

Private Fostering Practice Guidance

1. **Definition**

All agencies have a responsibility to identify private fostering arrangements and to notify the local authority at the earliest opportunity.

The Children Act 1989 Section 66 defines a 'privately fostered child' as:

A child who is under 16 years, or 18 if disabled, who is cared for and provided with accommodation by someone other than:

• His or her parent.

• Another person who is not his or her parent but who has parental responsibility for him or her.

• A child's relative - defined by the Children Act 1989 Section 105(1) as a grandparent, brother, sister, uncle or aunt (whether of full or half blood or by affinity (marriage) or civil partnership), or, step-parent.

And the child has been or is intended to be cared for and accommodated by that person for 28 days or more.

A child is not privately fostered if they are cared for in any of the following:

• Children's residential home/unit.

• School in which the child is receiving full-time education; residential or boarding school.

• NHS hospital where the child is a patient for 28 days or more.

• Residential care home, nursing home or psychiatric nursing home or in a home/institution provided, equipped or maintained by the secretary of state.

Nor is a child privately fostered if:

• The child is looked after by the local authority.

• Placed in the care of a person who proposes to adopt the child under arrangements made by an adoption agency in line with adoption legislation.

If a period of care lasts for 27 days or less but if it is intended that further periods are planned which total 28 days or more then private fostering procedures apply.

A break for a short period e.g. a weekend would not affect the total calculation of the number of days of placement. Such a break does not constitute the end of a private fostering arrangement.

Children under the age of 8 years cared for continuously for a period up to 27 days, which includes overnight stays, are subject of child-minding regulations. If this timescale is exceeded, then this becomes a private fostering arrangement. The calculation of whether this period exceeds 27 days includes weekend and short stays that together total 28 days or more over a 12-month period.

A person who from the outset intends to privately foster a child for 28 days or more becomes a private foster carer on the day on which the child is first cared for.

A private foster carer becomes responsible for day-to-day care which promotes the safety and welfare of the fostered child. Overarching responsibility for the safety and wellbeing of a privately fostered child remains with the parent or person with parental responsibility. Parental responsibility is not transferable.

Children's Services are required to satisfy themselves that where private foster care arrangements are made, they are safe and satisfactory in every respect, and meet the needs of the child. The child does not become a 'Looked After' Child.

**2. Private Fostering - Specific Circumstances**

**2.1 Independent Schools/Sports Academies**

Where a child under 16 years is a pupil at an independent school or sports academy and lives at the school during school holidays for a period of more than 2 weeks, s/he should be regarded as a privately fostered child.

The person who proposes to care for one or more children at the school will be treated as a private foster carer. They must give written notice to Children's Social Care for the relevant area giving the estimated number of children concerned and not less than 2 weeks before the arrangement commences.

Children's Social Care for the relevant area may exempt any person from giving notice - for a specific period or indefinitely. Exemption may be revoked at any time by notice in writing.

Where a child ceases to be privately fostered the school shall give written notice to Children's Social Care for the relevant area.

Where a privately fostered child dies the school must notify the parent, person with Parental Responsibility and Children's Social Care for the relevant area immediately.

On other occasions a parent may make arrangements for children from abroad who are being educated in this country, to be cared for by friends or family or 'host' families during weekends and school holidays. These arrangements may constitute private fostering if they are to be for more than 27 days during a year and are not with relatives as defined by the Children Act 1989.

Guardianship organisations who arrange placements with host families have a duty to notify Children's Social Care in the area in which the host family lives if the placement is intended to last for more than 28 days. Children's Social Care's key relationship is with the private foster carer in these circumstances and not the organisation.

**2.2 Summer Schools**

When an organisation arranges a summer school where children are to stay either at the school or with host families for 28 days or more this constitutes a private fostering arrangement and Children's Social Care for the relevant area should be notified.

**2.3 Language Schools**

Children attending language schools that are cared for by 'host families' for a period of 28 days or more, should be regarded as privately fostered and Children's Social Care for the relevant area should be notified.

