**GUIDANCE FOR COMPLETING CONNECTED PERSONS VIABILITY ASSESSMENT**

**1. Introduction**

A viability assessment considers the likelihood of carers being able to meet the physical and emotional needs of the child/children now and throughout their childhoods, whether they will be provided with stability and boundaries, and whether they will be safe. The assessment covers the carers’ potential suitability to care for the child in whatever capacity, be this as a Connected Persons Foster Carer, a Special Guardian or a family member with a Child Arrangements Order.

Fostering will undertake viabilities and then full assessments when the case is in pre-proceedings, care proceedings or child is LAC in mainstream/elsewhere.

Responsibility needs to be with parents and their advocates about family members put forward – realistic options with full contact details and agreement for police and LA checks and understanding the implications of agreeing to put themselves forward. Judges will be asking for parents’ solicitors to do more work up front on who are put forward. Parents should select ‘top 2’ options in first instance.

If cases are in pre-proceedings or care proceedings the child’s social worker should consult with ATM Fostering Recruitment & Assessment **before** any agreements are made about timescales for any assessments.

There are two stages to the assessment:

**Stage one: Initial screening.** The initial screening is to be used for all assessments and the prospective carer must agree to police and Social Care checks. If there are non-family adults also in the household, they must also agree to checks. All parts of the initial screen must be completed, with results of checks, before any request is made for an assessment visit.

Written reports are not necessarily required for every person put forward and some viabilities can end at the initial screen stage.

If the carer has a realistic chance of being suitable as a carer, an assessment visit should be undertaken jointly between a fostering worker and the child’s social worker. The fostering worker will be the lead worker and be responsible for writing up the assessment. The child’s social worker will be expected to contribute to the assessment visit.

**Stage two: Assessment Visit.** This is a joint visit involving the child’s social worker and an allocated Fostering social worker. There may be occasions when this is not possible and single visits (by either worker) need to be completed in order to meet timescales.

**If the child is placed in an emergency or needs to be placed imminently, please see guidance regarding Regulation 24 placements below.**

The Assistant Team Manager (Recruitment and Assessment) of the Fostering Service will sign off the viability assessment. If the assessment is intended to inform the immediate placing of the child/children under Regulation 24, Head of Service (Care and Placement Services) will need to be consulted and give written authorisation for the carers to be approved. The assessment needs to be shared with the carer, the child’s social worker and Legal (who can then share with appropriate parties).

The expectation is that the viability assessment and authorisation will be completed **within 10 working days from the point of the request being received, where practicably possible**. Time must also be allowed for sharing documentation. Such timescales must be considered before deadlines are agreed and should be realistic.

Where the viability assessment is positive and the recommendation is for further assessment there should be a conversation between Fostering and Safeguarding about which potential carer is chosen to go ahead for full assessment. Full assessments should not be undertaken as ‘back up’ plans unless in exceptional circumstances. Timescales for the full assessment will be agreed between Safeguarding and Fostering at the outset: timescales will vary dependent on whether the case is in proceedings and whether there are prescribed court timescales, however consideration must be given to availability of staff to undertake the work.

To note: if a prospective carer is assessed as not being able to meet fostering standards, this does not necessarily preclude them from being suitable to care for the child under other orders and should not therefore prevent the progression of a fuller assessment. The child care social worker should discuss this with the fostering worker and Fostering ATM.

**2. Stage 1 - Initial Screening**

This stage is to rule out any potential carer that has no **realistic** chance of being assessed positively as a carer for the child/children. Social Care and police checks are to be undertaken by the child’s social worker at this stage.

After an initial inspection of records, if the carer is not considered to have a realistic chance, the viability assessment concludes at this stage. Full written viability reports are not required for all cases. If there is no clear evidence to rule the carer out at this stage, an assessment visit will be required.

