****

**NORTHAMPTONSHIRE COUNTY COUNCIL**

**PRIVATE FOSTERING**

**Statement of Purpose**

**2015-2016**

**To be read in conjunction with Northamptonshire Children’s Procedures Manual** [**http://northamptonshirechildcare.proceduresonline.com/chapters/p\_private\_fost.html**](http://northamptonshirechildcare.proceduresonline.com/chapters/p_private_fost.html)

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**January 2016**

**1 Background**

* 1. This statement sets out how the duties and functions in relation to private fostering are

carried out in Northamptonshire and is a requirement of the National Minimum Standards (NMS) for Private Fostering, Standard 1 issued in 2005 which states that there is a clear description and guide to the service for the public, professionals, council members and external organisations.

1.2 The existing legislation relevant to private fostering is set out in Part 9 of Schedule 8 of the Children Act 1989 with amendments to section 67 and Schedule 8 of the Act made under section 44 of the Children Act 2004. New regulations under The Children (Private Arrangements for Fostering) Regulations 2005 came into force in July 2005. These regulations are accompanied by guidance from the above Acts and National Minimum Standards for Private Fostering against which the local authority will be inspected. Further guidance is provided in Working Together (2015) and Family and Friends Care: Statutory Guidance for Local Authorities, 2011.

1.3 The above legislation strengthened and enhanced the previous private fostering notification scheme and requires all local authorities to be more proactive in identifying arrangements in their area. In addition, four publications from March 2010 provide further information about the national context:

* No Simple Answers: Report of the DCSF Advisory Group on Private Fostering 2008–2010, March 2010
* The Government Response to the report of the DCSF Advisory Group
* Research into Private Fostering, DCSF, March 2010 (which informed the Advisory Group’s findings)
* Ofsted, Private Fostering: Better Information, Better Understanding, January 2014.

**2. Definition of Private Fostering**

2.1 A private fostering arrangement is essentially one that is made privately (that is to say without the involvement of a local authority) for a child under the age of 16 (under 18, if disabled) to be cared for by someone other than a parent or close relative with the intention that it should last for 28 days or more. Private foster carers may be from the extended family such as a cousin or great aunt.

2.2 However, a person who is a relative under the Children Act 1989 i.e. a grandparent, brother, sister, uncle or aunt (whether of full blood or half blood or by marriage or civil partnership) or step-parent will **not** be a private foster carer. A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child’s family who is willing to privately foster a child.

2.3 The child is not defined as privately fostered unless the carer has accommodated the child for 28 days or more **or** if the carers have accommodated the child for less than 28 days and does not intend to do so for a longer period than 28 days. Private Fostering arrangements do not cease where a child spends an occasional period with a parent or close relative but otherwise is ordinarily living with the private foster carer.

2.4 This 28 day period is intended to ensure that families are able to make arrangements for a child to stay with their extended family or friends without interference from the local authority. Clearly such interference would be totally inappropriate where children are having sleepovers or short term holidays / breaks with school friends, for example. The 28 day period ensures that only the most exceptional of circumstances need to be notified.

2.5 The private foster carer becomes responsible for providing the day to day care of the child in a way which will promote and safeguard his/her welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility.

**3. Examples of Private Fostering**

3.1 Examples of where a child might be privately fostered are as follows (this list is not exclusive):

* An adolescent is living with friends as a result of family breakdown
* Younger children are placed with friends of the family on a long term basis following family breakdown or parental ill-health
* Children of West African background placed with carers from a very young age with little or no contact from birth parents.
* English language students who are living with a carer for over 28 days.
* Children in boarding schools who reside with another family during school holidays.
* Unaccompanied asylum seeking and refugee children

**4. Northamptonshire County Council’s Policy Statement:**

4.1 Whilst the ultimate responsibility for children who are privately fostered rests with their parents or those with parental responsibility, we will seek to work in partnership with parents, carers and each privately fostered child to ensure that the child is able to thrive in a safe and caring environment.

4.2 In line with the duties and responsibilities bestowed on the local authority, we will assess the needs of every child who is known to be privately fostered and assess the carer’s suitability to look after the child.

