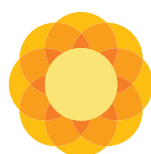


# Family and Friends Care



BIRMINGHAM  
CHILDREN'S TRUST

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## Section 1

# What is family and friends care?

If a child or young person cannot live with their birth parents Birmingham Children's Trust will always seek to make alternative arrangements for the child within the family or wider network.

A child is considered to be cared for by 'family and friends' when they live with a relative or other connected person, instead of their birth parents or step-parent.

There are a variety of reasons why children may not live with their parents: parental working arrangements; parental ill health; change in family circumstances including family breakdowns; and we are committed to exploring opportunities for children to remain living within their family network when they can no longer live with their parents care.

A child may have come to live with you in a time of crisis for the family which may also be a very difficult time for you as part of that family, or as a person connected to that family.

Family and Friends care can fall under several different legal categories.

One main distinction in legal terms is how the child came to live with you, either:

- The child's parents have asked you to look after the child
- Children's services have asked you to look after the child

The different legal terms affect the level of support you can expect to receive from children's services, and something called parental responsibility.

Parental responsibility is a legal term defined in the Children Act 1989 s.3(1) as:

"All the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property".

The level of parental responsibility affects what decisions you can make about the child, when you have to get the parents' permission and, in some cases, when you have to get the permission of children's services.

Anyone looking after somebody else's child (for example a child minder, babysitter, a teacher at school) can act in loco parentis. This means they can take immediate steps to keep a child safe and well.

## Section 2

# The assessment process

### What happens first?

#### The viability assessment

If a child or young person cannot live with their birth parents Birmingham Children's Trust will always seek to make alternative arrangements for the child within the family or wider network.

The purpose of the social worker assessing you is to decide if the best place for the child to live is with you. For a lot of the questions asked, there are not 'right' and 'wrong' answers; the questions are designed to understand you and your ability to look after the child.

If there are aspects you might need help with, in regard to caring for this child, the social worker will be able to take this into account when deciding what ongoing support you and the child might need.

Therefore, try to be yourself, although we know you will want to present yourself in the best light, and you may well be nervous.

The assessment process is also an opportunity for you to ask questions.

A viability assessment is undertaken when there is a need to identify alternative carers for a child or young person who cannot live with their birth parents.

The viability assessment will form an initial view on your suitability to take on the care of a child within your family or friendship group.

If a viability assessment is being undertaken it usually means that carers are needed to look after a child/ren on a permanent basis until they are adults.

#### The qualities and abilities we look for when assessing a potential carer and their family

The Social Worker who undertake your assessment will look at your:

- Existing relationship with the child/ren.
- Reasons for wishing to care for the child/ren.
- Long term commitment to the child and ability to put their welfare first, even when it conflicts with loyalty/concern for the birth parents.
- Understanding and acceptance of the reasons which led to the child's removal from the parents' care.
- Ability to protect the child from harm. Ability to deal with the strain of changing family roles, ie. taking on the parenting role rather than that of grandparent or aunt etc.
- Sufficient support network – do you have enough people to help you?
- Sufficient time and space to devote to everyone in the family.
- Capacity to offer warm, stimulating care.
- Capacity to understand, adapt to and meet the child's changing needs.
- Ability to promote the child's educational and health needs.
- Commitment to helping the child develop an understanding of their history and promoting a positive identity, including their ethnic and cultural heritage.
- Capacity to be realistic about the possible problems and special needs which the child may present now or in the future.
- Ability to work with professionals and to seek out and accept help.

## Section 2

# The assessment process

### What might worry us when assessing a potential carer?

Although we believe it is better for a child to live with someone to whom they already have a connection, there are a number of reasons why we might not recommend that a child lives with them.

These can include:

- Health - where you or another person in your household's medical and/or psychiatric history and current state of health gives serious cause for concern about your future health prospects.
- Age - where the medical opinion is that you may not survive all the years of the child's dependence or retain sufficient energy and vigour to meet the child's needs until independence.
- Drug/alcohol problems – if you have a drug or alcohol dependence that is likely to affect your ability to offer safe care.
- Criminal record of prospective carer and adults in the household - certain types of offences will automatically stop someone from caring for a child. Other offences will need to be discussed in detail to establish if they stop you from being able to care for the child.
- Housing - where the current accommodation is temporary, overcrowded and/or poorly maintained and there are no realistic prospects for re-housing within the near future or arrears of payment so significant that you could be at risk of losing your home.
- Work/lifestyle - where your work responsibilities and/or leisure pursuits severely limit the time available for childcare.
- Family composition - where the needs of other children and or dependent adults in your household/network are likely to conflict with the needs of the child to be placed.
- Parenting concerns - where there have been serious difficulties in how you parented your own children, particularly a history of abuse, neglect or children being beyond your control.
- Understanding children's needs – an inability to demonstrate an understanding of children's development and needs.
- Meeting needs of a specific child - unwillingness or inability to understand or meet the identified educational, medical or emotional needs of the child, including those who may require a high level of specialist care.
- Protecting the child – an unwillingness or inability to protect the child from abuse and enforce restrictions on contact with birth parents as appropriate.
- Working together – a lack of co-operation with children's services and other professional services.
- Finance – inability to budget and maintain financial stability.
- Limited previous relationship with the child.