*Background information about the case (not exhaustive list):*

* Why is child ‘looked after’ or why could the child become ‘looked after’? What is their legal status? Does child really need to be LAC? Plans for other orders?
* What are the safeguarding concerns? Case background?
* Information about parents and who has PR
* What are the specific needs of the child/ren? What is the plan for the child?
* Has case been to Panel? What was decision from Panel?
* What court orders or directions in place?

The screening stage should set out the reasons for the decision as to whether to proceed or not based on the initial information. In the event that there are no contraindications to a viability assessment being completed then it is sufficient to simply state this. If the conclusion is that the assessment should stop following the initial screening, then there is no need to complete the rest of the form and the initial screening **is** the viability assessment. This section should clearly record what records were consulted and set out any risks and benefits which are relevant. In such cases the Childcare Team Manager and Fostering Manager must comment on reasons for the decision.

**3. Stage 2 – Assessment Visit**

The expectation of this stage is not to provide a full analysis of each of the areas listed below. The level of detail required is that which can be gained from one session/one visit.

The following bullet points are prompts for each section and the question list is not exhaustive.

*Motivation & commitment to provide care*

* What’s the background to the potential carer(s) coming forward to care for the child/ren?
* Relationship to children – how frequent has contact been previously & how good is the relationship with the children?
* The full fostering/SGO assessment is very detailed and will involve lots of personal questions about your background, DBS checks, medical examinations, referee visits, announced and unannounced visits, training and meetings. Are they happy to take part?
* How long is carer prepared to care for? What is their understanding of the commitment that they are talking on? Do they understand that we are assessing for permanency for the child including legal permanency. Are they willing to make such a commitment?
* What is the carer’s level of literacy and numeracy? Are they able to read and write? Are their skills at a level that enables them to write daily record sheets, contribute to LAC meetings, advocate for child?
* Attitude to training and development and assessment process - identify any potential issues

*Prospective carer’s understanding of the caring task and the concerns of the LA:*

• Does the carer understand the concerns of the LA? Does the carer have access to the full facts and reasons why the LA is concerned? If not, has permission been sought from the parents/court to share the reasons with them?

* Assess whether the carer understands in broad terms the needs of the child and that the carer understands the level and type of care the child will need throughout their childhood as a consequence of their experiences
* Is the carer willing to be work with services to support the child?
* Could the carer manage contact and be able to work with birth parents; will they adhere to plans even if they disagree?
* Can they working with Children Services and be part of a team around the child?
* If the child is already placed with the prospective carer(s), ensure that all agencies involved with the child have been asked to comment on the carers’ ability to care for the child, in particular, the Health Visitor if a child is receiving a service from them.

*Parenting experience/experience with children – personal/professional/voluntary:*

* Physical punishment; sanctions; use of praise; age appropriate sanctions; etc
* Ability to work within Department Policy re physical punishment and discipline

*Past/present involvement with agencies*

* discussions or concerns regarding involvement from police, probation or adults/children’s services, in Wiltshire or other Local Authorities
* Please include information relating to the applicant’s childhood as well as the present time (e.g. was prospective carer in the care system? Have the prospective carer’s children been in the care system or cared for by family/friends? Problems with parenting their own children?)

*Physical/mental health issues:*

• Anxiety; depression; counselling - historical and current issues

• Alcohol - historical and current issues; what? How much? How often?

• Use of recreational drugs - historical and current; what? How much, how often?

• Does anyone in house smoke? Who, and how many cigarettes? Where?

Would they consider giving up? Implications for terms of approval.

• Physical problems or disability?

• Weight problems?

• Any past health conditions that require ongoing management/treatment?

• On major medication (e.g. morphine, anti-depressants)? What’s the physical/emotional impact of medication?

• How does any health condition impact on day to day functioning?

• Name and address of GP.

*Relationship(s)/marriage(s):*

* Length of current and previous relationship/marriage, date of marriage.
* Any issues within the relationship e.g. Domestic abuse (past and present)
* Significant previous relationships and children from these relationships – include any significant issues. Make it clear that if full assessment happens these significant ex partners will be contacted.