4.3 Where a child’s welfare is not satisfactorily safeguarded the authority can impose a prohibition or requirement on the carer and/or remove the child if necessary. In these cases, its first duty will be to return the child to their parent(s) or those with parental responsibility or a close relative so long as it is safe and in the child’s best interest to do so.

4.4 In all cases the promotion of contact between the child and his/her parents, family members and friends will be encouraged where this is appropriate. In all cases the child’s racial, religious and cultural needs will be recognised and addressed.

4.5 Children assessed as in need and in private fostering arrangements will be entitled to the same services as any other child in need. <http://northamptonshirechildcare.proceduresonline.com/chapters/p_cin_plans_rev.html>

4.6 Northamptonshire County Council Children’s Services is committed to safeguarding and promoting the welfare of children who are privately fostered under the terms of the Children Act 1989; the Children Act 2004; the accompanying regulations and the National Minimum Standards for Private Fostering. The provisions of Schedule 7 of the Children Act 1989 prescribe the usual fostering limit of not more than three children per foster carer so this is also applicable to someone who is a private foster carer..

**5. Northamptonshire’s Duties and Functions**

5.1 Essentially, Northamptonshire County Council is required to satisfy themselves of the suitability of all private fostering arrangements and will undertake the following:-

* Receive and respond appropriately to notifications of private fostering arrangements.
* Respond appropriately to information about a private fostering arrangement where there has been no notification.
* Carry out visits to the child within 7 working days of receiving the notification and then no less than every 6 weeks in the first year, thereafter no less than every 12 weeks and visit at other times when required or when reasonably requested by the carer, parent or child.
* Meet with the carer and parent, or person(s) with parental responsibility, and determine the duration of the arrangement.
* Assess the suitability of the arrangement and the private carer and all members of the carer’s household.
* See the child alone and ascertain the wishes and feelings of the child (considered in the light of his/her age and understanding)
* Ensure that the arrangements for contact (with all persons significant to the child) have been agreed.
* Ensure that the child is registered with a GP and has access to appropriate health and dental care according to the child’s needs.
* Ensure the child is receiving appropriate education and has access to out of home activities and leisure pursuits as required.
* Ensure that the child’s racial, religious and cultural needs are being addressed.
* Ensure that the financial arrangements are satisfactory: agreements for how parental responsibility will be exercised have been made and how day to day decisions will be carried out between the carer and the parent.
* Ensure that the standards of care provided for each child is satisfactory and that it will meet the child’s developmental needs.
* Ensure young people, nearing 18 years, who are privately fostered and disabled are offered an assessment for eligibility for adult community care services.
* Offer any other advice, guidance and support as needed to assist in the arrangement.
* Where the authority is not satisfied with the arrangements it will take such steps that are reasonably practicable to either return the child to the care of his/her parents or to consider to what extent they should exercise their functions under the Children Act 1989. Additionally the authority has powers to prohibit or impose requirements on the private arrangement if this safeguards and protects the child.

**6. How the Duties will be Delivered**

6.1 Northamptonshire Children’s Procedures Manual <http://northamptonshirechildcare.proceduresonline.com/chapters/p_private_fost.html>

sets out how Northamptonshire will carry out its duties and functions. The Procedures explain the statutory requirements and advise workers of the scheme of delegation and appropriate actions to take to safeguard and promote the welfare of all privately fostered children in their area.

6.2 Northamptonshire’s Thresholds and Pathways document

[http://www.northamptonshire.gov.uk/thresholdsandpathways](http://www3.northamptonshire.gov.uk/councilservices/children-families-education/help-and-protection-for-children/protecting-children-information-for-professionals/Documents/NCC114615_Thresholds%20and%20Pathways%20June%202014_AW3.pdf)

outlines Northamptonshire’s procedures for receiving and dealing with notifications from the public and other agencies and of acknowledging these with the referrer. All private fostering cases known to the authority will be allocated.

6.3 The appointed Designated Manager (Private Fostering), will review the service on an annual basis to ensure it is meeting assessed need. The appointed person in the Local Authority with expertise in private fostering whom social workers can contact for advice is the Service Manager based in the North of the county. The Manager who will sign off decisions about the overall suitability of an arrangement is the Strategic Manager based in the North of the county.

6.4 The Multi Agency Safeguarding Hub (MASH) will act as the front door for enquiries and notifications about private fostering: [mash@northamptonshire.gcsx.gov.uk](mailto:mash@northamptonshire.gcsx.gov.uk).

