

Tel: **0845 1304542**

Email: info@familyfund.org.uk

Family Rights Group (FRG)

Provides advice to parents and other family members whose children are involved with or require children's social care services because of welfare needs or concerns. Publishes resources, helps to develop support groups for family and friends carers, and runs a discussion board.

Website: www.frg.org.uk

Address: **Second Floor, The Print House, 18 Ashwin Street, London, E8 3DL**

Tel: **020 79232628**

Advice Line: **0800 8010366**

Email: advice@frg.org.uk

Parentline Plus

Provides help and support in all aspects of family life, including information, an online chat facility and a 24 hour helpline.

Website: www.familylives.org.uk

Address: **CAN Mezzanine, 49-51 East Road, London, N1 6AH**

Tel: **020 75533080 24 hr advice line 0808 8002222**

Email: parentsupport@familylives.org.uk

Voice

Advocacy organisation for children living away from home or in need.

Website: www.voiceyp.org

Address: **320 City Road, London, EC1V 2NZ**

Tel: **020 7833 5792**

Young person's
advice line: **0808 8005792**

Email: info@voiceyp.org

Young Minds

Works to improve the emotional wellbeing and mental health of children and young people and empowering their parents and carers.

Website: www.youngminds.org.uk

Address: **48-50 St John Street, London, EC1M 4DG**

Tel: **020 73368445**

Parents helpline: **0808 8025544**

Advice on mediation

Family Mediation Helpline

Provides information and advice about family mediation services and eligibility for public funding.

Website: **www.familymediationhelpline.co.uk**
Tel: **08456 026627**

National Family Mediation (NFM)

Provides mediation services to support couples who are separated, and their children and others affected by this.

Website: **www.nfm.org.uk**
Address: **4 Barnfield Hill, Exeter, EX1 1SR**
Tel: **0300 4000636**
Email: **general@nfm.org.uk**

Advice for grandparents

BeGrand.net

Website offering information and advice to grandparents, plus online and telephone advice.

Website: **www.begrand.net**
Helpline: **0845 4346835**

Grandparents Plus

Champions the role of grandparents and the wider family in children's lives, especially when they take on the caring role in different family circumstances.

Address: **18 Victoria Park Square, Bethnal Green, London, E2 9PF**
Tel: **020 89818001**
Email: **info@grandparentsplus.org.uk**

The Grandparents' Association

Supports grandparents and their families, especially those who have lost or are losing contact with their grandchildren because of divorce, separation or other family problems, those caring for their grandchildren on a full-time basis, and those with childcare responsibilities for their grandchildren.

Website: **www.grandparents-association.org.uk**
Address: **Moot House, The Stow, Harlow, Essex, CM20 3AG**
Tel: **01279 428040**
Helpline: **0845 4349585**
Welfare benefits
advice & information: **0844 3571033**
Email: **info@grandparents-association.org.uk**

Fostering

British Association for Adoption and Fostering (BAAF)

Provides information and advice about adoption and fostering and publishes resources.

Website: **www.baaf.org.uk**
Address: **Saffron House, 6-10 Kirby Street, London, EC1N 8TS**
Tel: **020 74212600**
Email: **mail@baaf.org.uk**

The Fostering Network

Supports foster carers and anyone with an interest in fostering to improve the lives of children in care. Publishes resources and runs Fosterline, a confidential advice line for foster carers including concerns about a child's future, allegations and complaints, legislation and financial matters.

Website: **www.fostering.net**
Address: **87 Blackfriars Road, London, SE1 8HA**
Email: **info@fostering.net**
Tel: **020 76206400**
Fosterline: **0800 0407675**
Email: **fosterline@fostering.net**



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