**2.4 Cultural Exchange Visits**

Children often come to this country on cultural exchanges arranged by their schools. In these circumstances children often stay with 'host' families and these arrangements may come under the remit of private fostering. The schools arranging these visits should formally notify Children's Social Care in whose area the host family resides prior to the arrangement starting.

**2.5 Children accessing medical treatment**

Children sometimes come to this country to access medical treatment and are sometimes unaccompanied. Parents or other organisations may have made arrangements for the child's care which constitutes private fostering. The parent and organisation have a duty to inform Children's Social Care for the relevant area, but it is expected that health professionals will make the necessary notification in these circumstances.

**3. Children with Disabilities**

Private fostering arrangements for children with a disability (up to the age of 18) should be assessed using the same processes as set out below. A disabled child who has been privately fostered after the age of 16 years qualifies (even if he is no longer privately fostered) for advice and guidance until the age of 21 years in the area in which he is resident. Children's Social Care may advise, assist and befriend the young person if they request such support. Assistance may be in kind or in exceptional circumstances include financial support.

**4. Orphaned Children**

There may be occasions when children become Privately Fostered because a parent has died, and the other partner has no legal responsibility for the child or is not a relative as defined by Section 105 (1) Children Act 1989. In these circumstances if the intention of the surviving partner is to continue to provide care for the child, they should be advised to seek legal advice in relation to applying for either a Child Arrangement Order or a Special Guardianship Order.

Children's Social Care should make every effort to identify and contact a surviving parent, close relative or someone with Parental Responsibility and, if appropriate, assess this as a Private Fostering Arrangement until the conclusion of legal proceedings.

If the surviving partner does not wish to provide care and there are no relatives who can assume the parenting role, then it is likely that Care Proceedings will need to be issued and legal advice should be sought.

**6. Unaccompanied Children**

Where an unaccompanied child is identified as living in, or about to enter, a private fostering arrangement a notification should be made to Children's Social Care for the relevant area. Children's Social Care should make every effort to identify and contact the parent, close relative or someone with Parental Responsibility. Where a suitable person cannot be identified it is likely that care proceedings will need to be initiated and legal advice should be sought.

**7. Notifications of Private Fostering Arrangements**

**7.1 Making a Notification**

Private Arrangements for Fostering Regulations (2005) Regulation 3 require that:

• Any person who proposes to privately foster a child must notify Children's Social Care for the relevant area of the proposal at least 6 weeks before the date on which the private fostering arrangement is to begin or immediately if the arrangement is to start inside 6 weeks or has already started.

• Any person, parent or person with Parental Responsibility who is involved in arranging for a child to be Privately Fostered must notify Children's Social Care for the relevant area at least six weeks before the arrangement is due to start or as soon as possible after the arrangement is made if this arrangement is to start within six weeks or has already started.

• A parent or person with Parental Responsibility for a child who is not involved in arranging for the child to be privately fostered but who knows that it is proposed must notify Children's Social Care for the relevant area as soon as possible after they become aware of the arrangement.

Notifications of proposed, perceived or existing private fostering arrangements may come from a parent, prospective or existing private foster or from a professional. If made by a professional, the notification must include as much information as possible. The professional making the notification should inform the known parties that they have made the notification because they have a legal obligation to do so. Therefore, they do not need consent before making the notification.

**6.2 Immediate response to notification**

On receipt of a notification that a child is to be or is being privately fostered Children's Social Care for the relevant area is responsible for ensuring that receipt is acknowledged, and an assessment is conducted.

As part of this, as well as the usual checks, they will

• Undertake an initial visit to the premises where it is intended the child will be privately fostered or where the child is already being fostered within 7 working days.

• Speak with the private foster carer and all members of the household making sure to confirm and record details of all members of the household, including children already living at the home.

• Speak with the child whom it is proposed will be privately fostered, alone unless the officer considers it inappropriate (an interpreter should always be used where the child's preferred language is not English).

• Speak to and, where possible and practical, visit the parents or person with parental responsibility for the child.