## Section 2

# The assessment process

### Outcome of the assessment

Once the viability assessment has been completed the outcome will be shared with you.

The conclusion will either recommend that you progress to a full assessment or that no further assessment is undertaken due to concerns that you will be unable to meet the needs of the child/ren.

If you disagree with the recommendation you are advised to seek legal advice immediately.

If the matter is before the court, the assessment will be filed and a copy shared with other parties, such as the birth parents and their representatives.

### What happens next?

#### Progress to full assessment (if applicable)

If you progress to a full assessment this will be completed within 12 weeks with approximately 6- 8 visits to your home.

These assessments require detailed discussion about your lifestyle and the history of your family and will include a medical for applicants and DBS (criminal records check) for all adults within the household.

The full assessment will reflect on areas such as:

#### The child

What the child's specific needs are that you need to be able to meet, such as:

- education
- health
- identity
- how the child will feel being part of your family?

#### You

- Your relationship with the child/ren who you wish to care for and their birth family
- Your experience of caring for children including parenting history
- Your abilities to care for this child and meet their needs
- Your understanding of why alternative living arrangements are being considered for this child
- Your ability to keep the child safe
- Your ability to promote the child's identity and positive self-esteem
- Your ability to sustain contact between the child and his or her parents
- Your personal history
- Your current and past relationships
- Your employment and finances
- Your health
- Your lifestyle, hobbies and beliefs

## Section 2

# The assessment process

### The environment

- The house you live in and its suitability for this child
- The neighbourhood you live in and its suitability for this child
- Any other household members
- Any other relevant environmental factors, such as transport links

### Checks and references

To verify some of the information about you, with your permission, we will ask other people and agencies to provide us with information.

The following are things we often ask for as part of the full assessment:

- A reference about your health from your GP
- Police checks
- Data Barring Service checks (formerly known as CRB) for yourself and your current partner
- References from ex-partners
- Personal references from 3 people who know you well
- A reference from your current employer and previous employer(s) where you worked with children and vulnerable adults
- A financial questionnaire
- A pet questionnaire
- We will meet and speak to all other children who live in your house
- We will meet and speak to all of your birth children
- Other local authorities where you may have lived previously

Once completed the assessment will be shared with yourself prior to being presented at the fostering panel.

The fostering panel will then consider in detail the fostering assessment report and then make recommendation as to whether you should be approved as connected carers for the child you are / or wish to be caring for.

The Trust's agency decision maker will make the decision to approve you as Trust foster carers.

You will have the opportunity to attend the panel and contribute to the discussions in response to any questions the panel may have, along with the social worker who has completed the assessment.

The completed assessment report may be share with the court, to assist them in their decision making regarding the best outcomes for the child which will provide them with a sense of permanency, safety and stability for the remainder of their childhood and beyond.

## Section 2

# The assessment process

### Lessons we have learnt from previous family & friends arrangements

Taking on the care of somebody else's child is a huge responsibility and as part of the assessment process we aim to help you think about the issues involved.

These are some of the reasons that we know can cause a family and friends care arrangement to breakdown:

- If one of the applicants is less certain about taking on care of child/ren, particularly if they are not related to the child.
- If the applicant is a lone carer and will have practical problems associated with caring for the child to be placed and their own child/ren.
- If child/ren to be placed have never lived with the children of the applicants, particularly when there are a number of children or they are close in ages. The impact on all the children should the arrangement breakdown should also be considered.
- When other people in the family or professionals are putting pressure on applicants to take on the care of a child/ren and the applicant feels they can't say no.

If at any stage during the assessment you feel unable to continue or you are uncertain, please discuss this with your assessor.

If ultimately you are unable to provide care to a child within your family there may be other ways in which you can still play an important role in their lives, especially for children of school age



## Section 3

# Who can offer me support?

Looking after somebody else's child can bring additional challenges: you all may need to adjust to having a new member in your family; you may need practical help; you may need advice on what rules are appropriate; the child in your care may have suffered harm and need additional help with their emotions, behaviour or education.

It might be that you feel you need ongoing support to care for the child you are looking after right from the start.

At the time you are being assessed and at court, tell the social worker what you think you need or what you think you will struggle with so that they can plan with you what strategies or services might help.

It might be that long after children's services assessed you, life changes, and you find later that you need some additional help.

A Care Order will mean that the child and you continue to have children's services ongoing involvement.

### Universal services

The first place to ask for help is the usual services that are available to all families, which we call universal services.

Pop into your local children's centre, speak to the teacher at the child's school, ask the child's health visitor or your GP. Schools are likely to be the best people to know how to help with education issues and GPs best to know about health issues.

Children's centres are often great at knowing what practical help is available in your area, such as knowing how to use a car seat, or accessing activity groups in the school holidays.

All universal services have advice on helping children and carers with emotional and behavioural issues.

**Services and charities are available to you locally on the Birmingham Children's Trust website through our 'Birmingham Services Directory'.**

### Targeted services

If the universal service you speak to thinks you need more help with a specific issue, they may make a referral to a service that specialises in the area you need help with.

