

Viability Assessment Practice Guide

The aim of the guidance

This guidance is for practitioners who undertake viability assessments as part of their role so that they understand why and how these are completed.

What is a viability assessment?

Where a child cannot remain in the care of their parents, research has consistently found that children placed with family or other people they may already know generally do well, if not better, than children living in foster care with people they do not already know, particularly with regard to stability of care for children.

The importance of considering family and friends care when children are not able to live with their parents is firmly embedded within a human rights and legal framework.

It is essential that social workers, alongside parents, make it a priority to identify any potential carers from the child's network of family and friends to determine whether they will be able to provide safe care to meet the child's needs until they reach adulthood.

A friends and family carer can be any "connected person" to a child. Legislation defines "connected person" as a relative, friend or other person connected with a child i.e. someone who would not fit the term 'relative or friend', but who has a pre-existing relationship with the child. Relative is defined as a grandparent, brother, sister, uncle or aunt (including those by marriage or civil partnership) or step-parent.

An initial assessment will help to determine which family members or friends are a potentially realistic or viable option to care for a child and these are commonly known as viability assessments. It is the responsibility of the allocated social worker to complete the viability assessment and it is possible that several assessments are undertaken of family members or friends to ensure that the right carer is found for the child. Viability assessments are the first part of the process and will recommend whether a full assessment should be undertaken.

Viability assessments can be challenged in court if they are not properly conducted, so they must be undertaken in a way that demonstrates that they are thorough and have given due consideration to whether or not the carer/s can meet the child's needs. If the assessment determines that they cannot meet the needs of the child, the evidence for this decision must be really clear.

A viability assessment should consider both the current and the anticipated future needs of the child. **They key question is 'could the potential family or friend, with support, be able to provide for this child's needs?'** The assessment should also be open to the likelihood of the child being able to live there permanently and whether this could be managed under arrangements such as a Special Guardianship Order.

When to Assess?

Family and friends care options should have been considered during pre-proceedings (court and pre proceedings statutory guidance, 2014). However, in cases where this is not possible, the wider family should be involved as soon as possible either through Family Group Conference or a Family meeting.

In circumstances where parents do not actively support the exploration of family or friends the allocated social worker should take steps to make contact with relevant persons in the child's network and determine if they wish to be considered as a potential carer for the child.

If the Viability Assessment is not done prior to, or at the start of Care Proceedings, the initiation of the full Friends and Family assessment will be delayed and in turn, will impact on the court timetable and the plan of permanency for the child being achieved in a timely way.

Initial Home Visits

Once a potential carer or carers are identified, a home visit should be undertaken by the child's allocated social worker to carry out the viability assessment. It is important that carers are being assessed as a couple are both involved in the assessment. This visit can be done with the support of a Duty Social Worker from the Friends and Family assessment team.

During the home visit the applicants should be made aware of:

- The reason for children's social care involvement and specific needs of the child
- The purpose of the assessment and what the process of fostering entails
- The next steps – for both positive or negative recommendations
- The court process and possible legal orders the court may make
- The implications of any further assessments and support required
- That the process is intrusive and can be complex and workers may have to go over information more than once
- Financial assistance for the duration of the placement

Although a Viability assessment can usually be completed in one visit, sometimes this is not sufficient and follow up conversations or further visits may be required.

Regulation 24

Where the LA is satisfied that an immediate or emergency placement with a member from the family or a friend is the most appropriate placement for the child, then temporary approval can be considered by the Head of Service for no more than 72 hours only after -

- A home visit has been undertaken to the prospective carer(s) home prior to the placement starting
- PNC checks have been undertaken of all adults (anyone over the age of 18 years) living in the household confirming that the persons have no relevant offences
- A social care check confirming no history of child care concern

The service manager is required to provide a summary of the circumstances to the Head of Service with their recommendations. The Head of Service will review the information and add their views and recommendations to the child's file in LCS.

If the placement is approved as an emergency, then a viability assessment must be completed within 72 hours.

From the first day of placement, under Regulation 24 there is a timescale of 16 weeks to complete the stage 2 assessment and present to the fostering panel therefore things need to be triggered and progressed in a timely way.

The placement can only continue after 16 weeks if the applicants are approved as foster carers by Fostering Panel, or if the Panel agrees an eight-week extension (Regulation 25) because the assessment is not yet complete. The maximum length of time that a temporary placement can be approved is 24 weeks, after this time the placement would automatically be unregulated and the matter would need to be returned to court.

The Family and Friends Assessment team manager will track placements, alerting the Head of Service to any concerns regarding timeliness.

What should the Viability Assessment cover?

