The ***STAYING TOGETHER*** policy and protocols are about Adoption, Special Guardianship and Child Arrangement Orders (used to be called Residence orders) applications by foster carers

The ***STAYING TOGETHER*** policy applies when related (connected persons) and non-related (main stream) foster-carers, including foster carers from Independent Fostering Agencies (IFAs) make a commitment to applying for an Adoption Order, a Special Guardianship Order, or a Child Arrangement Order in respect of children they have fostered for a minimum period of one year.

The aim is to provide permanence for those children and young people who might otherwise remain Children in Care.

**Defining permanence**

Permanence is a framework of emotional, physical and legal conditions that gives a child a sense of security, continuity, commitment and identity.

**Legal** - e.g. staying with birth parents; [Child Arrangements Order](http://trixresources.proceduresonline.com/nat_key/keywords/chi_arrange_orders.html); [Special Guardianship Order](http://trixresources.proceduresonline.com/nat_key/keywords/special_guardianship_order.html); Adoption.

**Psychological** - when the child feels attached to an adult who provides a stable, loving and secure relationship;

**Physical or environmental** - a stable home environment within a familiar neighbourhood and community where the child's identity needs are met.

Foster carers who opt for a STAYING TOGETHER arrangement will not usually be paid anything for maintenance or fee from the point the young person reaches 18. They will not be eligible for a STAYING PUT arrangement. Permanence means that the young person is very much part of the family and that the foster cares accepts parental responsibility.

As Corporate Parents we recognise the importance of the strong and important relationship which many foster carers establish with our children, and we will continue to provide financial support after the point the legal order is made until the young person reaches 18.

Financial reward is fixed at the age-related maintenance plus fee payment payable (less any child benefit).

Fostering support and supervision will cease, but adoptive families are able to access services provided by the **Adoption Service Post Adoption Support team**. Guardians are able to access services provided by Specialist Children’s Services **Special Guardianship Support Team**.

These services should not be seen in isolation though, and families can access universal and additional (Early Help) services as appropriate. However, if appropriate community services are not available, then we will consider funding some or all of these services, either directly or through the provision of further financial assistance.

**Eligibility**

* The child must have been fostered by the applicant/s for a minimum of one year.
* Usually the child must be aged 8 years or above (applications concerning younger children will be considered on a case by case basis). Or the child must be part of a sibling group that needs to be kept together with a child aged 8 years or above
* The child’s wishes are to remain in the placement
* It has been agreed with the carers, the child’s social worker, the Independent Reviewing Officer (IRO), and the fostering social worker that the placement meets the needs of the child.

**Decision making**

1. The foster carer/s may express initial interest, or the child’s social worker or his/her manager may consider it appropriate. Or the opportunity is identified through a routine monthly tracking meeting.
2. The child’s social worker and the fostering supervising social worker will meet to discuss the potential for a legal order. If Adoption is a possibility, the Adoption Service area link social worker must also be involved.
3. There must also be a discussion with the IRO.
4. If everything looks favourable, there must be a meeting between the foster carer, the supervising fostering social worker, the child’s social worker, and where relevant the adoption link worker.
5. If there is a agreement to proceed with a legal order as the plan, arrangements must be made to consult with the IRO and arrange a Review to update the Care Plan.
6. If the foster carer(s) want to proceed but the other professionals do not, then the foster carer(s) must be invited to meet with the Service Manager to review their request. Support for this must be offered to the foster carers by the fostering supervising social worker.
7. For all children and young people that are the subject of this decision-making process, there must then be a Permanency Planning Meeting (PPM) to agree the support needs of the child and the foster carer.
8. The PPM will give further consideration to the suitability of the proposed arrangement, and make sure that the support plan is discussed with other agencies already involved, or likely to be involved in the future. (E.g. CAFIS; the Special Guardianship Support team)
9. The PPM must also consider the implications of the plan for the fostering role, the motivation of the foster carers, the impact on the birth family, the impact on the foster family, and on any siblings of the child or young person that may be living elsewhere.
10. An assessment of the foster carers and a matching report should be started by either the assessing adoption worker or the fostering social worker.

**Panels, the Court, and the Agency Decision Maker**

For Adoption and Special Guardianship Orders the assessment and matching reports must be presented to the Adoption Panel, and the relevant Agency Decision Maker (ADM) will be asked to consider the Panel’s recommendations.

For Child Arrangement Orders there is no requirement for the Panel to discuss these cases, and the assessment and matching reports go directly to the ADM.

Court application reports, including a Support Plan should be completed by the child’s social worker in liaison with the fostering and/or adoption worker.

Applications to Court can only be made once the appropriate Access to resources Panel has signed off the Support Plan.

**More about financial support**

In addition to the maintenance and fee payments that the foster carer(s) are receiving at the point the order is made, they will also receive:

* Legal advice: payable up to the agreed limit for the initial consultation of £350.
* Court fee: £160 will be paid by the local authority.
* Legal fees: paid at the Legal Aid rate, up to a maximum of £3000. (Should additional funding be required this can only be authorised by the Director)
* Contact expenses: payment of these expenses is based on an assessment of child’s needs and must be recorded in the Adoption or Special Guardianship Support Plan. It will cover payment of travel costs and accommodation. If supervision of face to face contact is needed, this needs to be based on a risk assessment.
* Exceptional payments: Building conversions assistance with Higher Education, Disabled Children payments and complex needs.

IFA carers will be offered the equivalent to the payment that a KCC foster carer would be.

**All these requests for payments must be discussed at the appropriate Area Resource Panel for a decision by the Assistant Director.**

**Geoff Gurney**

**Interim Assistant Director for Corporate Parenting, July 2015**

**Email me if you found this procedure in a nutshell helpful.**