They will speak to you about this suggestion before they make the referral as they need your consent to do it. We call these services 'targeted services'.

### Family support process & early help

If there are several issues you need help with, it may be useful to bring all the people helping you together to meet regularly to discuss progress and make sure the help you and the child receives is co-ordinated, i.e. that you are being given consistent advice, and that nothing is being forgotten because people have assumed that one of the other people is doing it.

This can be done through something called the family support process. You and the child choose one person to lead the family support process, which should be someone you get on with well, such as the schoolteacher.

Sometimes this family support process can be supported by the Early Help Hub who have trained workers who work with children and families to provide help and support.

## Section 3

# Who can offer me support?

For more information on the family support process or the Early Help Hub, visit:

<http://bit.ly/30VW8pl>

### Child in need

If the child in your care needs additional help, above what can be supported through the family support process, they might be able to receive support from children's services under s.17 of the Children Act 1989, which recognises the child as a Child In Need.

These services are designed to support children and their families to improve any difficulties. Children's services want to help children and families as quickly as possible to improve things so that the support level required can go down to a lower level again.

It is recognised that for some children their difficulties cannot improve and these children may need ongoing support for the foreseeable future.

All disabled children are automatically classed as children in need and might, for example, continue to receive ongoing support from the children with disabilities team into their adulthoods, for example.

### Child protection

If the issues your family are facing could be causing any child in your care significant harm, children's services have a legal duty to assess what is occurring and act to improve things.

You can call children's services if you think this applies to your family. If any professionals working with you feel this applies to children in your care, they will call children's services.

The professional will tell you that they are contacting children's services and why, unless they believe to do so might put the child in danger. The professional will aim to continue to support you and your family alongside any involvement from children's services.

Asking for help is considered to be a strength and shows that you are thinking about the child. We will give you advice on what level of services we think would best help you.

- You can call Birmingham Children's Trust on **0121 303 1888** for advice or to request additional help – Monday to Friday **9am to 5pm**.
- Out of Hours duty number **0121 675 4806**.

### Friends and family support services

The Friends and Family Support Service is designed to support family members and friends who are looking after a child they know.

We can give you advice over the telephone, try to help you resolve any issues in sustaining contact with birth parents, and exchange letters between the child and their family members which can help keep your address confidential if necessary. Look out for information on the Trust website about the support offer including groups in your area that will enable you to meet other carers in your situation, ask questions face-to-face, and receive additional advice from speakers.

- Advice line for family & friends carers **0121 303 2621**  
Available every day between **9.00am– 5.00pm** (Monday to Thursday) and **9.00am – 4.00pm** (Friday)

## Section 4

# Things to consider in the future

So, you have now gone through the assessment, possibly been to court, and the child's living arrangements with you are finalised. Family life can be very busy and no doubt you want to get on with living together.

For most of us, changes and unforeseen events will happen.

So, here's a few final words on things to consider in the future.

### A new person moving into the home

If you continue to have children's services involved in your life, you should inform them of any new person moving into your home.

Adults may be required to have their criminal records checked.

If children's services are no longer involved in your life, you take responsibility for any new person moving into your home in the same way that all parents consider the safety of new people around their child, as well as how you all get on together.

Since 2011, adults in the UK can contact their local police force to enquire about new partners and new household members, under the child sex offender disclosure scheme.

**for more information:** <https://bit.ly/3trl6IG>

### A separation

In the event of a future separation or divorce where a court order was granted in joint names, the separation does not invalidate the order, both parties retain parental responsibility and can continue to make decisions about the child, but they cannot override each other if in conflict.

Therefore, in events where the carers are in conflict with each other in matters regarding the children, it may be necessary to return to court to vary the order or rule on a specific matter.

A separation should prompt you to clarify legal matters such as who will be the child's primary carer, what will arrangements for the child be, and review what you want to happen for the child in the event of your death or illness.

### Making a will

None of us like to think that we will become ill or not be here to look after a child in our care. However, it is important that your wishes are legally recorded. This child's legal status is not straightforward, and there may be several people with legal parental responsibility for them, so it is all the more important to have matters clarified.

# Section 5

## Useful contacts

### Buttle UK

Buttle offer support to kinship carers through grant programmes for children and young people.

**[www.buttleuk.org](http://www.buttleuk.org)**

E-mail: [info@buttleuk.org](mailto:info@buttleuk.org)

Telephone: 020 7828 7311

### Coram Children's Legal Centre

Provides free independent legal advice and factsheets to children, parents, carers and professionals.

**[www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)**

E-mail: [info@coramclc.org.uk](mailto:info@coramclc.org.uk)

Child Law Advice Line: 08088 020 008

### Family Rights Group (FRG)

Provides advice to parents and other family members whose children are involved with or require children's social care services because of welfare needs or concerns.

**[www.frg.org.uk](http://www.frg.org.uk)**

Advice line: 0808 801 0366

Email: [advice@frg.org.uk](mailto:advice@frg.org.uk)

### NSPCC

National charity for child protection

**[www.nspcc.org.uk](http://www.nspcc.org.uk)**

### The Grandparents' Association

Supports grandparents and their families, especially those caring for their grandchildren on a full-time basis.

