



## Family Placement Service (Fostering)

Title/Status-	GUIDANCE - Criteria for the Recruitment and Assessment of Fostering Applicants (including Specialist Carers)
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# Family Placement Service: Criteria for the Recruitment and Assessment of Fostering Applicants (including Specialist Carers)

**April 2024**

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## 1. Introduction

Leicestershire County Council (LCC) is committed to providing sufficient placements for children in our care with the effective recruitment and assessment of Foster Carers and Adopters. This document sets out the criteria to be used within LCC fostering processes.

Whilst valuing difference and diversity, Leicestershire's Fostering and Adoption Service works in partnership with children and young people, their families and carers to provide safe/protective and nurturing placements which meet individual needs and improve outcomes, based on best interest decision making.

References within this document to 'Assessment' relate to the whole of the Assessment journey: Initial Assessment, Decision to Proceed to Assessment, and Stages 1 and 2 of the Full Assessment.

The Council is committed to valuing difference and diversity and ensuring equality and fairness throughout the Assessment process.

We aim to achieve this by providing:

- Safe, warm and caring family environments which provide stability and achieve permanence for all children who are unable to return safely to their families.
- Comprehensive support for children, young people and carers, including good placement matching, regular support to Carers and enhanced care for children and young with complex needs, provided by our Dedicated Placement Support Team.
- Provide opportunities for hearing the authentic voice of children and young people to actively shape fostering and adoption services through engagement, participation and involvement in decision making.
- Promote and empower children and young people to be ambitious and achieve their goals/dreams and meet their full potential; and support them to celebrate their successes.
- Provide personal and group support to carers and their families to enable them to deliver a high standard of care for our looked after children.
- Be a flexible service which respects/meets individual needs and values difference and diversity.
- Define measurable outcomes which strive to achieve, or exceed, National Minimum Standards for Fostering and Adoption.
- Provide a professional service which is accountable, financially viable, and maximises partnership opportunities.
- Excellent training and development opportunities for employees and Leicestershire carers.
- A Statement of Purpose for the fostering and adoption functions.

### Legal Framework and Professional Practice Guidance

- The Children Act 1989 Sufficiency Guidance.
- The Care Planning and Fostering (Miscellaneous Amendments) Regulations 2015.

- The Children Act 1989 Guidance and Regulations, Volume 4: Fostering Services (2010).
- The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013.
- Fostering Services: National Minimum Standards (2011).
- Coram BAAF Guidelines.
- The Fostering Network.

## 2. Criteria for the Recruitment and Assessment of Foster Carers

### Statutory Criteria

- Prospective Foster Carer(s) can by law, apply to foster from 18 years old. However, Leicestershire would prefer applicants to be over the age of 21 years.
- Prospective Foster Carer(s) will need to be a full-time resident in the UK or have leave to remain.
- Any enquiry / application from a potential Foster Carer(s) where it is found that they, or any other adult member of their household has been convicted or cautioned in respect of a 'specified offence', will be refused.

### Statutory Criteria: Specified Offences

Statutory requirements provide details of instances where we cannot accept an application from a potential carer who has been cautioned or convicted of a '*specified offence*'

A specified offence relates to any of the following:

- Any offence against a child.
- Any sexual offence committed against an adult.
- An offence relating to goods which are prohibited to be imported.
- An offence related to prohibitions and restrictions relating to pornography or indecent images of children under the age of 16.
- Any other offence involving bodily injury to a child.

Please see Appendix A for a detailed list of Specified Offences (Criminal Justice Act 2003, part one and two).

## **Leicestershire County Council Criteria**

### **Case Specific Criteria & Considerations**

Expressions of interest to become a Foster Carer for Leicestershire County Council will be considered on a case by case in respect of the Criteria and Considerations set out below. The list below deals with Foster Carer Applicants' Recruitment and Assessment Criteria and Considerations.

## **Criteria & Considerations: Foster Carer Applicants**

### **Court Proceedings: Finding of Facts**

Consider that Leicestershire County Council are responsible for ensuring the provision of safe family homes for our Looked after Children, with Carers who have the ability to provide a loving, safe and nurturing environment. Where there has been a Finding of Facts Court Hearing in respect of any adult living within the Applicant's household, therefore, serious consideration needs to be given as to whether this application progresses. Service Manager oversight would need to be sought in this situation.

