

Children and Community resilience

Family and Friends Policy

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Introduction

This policy is based on government guidance entitled “Family and Friends Care: Statutory Guidance for Local Authorities”, released in 2011 by the Department for Education.

It is aimed at

- Family and friends carers
- Children and young people living with family and friends carers, or thinking about that
- Parents of children and young people who are living with family and friends carers

It is also of interest to:

- Cabinet member for children, families and learning.
- Staff within North Lincolnshire’s Children and Community Resilience
- Partners across North Lincolnshire
- Anyone who delivers a service to children and young people

The Director for Children and Community resilience has nominated the Responsible Officer for Regulated Services, as the lead person for ensuring North Lincolnshire’s children are well cared for in family and friends arrangements

Values and Principles

As a partner in the North Lincolnshire Children and Young people’s Partnership, we have adopted the following VALUES:

- Every child and young person is unique and we must respect that uniqueness
- Every child and young person has the right to feel safe and be safe
- Every individual child and young person’s circumstances, background and culture should be recognised, respected and valued
- Every child and young person should have the opportunity and support to discover their strengths
- Every child and young person should have the opportunity and support to reach their full potential in a complex multicultural context
- Every child and young person should have the opportunity to contribute positively to their local community
- Every child and young person has the right to services and support that are available, accessible and acceptable
- Every child and young person has the right to a stable family life

- Every child and young person has the right to be consulted on plans, interventions and services that affect them.

When looking at the value “Every child and young person has the right to a stable family life” we hold the following principles:

- Our priority is to enable children and young people to live with their parents and families within their community, where it is safe to do so.
- Where this priority cannot be achieved, we will work to ensure that they have permanence and stability within an alternative family.
- Where children and young people are not able to live within a family we will ensure they have stable placements within a children’s home or within independent living.
- We will support them to keep links with their community and wherever possible keep the continuity of their education and social lives.
- Adults who work with our children and young people will be safe to do so and provide a consistent relationship with the child wherever possible.
- We will continue to support and help children and young people as they become young adults.
- We will work to ensure our children and young people have equal chances and succeed along with their peers.

This is the framework within which we carry out our work with family and friends carers.

Legal framework

The different legal situations of children living with kinship carers are set out in appendix A.

What is a Family and Friend carer?

A family and friends carer means a relative, friend or other person with a prior connection to someone else’s child who is caring for that child full time. For example, grandparents may be have a grandchild living with them because the child’s parents are unable to care for them or cannot cope. There is a whole range of ways in which the family or friends of a child or young person can take on the care of the child because the parents cannot care for them.

Informal care

This means an arrangement where a child is living with a family and friends carer who does not have parental responsibility for him or her. (“Parental responsibility” is the set of duties, responsibilities and rights that a natural parent has when their child is born. Parents will normally still have parental responsibility even if the child is living with someone else, but a court can share that responsibility with other people, including a family and friends carer or a local council.)

Such an arrangement can be made between the child or young person, his parents and a family member or friend who offers care. It does not need to be reported to the council (unless it is a Private Fostering placement – see below) and the only role of the council and agencies such as health, schools and so on will be to provide the kind of services that all children are entitled to.

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Sometimes, when the council is working with a child and family, and it is agreed that the child should live elsewhere, the council may assist and advise a parent about securing a place with a family or friend carer. This is still an informal arrangement, because the council has not placed the child with the carer but merely assisted in the process.

Private Fostering

This is a type of care where a child or young person aged 16 or under (or 18 if the child has a disability) is cared for full time for more than 28 days by someone who is not a relative of his/hers and does not have parental responsibility.

By “relative” we mean a grandparent, brother, sister, uncle or aunt (whether full-blood or half-blood or by marriage or civil partnership) or a step-parent. If you have these kinds of relationships to a child you are caring for, it is not a Private Fostering arrangement.

If it is a Private Fostering arrangement (the example given above of the young person living with their best friend’s family is a typical case) then the council will have to be notified and will carry out an assessment of the care for the child and monitor his well-being and safety from time to time. (enter “Private fostering” into the North Lincolnshire Council website’s search engine for more details, or contact the Single Access Point on 01724 296500)

Special Guardianship & Child Arrangement Orders

When a child or young person is going to stay with a family and friend carer for the rest of their childhood, they may consider either a Special Guardianship Order or a Child Arrangement Order. Both of these legal measures give the carer more rights and responsibilities over the care of a child than a simple informal arrangement does, and lets the carer share parental responsibility with the parents.