**[www.grandparents-association.org.uk](http://www.grandparents-association.org.uk)**

Helpline: 0845 4349585

Support Groups: 0844 3572907

### Grandparents Plus

Grandparents Plus is the national charity that offers a free peer support network and an advice and information service for grandparents and family members who have stepped in to raise a child.

**[www.grandparentsplus.org.uk](http://www.grandparentsplus.org.uk)**

Advice and Information Service

0300 123 7015 10am-3pm Mon – Fri

Email: [advice@grandparentsplus.org.uk](mailto:advice@grandparentsplus.org.uk)

### Family and Friends Team

Contact the Trust team.

**[www.birminghamchildrenstrust.co.uk](http://www.birminghamchildrenstrust.co.uk)**

Email:

[SGOandConnectedPersonsManagers@](mailto:SGOandConnectedPersonsManagers@birminghamchildrenstrust.co.uk)

[birminghamchildrenstrust.co.uk](mailto:birminghamchildrenstrust.co.uk)

Advice line: 0121 3030 2621

## Questions I want to ask:

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## Contact information

### The child's social worker

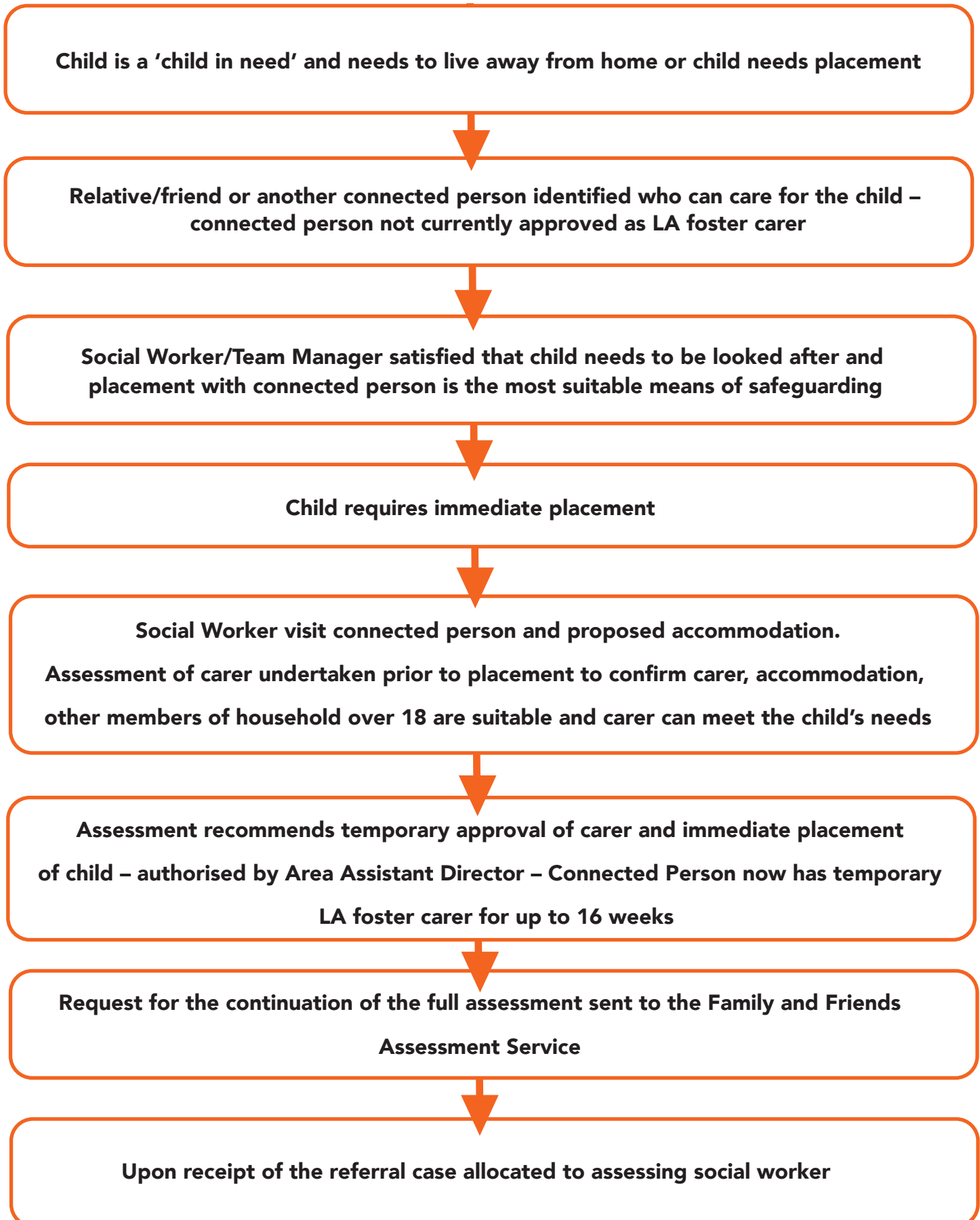
Name \_\_\_\_\_  
Team \_\_\_\_\_  
Phone number \_\_\_\_\_