• Discuss the need to contact other practitioners or organisations for information to inform the assessment.

• Contact the local authority where the child lived previously (including where the child has moved from overseas) and seek historical information from services in that area.

Where private fostering arrangements have been made and are in place without the prior notification to Children's Social Care for the relevant area, consideration should be given as to whether the parent or person with Parental Responsibility should resume care whilst further assessment is undertaken.

Clearly this decision will be influenced by a number of factors including how long the child has been living with the private foster carer, the relationship and attachment between the private foster carer and the child, and the child's wishes and feelings.

Whatever decision is taken it should be clearly recorded on the child and private foster carers records along with the reasons for reaching the decision.

This decision should be endorsed by the lead team manager and where necessary the lead service manager for private fostering.

If the initial information indicates that the current private fostering arrangement is not safe or the child may be suffering, or at risk of suffering, significant harm then child protection processes should be initiated and the immediate safety of the child addressed.

Where the initial information gathering and visits identify the proposed arrangement may be unsuitable, consideration should be given as to whether any requirements, prohibitions or disqualification should be urgently implemented without any further assessment being completed. For further information on using these processes, please refer to Section 9. Requirements, Prohibitions and Disqualifications.

**6.3 Initial Visit to Private Foster Carers**

During the initial visit, the social worker should:

1. Explain the assessment process to the private foster carers and provide written information to them.

2. Obtain the written consent of the private foster carer and all members of the household over 16 to checks being made with the Disclosure and

Barring Service and ask the private foster carer for the names of 2 personal referees.

3. Establish the private foster carer's child-care experience, access to support and views and intentions regarding behaviour management of the child.

4. Establish the plans for contact between the child and their parents.

5. Establish the private foster carer's understanding of the child's culture and, give advice in relation to resources and facilities which could assist in meeting the child's racial, cultural, religious and linguistic needs, including the use of an interpreter if necessary.

6. Advise the private foster carer of the need for notification to Children's Services in the event of a change in circumstances and preparation of the child before any further move, and for continuity of information being passed to the next carer.

7. Advise the private foster carer in relation to recording the child's development, particularly incorporating the following matters:

• Maintaining the child's medical history

• Keeping a file of school reports

• Noting dates of contact with the parents and significant others

• Maintaining a financial record

• Noting dates of contact with Children's Services

• Keeping a photograph album

In the event of a refusal of any person to cooperate with the making of the necessary checks, the social worker should advise the private foster carers that they cannot be recommended as suitable and advise the parents of the reason why alternative arrangements will have to be made for the child.

Any action required by the local authority to secure the child's safety should be considered and legal advice sought as necessary.

If the initial visit takes place after the child's placement, the social worker should also:

1. Ensure that the parents have fully informed the private foster carer of the child's medical history and any current need for ongoing professional monitoring and medication and has handed the child's personal child health records to the private foster carer.

2. Encourage the private foster carers to draw up a written agreement with the child's parents as to their respective expectations and responsibilities in relation to the private fostering arrangement including the contact arrangements, finances and expected duration.

3. Ensure that the child is registered with a GP, dentist and, if necessary, optician local to the private foster home.

4. Ensure that a school place has been arranged for the child if of school age.

5. Ensure the parent provides the private foster carer with a written general consent to cover any necessary medical treatment and that a copy of this consent is given to the GP, dentist, optician and retained on the child's file.

6. Advise the private foster carer to arrange a medical examination of the child with the GP as soon as practicable after the start of the placement.

After the visit, the social worker should complete a written report of the meeting and pass a copy to the lead team manager for private fostering for information.

**7. Assessment and Approval of Private Fostering Arrangements**

**7.1 Purpose and Outcome**

It is important that the Children's Social Care assessment of a private fostering arrangement determines:

• The needs of the privately fostered child in order to determine whether they should remain with the private foster carers or should be returned to the care of their parent or person with parental responsibility or alternative arrangements made.

• Whether the child is normally resident within its area and where this is not the case establishes and makes contact with the home area.

• The potential for supporting or rehabilitating the child within their own family.

