

CONNECTED PERSONS POLICY

INTRODUCTION

Family and Friends/Connected Persons foster care is a formal arrangement where the child is looked after by the Local Authority, and placed with a relative, friend or connected person

'Relative, friend or connected person' is defined as: a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership), step-parent or friend of, or other person connected with, a Child Looked After. A person in the last category may be someone who knows the child in a more professional capacity such as a child minder, a teacher or a youth worker although these are not exclusive categories.

A Family and Friends/Connected Person foster placement can therefore be defined as being an arrangement where:

- A child cannot live with their parents and is living away from the parental home with a relative, friend or connected person;

and

- The placement has in some way been assisted or initiated and/or is supported by Children, Schools and Families, often with a view to securing the placement via a Residence Order or a Special Guardianship Order and adoption.
- The child would otherwise be with foster carers, in residential care, independent living or adopted.

Children may be being brought up by members of their extended families, friends or other people who are connected with them for a variety of reasons and in a variety of different arrangements:

- In informal arrangements with a relative
- In informal arrangements with friends or other family members which last for a period of less than 28 days
- As a Private Fostering arrangement
- As a Child Looked After placed with relatives approved as carers - Placement with Family and Friends/Connected Person (including Regulation 24 Placements-procedures)
- Under a Residence Order or Special Guardianship Order

- In arrangements which may lead to an Adoption Order.

Local authority responsibilities will vary depending on the legal status of the child and the arrangement.

The purpose of this document is to set out the procedures for the temporary approval as a foster carer of a connected person to enable the immediate placement of a looked after child where the local authority is satisfied that this is the most appropriate placement for the child.

To ensure compliance with our legal duties and financial responsibilities.

This procedure applies to all LBBD children who need to live away from home and are placed by the local authority with a friend, relative or other connected person where that person was not approved as a foster carer prior to the placement.

POLICY

Where children need to live away from home, and it is consistent with the child's welfare, the local authority will support families in making their own arrangements for children to be cared for by family or friends without the need for the child to enter the care system. Such arrangements may include informal family care, private fostering arrangements, residence orders, special guardianship orders and adoption.

The London Borough of Barking and Dagenham provides a range of support services to family and friends carers across the legal arrangements based on the assessed needs of the child. This is to ensure that children who are living with relatives or friends receive the support that they, and their carers need, to safeguard and promote their welfare.

Where a family make private arrangements for the care of any child with a family member or friend, this will not be a child placed by the local authority and the child is not a looked after child.

Where the local authority support a family in making such private arrangements, which may include financially supporting the arrangement, the nature and legal framework of the arrangement must be clearly understood by the parent and explained to the carer. The carer should agree to care for the child under that framework.

Where the local authority have only been involved in 'brokering' a placement, the child will not become a looked after child. There is no strict definition of what will constitute "brokering a placement" as opposed to "placing", but the degree of compulsion, where for example the alternative is court proceedings, must be assessed by the social work teams, and will be different in each set of circumstances.

A child placed with family or friends will be "placed by the local authority" when

1. one or all persons with parental responsibility have requested that the local authority look after the child, or
2. any person with PR is prevented from caring for a child for whatever reason and the child requires placement or
3. The local authority have assessed that the welfare of the child, in particular the protection of the child, requires the child be placed outside of the care of any person with parental responsibility and
4. the local authority provides the child with accommodation for more than 24 hours including a

placement with family/friends

When a child is “placed by the local authority” they become a looked after child and all other duties and responsibilities pertaining to looked after children will need to be followed.

No looked after child may be placed by the local authority with any person who is not an approved foster carer.

When a child is “placed by the local authority” with family, friends or other connected person, the family or friends carers must to be assessed and approved as Family and Friends Foster Carers in line with the requirements of the Fostering Services Regulations.

If the child leaves the placement for any other reason, or where the legal status of the placement changes, for example, following the granting of a court order such as a Residence Order or Special Guardianship Order, the placement will terminate and the connected person’s temporary approval as a foster carer will end.

When assessing the child’s needs, consideration should be given to the need for the child to become, or to remain, a looked after child. Where this is not required to secure the child’s welfare, other placement options must be explored with the birth/extended family which would keep, or bring, the child out of the care system provided this is consistent with the child’s welfare. Other short term or permanent placement options available include Kinship Care, Private Fostering, Residence Order, Special Guardianship Order or Adoption.

Temporary Approval

Before making a recommendation for Temporary Approval the child’s social worker must:

Discuss the Terms and Procedure of Temporary Approval with the Connected Person.

