**Fostering Insurance Arrangements Policy**

Policy and Project Development Officer

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# Introduction and Purpose

This policy aims to set out Foster Carers insurance requirements and detail Somerset’s policy for Foster Carers:

* Requesting financial assistance with additional excess costs when a claim is successfully made against the Foster Carers own insurance policy, for the repair or replacement of items, damaged or stolen by a looked after child.
* Or, for the cost or repair or replacement of items, damaged or stolen by a looked after child, when a Foster Carer has made a claim against their own insurance policy; but that claim has been unsuccessful.

#  Context

The context of this policy is set out in the following regulations and standards:

Fostering Services Regulations 2011 (FSR), in schedule 5 'Matters and obligations in Foster Care Agreements' (1)(e) states:

1. *Matters to be recorded*

*(e) The arrangements for meeting any legal liabilities of the foster parent arising by reason of a placement.*

The fostering National Minimum Standards

*28.1) Each foster carer receives at least the national minimum allowance for the child, plus any necessary agreed expenses for the care, education and reasonable leisure interests of the child, including insurance, holidays, birthdays, school trips, religious festivals etc, which cover the full cost of caring for each child placed with her/him.*

*21.10) On approval, foster carers are given information, either a handbook or electronic resources, which cover policies, procedures (including with regard to allegations), guidance, financial information, legal information and insurance details. This information is updated regularly.*

# Foster Carers own Home and Vehicle Insurance Arrangements

Foster carers should insure their vehicle, buildings and contents for the full replacement value including the value of the personal effects of any foster children residing with them.

If a loss occurs and there is not adequate insurance, insurers may only settle your claim on an indemnity basis, that is, making allowance for wear and tear, depreciation etc, rather than the normal reinstatement (new for old) basis. They may withdraw indemnity in its entirety.

Home insurance is likely to contain restrictions relating to damage caused by children that you are fostering. Policy wording should be checked and insurers must be advised of the owner’s fostering activities. Most policies exclude deliberate and or malicious damage and theft caused by any member of your family or anyone permanently residing with you, the latter category relating to the foster children.

Some insurance policies incorporate an excess, whereby the householder/vehicle owner pays the first part of the claim. In this instance you ***may*** request assistance from the service in covering this cost. However, any decision to provide financial aid to cover insurance excess will be made on a case by case basis, and is only likely to be agreed in individual cases of particular difficulty. As a foster carer, you will personally need to make sure that your house, building and contents and your car insurance providers are aware that you foster, and discuss with them the type of fostering that you do, the number of children and age ranges that you expect to look after. They will be able to help you determine which changes of household circumstances you will need to continue to inform them about. Check with them what is covered in the policy in relation to your role as a foster carer.

*(Note: Some insurance providers/policies do not provide cover for accidental/malicious damage or theft arising from one’s own children - and therefore foster children - in the home.*

*For further information and helpful advice on* ***insurance for foster carers****, what to be aware of and what to let your provider know, please see The Fostering Network’s* [Home insurance for foster carers | The Fostering Network](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.thefosteringnetwork.org.uk%2Fadvice-information%2Fbeing-foster-carer%2Fhome-insurance-foster-carers&data=04%7C01%7CKRLuton%40somerset.gov.uk%7C4f28098f7f084991565508d9df608854%7Cb524f606f77a4aa28da2fe70343b0cce%7C0%7C0%7C637786427957493381%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=CcnEZnywE0pHL4NRl%2Fj1H9XbjIHElpEMYUbD%2BOLSiH0%3D&reserved=0)*)*

1. Excess

If your home, car or contents are damaged through your role as a foster carer you will need to make a claim through your insurance company as you would for any other claim. You should let your supervising social worker and the child's social worker know what has happened, what damage has occurred and the progress of your claim. Some insurance policies incorporate an excess, whereby the householder/vehicle owner pays the first part of the claim. In this instance you ***may*** request assistance from the service in covering this cost. However, any decision to provide financial aid to cover insurance excess will be made on a case by case basis, and is only likely to be agreed in individual cases of particular difficulty.

# Assistance following unsuccessful claims

# If your claim is not successful or you are unable to claim for the damage under your own insurance policy, you may request assistance from the service to cover the costs of the damage. In this instance, your Supervising Social Worker, will complete a claim form which requests that the service helps towards the costs of replacement/repair. In these circumstances you will need to submit 3 estimates for cost or replacement/repair, which will then be considered by the Strategic Operations Manager on a case-by-case basis.

1. FosterTalk Membership Cover

# As a foster carer you are indemnified for up to £150,000 against legal expenses, if you are subject to a criminal prosecution, under your membership with FosterTalk.

# Membership cover includes:

* £10,000 per person for interview under caution
* £25,000 for civil proceedings
* £5,000 to make representation against a barring recommendation

If you believe that the damage has occurred through the Council's negligence, then you are fully entitled to put a public liability claim in against the Council. The matter will be fully investigated and either liability will be accepted, and the claim will be paid or liability will be denied and a detailed explanation will be supplied.

If you wish to put in a claim against the Council, please contact the insurance team on insurance@somerset.gov.uk with the details of the incident, incident date, location and why you believe that the Council are liable for the damage.

# Personal Insurance Cover

# All Foster Carers are at liberty to purchase any other insurances at their own expense to obtain improved cover or benefits. Somerset will not reimburse the cost of additional insurance cover purchased.

# Somerset County Council cannot advise on the wording, adequacy or appropriateness of any personal insurance policies that may be purchased by Foster Carers.