

Statement of Purpose for Private Fostering Services 2023-2024

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1 Introduction

- 1.1 The National Minimum Standards for Private Fostering 2005, Standard 1, requires that a clear description of the Council's services with regard to private fostering arrangements is available for professionals, the public, Council Members and external organisations.
- 1.2 This document defines what is meant by a private fostering arrangement; the requirement for all private fostering arrangements to be notified to Sandwell Children's Trust; the assessment process and the support and advice offered to parents, private foster carers and privately fostered children within Sandwell Children's Trust.

2 Overview of services

- 2.1 The work undertaken by Sandwell Children's Trust in relation to private fostering has the following key functions:
 - To safeguard and promote the welfare of each privately fostered child by securing positive outcomes and by reducing any risks to their safety
 - To raise public and professional awareness of the requirement to notify the Trust of any proposed or existing private fostering arrangement
 - To respond to any private fostering notifications, assess the arrangements and to provide appropriate information and support for the children and adults involved.
- 2.2 There are clear procedures in place for responding to notifications of private fostering arrangements. Any notification is initially considered by the Multi-Agency Safeguarding Hub and passed through to the relevant locality team for allocation.

Practice Note: please see Private Fostering Process Map ([Private Fostering process and procedures Process Map](#)). If the child has an allocated Social Worker, the notification and response will be managed by them.

- 2.3 A private fostering arrangement single assessment will be completed by a Social Worker in the relevant Locality Team. This is an assessment of the suitability of the private foster carer and of the needs of the child. Where it is confirmed that the child is living in a private fostering arrangement, the child will remain allocated within the Assessment and Intervention Team and the allocated Social Worker is responsible for monitoring the welfare of the child and for maintaining contact with anyone holding parental responsibility for the child. The Social Worker will offer advice and support where appropriate.
- 2.4 The nominated Service Manager has designated responsibilities for the private fostering provision, including promoting general awareness of private fostering,

offering advice to professionals and visiting voluntary, professional or other relevant groups with information and promotional material. Sandwell Children's Trust has an overarching responsibility for undertaking assessments in relation to prospective private foster carers.

- 2.5 An annual report on the private fostering service is presented to the Sandwell Children's Safeguarding Partnership.
- 2.6 Sandwell Children's Trust meets the requirements of equal opportunity legislation through ensuring that services are centred around the needs of the child or young person. All prospective private foster carers are assessed and supported based on the needs of the child or young person regardless of race, religion, class, marital status, sexual orientation or disability.

3 Legal definition of a privately fostered child

- 3.1 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) (S.66 Children Act 1989) who is cared for, or is 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/grandparent/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.

- 3.2 Private foster carers can be from the child's extended family, e.g. a cousin or a great aunt, but cannot be a relative as defined under the Children Act 1989, section 105. <https://www.gov.uk/government/publications/children-act-1989-private-fostering>
- 3.3 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. 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 Trust. Such interference would be 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.
- 3.4 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 the husband and the blood relations of the wife and also between the wife and the blood relations of the husband. If the child visits her/his parent from the private fostering situation, including an occasional overnight stay, this will not break the private fostering arrangement period as long as the intention is for the child to return to the same private fostering situation. An arrangement is deemed as private fostering if it meets the criteria above whether for reward (monetary or otherwise) or not.

3.5 Examples of private fostering arrangements are varied and can include:

- children/young people living with host families for more than 28 days for a variety of reasons, for example, attending language schools, undergoing medical treatment
- children/young people in boarding schools and living with another family during school holidays
- trafficked children/young people and asylum seekers and refugees
- children placed with friends of the family for more than 28 days due to parental ill-health
- teenagers who are staying with families of friends for more than 28 days after a disagreement at home.

Practice Note: a child can only be considered to be privately fostered if the arrangement is a private arrangement between a parent and the carer. If Sandwell Children's Trust place a child with a family member/friend, this is not a private fostering arrangement and needs to be considered in line with the looked after children process.

3.6 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.

3.7 Children and young people who are privately fostered are not 'children in care' but will often be children 'in need' because of their circumstances. Sandwell Children's Trust does not 'approve' private foster carers, however they have a duty to satisfy themselves that children who are or will be privately fostered are cared for in a safe environment with a carer who understands and meets the needs of the child.

4 Boarding Schools

- 4.1 A person who proposes to accommodate a child under 16 years at school for more than two weeks during school holidays must give written notice to the Local Authority. The child is treated as a privately fostered child with the exception that requirements may not be imposed. Notice must also be given when a child ceases to be treated as a privately fostered child - see Schedule 8 Paragraph 9 Children Act 1989.
- 4.2 The regulations allow for a school to be exempt from these regulations. To date no school has requested that Sandwell Children's Trust considers this.