**7. The Process**

7.1 On receipt of a referral or notification to MASH, initial screening will be undertaken, Private Fostering status will be entered and the case will then transfer to the relevant Safeguarding and Care Planning team.

7.2 The Safeguarding and Care Planning Team will undertake the following:-

* Start a Private Fostering Agreement
* DBS checks of all those over 16 years in the household.
* CareFirst checks
* Undertake enquiries as to whether any member of the household has been disqualified from caring for children.

7.3 Within 7 days the Safeguarding and Care Planning Team will undertake a visit as relevant:-

**Regulation 7 –** if the child is already in placement or moving in within 48 hours, the child, carers and parents will be seen and their views sought in relation to the arrangements around the child’s health, education and day to day care.

**Regulation 4 –** where the child is not yet in placement the process is as above and the views of the child, carers and parents sought and the accommodation seen.

7.4 The Private Fostering assessment will be completed in 40 working days and will include a minimum of 5 visits to the child and placement a medical assessment of the carers and independent reference checks of the carers. This assessment will then be sent to the Team Manager for authorisation. The assessment will ensure the following:-

* The child has been seen alone and his/her wishes and views recorded
* The contact arrangements between the child and his/her parents or other significant persons are satisfactory
* The child’s religious, racial, cultural and linguistic needs are being met
* The child’s physical, intellectual, emotional, social and behavioural needs are being met.
* The child is receiving appropriate health care and any health conditions are addressed; he/she is up to date with their immunisations;
* The child is receiving appropriate education according to their age and that any difficulties the child encounters in school/college are being addressed.

7.5 The Team Manager will then send the Private Fostering Agency Decision Maker Assessment to the Strategic Manager in the North for Quality Assurance and authorisation.

7.6 If additional needs are identified within the Private Fostering Assessment, a Child in Need meeting will be convened to consider what additional needs the child may have.

7.7 Providing the child is assessed as safe and protected within the arrangement and that private fostering is seen to be the best alternative form of care, visits to the child will be as a minimum at the intervals specified in the regulations (6 weekly in the first year and 12 weekly thereafter). The child will be seen alone unless it is considered inappropriate. During these visits the child’s wishes and feelings will be sought and noted.

**8. Staff Awareness**

8.1 Northamptonshire Children’s Services will ensure that all qualified social workers have a clear and defined understanding of private fostering by ensuring they are aware of the procedures and will ensure the procedures are kept up to date.

8.2 The Northamptonshire Safeguarding Children’s Board (NSCB) provide multi agency awareness for all voluntary and statutory agencies working with children and young people via their website. <http://www.northamptonshirescb.org.uk/>

**9. Arrangements for Information and Support to Privately Fostered Children.**

9.1 Children and their parents and carers will be given a copy of the Child in Need plan, explaining why they are placed in private foster care and to whom they can turn for support and advice. The plan will be translated into the child’s first language where appropriate and be presented in a format appropriate to their age and level of understanding.

9.2 Young people with a disability who are approaching 18 years and moving towards independence and adulthood will be offered services in line with the transition planning for disabled young people in accordance with Section 24 (2) of the Children Act 1989. A child who meets the criteria for the Disabled Children’s Team who is Privately Fostered will be held by the Disabled Children’s Team.

**10 Support and Training Available to Private Foster Carers (including Prospective Private Foster Carers).**

10.1 Support for Private Foster Carers will be provided on a case by case basis and will depend on the needs that arise from assessment and from the Regulation 8 visits.

**11 The Role of Other Agencies in Safeguarding and Promoting the Welfare of Privately Fostered Children.**

11.1 Other agencies have a clear role in assisting the local authority to carry out its duty under section 67 (1) of the Children Act 1989, in particular through notifying the authority of an arrangement where they are not satisfied that the local authority have been, or will be, notified of that arrangement.

11.2 In all cases where a child moves to another local authority or the private foster carer moves with a child known to be privately fostered, Northamptonshire will send written notification of that move to the appropriate authority. Where Northamptonshire is advised that a private foster carer has moved from another local authority into its area, Northamptonshire will undertake checks to ensure the carer is not disqualified or prohibited from caring for children or that there are any outstanding requirements on their records.