Be satisfied that the placement is the most suitable means to safeguard and promote the child’s welfare and that the placement cannot wait until the full approval process can be completed under the Fostering Regulations (26) (27) 2011.

Be as confident as possible that the Connected Person is able to meet the child’s needs and there are no obvious constraints which would disable the Connected Person from being approved leading to the removal of the child.

Visit the Connected Person’s home to complete a viability assessment; assessing the suitability of the proposed carers and the quality of the existing relationship between the child and the Connected Person, as the intention of this provision is that the connected person is already known to the child. (Care Planning (25) (a) & (S4) 2010) (Family & Friends 5.10 2011) The viability assessment will also need to include anyone aged 18+ living within the home as well as the information requested under Schedule Four of the Care Planning regs 2010 (see attached) including checking that the accommodation is suitable and safe for the child.

Complete the viability assessment preferably before the child is placed with the Connected Person, or if this is not possible, within two weeks 10 working days of the child being placed with the Connected Person, in line with the time scales for the completion of the Care Plan. (Care Planning Reg 4 (2) 2010)

The child’s wishes and feelings about the proposed arrangements are ascertained and wherever possible, an opportunity for the child to visit and, if not possible, provide a reason for this (Family & Friends 5.11 2011)

Complete police checks (CRB forms) on everyone aged 18 within the household. The child’s social worker must ask everyone completing a CRB form if they have any previous or present convictions or cautions or if they have ever been a victim or perpetrator of domestic violence and record this on the viability form. In the interim, a PNC check must be undertaken on all adults in the family whilst waiting for CRBs to be processed.

Complete consent forms on the prospective carers to enable all checks to be completed. The child's social worker will have to provide the Group Manager, Placements Service with the Viability Assessment (signed by their Team Manager), completed CRB forms on everyone within the home aged 18+ and the consent forms for the prospective carers within two weeks of the child being placed with the Connected Person for Temporary Approval to be considered.

Placement agreement meetings should be arranged in advance of the placement or within five working days of the placement. (Care Planning 3.133;2010). Any essential information about the child must be given to the Connected Person prior the placement being made. (Care Planning reg 9 (2) 2010)

Children placed under temporary approval must be visited by their social worker weekly until the first review and 4 weekly thereafter (Care Planning 3.159;2010).

Where a child is already placed with a Connected Person under S.20, the child's social worker's team will be required to pay the Connected Person a weekly from the sec 17 budget (amount subject to Team Manager's agreement) until Temporary Approval is agreed by the Group Manager. (Family & Friends Guidance (4.49) (50) 2010).

The child's social worker must inform the Connected Person that whoever is in receipt of the Child Benefit or Tax Credit will need to inform the relevant benefits department that the child is now in the care of the local authority and the above benefits need to be stopped.

Checks can take some time to be processed and it is not a requirement that the CRB disclosure is received prior to temporary approval. (Family & Friends sec 5.5 2011). A PNC check on all adults in the home must be completed pending receipt of CRBs.

Once the above information is forwarded to the Group Manager or in her absence the Group Manager, Assessment and Care Management, a decision will be considered regarding the request for temporary approval of the Connected Person.

Where the Group Manager is satisfied that;

- A) The most appropriate placement for the child is with a Connected Person who is not an approved LA foster parent and
- B) It is necessary for the child to be placed with the Connected Person before the Connected Person's suitability to be a local authority foster parent has been assessed in accordance with Fostering Regulations 2011, they may approve that person as carer for a temporary period not exceeding 16 weeks (temporary approval).

If Temporary approval is granted, the Fostering Team must notify the Connected Person in writing of the terms of approval. This must include the valid date of approval and the expiry date of the temporary approval. The Connected Person will need to agree to and sign the terms of approval/agreement. (Family & Friends (5.20) 2010)

A Connected Person temporarily approved is in all respects a local authority foster carer (Family & Friends (5.3) 2011) and will therefore be allocated a Supervising Social Worker.

The Fostering Team will take over all payments for the Connected Person once Temporary approval is agreed.

Once Temporary approval is agreed, the Fostering Team Manager will assign the full Connected Person Assessment to be completed within the timescale of the Temporary Approval if the plan is for a full assessment to be carried out as a Kinship carer. Special Guardianship and Residence Order assessments will be the responsibility of the Children's Team, and an adoption assessment will be carried out by the Adoption Team.