5 Duties and Functions of the Local Authority

- 5.1 The duties of local authorities in relation to private fostering are set out in the Children Act 1989, the Children (Private Arrangement for Fostering) Regulations 2005 and amendments are contained within the Children Act 2004. The National Minimum Standards for Private Fostering 2005 set out a number of standards to be met by all local authorities in discharging their duties, which cover the following areas:

- Statement of Purpose
- Notification
- Safeguarding and promoting welfare
- Advice and support
- Monitoring and compliance

- 5.2 Under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 Local Authorities are required:

- To promote awareness of the notification requirements amongst the general public and amongst professionals who may come into contact with privately fostered children
- To respond to notifications by visiting and assessing whether the welfare of the privately fostered child is being satisfactorily safeguarded or promoted
- To ensure that the placement has the person with parental responsibility's agreement and that the intended duration of the placement has been understood and agreed
- To supervise the welfare of the privately fostered child by visiting in accordance with regulations and keeping a written record of such visits (see section 10.2)
- To effectively implement a policy and process for prohibiting private fostering arrangements and imposing requirements where appropriate

- To provide advice and support to Private Foster Carers, parents and children as needed
- To monitor the effectiveness of all arrangements in respect of private fostering.

6 The Sandwell Policy, Procedure and Practice Guidance for Private Fostering

- 6.1 Sandwell Children's Trust 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 arrangements.
- 6.2 Sandwell Children's Trust Policy and Procedure for Private Fostering includes details of the legislative requirements, together with comprehensive practice guidance for Social Workers dealing with the notification and supervision of private fostering arrangements.
- 6.3 Responsibility for children who are privately fostered rests with their parents or those with parental responsibility. Sandwell Children's Trust 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.
- 6.4 Sandwell Children's Trust 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. The Trust does not 'approve' private foster carers but a record will be kept of all those who privately foster and appropriate guidance and assistance will be offered to all carers, parents and their children.
- 6.5 Where a child's welfare is not satisfactorily safeguarded the Trust can impose a prohibition or requirement on the carer and/or remove the child if necessary. In such instances, the Trust will seek to return the child to their parent(s) or those with parental responsibility providing it is safe and in the child's best interest to do so.
- 6.6 Privately fostered children assessed as children in need will be entitled to the same services as any other child in need and in accordance with section 17 of the Children Act 1989.

Practice Note: It is not uncommon for children who require support from the Trust to present in the guise of a private fostering arrangement. Such children can often have needs that sit outside the remit of private fostering, so the circumstances of the arrangement and the child's individual needs must always be considered and an alternative care plan provided where this is appropriate.

- 6.7 The provisions of Schedule 7 to the Children Act 1989 prescribe the usual fostering limit of not more than three children. This provision applies to private

fostering arrangements as set out in the Replacement Children Act 1989
Guidance on Private Fostering (2005) p.4.

7 Promotion of Public and Professional Awareness

7.1 In line with the Children Act 2004, Schedule 8 paragraph (7A), Sandwell Children's Trust promotes private fostering awareness amongst parents, individuals with parental responsibility, carers, professionals, and the general public. The aim of the plan is to ensure that birth parents, people with parental responsibility, potential and actual private foster carers are aware of the need to notify the Trust of any proposed or actual private fostering arrangement.

7.2 Private fostering presentations and written guidance will continue to be provided to all staff members within Targeted and Specialist Children and Families Services and across the Trust. Awareness of private fostering is part of the corporate induction programme which is attended by all staff commencing employment with the Trust. Training for all staff is reviewed annually in line with changing needs and legislation, and all programmes are evaluated by the Service Manager.

7.3 Private fostering information is also included in:

- Induction sessions
- Multi-agency safeguarding training
- Team meetings
- The council's intranet internet service
- Sandwell Children's Safeguarding Partnership e-learning module
- Sandwell Children's Trust core training

7.4 Relevant staff will gain further understanding and expertise in relation to private fostering through workshops, team meetings and regular supervision. The range of initiatives included in the 2020 – 2021 Private Fostering strategic plan are:

- E-Learning sessions for professionals who have face to face contact with children and families within the Council and partner agencies. These sessions are available through the Sandwell Children's Safeguarding Partnership and give the legal definition of private fostering and information on services to support privately fostered children, their parents, private foster carers and professionals
- Updates to the Sandwell Children's Trust webpage, see: <https://www.sandwellchildrenstrust.org/private-fostering/>
- Posters placed in the reception areas of the main council buildings
- Mail drops with relevant information (e.g. leaflets & posters) to GPs, education professionals, designated teachers and social work staff

- Celebrate the private fostering week with targeted awareness campaign amongst professionals and the general public
- Information can be made available on request in the different languages of the local community.