*Family and support networks:*

* Explore support network and support available to carer from Wiltshire Council.
* Attitude of other family members to fostering, including own children and extended family
* If single, is there a partner? Will they be involved? How much will they be involved?
* What support do they have in place? Where are they originally from – local or relatives far away?
* Are there children living elsewhere? Any issues?
* Relationship with family members, including child’s birth parents – close/difficult relationships? How often do they see each other? Do birth parents agree with carer being assessed?
* Has prospective carer considered impact of fostering on own children?
* What are the children saying?
* Attitude to DBS checks on those over 18 years in household or who have significant contact?
* Fostering courses and support, allowances and kinship care group.
* Access to community resources – Is there anything nearby? Able to access? Want to access?

*Accommodation/Health & Safety:*

* How long has prospective carer lived at address?
* Owner occupier/rented/other? Secure tenancy? At risk of repossession? If privately rented does landlord agree to prospective carer fostering? Comment on stability of the accommodation.
* Comment on suitability of home (including garden) for fostering – size, safety, hygiene, general condition
* What are proposed sleeping arrangements for the foster child? Assessing social workers to observe all rooms in the house, particularly the bedroom.
* Number of bedrooms/areas for play or study - would child have his/her own room? If sharing a bedroom, give details and comment on suitability of the proposed arrangement.
* What equipment (e.g. stair gates) would department need to provide?
* Is garden secure? Are there ponds, trampolines or other hazards?
* Are there firearms at the property? Ensure the shotgun/firearms licence is seen. Give details.
* Pets – details and issues arising (e.g. breed, risks, H&S issues)
* Any other Health and safety issues arising from inspection of property.

*Employment/working arrangements:*

* Full time/part time? What are their jobs? Any flexibility? Has proposed carer discussed their plan with their manager/boss? If yes, is manager supportive?How this will fit in with caring role?
* Transport to and from school
* School holidays – managing childcare
* Attending meetings
* Contact – able to manage frequency, transport?
* Attending training – commitment to attend

*Financial issues:*

* Financially stable or not? Any CCJs or bankruptcy? If yes, when? Have you checked the Insolvency register for current bankrupts? Will carer have to give up job to care and will this put huge financial strain on them? Can carer realistically support child?
* Explain allowances/fees, if not already done.

*Lifestyle issues which could impact on care (including positive impact):*

* Religion; leisure/hobby interests; diet; routines; grandchildren; voluntary work or other commitments

*Analysis of strengths and concerns*

* Balancing exercise of the strengths and concerns.
* Taking account of all the information gathered in the interview and the information already held about the child/ren and prospective carer/s, consider suitability/eligibility with regard to the needs of the child/ren

***Recommendation***

Set out whether or not a full assessment is appropriate and which type of assessment is deemed most appropriate. If assessment has been undertaken with view to gaining Regulation 24 approval then the recommendation must be clear about whether such approval is deemed appropriate.

In the event that a full assessment is not considered appropriate, clear reasons need to be set out as to why. Where the carers will not meet fostering standards, consider whether they may be suitable as either special guardians/family carers in another capacity.

The reasons should address why support could not meet the issues identified. When considering this recommendation you should have in mind the considerations from the Family and Friends Care: Statutory Guidance for Local Authorities, and Children Act 1989 Guidance and Regulations: Volume 2

The completed viability assessment will be quality assured and commented on by the Assistant Team Manager (Recruitment and Assessment). Where the viability assessment is used for the purposes of Regulation 24 approval, authorisation/refusal must then be given by Head of Service (Care, Placements and EDS).

The assessment should be shared with the potential carers. This will provide them with an opportunity to correct factual inaccuracies and to give a view on the outcome. The carers may wish to seek legal advice if they do not agree with the assessment. If this is advised it should be recorded. Their views and representations should then be considered and whether this impacts on the outcome of the assessment. Note: timescales for completion of viabilities can be short and gaining the views of the carers should be considered when implementing timescales for the viability.