If Temporary approval is not given, an alternative placement must be sought and the child removed. (Care Planning reg (25) 6; 2010) (Family & Friends 5.7; 2011)

Full Assessment process Form C – see attached

There may be occasions where the assessment has been unable to be completed and presented to the Fostering Panel within the 16 weeks due to ill health or checks not returned on time. On these occasions an extension can be requested before the temporary approval expires for a period of eight weeks. (Regulation 25 (1) par (4) 2010)

Extensions on the temporary approval can also be given under Regulation 25 (1) par (4) if the connected person, having undergone the full assessment process, is not approved and seeks a review of the decision through the Independent Review Mechanism. The local authority may extend the Temporary Approval until the outcome of the review is known. However, before deciding whether to extend the temporary approval the responsible authority must first-

- a) Consider whether placement with the connected person is still the most appropriate placement available.
- b) Seek the views of the Fostering Panel established by the Fostering Services provider in accordance with the 2011 Regulations and
- c) Inform the Independent Reviewing Officer.

A decision to extend temporary approval must be approved by the Group manager.

Where there are substantiated child protection concerns further Temporary Approval will not be an option.

Independent Review Panel;

Where a Connected Persons full assessment has been completed and they were not approved at the Fostering Panel, they can apply for a review by an independent review panel. In such cases the Temporary Approval can be extended until the outcome from the Independent Review is received. The Fostering Service must send the following documents and information to the Secretary of State within ten working days of receipt of the notification.

- a) A copy of any report prepared and any of the other documents referred to the Fostering Panel.
- b) Any relevant information in relation to the carer, which was obtained by the Fostering Service Provider after the date on which the report was prepared or the documents referred to the fostering panel.
- c) A copy of the notice and of any other documents sent in accordance with the Fostering regs 27 (6) (a) or 28 (7)(a)

If the 16 or extended eight weeks temporary approval expires and the connected person has not been approved as a local authority carer in accordance with the 2011 Regulations, the responsible authority

must terminate the placement after first making other arrangements for the child's accommodation (care planning 2010 reg 25 (6)).

There is no right to a review by the independent Review Mechanism for a person who is temporarily approved, if the fostering service decides not to undertake a full assessment under the 2011 regulations and the child's placement is ended. (Care Planning reg 25 (6) 2010).

Responsibilities of the placing social worker

1. Notification of the placement

The child's social worker must notify all those involved with the child that the placement has been made and an initial Looked After Child review should be arranged to take place within 20 days of the placement starting.

Prior to, or within 5 working days of making the placement, a Placement Plan should be drawn up. The information to be recorded in the Placement Plan is specified in Schedule 2 of the 2010 Regulations. Carers need to have as much information as is available to support them in caring for the child. Where a Placement Plan is not available, the carer must be told of any behavior that has been a cause for concern in the past, which may put their home or family at risk. The carer should be given advice and support to put a safer caring policy into place.

2. Financial support for the placement

Arrangements for financial support must be made by the placing social worker once the child is placed. Payments will be made in line with the allowances recommended by Fostering Network for the 16 weeks of temporary approval and, if a further extension of temporary approval is granted, until such time as the carer receives full approval or the child is moved from the placement.

If a carer requires additional finance to enable them to care for a child, for example, to purchase a bed or clothing, the social worker will submit a request to the manager of the placing team.

3. Visits to the placement

If a child is placed under Regulation 24 (temporarily approved foster carer) a visit must be made at least weekly, until such time as the first Looked After Child review is held. Following this, visits must take place not less than once every 4 weeks until the carer is granted full approval under Regulation 27 of the Fostering Services Regulations 2011, or the final hearing of the care proceedings has taken place.

Responsibilities of the Fostering Service

Assessment of connected person following temporary approval.

The assessment will comprise of a series of interviews with all members of the household. Checks and references will be required, which will include contact with the Criminal Record Bureau, friends, family and employers. Confirmation of income and housing status will also be required. The assessment is the same as is carried out for any prospective foster carer regardless of whether or not they are related to the child.

However, there is greater flexibility in the assessment of family and friends and connected persons in respect of certain issues, such as accommodation. Looked After Children are expected to have their own room but if the child is a family member or a relative of a friend it may be appropriate for the child to share a bedroom with the carer's own child.

If a family member, friend or connected person is unable to take on the care of a child due to limited accommodation, the local authority will undertake to liaise on their behalf with relevant agencies.

Assessment of potential family, friend or connected person where the child is not placed under Regulation 24

If a child is placed with a local authority or independent agency foster carer and a potential family, friend or connected person carer is identified, the same assessment as a full Form F assessment is carried out. Unlike Regulation 24 carers who have temporary approval, the full assessment may take longer than 16 weeks.