• A proposed plan to ensure the needs of the child are met - where the analysis indicates that the child is a Child in Need, the plan should clearly identify this and the steps to be taken to address the child's needs.

The assessment should ensure that formal DBS checks on all members of the household, 16 or over, are completed and two personal references sought and visited for the private foster carers.

The assessment of private fostering arrangements should recommend the suitability of the arrangement and clearly identify:

• The evidence for the recommendation

• If there are any needs the arrangement cannot meet and what support could be put in place, including by the local authority or other services, to meet these needs

• Where an exemption to the fostering limit is required

• The need for any requirements, prohibitions or disqualifications.

The completed assessment should be shared with all parties and a copy provided to the parent/person with parental responsibility, the private foster carer and where appropriate the child.

Where the private fostering arrangement continues, a written agreement should be drawn up between the private foster carers and the parent or person with parental responsibility regarding the day-to-day care of the child, financial maintenance, pattern of contact and expected duration of the placement.

**7.2 Approving Private Fostering Arrangements**

On completion of the assessment, it will be the responsibility of the lead team manager for private fostering to reach a decision about the suitability of the arrangement.

Written notice of the decision must then be sent to the private foster carer and the parents, including any requirements, exemptions or prohibitions imposed. Please refer to Section 9. Requirements, Prohibitions and Disqualifications and Section 10. Limit on Number of Children.

If, at any stage of the assessment of the private foster carers, information is obtained which suggests that a child already placed with the private foster carer may be a child in need, the manager may authorise services under a child in need plan and/or an assessment will be carried out alongside the assessment of the private foster carer.

In the event of a refusal of any person to cooperate with the making of the necessary checks, the social worker should advise the private foster carers that they cannot be recommended as suitable and advise the parents of the reason why alternative arrangements will have to be made for the child. Any action required by the local authority to secure the child's safety should be considered and legal advice sought as necessary.

If any information comes to light during the course of the private foster carer assessment, for example as a result of the Disclosure and Barring Service checks, which may preclude the person from fostering a child, the social worker should prepare a report to the lead service manager for private fostering. Immediate consideration should also be given to the arrangements for the child and if necessary child protection procedures should be followed.

Please refer to Section 9. Requirements, Prohibitions and Disqualifications.

In the event that the parents decline to make alternative arrangements or where the parents cannot be found, the social worker should consider whether any action may be required by the local authority to secure the child's safety under the child protection procedures (see, Local Safeguarding Children Partnership Inter Agency Procedures) and legal advice should be sought as necessary.

**8. Financial and Other Support for Private Foster Carers**

Financial and other support by the local authority to sustain an otherwise satisfactory placement may be considered and where appropriate, the social worker should seek the approval of the service manager lead for private fostering for such assistance to be given under Section 17, Children Act 1989.

Once the approval in principle has been given, the social worker should arrange for the private foster carers to complete a financial assessment.

Once the completed financial assessment form has been received, it should be sent to the relevant manager for the calculation to be completed and the level determined in accordance with the scales agreed from time to time.

The relevant manager will confirm the amount of the financial support in writing to the carers once the financial assessment is complete.

The payments should be part of a Child in Need Plan. See Child in Need Plans and Reviews Procedure.

**9. Requirements, Prohibitions and Disqualifications**

**9.1 Requirements**

The Local Authority has the power to impose requirements on private foster carers as to the:

• Number, age and sex of the children who may be privately fostered. Part 6 of Schedule 8 Children Act 1989 prescribes the usual fostering limit to not more than three children. This applies to private fostering arrangements; this limit does not apply if all the children are siblings.

• Standard of accommodation and equipment to be provided for them.

• Arrangements to be made with respect to health and safety.

• Particular arrangements which must be made for a particular child.

A requirement may include a time-scale within which the foster carer must take the necessary action.

Legal advice should be sought by the lead service manager for private fostering when seeking to impose a requirement on a private foster carer.

