



Telford & Wrekin
C O U N C I L

TELFORD & WREKIN COUNCIL CHILDREN & YOUNG PEOPLE

PRIVATE FOSTERING SERVICE STATEMENT OF PURPOSE

June 2019

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Private Fostering Statement of Purpose

Introduction

This Statement of Purpose is designed to meet the needs of the National Minimum Standards for Private Fostering, Standard 1. It applies to all staff involved in referrals, assessments, service planning and service delivery for privately fostered children in Telford and Wrekin, some of whom may be children in need.

It also serves as a guide for education and health professionals, voluntary groups and members of the community who seek to work in partnership with Safeguarding and Strengthening Families to safeguard the welfare of vulnerable children.

1. Local Authority duties

Telford & Wrekin holds statutory powers and responsibilities as a local authority in relation to private fostering arrangements.

The service works to ensure that equal opportunities are incorporated into all aspects of service delivery and all prospective private foster carers are assessed and supported on the basis of the needs of the individual privately fostered child / young person regardless of race, religion, class, marital status, sexual orientation or disability.

Private Fostering Services are overseen by the Family and Friends Team based within the Fostering Service of Children's Safeguarding and Strengthening Families Services, Darby House, Lawn Central, Telford, TF3 4JA.

Private fostering arrangements are assessed by qualified social workers who have an appropriate understanding of the local authority's duties and functions in relation to private fostering.

Accountability for Private Fostering rests with the Service Manager for Fostering and Service Delivery Manager Specialist Services.

2. Role of the Local Safeguarding Children's Board

All agencies have a key role in identifying privately fostered children who are potentially a vulnerable group.

Local authorities are required to satisfy themselves that the welfare of children who are, or who will be, privately fostered will be satisfactorily safeguarded and promoted but they do not approve or register carers.

Local authorities and other relevant agencies are responsible for decisions about their own arrangements for managing the legal and administrative issues assigned to them under the Children Act 1989. Local authorities should

work with other agencies in meeting the needs of privately fostered children, parents / carers and private foster carers.

There is a duty on local authorities to promote public awareness of the notification requirements. This should involve working with partner agencies to enable professionals to encourage carers and parents to notify the local authority. Local authorities can receive notifications of private fostering arrangements from parents, carers or third parties.

Local authorities are to ensure that the private foster carers are suitable and that children's needs are met. Assessments should cover the following:

1. The suitability of carers and other household adults
2. The carer's ability to meet the needs of the child
3. That the child is safe and
4. Whether a child and family assessment is required.

Children who are living in private fostering arrangements may or may not be defined as children in need, and a private fostering arrangement assessment record will be carried out in all cases to consider whether the child's needs are able to be met without this status, or whether additional support and services need to be provided to ensure the child's welfare.

Local authorities do not formally approve or register private foster carers. However the local authority must satisfy itself that the welfare of children who are privately fostered in their area is being satisfactorily safeguarded and promoted and that advice is given to those caring for them.

In situations where someone becomes aware of, a private fostering arrangement and they are not satisfied that the local authority has been or will be notified of the arrangement, a referral to Family Connect must be made in order for the local authority to be able to discharge its duty to satisfy itself that the welfare of the child is satisfactorily safeguarded and promoted. All agencies need to be aware that under Section 70 of The Children Act 1989 failure by a carer or parent to notify the local authority of an arrangement is an offence.

3. Legal context

This document has been written within the context of the following legal requirements:

- Children Act 1989
- Children Act 1989 Regulations and Guidance Volume 8
- The Children Act 2004
- The Children (Private Arrangements for Fostering) Regulations 2005
- Disqualification from Caring for Children (England) Regulations 2002

The general requirements relating to private fostering are set out in Section 67 of, and Schedule 8 to, the Children Act 1989 and regulations made under Part 9 of that Act. Section 67 of, and Schedule 8 to, the Children Act 1989 have been

amended by Section 44 of the Children Act 2004 which came into force on 1 July 2005. In addition, Children (Private Arrangements for Fostering) Regulations 2005 replaced earlier regulations and came into force on the same date.