A preparation group is available to all those who are caring or wish to care for children known to them and this will provide greater understanding of the expectations of the local authority and the support and advice carers can access.

All family and friends carers are considered on their ability to meet the individual needs of the child related or known to them. However, following approval, carers will be expected to meet the National Minimum Standards for Foster Care.

At any time during the assessment the local authority can make a decision not to proceed. A meeting will be held to explain why this decision has been made and applicants will be advised to seek independent legal advice.

Role of the Fostering Panel

On completion of the assessment a report will be presented to the Fostering Panel by the assessing social worker. Temporarily approved carers and applicants will be given a copy of the report prior to the meeting. The recommendation of the assessing social worker will always be discussed with applicants or carers before the Panel.

Temporarily approved carers and applicants are encouraged to attend the Fostering Panel and may bring a friend or family member with them who will act as a supporter.

Role of the Decision Maker

The Panel will make a recommendation for the Regulation 24 carer or applicants to be:

- Approved, or
- Not approved

The Panel may also recommended that the case is deferred for further information

The Panel acts independently of the Fostering Service and can only make a recommendation. This is forwarded to the decision maker. The decision maker must make a decision within 7 working days of receiving a final copy of the minutes and the Fostering Panel's recommendation. The decision will be verbally communicated to applicants within 2 working days and a letter confirming the decision will be sent out within a further 5 working days (Standard 14.9, Fostering Services, National Minimum Standards).

All applicants, including those who are currently caring for a child, can appeal if they do not agree with the decision made by the decision maker. If the carers have been given temporary approval this will be extended until such time as the appeal process is completed.

Appeals must be made within 28 days of receiving the decision letter, which will give details on how to appeal. Applicants may appeal through the Independent Review Mechanism. This is an independent body, which will be convened to review all of the information presented to the original panel. Details on how to contact the Independent Review Mechanism (IRM) will be included in the letter from the Decision Maker.

Support after full approval

Following approval, a supervising social worker from the Fostering Team will be introduced to Family and Friend carers. Details will be given on the frequency of supervision visits and the support groups and training available. Visits will be made not less than once every 4 weeks, or more frequently if it is felt that the carer requires additional support.

Following approval family and friends carers will continue to be paid an allowance in line with the Fostering Network recommendations. The allowance covers the cost of caring for the child or children in their care. Family and friend carers do not receive a fee, which is a reward element paid to career carers in recognition of specific skills, qualifications or experience.

Long term options

1. Residence Order

A Residence Order (RO) determines where a child will live and a report has to be completed and presented to court. This should incorporate the views of all those involved, including the child. Carers cannot apply for a Residence Order until the child has been resident for a year or unless the Court has given leave for the carers to make an application for a residence order where the child has lived with them for less than a year. The local authority or the parent of the child does not have to be in agreement with an application for a Residence Order in order for it to be made.

The order lasts until a child reaches 18 and the carer may receive Child Benefit and Child Tax Credit. The local authority can agree to the payment of a Residence Order allowance but this is discretionary, means tested and subject to annual review.

The parent or those who had parental responsibility for the child prior to them being looked after, retains parental responsibility but the carer is able to make day to day decisions.

2. Special Guardianship Order

A Special Guardianship Order (SGO) can be applied for, with or without the support of the local authority or the parent of a child, after the child has been resident for a year. If the children have lived with carer for less than a year then the court may give leave to the carer to apply for a Special Guardianship Order. A report is completed by the local authority and presented to the court.

Although parental responsibility continues to be shared by the carers and the child's parents, the carers are able to make a final decision. The order lasts until a child is 18 unless it is varied or discharged prior to that age. A parent must obtain leave of the court to apply for a SGO to be revoked.

As part of the report submitted to court, the local authority must outline the support plan for the child and the carers, both now and in the future. This may include financial assistance, which can be paid either as a one off payment or as regular payment. Any allowance is means tested and reviewed annually. The carers may be eligible to apply for Child Benefit and Child Tax Credit.

The local authority has discretion to provide services or support to the child or the family and, if the child was a looked after child prior to the making of an SGO, they may be entitled to leaving care services and support.

3. Adoption

Approved carers, including connected persons carers, can apply to adopt if a child has been resident for a year.

This policy needs to be read in the context of a range of family and friends placement arrangements which can be made for children and young people who need to live away from home, for example, Kinship Care, Private Fostering, Residence Orders, Special Guardianship Orders and Adoption.