### **Diversity**

Applications are welcomed from a wide cross-section of society. People with disabilities will receive the same consideration as other applicants in terms of their capacity to care for a Looked After Child. Applicants from Black, Asian and Inter-Racial families are actively encouraged. Leicestershire County Council will consider applications from people of all religious faiths, and from those applicants who have none.

In all cases the deciding factors in accepting an Application will be: -

- The qualities and skills which people bring to the task of Fostering
- That their circumstances at the time of applying to Leicestershire County Council in respect of Fostering are conducive to the Fostering role

### **Criminal Offences**

Consider that Leicestershire County Council is committed to providing safe and stable Foster Placements to our Looked After Children and Young People. They must be able to provide Foster Placements without presenting a safeguarding risk to our Looked after Children and they must be positive role models to our fostered Children, which includes their having a respect for the laws and rules which govern UK society.

The Statutory Criteria above provides information as to the types of offences which would automatically preclude an Enquirer from applying to Foster. In addition to this, if an Applicant

has committed any other crimes then the circumstances of these will be looked at in detail when considering their Enquiry / Application. Of concern would be violent and drug related offences.

Enquirers should be informed that if they were to be successful in applying to Fostering with Leicestershire County Council, then they would be subjected to an Enhanced Data and Barring Service (DBS) Check. They should be encouraged to work openly and honestly with the Service in respect of their criminal history and advised that any attempts to conceal previous criminal history, or aspects of this, or to be dishonest about it, will be assessed in depth and likely be seen in a negative light.

When considering Enquiries and Applications from individuals who have disclosed a criminal history, Leicestershire County Council will consider the nature of the offences and the extent of harm caused to others, the Applicant's age at the time of the offences, and their current reflections on their previous offences.

Enquirers should be advised that if their DBS check reports any previous convictions, then a further positive DBS check home visit will be undertaken to progress a Positive DBS Risk Assessment. The purpose of this Risk Assessment is to determine the risk level relating to an Applicant's previous offending history. The Assessing Social Worker will draft the Risk Assessment, and this will be signed by a Service Manager within the Family Placement Service.

All adults living within the Applicant's home and frequent adult visitors to the Applicant's home, will be subject to an enhanced DBS check. If any of these DBS checks report any previous convictions, then a further positive DBS check home visit will be undertaken to progress a Positive DBS Risk Assessment. The purpose of this Risk Assessment is to determine the risk level relating to an adult household member and / or frequent adult visitor to the household in relation to their previous offending history. The Assessing Social Worker will draft the Risk Assessment, and this will be signed by a Service Manager within the Family Placement Service.

### ***Support from Local Authority***

Consider that Leicestershire County Council's aim is to provide our Looked after Children with a high quality of care. This expectation in respect of their capacity to care would include their Foster Carers having the capacity to meet the needs of Looked after Children in their care and being able to balance this role with their care of any other children already within the family home and other family/ caring commitments.

All Enquirers will be asked during their initial Enquiry telephone call to give their consent for Leicestershire County Council Fostering and Adoption Service to undertake a search on our MOSAIC database. This search will highlight if they are already known to Children and / or Adult Social Care Services in Leicestershire.

If any individual enquiring to Leicestershire County Council in respect of Fostering has been, or is currently, known to the Local Authority in relation to any current Child or Adult safeguarding concerns, then it is likely that their Enquiry will not be progressed. If the issues are still ongoing or considered to have been ongoing in the last two years, then it is likely

that the enquiry will not be progressed. If any concerns are raised from the MOSAIC search about the Enquirer/s parenting of their own children, and if they are currently receiving support from Leicestershire County Council in respect of this, then is it unlikely that their Enquiry will be progressed at that time. We would need to see a significant period of stability after the issue was resolved before considering inviting a potential applicant who has been supported around their own children by the service.

