

# Services for Children and Young People

## Private Fostering – External policy and procedures

Status	Date	By Whom
Approved	June 2017	Tracy Eaden
Last Updated	June 2017	Jane Brennan
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## Private Fostering Procedure

This process should be read in line with the guidance, regulation and national minimum standards.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/274414/Children\\_Act\\_1989\\_private\\_fostering.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274414/Children_Act_1989_private_fostering.pdf)

[http://www.legislation.gov.uk/uksi/2005/1533/pdfs/uksi\\_20051533\\_en.pdf](http://www.legislation.gov.uk/uksi/2005/1533/pdfs/uksi_20051533_en.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/274482/national\\_minimum\\_standards\\_for\\_private\\_fostering.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274482/national_minimum_standards_for_private_fostering.pdf)

### **Definition**

A privately fostered child is one who:

- is under 16 (or under 18 if disabled)
- Is provided with care and accommodation by someone who:
  - is not a parent
  - does not have parental responsibility
  - is not a close relative

*Close relatives are defined by the Children's Act as parents, step parents, grandparents, siblings, aunts or uncles.*

- 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 Timescales**

- North Lincolnshire Children's Services should be notified of a planned private foster placement at least 6 weeks before it happens

- Where a private placement happens in an emergency, North Lincolnshire Children’s Service 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.
- 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.

**Notification**

On receiving notification that a private fostering arrangement is planned or has happened; the following process will be followed:

A Children’s Services Assessment (CSA) of the child’s needs is completed by the relevant team to assess the suitability of the arrangement and ensure there are not safeguarding issues. The assessment will be completed within a maximum of 45 days of notification.



Within 7 working days of the initial notification the social worker will:

- (a) visit the premises where it is proposed that the child will be cared for and accommodated;
- (b) visit and speak to the proposed private foster carer and to all members of his household;
- (c) visit and speak to the child, alone unless the social worker considers it inappropriate;
- (d) speak to and, if it is practicable to do so, visit every parent of or person with parental responsibility for the child; and
- (e) establish such matters listed in Schedule 2 of The Children (Private Arrangements for Fostering) Regulations 2005 as appear to the officer to be relevant.
- (f) having completed his functions under paragraph (1) the officer must make a written report to the local authority.
- (g) Undertake a DBS of all household members aged 16 and over
- (h) The children, parents and carers will receive private fostering information and complaint leaflets



At the end of the assessment the Practice Supervisor should consider whether there are any restrictions which should be imposed and whether any person should be disqualified or prohibition imposed. Any additional support which may be required will also be considered within the recommendation.

### **When the placement is satisfactory**

The prospective carer and parent(s) will be informed that from the information available, the arrangement is satisfactory



The child will be visited every 6 weeks (minimum) for the first year and ever 12 weeks (minimum) thereafter.  
The child will be seen alone, unless the social worker considers it inappropriate, and seen within the home.



The child will be supported through the case management service where he is deemed a child in need. The child will be supported through the fostering service where it is assessed the child does not require a service as a child in need under s17 of the Children Act 1989.



The suitability will be reviewed on an annual basis (minimum)

### **When the placement is not satisfactory**



Where the care of a privately fostered child is deemed not satisfactory or it appears the person should be disqualified the practice supervisor should seek agreement for prohibition. The decision to do this must be taken by service managers in decision with the legal department at the legal decision making and tracking meeting.

A privately fostered child should be regarded as a child in need, and all services available to support children in need are available to them. This would include convening a family solutions meeting.

If, despite this, this placement continues to be unsatisfactory the parents should be supported to identify a more suitable arrangement or prohibition should be sought.

#### **Prohibition of a private foster carer**



#### **If a prohibition private foster carer seeks to have a prohibition removed**

Having been prohibited, a carer may be reinstated and the prohibition removed by the local authority, either on an application by the carer or because the local authority feel the circumstances leading to prohibition no longer apply.



Before a prohibition can be cancelled, we must: carry out a thorough private fostering reassessment of the carer, carried out by the social worker with case responsibility.



The assessment will be agreed by practice supervisor and authorised by service managers in the legal decision making and tracking meeting.



The carer will be notified of the decision in writing.

#### **After Care**

Unless disabled, a child ceases to be privately fostered on reaching his 16<sup>th</sup> birthday. The power to provide after care arrangements applies to a person who is under 21 and was (but is no longer) privately fostered at any time after his or her 16<sup>th</sup> birthday. This means only a child with disabilities may qualify.

The local authority is empowered to advise, assist and befriend such as person if he asks for help and his foster carers do not have the necessary facilities themselves.

**Fostering limit**

The usual fostering limit is three children unless the children concerned are all siblings with respect to each other. Other exceptions are governed by Schedule 7 of the Children Act 1989. The decision to authorise an exemption will be made by the service manager following discussion with the practice supervisor.