The viability assessment should enable the potential carer(s) to discuss the strengths of their relationship with the child and other family members, including the bonds that already exist between potential carer and child. The benefits of family and friend's placements are often based on continuity of care, the continuation of a close relationship, or the security that comes from growing up in a network where relationships can be developed

A relationship based on ties in which the carer(s) and the child do not know one another on a personal level should be explored for the potential carer to provide for the child's needs, including helping them shape their identity.

It is understandable that potential carer(s) may have reservations about or be upset with the child's parents, particularly if news about the child's situation has come as a shock. However, the potential carer(s) will need to be able to respect the child's relationship with their parent(s), allow them to enjoy a positive but realistic view of their parent(s) and avoid the child developing divided loyalties. At the same time, the carer(s) will need to prioritise the safety of the child and comply with any safeguarding requirements that are formally stipulated by the local authority or the courts.

The following are the areas that all viability assessments should consider to help determine the right arrangements for our children.

Reason for the assessment

- Why is the LA taking steps to consider alternative care for the child?
- What planning has been undertaken to assess family members or friends?
- Where are the children currently placed?
- What is the child's current legal status?
- Outline any harm which the child has suffered and any risk of future harm to the child posed by the child's parents, relatives or any other person

How does the child know the applicant(s)?

- Give a sense of the connection between the applicant(s) and the child
- What was/is the frequency of contact?
- Describe and assess the nature and quality of the current and past relationship between the applicant(s), members of the household and the child

The child's wishes and feelings?

- Consider the child's perspective on the relationship and their wishes and feelings about the possible placement, taking into account their age and understanding

Outline the current Care Plan for the child

- What is the current plan for the child?
- Outline the child's specific physical, educational, emotional and behavioural and identity needs
- What is the child's relationship like with their parents and other significant family members?
- If the child is looked after, has a permanence plan been agreed? If not, what options for permanence are being considered?

The Applicant(s) relationship with birth parents and other family members

- What is the relationship like between the applicant(s) and the child's parents/extended maternal and paternal family members?
- What is the applicant(s)'s attitude towards them and what is their response to the child's circumstances?
- Do the applicant(s) understand the risks posed by parents to the child?
- What is the extent of the child's current contact with parents, other relatives and any other person the local authority considers relevant, including friends of the child?
- Are the applicant(s) able to promote and manage contact safely?
- What are the arrangements for continuing contact between the child and family members, friends and others as appropriate? If this needs to be supervised, state who will do this

Ensure that applicant(s) are aware of the expectation that they may need to facilitate the child's contact with their parents and other family members in the future – how do they feel about this?

The Applicant(s) own children (under 18's in the household)

- Any children that live in the home now, and how another child would fit into life with the applicant and their own children
- What are the needs of their own children?
- Have they always lived at home?
- Is their current lifestyle likely to impact negatively on the child being placed?
- How will the placement impact on their own children?
- What are their own children's views on the new / proposed placement?

Other adults in the household

- Ensure DBS checks are undertaken on all household members over 17 years old
- What are their needs?
- Have they always lived here?
- What is the nature of their relationships with others in the household (including sexual relationships)?
- Is their current lifestyle likely to impact negatively on the child?
- What are their views the new / proposed placement?
- How will the placement impact on them?

Applicant(s) children not living in the household:

- Outline quality of relationships and levels of involvement between the applicant(s) and children not living at home.
- How will the placement impact on them?
- What are their views on the new / proposed placement?
- Social Worker to also be aware of regular visitors to the home and include their wishes and feelings in the assessment

The Applicant(s) accommodation

- Describe the applicant(s) accommodation
- Is it suitable given the age and developmental stage of the child?
- Is there adequate living / recreation/ study space available for the number of people proposed to be living there?
- How many bedrooms are there? What are the sleeping arrangements? Does / will the child have their own bedroom? If not, who will the child share with and what are the child's view of sharing? What is the view of the child / person that the child will be sharing with?
- Is there enough personal space for them to comfortably keep their clothes, belongings and do homework?
- Explore willingness of family to move to alternative accommodation if required?
- If assessing for a young child or baby, are the appropriate safety measures in place? Comment on any immediate health and safety concerns (including passive smoking)

The Applicant(s) age, employment and financial circumstances

- The applicant(s) age should be considered in relation to their ability to meet the needs of the child both now and in the future
- Where the applicant(s) are older, consider their current and likely future health
- What is the applicant(s) support network/back up plan
- Do the applicant(s) work? Will they be able to make reasonable adjustments to ensure that they can care for the child?
- What would the impact of this in regards to finances be?

