



Private Fostering

Information and advice for professionals
who work with children and young people

INTRODUCTION

This leaflet is for professionals. It aims to give them a better understanding of the law on private fostering and the role of Children's Social Services.

WHAT IS PRIVATE FOSTERING?

A private fostering arrangement occurs when a child under 16 (or 18 if the child is disabled) is cared for, and lives with, an adult who is not a relative for 28 days or more. The Children Act 1989 defines a relative as a grandparent, step-parent, brother, sister, uncle or aunt.

Private fostering is very different from arrangements made by the local authority for children who are 'looked after' and living with approved foster carers.

Private fostering is a private arrangement made by parents (or those with parental responsibility for a child) for someone to care for their child because they are unable to do so.

There are many reasons why a parent may be unable to provide full-time care for their child such as:

- *A parent being admitted to hospital*
- *A parent going abroad for lengthy periods*
- *A breakdown in a relationship between a parent and young person*

WHAT ARE THE RESPONSIBILITIES OF PARENTS WHEN THEY PLACE THEIR CHILD IN A PRIVATE FOSTERING ARRANGEMENT?

When a child is privately fostered, the child's parents still have full responsibility for the child and should participate in all decisions about their child. It is the parents' responsibility to ensure that the private fostering arrangement is suitable.

If a parent is planning to arrange for their child to be privately fostered, they must notify the Children's Social Services Department at least six weeks before it happens.



Where an arrangement is made in an emergency, the parent must notify the Children's Social Services within 48 hours.

Parents should provide the prospective carers with as much information about their child as possible, including their health, dietary preferences, school, hobbies, religion and ethnic background.



WHAT RESPONSIBILITIES DO PRIVATE FOSTER CARERS HAVE WHEN THEY CARE FOR A CHILD BY PRIVATE ARRANGEMENT?

Private foster carers are responsible for carrying out the day-to-day care of the child placed with them. They should care for the child as if he or she were a member of their own family.

Private foster carers are required to advise Children's Social Services that they intend to foster a child privately at least six weeks before the arrangement starts. In cases where a child is placed with them in an emergency, they must tell Children's Social Services within 48 hours.

Private foster carers are also required to notify Children's Social Services within 48 hours when a child leaves their care. They must give the name and address of the person who will be caring for the child at the new address.

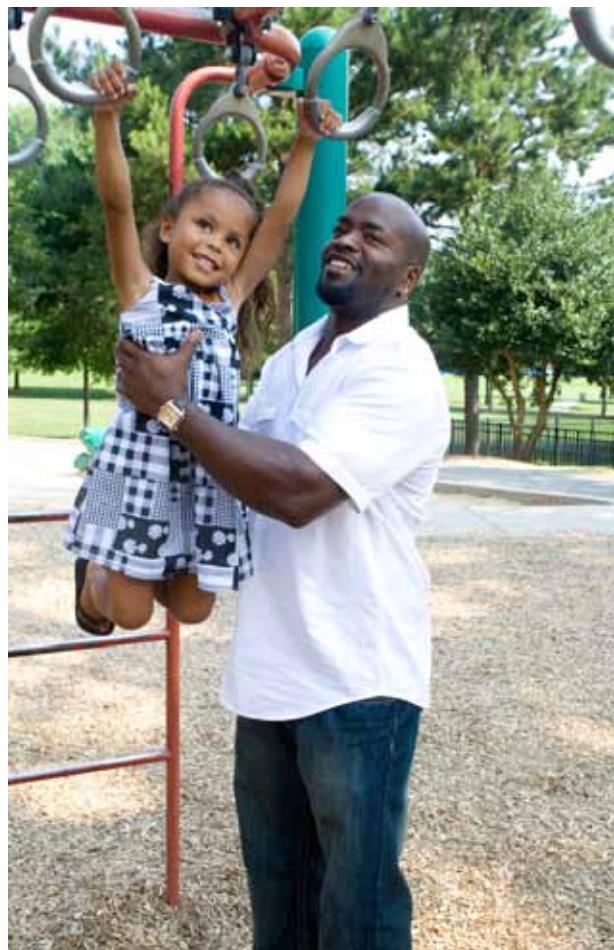
WHAT ARE CHILDREN'S SOCIAL SERVICES RESPONSIBILITIES?

The Children Act 1989 and 2004 and associated regulations, place a duty on local authorities to ensure that the welfare of all privately fostered children is safeguarded and promoted.

Children's Social Services are required to check the suitability of private fostering arrangements and make regular visits to such children to monitor the standard of care provided.

Children's Social Services will provide advice and support to parents, private foster carers and the child who is being privately fostered.

Children's Social Services do not approve private foster carers. They do, however, have the power to prevent a person from acting as a private foster carer if the care (or the accommodation) they provide is not considered suitable.



WHAT HAPPENS AFTER CHILDREN'S SOCIAL SERVICES IS NOTIFIED?

Children living in private fostering arrangements have the same rights to have their welfare safeguarded and promoted as other children living within their families. They also have the same rights to services and support if these are required.

When Children's Social Services is notified of a private fostering arrangement it will:

- *Ensure that the child is visited and that his or her wishes and feelings about the proposed or actual arrangement are obtained*
- *Ensure that the private foster carer is visited, as well as the parents where appropriate*
- *Assess the suitability of the arrangement*
- *Check the suitability of the carers and anyone else in the household aged over 16 years*
- *Provide preventative and support services where appropriate*

WHAT SHOULD PROFESSIONALS DO?

The legislation regarding private fostering is very clear. Parents and private foster carers are legally required to notify Children's Social Services about a private fostering arrangement that is going to be made or has been made. Carers, though, often fail to do this because they do not know they have to do so.

The lack of awareness means many private fostering arrangements remain hidden, leaving this group of children particularly vulnerable. This situation was highlighted by the tragic death of Victoria Climbié, who was being cared for in a private fostering arrangement at the time of her death.

Children's Social Services can only work to protect privately fostered children if we know about them. It is vital that we are made aware of private fostering arrangements so that we can promote and safeguard the welfare of the children involved.





Health, education and other care professionals can play an important role in safeguarding and promoting the welfare of privately fostered children as they are often the first people to become aware of such arrangements.

If you know that a child is being privately fostered, please encourage the parent or carer to notify Children's Social Services. If you feel the arrangement has not been, and will not be, notified, you should contact Children's Social Services directly. You will not be breaching confidentiality, but you may help to safeguard the welfare of the child(ren) concerned.

IDENTIFYING A PRIVATE FOSTERING ARRANGEMENT

If you are unsure whether or not an arrangement is a private fostering arrangement, please refer to the checklist below.

	Yes	No
Is someone other than a parent, a person with parental responsibility or a relative providing the child with accommodation?		
Is the child under 16 (18 if disabled)?		
Are the child's parents, or the person with parental responsibility, living in separate accommodation?		
Has the young person been living with the private foster carers for a period of 28 days or more? If not, is the intent for the child to remain for a period of 28 days or more?		
The child is not a 'looked after child' where the local authority has arranged the placement.		

WHAT TO DO NEXT?

If you have answered “yes” to the questions in the grid, then it is likely to be a private fostering arrangement.

If you wish to notify Children’s Social Services of a private fostering arrangement, or if you require further information, please contact:

Kent County Council Contact Centre:

08458 247100

If you would like this leaflet in another language or format please contact the Contact Centre on the number above or visit the website:

www.kent.gov.uk/socialcare/children