The Local Authority must inform private foster carers and the parents of the imposition of a requirement in writing with reasons, informing them of their right to appeal against the requirement to the Magistrates' Court and the time limit for doing so. It is advisable to inform the private foster carer of the intention to implement a requirement advance to allow time for informal negotiation and compromise.

Requirements do not have effect while an appeal is pending. If a private foster carer does not comply with a requirement the local authority should consider whether it is appropriate to impose a prohibition.

A requirement may be varied, removed or added at any time.

Where requirements which have been imposed are not complied with, the social worker must consider whether support should be provided to ensure compliance and/or consider whether to report further to the lead service manager for private fostering recommending that the private foster carer be prohibited from caring for the child, in which case the procedure for prohibitions as set out above must be followed.

**9.2 Prohibition**

The local authority has the power to prohibit individuals from privately fostering children if they are of the opinion that:

• The person is not suitable to privately foster a child.

• Their premises are not suitable for private fostering.

• It would be prejudicial to the welfare of the child for them to be accommodated by that person in those premises.

Local Authorities are encouraged to use the power of prohibition where it is necessary to enforce requirements. Legal advice should always be sought when considering imposing a prohibition.

A prohibition must be sent in writing to the person on whom it is being imposed, specifying reasons and providing information about the right to appeal and the time limit for the appeal.

The child's parents should be fully informed and advised to remove the child from the private fostering arrangement. In some circumstances the authority may need to consider taking action to safeguard the child's welfare e.g. if the parents are not in the country or are in custody.

Persons on whom a prohibition has been imposed are disqualified from private fostering, from carrying on or being employed in a children’s home, voluntary home, day care or child minding. Where it is known a prohibited person is working in one of these settings all reasonable steps should be taken to notify the setting. This may include seeking advice from the Local Authority Designated Officer.

Local authorities may cancel a prohibition if they are satisfied that the prohibition is no longer justified.

**9.3 Disqualification**

A person is disqualified from private fostering under Section 68 of the Children Act 1989 if they have been:

• Convicted at any time of 'specified' offences which include abduction of children, offences relating to child minding and day care, relating to previous private fostering, relating to voluntary homes and children's homes, offences relating to importing of indecent images of children and an offence by virtue of Sex Offenders Act 1997.

• Convicted of an offence against a child.

• Subject of an order with respect to a child so as to remove the child from his/her care or prevent the child from living with them i.e. Care Orders or equivalent, Supervision order with a residence requirement etc;

• Refused registration in relation to a voluntary home or a children's home or was concerned with the management of or had a financial interest in a voluntary or children's home the registration of which was cancelled.

• Subject of a prohibition.

• Refused registration in respect of the provision of nurseries or day care or for child minding or had any such registration cancelled.

A disqualified person can only foster a child privately with the written consent of the Local Authority. This consent would be obtained from the lead service manager for private fostering and will only be given where they are satisfied that the welfare of a child will not be prejudiced by the private foster carer or by a member of their household.

**10. Limit on the Number of Children**

The maximum number of children privately fostered in any one household must not exceed 3 unless there are exceptional circumstances. This limit does not apply to sibling groups.

Any application for exemption from this limit must be made to the lead service manager for private fostering. The application must contain the following information:

1. The number, names and ages of the children

2. The proposed arrangements for the care and accommodation of the children.

3. The intended and likely relationship between the children and the private foster carers.

4. The proposed length of the placement.

5. Whether the welfare of the children in the placement will be safeguarded and promoted.

Exemptions will only be granted in relation to named children and will cease when the named children leave the placement.

Where an exemption is granted this will be confirmed in writing to the private foster carers.

**11. Supervision, Monitoring and Review of Private Fostering Arrangements**

**11.1 Frequency of visits**

The frequency of social work visits to a privately fostered child and the private foster carer at the foster home should be determined by the circumstances of the case and should take place whenever reasonably requested by the child, private foster carer or parent/person with parental responsibility. However visits should be carried out as a minimum:

• Within one week of placement (or of notification of placement)

• Not less than every 6 weeks during the first year of placement

• Not less than every 12 weeks after the first year of placement

Visits should be a combination of announced and unannounced visits.

