

PRIVATE FOSTERING

Definition

A privately fostered child is one who:

1. Is under 16 (or under 18 if disabled)
2. Is provided with care and accommodation by someone who:
 - 2.1 Is not a parent
 - 2.2 Does not have parental responsibility
 - 2.3 Is not a close relative

Close relatives are defined by the Children Act as Parents, Step-parents, Grandparents, Siblings, Aunts or Uncles

3. Is provided with accommodation continually for 28 days or more.

This continuity is not broken by a short break in the care, for example a weekend back with parents or a short stay with other relatives etc.

See - Children Act 1989 Guidance on Private Fostering, Section 44 of the Children Act 2004 and Statutory Instrument 2005 No. 1533 The Children (Private Arrangements for Fostering) Regulations 2005

Duties of the Local Authority

1. To ensure that the welfare of children who are privately fostered, or where it is planned that they should be so, is safeguarded and promoted.
2. To ensure that appropriate advice is given to those caring for privately fostered children and to the parents of these children.
3. To ensure that the public and other agencies are aware of the requirement to report private fostering arrangements to the local authority
4. Make regular visits to ensure the child's welfare is secure.

Notifications and Time Scales

- ◆ We should be notified of a planned private foster placement at least 6 weeks, but not more than 13 weeks, before it happens, or immediately if it is to happen within the next 6 weeks.
- ◆ Where a private placement happens in an emergency, we should be notified within 48 hours of the placement taking place.
- ◆ When a person discovers that they are a private foster carer, or that their child is privately fostered (for example, following a publicity drive) they should notify us within 48 hours.

PRIVATE FOSTERING

- ◆ Other agencies are also under the same obligation to notify us if they are aware of a child who is, or is to become, the subject of a private fostering arrangement.

Receiving Notification that a Private Foster Placement is planned

On receiving notice that a private foster placement is planned, or is happening:-

Complete an [Initial Assessment CR1+](#) and ensure that this is logged via the Team Leader in the Duty Suite

Ensure you get the name and address of the parent and the carer.

Ensure you get the date of intended placement or the date that the placement started.

This information should then be presented to the Referral Management Meeting for Allocation to the Fostering Team for the completion of the Private Fostering Assessment.

Within 7 days of the receipt of this information The Family Placement Officer will

- ◆ Visit the child's parents and ensure that
 1. a [Notification By a Parent of a Private Fostering Placement](#) form is completed by the child's parent(s)
 2. an [Explanatory Leaflet for Parents](#) is issued
 3. a [Complaints Leaflet](#) is issued
- ◆ Speak to the child alone, ascertain their views about the arrangement and ensure that a [complaints leaflet](#) is issued
- ◆ Visit the premises where the child is, or is proposed, to be privately fostered.
- ◆ Speak to the private foster carer and all members of the household and ensure that
 1. a [Notification of a Private Fostering Placement](#) form is completed by the principal carer
 2. An [Explanatory Leaflet for Carers](#) is issued
 3. A [Complaints Leaflet](#) is issued
 4. A CRB form is completed by all members of the household aged 16 or over.

PRIVATE FOSTERING

- Check Care First
- Check DOH/List 99
- Complete a written assessment of the suitability of the placement in meeting all the child's needs

When the Assessment is Satisfactory:

[Statement of Satisfaction Form](#) should be completed and verified by the Team Leader Fostering and Adoption

Send [Statement of Satisfaction Form](#) to both the prospective carer and to the parent stating that, from the information available, the placement is satisfactory.

Arrange to visit the child:

- Within 1 week of the proposed placement date
- Within each 6 weeks thereafter, for the first year
- Within each 3 months thereafter

Following each visit make an entry on the diary record and complete the [Visit to a Privately Fostered Child Form](#)

A privately fostered child should be regarded as a child in need, and all services available to support children in need are available to him.

When an Assessment or Visit is Not Satisfactory

If, despite this, the placement continues to be unsatisfactory, action should be taken to have the child cared for by either:

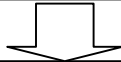
- His parents
- A relative
- A local authority carer

The arrangements for doing this are the same as for any other child in need.

When carrying out the assessment record the following matters as listed in [Schedule 3 to the regulations](#)

- Why the placement is taking place
- How long it is expected to last
- The wishes and feelings of the child
- The view of the parents
- The views of the carers
- The planned financial arrangements for the child
- Suitability of the accommodation, including sleeping quarters
- Suitability of the carer and the household
- Planned contact with child's parents, siblings and relatives and whether this is satisfactory
- Arrangements for meeting the child's needs in respect of health, education, social needs and cultural and religious needs.
- How decisions about the child's day to day care are being taken

PRIVATE FOSTERING



The private foster carer may be prohibited from caring for other children by the issue of a notice under s69 Children Act 1989. If this course of action is considered, legal advice should be sought. Any prohibition should be confirmed in writing to the carer, together with a note of their right to appeal against the prohibition under para 8, Schedule 8 of the Children Act 1989.



If a privately fostered child is not being satisfactorily cared for, the position of any other children in the household, including the carer's own children, should be carefully considered, and appropriate action taken, if necessary.

Prohibited carers have a right of appeal under para 8 Sch.8 of the Children Act. When notice of such an appeal is given, seek legal advice immediately.

If a Prohibited Private Foster Carer Appeals Against the Prohibition

If, having been prohibited, a carer wants to care for a child once again, at a later date, the local authority can decide to remove the prohibition if we feel it is no longer justified (CA 69(4)).

If a Prohibited Private Foster Carer Seeks to Have A Prohibition Removed

Before a prohibition can be cancelled, we must:

- Carry out a thorough assessment of the carer, carried out by a member of the **Adoption & Fostering Team**, using the same methodology as for mainstream foster carers
- Present the case to the Foster Panel for their approval of the removal of the prohibition

Notify the carer, in writing, of the Foster Panel decision and their right of appeal, if relevant.