If the Enquirer or any adult household member has been known to Leicestershire County Council previously in respect of any Child and / or Adult safeguarding issues (including reports of domestic violence within a household), and / or if they have received support previously in respect of their care of their own Children, then close consideration should be given to whether the Enquiry is progressed. In most cases, it is advised that an Initial Assessment Visit is undertaken to assess the Enquirer's situation, and the nature of their historical involvement with the Local Authority in more detail, before a Management Decision is made as to whether they progress.

Leicestershire County Council would have significant concerns if an Applicant or any of their close family members, had been party within Court proceedings relating to a birth child/ren, particularly proceedings which resulted in a child/ren being permanently removed from their care. Such a situation is highly likely to preclude them from fostering with Leicestershire County Council. The full circumstances, however, would be considered as part of the Enquiry process.

An Applicant having previously received support from the Local Authority in respect of any children in their care should not automatically be precluded from being able to apply to Foster with Leicestershire County Council.

### ***Carers being approved as both Kinship Foster Carers & Mainstream Foster Carers***

It is most likely that these assessments will arise with carers who are providing kinship placement/s already, and who decide that they would also like to be able to offer mainstream fostering placements also. Leicestershire County Council's cohort of Kinship Carers are experienced in the care of children who have experienced trauma and separation from their main caregivers and are, therefore, a potential well of knowledge and experience for our mainstream fostering provision. Any enquiry regarding extension of a Kinship Carer/s terms of approval to include mainstream, should be welcomed and considered fully by the Local Authority via the usual recruitment and assessment routes that exist for new enquiries regarding mainstream (i.e., Enquiry with the Recruitment Team, followed by an Initial Visit etc.)

When considering enquiries from this cohort of existing carers, the Local Authority will consider the needs of any children already placed with the enquirer/s as being of utmost importance regarding their interest in extending their terms of approval.

In addition to the usual recruitment activity, the Recruitment Team will need to liaise with the Team Managers of the Kinship Post Support Team, and the respect Children in Care Team to ensure that all these would be in support of the Kinship Carer's terms of approval being extended.

A Kinship Carers terms of approval can be extended via the review process at Fostering Panel (as opposed to the approval process at Fostering Panel). However, it is likely, as part of this review process, that the Assessing Social Worker will be asked to submit a complete Form F to Panel.

### ***Enquiries from Leicestershire County Council Staff***

Consider that Leicestershire County Council has been accredited as a 'Fostering Friendly Employer' (since Dec 2023) and we have implemented guidance to support all council staff who foster. Therefore, we are pro-active in our recruitment activity relating to Leicestershire County Council staff.

We offer a flexible working pattern to employees who are approved foster carers, and for employees who are in the process of becoming a foster carer. Employees can also access up to 148 hours of paid leave for their fostering commitments. This is pro-rata for part time staff. Fostering commitments may include meetings with social workers and other agencies, attending training, as well as settling young people into their new home.

Consider that any enquiries from staff who are based within the Fostering and Adoption service would likely cause opportunities for conflict of interest and that, as such, it is unlikely that enquiries from staff based within the Fostering and Adoption service will be progressed; the oversight of a Service Manager will be sought in decisions about such cases. Prospective Foster Carers who are also employees with Leicestershire County Council will also need to be informed that their status (as Prospective Foster Carers or as approved Foster Carers) may need to be reviewed if their work location moves to the Fostering Service's office location [currently Room 600, County Hall, April 2024].

In addition to the usual PTAD processes ('Progression to Assessment Decision'), any enquiries from staff should be considered also by the Manager from the Team around the Child; this manager should be consulted with, to ensure that any potential areas of future conflict of interest have been explored.

### ***Physical & Emotional Health & Well-being***

#### ***General***

Consider that not all health conditions will be of concern and that a determination about the impact of an individual's own health conditions [including depression and anxiety] will be provided by a health professional within the Assessment period. When considering Applications, the Local Authority will consider the nature, seriousness and length of the condition and its impact on the day to day life of the Carer; and how this may affect the life of a child or young person placed with them. As part of the adult health assessment process, LCC assessment team and / or the Fostering Medical Advisor to Panel, may seek additional health information from secondary professionals e.g. such as therapists or consultants.