- How do the applicant(s) manage their finances?
- Could they financially support the child or would they require financial assistance from the Local Authority?

Applicant(s) parenting capacity and Children's Social Care involvement

Consider whether the inevitable additional responsibilities and pressures are likely to exacerbate any existing concerns for the applicant(s) capacity to care

- Are there any current or historical concerns about the care the applicant(s) provided/s to their own children?
- When were they and what were the nature of these concerns? What are the current circumstances i.e. is there evidence of sustained positive change?
- Consider the likelihood of such concerns happening again in the future – what would be the impact of placing any additional children in that situation?
- Contact professionals involved with the applicant(s) children to gain a deeper understanding of the applicants parenting capacity such as school and health
- Are they able to work with professionals?

Ensure that you access the LCS files for each applicant and any children who have lived with them. Remember that there may also be files which are archived, which will also need to be accessed and considered as part of the assessment.

Criminal Convictions

- Do the applicant(s) or any other member of the household have any criminal convictions? Does this relate to offences against a child, violent or sexual offences, or offences involving drugs/alcohol or dishonesty/
- A PNC check should be undertaken and any recorded offences should be discussed with the applicant
- Discuss what happened, when it happened, how things have changed since then and whether something similar might happen again in the future
- Does the applicant appear remorseful and reflective on criminal behaviours?
- Does the applicant understand what the impact of such behaviour would be on the child if such behaviour was to continue once the child is in their care?
- If the applicant is part of a couple, is their partner aware of the offence?
- There may be circumstances when an offence or history of offences that would prohibit someone from being a foster carer, but may not exclude a relative

The Applicant(s) physical and mental health

- What is the physical and mental health of the applicant(s)?
- Is there or has there been any involvement with Adult social care or Mental Health Service?
- Contact professionals involved with the applicant(s) to gain a deeper understanding of needs and support available
- Are the applicant(s) physically able to look after a child of this age and until they grow up?

- If they have had previous health problems what has changed since then? If they have current health problems, how are they managing with this now and how will they manage future?
- Do the applicant(s) smoke, take illicit substances or drink alcohol? Do they understand the impact of this on the child and are they willing to seek support to quit?
- Individuals who use drugs on a recreational basis will need to consider how that affects their ability to function and their role modelling for the child, and other ways in which their drug use might impact on the child's life

Applicant(s) ability to meet the child's needs

Remain focused on the child and their specific needs and development

- What are the applicant(s) own experiences of looking after children?
- Do the applicant(s) understand why this child is in the care of the Local Authority?
- Were the applicant(s) aware of these concerns prior to the Local Authority's involvement and what was their response?
- Do the applicant(s) understand any specific developmental/health needs of the child?
- Can the applicant(s) meet the day to day care needs of any child, as well as any specific needs and their wishes and feelings?
- Can the applicant(s) meet the child's needs for the duration of their childhood?
- What is your assessment of the applicant's ability to protect the child from future risk of harm if placed in their care?

Analysis & recommendations

- Consider all the information obtained
- Analyse the positive and negative factors: the potential advantages to the child of being placed with these applicant(s) from within their network and the positive aspects of their care against any risks identified
- Where information raises concern but is insufficient to rule someone out, flag this as a line of inquiry during any further assessment
- Consider the additional risk factors such as:
 - Ongoing health issues and age of the applicant(s)
 - Impact of fostering on their own children / financial circumstances
 - Practical considerations / size of the accommodation or lack of bedroom space / ability to manage contact with the young person's family
 - Child's significant needs for example emotional or behavioural difficulties
 - Consider the additional protective factors such as:
 - Pre-existing relationship
 - The arrangement has already been tested
 - Sibling placement
 - Support from immediate family

- Contact supervised by carers
- Lower levels of parental contact

Ask yourself, is this a realistic option that should be assessed further?

Next Steps

Application forms and DBS checks on every adult in the household need to be completed by the child's allocated social worker – these are shared with Business Support Officer who will trigger all relevant safeguarding checks.

Once this visit is completed, the allocated social worker **MUST** complete the viability assessment on LCS, regardless of whether this assessment is to progress for further assessment or not.

Assessments **must** be shared with the applicants and if negative, a letter outlining the next steps available to the applicants must be shared.

Prior to a child being placed with a connected person following a positive viability assessment, approval for the Regulation 24 placement needs to be provided by the Head of Service.

Once the viability assessment has been completed and agreed by the team manager, reassign stage 2 to Kim Bray, Team Manager of Friends and Family assessment team

The team require a minimum of 8 weeks to complete a full fostering assessment

Friends and Family assessments will not be allocated without registration forms being started.

Appendix 1 – Process Map