### My social worker (if applicable)

Name \_\_\_\_\_  
Team \_\_\_\_\_  
Phone number \_\_\_\_\_

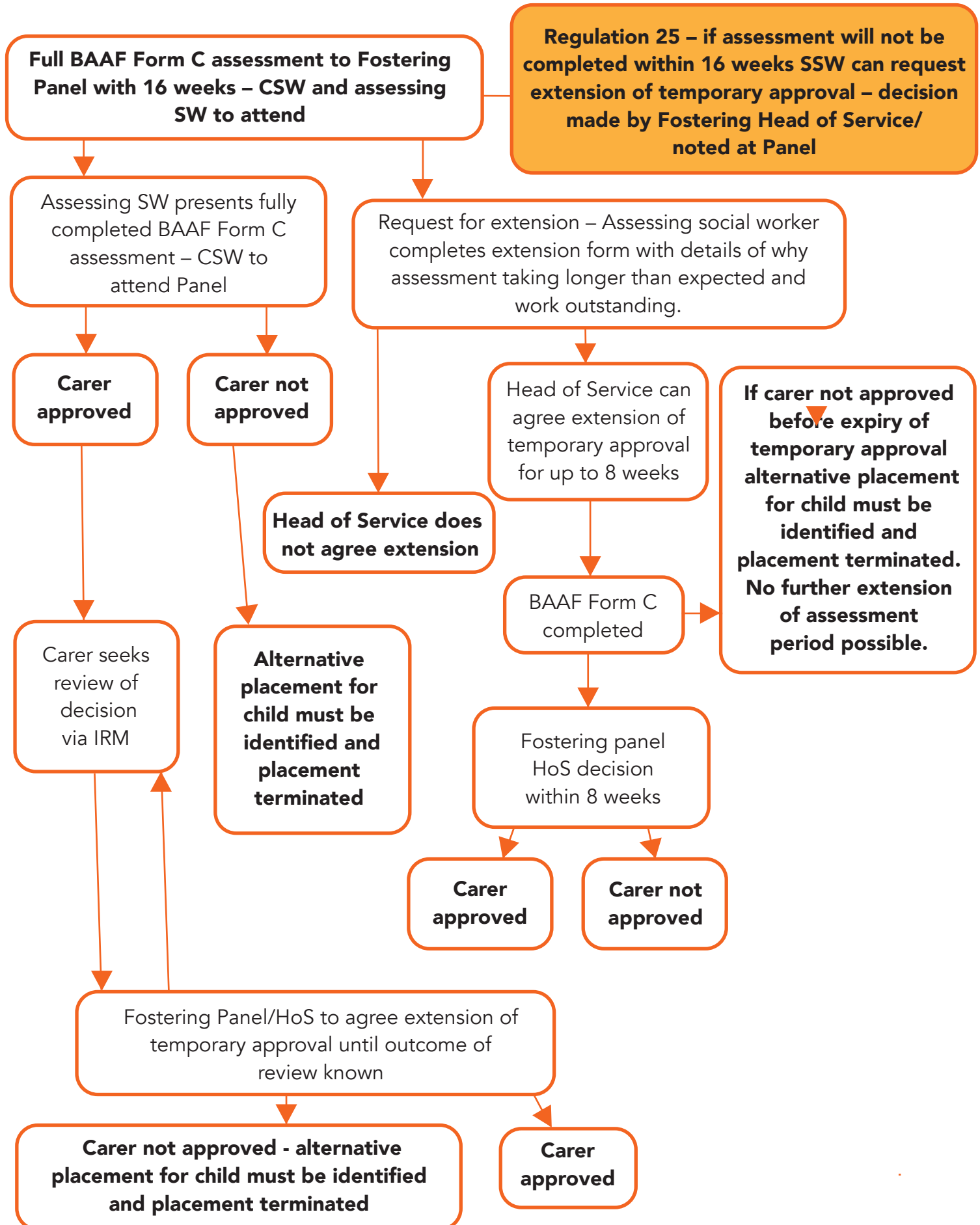
# Appendix

## Process Map Immediate Placement (Emergency) Regulation 24/25



# Appendix

## Process Map (ctd.) Immediate Placement (Emergency) Regulation 24/25



# Appendix

## Glossary of terms

The following is a brief summary of the various legal definitions under which the child might be living with you.

A fuller explanation of the terms can be found on Child Law Advice webpages: <http://childlawadvice.org.uk/information-pages/family-and-friends-care/>

### Informal family care

If you are a grandparent, aunt, uncle or sibling (this includes through birth or marriage i.e. step-parent) and the child's parents have asked you to look after their child, children's services do not need to be involved unless there are concerns about the child's safety or welfare.

The parents retain full parental responsibility for the child and should make sure they have everything they need.

This will likely involve them needing to pay you for living costs associated with the child living with you, as well as special items they require eg. school uniform, equipment for hobbies.

### Private fostering

If you are not a grandparent, aunt, uncle or sibling (this includes through birth or marriage, ie. step-parent), and the child's parents have asked you to look after their child for more than 28 days, this is classed as a Private Fostering arrangement.