Where the assessment is negative, the fostering social worker will send out a letter to the family informing of the outcome and detailing how they are able to challenge this decision. In the event of a challenge, the Head of Service (Care, Placements and EDS) will review the assessment where necessary.

**4. Information regarding Regulation 24 assessment**

In terms of immediate placement, social workers must have the consent of the child’s Head of Service/Gateway Panel for the child to become looked after.

The assessment is needed in order to meet the requirements of placing a looked after child with Connected Persons foster carers under Regulation 24 (temporary approval of connected person) of the Care Planning, Placement and Care Review Regulations 2010. **Regulation 24 should be used exceptionally. There must be clearly identified reasons why the full assessment process as required by the regulations** cannot **be undertaken before a placement is made.**

If a child is placed before the full approval of the carer as a local authority foster carer, there is a possibility that the connected person may not be approved at the end of the assessment process. The risk of a child being moved from a placement in which s/he has become settled must be minimised by careful consideration of the appropriateness of a placement before full approval. If a looked after child is living with somebody who is not an approved foster carer, this is an unregulated placement. In some circumstances it may be preferable to use a short term placement with an alternative foster carer which includes appropriate contact between the child and the prospective carer pending the completion of the full foster carer approval process.

The Regulation 24 assessment must be authorised/not authorised by the Head of Service (Care, Placements & EDS) before the child is placed. A full fostering assessment will start once written authorisation is granted and will be completed as soon as is practicable, where the intention is for the child to remain with the carer, and within the timeframe set out in the regulations (16 weeks).

**In exceptional circumstances**, an assessment period can be extended by up to eight weeks under Regulation 25. The fostering worker will seek agreement to an extension request from the Assistant Team Manager (Fostering Recruitment and Assessment) which must then be put before the Foster Panel and ADM within the 16 week timeframe.

A Regulation 24 placement should not be confused with a private arrangement between a person with parental responsibility and a member of the child’s network of family and friends, even when that arrangement is supported by the Local Authority. A Regulation 24 placement should also not be confused with private fostering, where a person with parental responsibility, or a young person, makes an arrangement with someone who is not known to the child or related by blood.

No child or young person should have to become a ‘looked after’ child, whether by agreement with those who hold parental responsibility for the child or by Court Order, for the sole purpose of obtaining financial, practical or other support to be provided to the child’s carer.

**5. Further assessment following the completion of the viability assessment**

Further assessment, whether this is a fostering assessment or a Special Guardianship assessment, should be completed by the fostering worker with support from the child’s social worker. The assessment will be completed on the Fostering Network form. Medical assessment and references will be required of the carer(s). DBS checks will be required of all members of the household aged 18 or over. Note that fostering assessments require Panel recommendation and ADM approval and there are timescales associated with fostering assessments that are not applicable for SGO assessments.

The child’s social worker will be expected to complete the sections relating to the child and the birth parents.

Timescales for this assessment should be agreed at the outset. These timescales may have been set within the court timetable if the child/children concerned are subject to care proceedings however consultation should occur with Fostering (R&A ATM preferably) before agreements about timescales are reached in court.

The connected persons assessment will be quality assured and approved by the Assistant Team Manager (Recruitment and Assessment) of the Fostering Service. If the report is for the purposes of a SGO then the HoS (Care, Placements and EDS) must sign and comment on the report following QA by the Assistant Team Manager, before it is sent to Legal and filed with the court. Note that this does impact on timescales.

Where adoption with connected persons is considered to be a realistic option, a meeting between the Safeguarding Assistant Team Manager/Team Manager, Assistant Team Manager (Recruitment and Assessment) of the Fostering Service and Adoption Team Manager will be held to determine the plan of assessment. This could be incorporated into a Permanency Planning Meeting.

Please see flow chart which sets out the process following further assessment.