Revised Children Act 1989 guidance that replaces Chapter One of Volume 8 (Private Fostering and Miscellaneous) was issued in the context of the Government's 'Every Child Matters: Change for Children' programme under Section 7 of the Local Authority Social Services Act 1970.

National Minimum Standards for Private Fostering were issued under Section 7 of the Local Authority Social Services Act and therefore should be complied with unless local circumstances indicate exceptional reasons, which justify a variation. The guidance came into effect on 18 July 2005 along with National Minimum Standards for Private Fostering.

The measures enacted in Section 44 of the Children Act 2004 and the Regulations 2005 are intended to strengthen and enhance the earlier private fostering notification scheme.

4. Definition of a privately fostered child

In the definition provided by the Children Act 1989, a privately fostered child means:

A child, under the age of 16 (under 18 if disabled) who is cared for, or proposed to be cared for and provided with accommodation by someone other than:

- A parent of his/hers;
- A person who is not a parent of his/hers but who has parental responsibility for him/her;
- A close relative of his/hers, i.e. aunt/uncle/step-parent/grand-parent/sibling but not a cousin or great-aunt/uncle;
- And she/he has been cared for and accommodated by that person; for 28 days or more;

Or

- The period of actual fostering is less than 28 days but the private foster carer intends to foster him/her for a period of 28 days or more.

In the case of a child with a disability who has an active Education and Health Care Plan (EHCP), the upper age limit is 18 years.

A child is **not** privately fostered if the person caring for him/her has done so for a period of less than 28 days and does not intend to do so for any longer period.

For the purposes of the Act, parent includes unmarried or putative father. Relative means as above stated, whether by full, half-blood or by affinity or

step-parent. Affinity refers to the relationship resulting from marriage, between husband and the blood relations of the wife and the blood relations of the husband.

An arrangement is deemed as private fostering if it meets the criteria above whether for reward (monetary or otherwise) or not.

5. Private Fostering Situations

The situations that children are privately fostered can be complex. Children may be privately fostered for a variety of reasons. In Telford these may include:

Local children living apart from their families

These children may be living apart from their families and there may be no one available to look after them with parental responsibility. Parents may have died, divorced or for other reasons a parent is no longer available to care for the child. In some instances, parents may be imprisoned or may be misusing drugs and alcohol and may have alternative care arrangements for their children.

Asylum seekers and refugees

Some of these children may arrive in the UK seeking asylum, travelling with other adults who may be known to them, or their family in their country of origin. Other children may have acquired refugee status, maybe living in isolation and unsupported with a lack of knowledge about the available services and where to go for help.

Parents who may be unwell

Single parents who on a planned or unplanned basis need to be in hospital for more than four weeks and who arrange for care of their child or children with friends or neighbors on a temporary basis.

Children who may be staying with friends for a short time because of family difficulties

This involves an agreement of a young person staying with the parents of a friend for a period. Typically this might be in response to an illness or during a period where the relationship between the young person and parents means that they have reached a decision that they cannot live together.

Children attending language schools

These children may come from a range of different countries. A number of children and young people may be living with alternative families for more than 28 days, this will then become a private fostering arrangement and there would need to be safeguards in place for these children.

Some charitable organisations and other individuals may arrange for children to come into the country for different reasons. These may include holidays for

disadvantaged children, medical treatment and sport trainees. During their stay in the UK, they may be placed with a family for more than 28 days and therefore this becomes a private fostering arrangement.

Children at independent boarding schools who do not return home for holidays

A child who is a Child in Care or placed in any residential home, hospital or school (where they are receiving full-time education) is excluded from the definition. In a private fostering arrangement, the parent retains Parental Responsibility.

However, children under 16 who spend more than two weeks in residence during holiday time in a school, become privately fostered children for the purposes of the legislation during that holiday period.

(Note: the local authority may exempt any person from giving written notice either for a specified period or indefinitely. This exemption may be revoked in writing at any time).