Adoption

It is possible for family and friend carers to adopt a child they are caring for. Adoption is intended to give all of the parental responsibility for a child to new parents, and removes it from the child’s birth parents. It is therefore a very serious measure that involves a lengthy process of assessment and approval. Again, legal advice is essential.

Being looked after in the care of the council

When the council finds that the welfare or well-being of a child or young person is not best secured within their own family, they may act to place the child either in accommodation or in care. When a child is placed in accommodation, it means that the child and parents have agreed that the council should look after the child (under s20 of the Children Act 1989). The parents keep parental responsibility for their child. When a child is taken into care, it means that the council has applied to a court for an order (usually a Care Order under s31 of the Children Act 1989) and the court has granted it. In these circumstances, parental responsibility is shared with the parents and the council will normally have the greatest say over what happens to the child.

When either of these things happens, the council has to provide a place for the child to live, and should consider whether any of the child's family and friends can do the job, before looking at a children's home or ordinary foster care.

The council can place a child for whom they have a Care Order with a family and friend carer for a maximum period of 24 weeks, during which time the carer must be assessed as a foster carer for the child, and approved by the Fostering Panel as a foster carer. If the Fostering Panel does not approve the carer, the child must be moved to live somewhere else.

Support for carers

Regardless of the legal status, the Local Authority will ensure that children and their family and friends carers will have access to the following supports as appropriate to their needs:-

Universal Support

All family and friend carers are entitled to use the same services as anyone else in the community to help support them and the children in their care. These are known as universal services and include such things as schools, GPs, information, advice and guidance, children's centres etc. Children's Centres are based across North Lincolnshire providing a range of services, working closely with schools, health visitors, G.P's and other local service providers to ensure continuous support to children and their families. Details of the centres, include the weekly activities can be found at:

Website: www.northlincs.gov.uk Email: surestartchildrenscentres@northlincs.gov.uk

The North Lincolnshire Families Information Services holds up-to-date details about

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childcare, activities and services in North Lincolnshire for families with children 0-20. Further details and a directory of services and support are available from the Family Information Service website:

Family Information Service, , North Lincolnshire Council, Hewson House, PO Box 35, Station Road, Brigg, DN20 8XJ www.northlincs.gov.uk/fis

Tel: 01724 296629

Email: fis@northlincs.gov.uk

Targeted Support

Where problems arise in caring for the child or young person, and universal services are not able to resolve them, family and friend carers can ask for help from targeted services, designed to give additional support and help. Such services include FASST and New Horizons provided by the council's Localities and Partnerships. Family and friend carers can access such services via professionals they are in touch with - e.g. teachers, health visitors, GPs – or by contacting the Single Access Point on 01724 296500.

Specialist support

Where problems are so difficult to resolve that targeted services cannot do so, a referral may be necessary to a specialist service. These include the Social Work Service, the Child and Adolescent Mental Health Service or the Special Educational Needs Service. Again, referrals can be made with the support of professionals already involved with the family, or directly on the Single Access Point number above.

Financial support

Wherever possible, we believe that family and friend carers should be able to carry out their caring responsibilities free from interference from anyone. However, circumstances may arise where the local authority needs to be involved to provide support, and this can include a range of financial support.

Support when children are not in care. Normally, children and young people who are living with family and friend carers will be there because of an arrangement between them and the parents of the child. Under these circumstances it will be for the carers and parents to come to an agreement about financial arrangements.

When a child is living full time with a family and friend carer, the carer is entitled to claim a number of benefits related to the child. Child Benefit and Child Tax Credits are two examples of this, but there may be adjustments needed to housing benefit, invalidity benefit or other means-tested benefits the carer may be claiming. The Citizen's Advice Bureau is a good source of advice about financial matters.

Under certain circumstances, principally to prevent the need for a child to come into

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care, the local authority may offer small amounts of financial support to family and friend carers. This is at the discretion of the local authority and will need an assessment by a Social Worker.

Support when children are in care. In some circumstances, it may be in the best interests of the child or young person to be taken into the care of the local authority, but placed with a family and friends carer. When this happens, the local authority will need to assess the family and friends carer as a foster carer. When a carer is assessed and approved as a foster carer for the child, the local authority will pay fostering allowances at the same basic rate that all foster carers receive and the family and friends carer will not be able to claim child benefit or child tax credit or housing benefit for the looked after child.