The parents retain full parental responsibility for the child and should make sure they have everything they need.

The private foster carer does not gain any parental responsibility but can act in loco parentis.

Children's services should be informed six weeks before the child comes to live with you, as children's services have a legal duty to assess this arrangement.

If the six weeks have elapsed, children's services should be notified as soon as possible.

Any professionals (this includes GPs and schools) should inform children's services of private fostering arrangements as soon as they become aware of them.

Unlike regular fostering there is no financial support available from Birmingham Children's Trust (The Trust) however financial arrangements may be made between the private foster carer and the child's parents.

The private foster carer can also claim child benefit and child tax credits for the child. This arrangement is a private fostering arrangement until either: the child becomes 16; the child is disabled and becomes 18; the living arrangements change to a different type of arrangement.

All notifications of private fostering arrangements are made through Children's Advice and Support Service (CASS).  
Tel: **0121 303 1888**  
Email: **CASS@birminghamchildrenstrust.co.uk**

For more information visit our website: [www.birminghamchildrenstrust.co.uk/private-fostering](http://www.birminghamchildrenstrust.co.uk/private-fostering).



# Appendix

## Glossary of terms

### Child protection concerns

Please note: if the parent has asked you to look after their child but children's services are involved due to child protection concerns, the child might be a 'child in care'.

This could be because children's services have asked the parent to make alternative living arrangements for the child, because children's services have significant concerns about the child remaining in their care.

Usually this is done in a planned way with involvement of the social worker who will have spoken to you. However, sometimes parents go ahead and make their own arrangements first.

Contact Birmingham Children's Trust, give the child's name and ask to speak to the child's social worker to find out if this applies to the child in your care.

### Children in care

This means that the child is considered to be in the care of the local authority. You might hear people refer to children being "in care" or professionals using the acronym 'CIC'.

Children who are in care of the local authority might be looked after by the local authority with their parents' consent or by a court order. These children might live with mainstream foster carers, in a children's home, in supported living, with family members or connected persons like you, or sometimes even with their birth parents.

There are many possibilities which is why you need to check.

Once a child is in care, the local authority has many duties to check on the child's wellbeing and planning for their care.

Their carers have to be approved as foster carers. The child and the carer will each have a social worker and there will be regular review meetings, called CIC reviews.

### Child protection

This means that there are significant concerns about the safety or wellbeing of the child (The Children Act 1989 s.47).

In this circumstance the local authority has a duty to investigate. Parents and carers need to enable the investigation to take place and make the child available to the social worker.

Children's services will act to improve the situation for the child where it appears the child's situation requires this for their safety or wellbeing.

Being in your care might be considered to have made the child safer now, and there might be expectations of things you need to do to maintain the safety of the child in your care.

The child will have a social worker and there will be regular meetings, called core groups, to review progress on the current plan aimed at improving things for the child.

In addition to the core group meetings, there will also be Child Protection Conferences which will decide whether the child continues to require child protection planning.

# Appendix

## Glossary of terms

If there are, or have been, child protection concerns for the child you are caring for, it is quite possible that children in care (CIC) procedures and meetings, as well as child protection procedures and meetings, will both be occurring concurrently.

You will definitely be invited to the CIC reviews and may be invited to the core groups and child protection conference too; either to give your own point of view, or as a supporter to the parent who may well be your relative.

You may be asked to wait outside for part of the meeting to respect the confidentiality of the parent or child.

Children's services have asked you to care for the child

### Temporary approval

If children's services have asked you to look after the child in your care, the child will be considered to be a child in care and you must be approved as a Foster Carer.

Ideally all changes in children's living arrangements are made in a planned way, however in practice this is not always possible.

Therefore, you might have been asked to look after the children in your care at short notice or in an emergency situation.

By law the child is still considered to be a child in care and you need to be approved as a foster carer.

Therefore, we grant you Temporary Approval whilst we make long term plans for the child's care and undertake any further assessments.

Temporary approval can last up to 16 weeks, and in extenuating circumstances be extended for a further 8 weeks (maximum total of 24 weeks from date of approval).

After that time different living arrangements or a different legal status should have been obtained for the child.

As a temporarily approved foster carer, you have delegated authority for the child in your care.

### Connected persons foster care

If children's services or a judge decide that the child should remain a child in care and stay in your care, this will require you being granted full approval as a foster carer.

This means a full assessment will have been undertaken of you and you will attend a panel which makes a recommendation as to whether you should be approved.

The final decision rests with the agency decision maker. Parents may have consented for this (often referred to as 'Section 20 consent') or a judge may have granted a Care Order.

CIC reviews will continue until the child turns 18.

You and the child will each continue to have a social worker.

You are referred to as a Connected Foster carer because you had an existing relationship with the child before they came to live with you.

# Appendix

## Glossary of terms

Mainstream foster carers have to be assessed to care for any child, whereas you will only be assessed and approved for the specific child in your care.

You will be assessed to the same level as any foster carer, but your existing relationship with the child will be taken into account when deciding on the best place for the child.