Children bought into the UK for adoption

Some children may be bought in to the UK to be adopted. These children will be privately fostered until formal notice of intention to apply for an Adoption Order is given. Some children who are subject to a form of interim overseas order, which will be finalised in their country of origin, are also considered by the Department of Education to be privately fostered.

It is NOT Private Fostering when:

- The person caring for the child is a close relative like an aunt, uncle, brother, sister or a grandparent.
- The arrangement is not expected to last more than 28 days.

6. The Local Authority's duties and functions under the Children Act 1989 and the Children (Private Arrangements for Fostering) Regulations 1991

Local Authorities should be notified about private fostering arrangements in their area and have a duty to satisfy themselves that the welfare of those children who are privately fostered is being satisfactorily safeguarded and promoted and to ensure that such advice is given to those caring for them as appears to the authority to be needed (The Children Act 1989 Section 67 (1)).

Broadly the duties fall into three types of activity:

- *Giving and receiving notifications*
- *Ascertaining the suitability of private foster carers in their households*

- *Monitoring placements through visits and written records of visits*

Raising awareness of private fostering and the notification requirements are undertaken by the private fostering case worker within the Family and Friends Team (Fostering). The case worker visits all teams within Children's Services and at specific events within the community for agency partners, community and faith groups. Information can also be found on Telford and Wrekin's website.

Notifications of private fostering arrangements should be sent to Telford and Wrekin's Family Connect from members of the public or professionals. In cases where children already have an allocated social worker, it is the social worker's responsibility to notify the Family and Friends Team (Fostering).

Private fostering is included in Telford and Wrekin's TriX Policies and Procedures.

Publicity materials have been distributed to key access points, e.g. schools, health centres and council offices. Information leaflets contain information about how to contact the local authority in respect of private fostering. Publicity can be provided in the different languages of the local community upon request. A rolling awareness training programme is in place with partner agencies and key professionals.

Assessment of the suitability of private foster carers and their households

The private fostering social work assessment will include elements of the Framework for the Assessment of Children in Need and their Families (2000), it will also include an assessment of the private foster carers' suitability and that of their household to safeguard the welfare of the privately fostered child/ young person. Safeguarding checks will be undertaken for any person over the age of 16 living in the household.

7. Advice/support and information available to private foster carers, parents/those with parental responsibility and privately fostered children

The services of the Family & Friends Team will be made available to private foster carers including prospective private foster carers. The allocated social worker will undertake a private fostering arrangement assessment record (PFAAR) and a private fostering case manager will visit at least every six weeks and provide ongoing support.

In addition to statutory visits, other visits will be undertaken when requested by privately fostered children/young people, their parents or private foster carers. Interpreters who are independent of parents and private foster carers will be used where it is the request of the child/young person or where the preferred language is not English.

Private foster carers (including prospective foster carers) will be signposted to

the appropriate agency for advice on benefit entitlement (Citizen's Advice Bureau or Department of Work and Pensions). There are opportunities for parents and private foster carers to access community based parenting programmes, through Early Years intervention.

Parents of proposed/current privately fostered children/young people will also be advised, if in the best interests of the child/young person, of other Service provision or other agency help available which would remove the necessity for the child/young person to be privately fostered.

8. Ensuring the welfare of privately fostered children is safeguarded and promoted and signing arrangements

The Family & Friends Team will ensure that privately fostered children/young people's welfare is satisfactorily safeguarded and promoted by staff adhering to the regulations on private fostering and by undertaking a private fostering social work assessment. Approval of arrangements as satisfactory or not will be concluded and agreed by the team manager of the Family & Friends Team and respective Team Managers for child protection and children in need as appropriate.