Supporting Contact

Under most circumstances, children living with a family and friends carer will be better off if they keep in contact with their natural parents. Wherever possible this is best undertaken as an arrangement between the family and friends carer and the parent(s) of the child(ren) they are caring for. However in some circumstances this may need the support of the Local Authority and support and advice can be accessed by the Single Access Point telephone number.

Comments and/or complaints

If a family and friends carer, or a child or young person within their care, wishes to complain about any aspect of the service they receive from the Local Authority, they are able to do so using the following methods:

Phone: 01724 297069

e-mail: Lesley.cooper@northlincs.gov.uk

In person: ask for Lesley Cooper, Customer Contact and Relationships Manager,
Church Square House, 30-40 Church Square, Scunthorpe, North Lincolnshire DN15 6NL

Appendix A Arrangements where Children and Young People live with family and friends carers

Family and friends Care arrangement	Child was previously looked after	Special Guardianship Order	Child arrangement Order	Child was not previously looked after	Private fostering
Who made the arrangement?	Local Authority placed the child	Local Authority placed the child or the child's parents made the arrangements or carer stepped in because the parents were not available	Local Authority placed the child or child's parents made the arrangements or carer stepped in because the parents were not available	Child's parents made the arrangements or carer stepped in because the parents were not available	Child's parents made the arrangements or carer stepped in because the parents were not available
Is the child looked after?	Child is looked after	When a Special Guardianship Order is in place, the child is not looked after but may or may not have been prior to this arrangement.	When a Child Arrangements Order is in place, the child is not looked after but may or may not have been prior to this arrangement.	Child is not looked after	Child is not looked after
Did the Local Authority approve this arrangement?	Local Authority approved the carer	A Special Guardianship arrangement may be made in private law proceedings or be a permanence outcome identified by the Local Authority	A child Arrangements Order may be made in private law proceedings or be a permanence outcome identified by the Local Authority	No approval made	Arrangement is assessed for suitability but not approved by the Local Authority. Arrangement may be prohibited if assessed as unsuitable because of the carer or premises
What relation is the child to the carer?	The carer is a relative or friend of the family	The carer is a relative or friend of the family or may have been a non-related foster carer.	The carer is a relative or friend of the family or may have been a non-related foster carer.	Carer is a close relative of the child defined as grandparent; brother; sister; uncle; aunt or step-parent	Carer is not a close relative of the child defined as grandparent; brother; sister; uncle; aunt or step-parent
Is there a legal order?	Available legal orders: Adoption order, Care Order, Special Guardianship Order	Available Legal Order: Special Guardianship Order (SGO). Section 8 Contact order or	Available Legal Order: Child Arrangements Order (CAO). Section 8 Contact order or	Special Guardianship or Child Arrangements or Adoption Orders are available as legal orders	Not supported by a legal order.

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	(SGO), Child Arrangements Order (CAO)	Supervision Order (usually for up to 12 months) can be considered alongside the SGO	Supervision Order (usually for up to 12 months) can be considered alongside the CAO	under private law.	
How long will the arrangement last?	Arrangement is intended to as per the requirements of the care plan or the making of an alternative order.	Arrangement is intended to last until the child becomes 18 years of age unless varied or discharged by the court before the age of 18	Arrangement is intended to last until the child becomes 18 years of age	Duration of the order is subject to the discretion of the person with PR or dependent on a legal order	Arrangement is intended to last for 28 days or more.
Who has parental responsibility? (PR)	Remains with birth parents if the child is accommodated under S20 Children Act: or if the child is subject to a Care Order or Emergency Protection Order (EPO), the Local Authority shares PR and determines the extent it is delegated to others	Birth parents retain PR but do not exercise it and share this with the Special Guardian carer. There are decisions that cannot be made without the consent of the parents; or if parents do not consent, without the permission of the court. These include: changing the child's name, removing the child from the U.K> for more than three months; situation where consent is required by law e.g. male circumcision; and giving consent for the child to be placed for	Birth parents retain PR but do not exercise it and share this with the Child arrangements carer. There are decisions that cannot be made without the consent of the parents; or if parents do not consent, without the permission of the court. These include: changing the child's name, removing the child from the U.K> for more than three months; situation where consent is required by law e.g. male circumcision; and giving consent for the child to	PR remains with the birth parents but the carer may do what is reasonable to safeguard or promote the child's welfare; and has delegated responsibility unless an alternative legal order is in force.	PR remains with the birth parents.

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		adoption.	be placed for adoption.		
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