8 Assessment of the suitability of Private Foster Carers and their household

8.1 Notifications of private fostering are initially screened by the Single Point of Contact Team and an initial visit undertaken by a Social Worker in the Single Assessment Team within seven working days, when a child is not already open to the Trust. Where the child has an allocated Social Worker, they will undertake this visit. This visit covers all the relevant areas set out in the National Minimum Standards Annex A. Practice Note: Please see the Private Fostering Process Map.

8.2 A Private Fostering Arrangement Single Assessment is carried out in relation to all privately fostered children and young people and their carers within Sandwell Children's Trust. The assessments are completed in accordance with Schedule 3 of the National Minimum Standards for Private Fostering. All relevant statutory checks are made, including an enhanced disclosure from the Disclosure and Barring Service, agency enquiries and personal references for all adults in the household.

A social worker will visit the child and the carers. In the absence of the social worker, her/his line manager is responsible for ensuring another member of the team undertakes this visit.

8.3 Written information is provided, through leaflets, for the child, carers and parents of any privately fostered child at the earliest opportunity.

8.4 Private fostering assessments include ensuring that the child/young person's physical, intellectual, emotional, social and behavioural development is satisfactory and that identified 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. The report should also conclude whether the child is a 'Child-in-Need', and therefore entitled to additional support services under Section 17 of the Children Act 1989, and if so which services should be provided.

<http://www.legislation.gov.uk/ukpga/1989/41/section/17>

- 8.5 Private foster carers are 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 are made available to private foster carers as identified by the assessment. Private foster carers, where necessary, are encouraged to promote contact between the child/young person and his/her parents, siblings, extended family and significant others.
- 8.6 The assessment is completed and approved by the designated Manager before being shared with the carers.

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

- 9.1 The allocated Social Worker provides support for the privately fostered child or young person, acting as an advocate, liaising with the child's parent or person with parental responsibility and the private foster carer to ensure that the current and future needs of the child are being met.
- 9.2 Private foster carers (including prospective carers) have access to advice on benefit entitlement, parenting strategies and techniques, and other appropriate training and support as identified.
- 9.3 Whilst undertaking the private fostering arrangement single assessment, the Social Worker may consider it appropriate to stipulate attendance at a specific training programme for the suitability of a specific placement. If this is the case, the social worker will discuss the matter with the private foster carer/s. It will be clear in the assessment if the identified training is a requirement for the private foster carer to be deemed suitable.
- 9.4 All private foster carers, children and parents are informed of their right to make a complaint and how to do so.

10 Ensuring the welfare of privately fostered children is safeguarded and promoted

- 10.1 All children and young people privately fostered will be given a copy of the leaflet 'Private Fostering - A guide for children and young people' according to their age and understanding. If required, the allocated Social Worker for the child will assist the child in reading it or obtain a copy in other languages if applicable.
- 10.2 The child's Social Worker is required to visit the privately fostered child at a minimum of six weekly intervals in the first year and more frequently

should this be appropriate. During the second and subsequent years, visits are required to take place at least every 12 weeks or as frequently as necessary. The Social Worker should speak to the child on their own and ensure the child is aware of their right to raise any concerns about their care with a safe adult.

- 10.3 Parents of proposed/current privately fostered children or young people will be advised, if it is in the best interests of the child/young person, of other service provision or other agency help available, which could remove the necessity for the child/young person to be privately fostered.
- 10.4 The nominated Manager monitors the operational performance of services for privately fostered children and reports annually to the Sandwell Children's Safeguarding Partnership.
- 10.5 An electronic database is used to record all cases that are notified to Sandwell Children's Trust, and the Performance Analyst collates data and any analysis that is required. The allocated Social Worker ensures that all statutory work is completed within the required timescales and reports any areas of concern directly to their line manager.
- 10.6 In addition to statutory visits, other visits are made at the request of privately fostered children/young people, their parents, or the private foster carers. Interpreters independent of parents and private foster carers will be used where required or requested by the child/young person or where the preferred language is not English.
- 10.7 There is no statutory obligation to visit the parent/s or those with parental responsibility to discuss the progress of their child. However, Social Workers will consider any necessary advice and support when undertaking their assessment and should visit at the request of the parents/those with parental responsibility.
- 10.8 Any child protection concerns which may be identified are investigated in line with the requirements of the Sandwell Children's Safeguarding Partnership Child Protection Procedures.
- 10.9 Young people who have been privately fostered may qualify to receive advice and assistance from the Sandwell Children's Trust Leaving Care service. Where this is the case an assessment and support plan will be developed with the young person by the Social Worker and leaving care worker.