As a (connected person's) foster carer you have delegated authority for the child in your care.

### Delegated authority

This gives foster carers the ability to make day-to-day decisions about the child without the need to check every decision with children's services.

Day-to-day decisions are considered to be things such as the child attending a school trip, visiting a friend's house for dinner, sleepovers, trying new hobbies, having a haircut or going for a routine medical appointment.

Matters not considered to be day-to-day decisions include planned, major medical operations, changing the child's name, changing the child's religion, or going abroad for more than three weeks.

Every child in care has a care plan which should clearly specify which things you can make decisions about and which things you cannot.

There may be specific stipulations for the child in your care. You should be provided with the child's care plan before the child comes into your care or as soon as possible thereafter.

Even though you may have delegated authority, all decisions made about the child should be in light of their best interests, in light of the views of the child, and in conjunction with the birth parents where possible.

### Court orders

If children's services decide that the child cannot return to live with their birth parents, they need to secure a long-term living option for the child.

This means children's services will go to court to obtain a court order that will secure the child's future stability.

Connected persons, such as yourself, could also take a matter to court to secure the child's future stability.

For example, connected person's foster carers with the parents' consent might go to court to seek a court order that gives them parental responsibility for the child.

Foster carers might want a court order that guarantees the child will remain in their care until age 18. Parents in conflict might go to court for a child arrangements order to settle disputes.

If children's services have assessed you as a possible carer for the child, they may fund you to receive independent legal advice before the court appearance so that you fully understand the implications for yourself, the child and your family.

An independent person, called The Children's Guardian who works for CAF/CASS, will be at court to represent the child's best interests.

# Appendix

## Glossary of terms

You may be visited by this person during court proceedings.

You can visit their website for more information about the court process and the CAFCASS service.

**[www.cafcass.gov.uk](http://www.cafcass.gov.uk)**

The children's guardian, the birth parents, children's services, and possibly you, will all have solicitors at court to speak for them.

Everyone aims to consider the best interests of the child, which by law is the most important thing.

However, everyone won't necessarily agree about what is in the child's best interests.

The judge has the power to make any order open to him or her under the law, not just the option that has been requested.

All the parties and their solicitors try to reach agreement about what they think is best for the child before going before the judge.

### Special guardianship

If you are granted special guardianship of the child in your care, this will last until the child is 18 years old.

Parents retain their parental responsibility, but you also gain parental responsibility. You are expected to continue to seek the parents' and child's views to inform your decision-making.

Where your opinion and that of the parents conflict, your parental responsibility will have priority as it over rules theirs.

There are however a few things you cannot decide: changing the child's name; living abroad for more than three months; consenting to the child being adopted.

The child will not be considered a looked after child and neither will you have a social worker.

### Child arrangements order

This is mainly used in private law proceedings but can be used in child protection matters too.

A child arrangements order settles specific matters for the child such as what name they will be known as, where they will live, what contact they will have with their parents and siblings, where they will go to school, whether they can have a specific operation or medical care, or any other matter in contention.

The child will not be considered a looked after child and neither will you have a social worker. The child arrangements order will clarify if anyone gains parental responsibility by the granting of the order.

### Adoption

It may be considered in the child's best interests to be adopted by you. In such a situation you would gain full legal status as the child's parent, including full parental responsibility.

The birth parents would lose their parental responsibility. You and the child may be eligible for post-adoption support from children's services.

Please see our specific information on adoption if you think this applies to you.

# Appendix

## Caring for someone else's child - the options

### Private Fostering

**Role in the caring arrangement:**

This is a private arrangement whereby the child is being cared for, for 28 days or more (or the intention is that the arrangement will last for 28 days or more), by anyone who does not have parental responsibility and who is not a close relative. Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step-parent. The child is not a child in care.

**Parental responsibility:**

Remains with birth parents

**Approval basis:**

The arrangement is assessed by LA, but the carer is not 'approved' as a LA foster carer is. The arrangement may be prohibited if assessed by the LA as unsuitable.

**Duration:**

Subject to discretion of person with PR and readiness of private foster carer.

**Placement supervision:**

It is not a placement, but there are statutory visits to child by social worker (minimum 6 weekly in first year, then 12 weekly)

**Review of placement:**

It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits.

**Support services:**

Provision of advice and support, as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan and provide services/support for child/family under Section 17 of the Children Act 1989.

### Family Care (informal)

**Role in the caring arrangement:**

The relative has chosen to take on the care of the child but does not have parental responsibility and the arrangement was not made by the LA. The child is not a child in care.

A relative may perceive the parents to be unable to care for the child: or the parents may be dead, or otherwise not available, e.g. in prison; or there may be an agreement between relatives due to difficult family circumstances.

**Parental responsibility:**

Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare.

**Approval basis:**

None.

**Duration:**

Subject to discretion of person with PR.

**Placement supervision:**

None

**Review of placement:**

None

**Support services:**

No entitlement but the LA may assess the child as a child in need, with a child in need plan, and provide services/support for child/-family under Section 17 of the Children Act 1989.