Private fostering social work assessments will ensure that the child/young person's physical, educational, emotional, social and behavioural development is satisfactory and needs arising from his/her religious persuasion, racial origin and cultural and linguistic background are being met. In addition, the assessment will include the suitability of the accommodation and an evaluation of the parenting capacity of the prospective/current private foster carer. Private foster carers will be given advice on the child/young person's individual needs, which may include advice on any medical condition or learning disability, in order to enhance their ability to care for the child/young person. Support services will be made available to private foster carers as identified by the private fostering social work assessment. Private foster carers, where necessary, will also be encouraged to promote contact between the child/young person and his/her parents, siblings, extended family and significant others.

Where a notification has been received an allocated social worker will undertake the initial visit within seven working days to the privately fostered children / young people. Written reports will be completed following these visits, in accordance with the regulations and will include conclusions drawn on the arrangement, whether the child/young person was seen alone (if not, why not), his/her wishes and feelings about the arrangement, any concerns raised and any relevant advice given.

All private foster carers will have an enhanced DBS check undertaken. All privately fostered children/young people will have a named private fostering case worker who they can contact and they will be given information leaflets in relation to their age and understanding on what private fostering means.

Where safeguarding concerns arise in relation to existing or prospective private foster carers, a referral will be made to Family Connect.

9. The role of other agencies

Partnership agencies will be given information on their responsibilities regarding notification under the 2005 regulations. Publicity materials will continue to be widely disseminated.

Responsibilities: Private Foster Carer(s) and/or Parent(s)

Any person including a parent or other person with parental responsibility who is involved in making arrangements for a child to be privately fostered must notify the local authority of the arrangement. The private foster carer becomes responsible for the day to day care of the child in a way which will promote and safeguard the child's welfare. Overall responsibility for safeguarding and promoting the welfare of the child remains with the parent or person with parental responsibility

10. How relevant staff will have an understanding of the Department's duties and functions in relation to private fostering

Children's Safeguarding and Strengthening Families have access to the Statement of Purpose, Policy and Procedures, material and training on private fostering. Awareness raising activity is completed with teams within the Service on a rolling basis. Other agencies will be able to access training upon request or where identified.

11. Raising awareness of Private Fostering

Telford and Wrekin will respond proactively to its duty to promote public awareness about Private Fostering. This will include:

Telford and Wrekin will continue to focus on staff working with children and young people within the borough. This will occur via presentations at key events, establishments as well as through the production and distribution of printed materials and electronic information.

Telford and Wrekin will continue to target community and faith groups including independent agencies. Professionals and members of the public can access information about private fostering via Telford and Wrekin Council's website. The website address is: www.telford.gov.uk/info/fosteringandprivatefostering

Telford and Wrekin has produced leaflets aimed at private foster carers and also leaflets for children in privately fostered arrangements and leaflets for members of the public.

12. How the Department will ensure that its duties and functions regarding private fostering are monitored, reviewed and developed

The annual private fostering report will be presented to:

- The Director of Children and Family Services
- Telford and Wrekin's Safeguarding Children's Board/exec
- The Safeguarding Management Meeting

Ensure the continuation of the private fostering strategic operational activity is monitored.

Develop an annual action plan to cover strategic and operational services maintenance and developments with clear targets and timescales.

Consult with private foster carers and children placed in private fostering arrangements.

Modify policies, practice and procedures where it is appropriate to do so.

13. Monitoring the discharge of functions and compliance with part 9 of the Children Act 1989

Under Regulation 12, an annual report will be submitted to the Telford and Wrekin Children's Safeguarding Board. The report will provide information on the operation of private fostering services and arrangements within Telford & Wrekin, which will include the way the Department complies with and discharges its statutory duties and functions in relation to private fostering.

The Team Manager of the Family and Friends Team (Fostering) will have responsibility for signing off decisions about the overall suitability of an arrangement.

14. Advice on Private Fostering

This Statement of Purpose and the Policy and Procedure along with advice on private fostering can be obtained from the Council's Internet/Intranet site.

Advice and information about private fostering can be obtained from the manager of the Family and Friends Team (Fostering) Teresa Kean: 01952 385385

If a child would like to speak to an independent person, he/she can contact our Rights & Representations Officer on: 01952 385112