11 Information and Support for Privately Fostered Children

- 11.1 All privately fostered children/young people will have a named Social Worker and will be given their contact details and written information about private fostering appropriate to their age and understanding.

12 Other notifications

12.1 Ending a Private Foster Placement

If the private foster carer ceases to care for the child/ren they must notify Sandwell Children's Trust. This should preferably be in advance but if the child has left, notification should be not more than 48 hours after the change. They must also tell the Trust the name and address of the person who has taken over the care of the child/ren (this does not apply if the child is returning to the private foster carer within 27 days).

A notification of ending a private foster placement must state the reasons for termination. The parent or any other person who has parental responsibility for a privately fostered child must also notify Sandwell Children's Trust if the private fostering arrangement is ended.

12.2 Change of Address

Any person privately fostering a child must notify Sandwell Children's Trust of any change of address which is likely to be effective for more than six weeks.

12.3 Change in Household

The private foster carer must notify Sandwell Children's Trust of any person (child or adult) who begins or ceases to be part of the household whether on a permanent or temporary basis. This would include another child who is to be privately fostered for whom notification requirements would apply.

12.4 Convictions

The private foster carer must inform Sandwell Children's Trust of any new convictions relevant to any person living or employed in the household. Such conviction may lead to the private foster carer being disqualified from caring for children.

12.5 Death of Child

If a child dies whilst in the care of a private foster carer, Sandwell Children's Trust must be informed immediately.

Notifications of changes must be made in writing to the Sandwell Children's Trust' Single Point of Contact Team. Where the child has an allocated Social Worker, changes should be made in writing to the Social Worker. Under Section 70 of the Children Act 1989, persons failing to make the above notifications may be guilty of an offence.

13 Support and links with partner agencies

- 13.1 Sandwell Children's Trust aims to work with our partner agencies through the Sandwell Children's Safeguarding Partnership to provide all privately fostered children/young people with the information they need to access services and to liaise with relevant professionals. All partner agencies will be given information on their responsibilities regarding notification under the Regulations 2005. Information materials will be sent out to schools, health organisations, and faith groups following a rolling timetable.

14 Monitoring and reviewing arrangements

- 14.1 A child who is privately fostered is often a child in need and the Child in Need Plan in respect of the child should be reviewed in accordance with Child in Need Review schedules and procedures. Please refer to the Child in Need Process Map. Child in Need Plans should be reviewed by the child's Social Worker at a minimum frequency of three months, and should involve contributions from the child, parents and all those involved with the child.
- 14.2 The Trust's nominated Manager holds responsibility for reviewing the placements of privately fostered children who are resident within the Sandwell Metropolitan Borough Council area. The first review will take place within twelve months of the private fostering assessment being completed. More frequent reviews can be arranged if the circumstances of a case suggest this to be appropriate.
- 14.3 The review will usually involve a face-to-face meeting between the Reviewing Officer and the private foster carer. Where the child who is the subject of the review is of an appropriate age and understanding he/she will also be seen as part of the review process.
- 14.4 Case files of privately fostered children are included in the file auditing schedule which reviews case files to ensure records are accurate, comprehensive, well organised, have management oversight and are up to date and that actions comply with Regulations. Sandwell Children's Trust has good quality management information systems. The following records will be maintained:
- 1) The numbers and placement details of privately fostered children in the area.
 - 2) The numbers and details of private foster carers in the area
 - 3) The number and details of new notifications which are also recorded on the statistical data return and submitted to the Department for Education as required.

- 4) The number and nature of enquiries received by Sandwell Children's Trust in relation to private fostering, the responses given and any subsequent action. The Trust's Performance Team monitor the timescales affecting children. This includes placement visits to privately fostered children. Reasons for potential or actual delay can therefore be identified, Service Manager informed, and actions taken to remedy the situation. All reports for children in these arrangements will be presented to the nominated Manager within 42 days of the initial notification. A report setting out the impact of the work relating to private fostering is presented annually to the Sandwell Children's Safeguarding Partnership.

15 Comments, compliments and representations

- 15.1 It is the policy of Sandwell Children's Trust to actively encourage comments and representations concerning the delivery and nature of its service.
- 15.2 Any child receiving or refused a service from Sandwell Children's Trust, his/her parents, anyone who has parental responsibility for him/her or, any other such person as the Council considers has sufficient interest in the child's welfare, has a right to make a complaint when an issue cannot be satisfactorily resolved.
- 15.3 If more information is required regarding the Compliments and Complaints procedure, please contact: 0121 569 7867.

16 Inspection

Sandwell Children's Trust is inspected by OFSTED and details can be found on the OFSTED website - www.ofsted.gov.uk/

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