# Appendix

## Caring for someone else's child - the options

### Family and Friends Foster Care

**Role in the caring arrangement:**

The child has been placed with the relative or friend by the LA, because the person who had been caring for the child was deemed not to be providing suitable care. The child is a child in care and so the LA must approve the relative or friend as a LA foster carer. The child may be accommodated voluntarily with the agreement of the parents or may be subject to a Care Order.

**Parental responsibility:**

Remains with birth parents if child accommodated under Section 20 Children Act 1989, or the child is subject to a Care Order or Emergency Protection Order the LA will have parental responsibility and determines the extent to which it may be exercised by others.

**Approval basis:**

Approved as LA foster carers in accordance with Fostering Service Regulations (if child is looked after, carers must be approved as foster carers even if close relative).

**Duration:**

As long as placement remains in line with child's care plan, as determined by LA.

**Placement supervision:**

Statutory visits to child by social worker and supervision of foster carers by supervising social worker.

**Review of placement:**

Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of LA foster carers approval.

**Support services:**

Support to meet child's needs including Health Plan and Personal Education Plan.

Training and practical support to foster carers in accordance with the Fostering Services Regulations, NMS and CWDC Standards. Young person may be entitled to leaving care support services.

### Unrelated Foster Care

**Role in the caring arrangement:**

The child is a looked after child being accommodated by the LA under Section 20 Children Act 1989, or because the child is subject to a Care Order but has been placed with a foster carer by the LA. (Alternatively, the LA may choose to place a child into residential care where this is considered to best meet the child's needs.

**Parental responsibility:**

Remains with birth parents if child accommodated under Section 20 Children Act 1989, or the child is subject to a Care Order or Emergency Protection Order the LA will have parental responsibility and determines the extent to which it may be exercised by others.

**Approval basis:**

Approved as LA foster carers in accordance with Fostering Service Regulations (if child is looked after, carers must be approved as foster carers even if close relative).

**Duration:**

As long as placement remains in line with child's care plan, as determined by LA

**Placement supervision:**

Statutory visits to child by social worker and supervision of foster carers by supervising social worker.

# Appendix

## Caring for someone else's child - the options

### **Review of placement:**

Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of LA foster carers approval.

### **Support services:**

Support to meet child's needs including Health Plan and Personal Education Plan. Training and practical support to foster carers in accordance with the Fostering Services Regulations, NMS and CWDC Standards. Young person may be entitled to leaving care support services.

## Residence Order

### **Role in the caring arrangement:**

The child may be at risk of becoming a 'child in care' and a friend or relative applies for an order; or the child may have been 'in care' and their foster carer, or other relative/friend applies for an order. In either circumstance, application can be made without the support of the parents or the LA. Relatives may apply for an order after the child has lived with them for one year; or there can be benign reasons, e.g. after parents' death and in line with a prior agreement between the birth parents and the carer.

### **Parental responsibility:**

Shared by parents and holder of Residence Order.

### **Approval basis:**

Appointed by Court following application.

### **Duration:**

Age 18.

**Placement supervision:** None

**Review of placement:** None

### **Support services:**

No entitlement (but LA has discretion to provide services/support for child/family under Section 17 of the Children Act 1989).

## Special Guardianship Order

### **Role in the caring arrangement:**

The child may be at risk of becoming a 'child in care' and a friend or relative applies for an order; or the child may have been 'in care' and their foster carer, or other relative/friend applies for an order. In either circumstance, application can be made without the support of the parents or the LA. Relatives may apply for an order after the child has lived with them for one year; or there can be benign reasons, e.g. after parents' death and in line with a prior agreement between the birth parents and the carer.

### **Parental responsibility:**

PR shared with parents and anyone else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusion of all others with PR, apart from another special guardian.

### **Approval basis:**

Appointed by Court following application from the applicant. LA must investigate the matter and prepare a report for the Court dealing with the suitability of the applicant to be a special guardian.

### **Duration:**

Age 18 unless varied or discharged by the Court before the child reaches 18 years.

### **Placement supervision:**

None

### **Review of placement:**

None

# Appendix

## Caring for someone else's child - the options

### **Support services:**

If child was in care prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to provide support. Young person may be entitled to leaving care support services if they were a looked after child prior to making of the SGO.

### **Review of placement:**

See above.

### **Support services:**

Entitlement to assessment for adoption support services, which may be provided at the discretion of the LA in accordance with Regulations and NMS.

## Adoption

### **Role in the caring arrangement:**

Children in care: The LA may decide that the child should be placed for adoption. They only do so with the consent of the birth parent or under a Placement Order made by a Court. An approved foster carer can apply for an Adoption Order after a year of caring for the child. Other informal carers could apply for an Adoption Order if the child has lived with them for a period of 3 years

### **Parental responsibility:**

Transfers to adopters and relationship with birth parents is severed.

### **Approval basis:**

Adoption Agency assesses and approves prospective adopters, Court makes Order regarding specific child. If the child is not looked after, then notice of intention to adopt must be given to the LA which then carries out an assessment/ report for the Court.

### **Duration:**

Permanent lifelong relationship.

### **Placement supervision:**

When child is placed for adoption by the LA the placement is supervised and there are statutory reviews. Once the Adoption Order is made, none.