The child must be seen alone by the social worker on each visit unless this is not appropriate having regard to the young age of the child or if the child does not wish to see the social worker alone. The child's bedroom should be seen on some visits.

It is an offence for a private foster carer to refuse to allow a child to be visited by a social worker.

**11.2 Purpose of Visits**

The overall purpose of all visits is to encourage the maintenance and improvement of childcare standards and check that the child's needs are met within the foster placement and in particular:

1. To observe the overall standard of care including visiting the child's bedroom.

2. To ensure that the child is developing satisfactorily and that their needs arising from religious persuasion, racial origin and cultural and linguistic background are being met.

3. To speak to and ascertain the wishes of the child

4. To review the purpose and likely duration of the placement and ensure that arrangements with the parents are working. The parent and the private foster carer should be encouraged to plan the ending of the placement and prepare the child for the change.

5. To check that any requirements imposed are being met and check whether they need to be changed or cancelled.

6. To ensure that the arrangements for the child's education are satisfactory.

7. To advise or arrange advice for the private foster carer as necessary, for example in relation to the maintaining of the child's links with their cultural heritage or in relation to appropriate travel arrangements for the child visiting family abroad.

8. To check that the financial arrangements for the care of the child are working.

9. To ensure that the child remains registered with a GP and dentist and that any necessary health care has been provided to take account of any special health needs.

10. To ensure that the child has access to services as required as a result of any disabilities.

11. To enquire as to the contact arrangements for the child with the parents and siblings.

12. To encourage the private foster carer to keep a record of the child's development, including accidents, illnesses, immunisations, school reports, achievements and any contact with parents or significant others.

**11.3. Reports on Visits**

A report on every visit must be made by the social worker. The report must state whether the child was seen and if so, whether the child was seen alone. If the child was not seen, the reasons must be recorded. The record must comment on the child's welfare and how the placement is progressing including any views expressed by the private foster carer and the child. It must also contain a recommendation about the continued suitability of the fostering arrangement and whether any action should be taken and/or requirements on the private foster carer.

The report on each visit must be reviewed by the lead team manager for private fostering.

**11.4. Unsatisfactory Care**

Where there are concerns about the child's care, the parents should be advised and consideration should be given, in consultation with the lead service manager for private fostering, as to whether any requirements need to be made in respect to the arrangement or steps taken to disqualify or prohibit the carer.

Where safeguarding concerns arise, the social worker should consider whether any action may be required by the local authority to secure the child's safety under the child protection procedures (see, Local Safeguarding Children Partnership Inter Agency Procedures) and legal advice should be sought as necessary.

**11.4 Review of Private Foster Carers**

The suitability of the private foster carer should be reviewed annually by the social worker and reported to the lead team manager for private fostering.

**12. Local Authority Foster Carers who Privately Foster**

Where local authority foster carers notify their intention to privately foster a child, the above procedure should be followed. In these circumstances, a supervising social worker will normally carry out the assessment.

The foster carers should be advised of the differences between their two roles.

Consideration will need to be given to the implications for any Looked After Child already placed with the foster carer and contact should be made by the supervising social worker involved with the social workers for such children.

Consideration should also be given to the future placement of any looked after children particularly having regard to the usual fostering limit of three children.

**13. Cross Boundary Issues**

Should the child normally be resident in another area, but the private fostering arrangement is made in a different area, it is the responsibility of Children's Social Care where the private foster carers reside to assess and approve the arrangement. However, it will be important for the "home" Children's Social Care to be notified of the arrangement and their views sought as to the suitability.

The lead team manager for private fostering must discuss the case with the relevant team manager in the home authority in order that clear roles and responsibilities can be defined. Any agreements made between the two managers must be recorded on the child’s file.

Where a child has on-going social work involvement with the home authority, the Children's Social Care for the area where the private foster carers live should discuss this with their equivalent in the home area as to how best to proceed with the assessment.

**14. Notification of Changes in Circumstances**

Private foster carers must notify the local authority of certain changes of circumstance. Preferably this should be done in advance or within 2 working days of the change happening. These notifications should be made in writing and can either be via email or letter.

The following notifications are required:

• Any change of the private foster carer’s address

• Any person who begins or ceases being a member of the household.

• Any new conviction, disqualification or prohibition of any person living in the household or employed in the household.

• If the private fostering arrangement ends, stating the name and address of the person into whose care the child has moved.

• Death of the privately fostered child. In this case the carer must also notify the parent or person with parental responsibility.

In the event that the private foster carer has moved with the privately fostered child to another area, or a Local Authority area in Scotland, Wales or Northern Ireland, the social worker must notify the receiving authority in writing and the following information provided:

• The name and new address of the private foster carer.

• The name of the child who is being privately fostered.

• The name and address of the child's parents or person with parental responsibility.

• Any particular health or education needs of the child; it may be relevant to share information in relation to the core assessment and any review.

The social worker should ensure that all relevant agencies, including the home authority (where relevant) and individuals are made aware of any changes in circumstances for the child.

Where a privately fostered child is identified as being missing with their private foster carer the usual process for alerting agencies locally and nationally of a missing child should be initiated.

**15. Ending Private Fostering Arrangements**

The parents or person with parental responsibility of privately fostered children are required to notify the Local Authority if they intend to end the private fostering arrangement. The notification to end the arrangement should include the name and address of the persons into whose care the child has moved and their relationship to the child. These notifications should be made in writing and can either be via email or letter.

Unless a young person has a disability, private fostering ends at 16. Children's Services will review the young person's circumstances and future plans as they approach 16.

Where a young person remains with the private foster carers after the age of 16, but requires continuing support, they should be assisted as a Child in Need.

Where the young person moves to independent living, support can be provided to them up as they will fall within the definition of qualifying young people. (Note that the DfE Volume 3: Planning Transition to Adulthood for Care Leavers acknowledges that some 'Qualifying children' will be as vulnerable and have similar support needs as those who are Eligible, Relevant or Former Relevant).

Support may include advice, befriending and discretionary financial assistance where the young person has no other means. It will be provided at the request of the young person on the basis of assessment of need and can continue up to the age of 25 or if the young person is in higher education, up to the end of the course. Note that in these circumstances, it is possible also for the local authority to also provide vacation holiday accommodation.

Any request for support by the young person should be made to the local authority in which they are resident or where the education and training is being provided.

See Leaving Care and Transition Procedure.

**16. Death of a Privately Fostered Child**

If a child dies, the private foster carer must immediately notify the parent and Children's Social Care of the death. If this is a sudden death the police will be involved and Sudden Unexpected Death of Child (SUDC) procedures will be initiated.

The social worker should inform their manager of the child's death. Contact should be made with the carer and parents to offer support and advice.

**17. Offences Associated with Private Fostering**

Offences and penalties in relation to private fostering are covered by S70 Children Act 1989. It is an offence to;

• Fail to give the notice required under the Children (Private Arrangements for Fostering) Regulations 2005 without reasonable excuse, within the time specified; or to provide any information required without reasonable excuse, within reasonable time.

• Make, or cause to be made any statement in the notification which is known to be false or misleading in a material particular.

• Fail without reasonable excuse to comply with any requirement imposed by the local authority.

• Care for a child whilst disqualified or prohibited from private fostering without the consent of the local authority, whilst living in the same household as someone who is disqualified or prohibited from private fostering or at which a person who is employed is disqualified or prohibited from private fostering.

• Refuse to allow a privately fostered child to be visited by an authorised officer of the local authority; or to obstruct such an officer in inspecting premises in which a child is privately fostered or in which it is proposed to privately foster a child and from seeing the child there.

• Publish as advertisement offering to undertake or arrange for a child to be privately fostered unless it states the person's name and address.

A person found guilty of these offences is liable to a fine except in the situation where a person is found guilty of privately fostering whilst disqualified or prohibited. In this case they would be liable to a term of imprisonment of not more than 51 weeks or a fine or both.

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