It may be that some health conditions [including depression and anxiety] can be managed with support and reasonable adjustments, without detriment to the child or young person being cared for. However, any negative impacts on the lived experience of the child, meeting



their assessed needs and improving outcomes must also be considered. These must be explored in in-depth detail during the Assessment process and any conclusions the Local Authority draws about an Applicant's health, will be informed by the opinion of the Medical Advisor to Fostering Panel.

An applicant who has been prescribed and is taking anti-depressants or any other medications relating to mental health and wellbeing issues; would not be automatically precluded from the Assessment process. Their condition will be considered in the same way as any other health condition as described above.

### *Weight & BMI*

Applicants should be informed that their weight and BMI will be reviewed as part of their Health Assessment by Leicestershire County Council's Medical Advisor to Fostering Panel. We ask that all Foster Carer Applicants ask the assessing GP undertaking their Health Assessment, to ascertain their weight and BMI. We also ask all Applicants to subsequently follow any medical advice in relation to this, for example, Applicants with a BMI reading of over 40 will be asked to lose weight by implementing and evidencing lifestyle changes. This will be monitored throughout the assessment process.

### *Fertility Treatment*

Consider there are no hard and fast rules as to the length of time which needs to have lapsed before Applicants can enquire with the Local Authority following the completion of unsuccessful fertility treatment. However, the likelihood of being invited into the Fostering Process within 3 months of the end of treatment is not likely and applicants will likely be asked to observe a longer period of time than this, before they can apply to foster. All Applications will be considered on an individual basis and applicants' motivation to foster in relation to their inability to conceive, and any interest they have in respect of adoption, should be considered carefully by the LCC Recruitment and Assessment Teams.

Applicants are expected to have completed any ongoing investigations, treatment or counselling for infertility, before proceeding with the Fostering Application. If Applicants decide to resume treatment once their Application is underway, the Application will be placed on hold and resumed after agreement has been reached between the Applicants, Assessing Social Worker and Assessment Team Manager.

The Fostering Assessment should also consider the Applicant's future plans for birth children and how this may impact upon their terms of Approval.

### *Health Assessments*

Consider that all Applicants should be informed that a Health Assessment with their GP will form part of the Fostering Assessment Process.

### *Smoking*

Foster Carers who smoke will be considered for older children where they commit to no smoking within the home or car, or any other area where children are present. They must demonstrate a good understanding of the risks related to passive smoking, keeping cigarettes out of the reach of children and positive parental role modelling.

Proactive attempts to quit smoking will be viewed as positive and will require the GP to evidence cessation and success in doing so throughout the process. Applicants would need to have signed up to and be actively involved in a 'Smoking cessation' programme before commencing to a Full Assessment to be considered as Carers for babies, infants and young children (0-5 years old). This will be monitored throughout the process and supported by their medical check. However, these situations will be considered on a case by case basis and some applicants may be asked to evidence a period of smoking cessation, before being invited into the assessment process.

All children and young people with a disability and those with respiratory problems such as asthma or heart disease will not be placed with smoking families.

This message is supported by Coram BAAF research (please see Appendix B – Coram BAAF Practice Note 68; 2018).

### Vaping

Prospective Carers who vape but do not smoke can be considered for fostering younger children. Consider, however, that we ask Foster Carers to be positive role models to children in their care and that we will request that they do not vape in their presence. If a prospective Foster Carer vapes, they must keep the liquid/electronic cigarettes locked away and out of the reach of children and will need to evidence this within their Assessment.

Applicants who vape must demonstrate in Assessment a good understanding of the known risks in respect of vaping and the importance of positive parental role modelling.

This message is supported by Coram BAAF research (please refer to Appendix B – Coram BAAF Practice Note 68; 2018).

### Employment

Consider the expectation that when looking after babies and children under school age, one Foster Carer must be available throughout the day and not in employment. This will provide a stable and consistent high level of direct care for vulnerable Looked after Children.

Foster Carers may be employed when caring for children and young people over the age of five. Consider the importance of the need for Foster Carers to meet the needs of a child or young person living with them. It is necessary to be available, with flexibility, on a day to day basis to provide care, respond to an emergency, journey to/from school, activities, contact, health appointments, and professional meetings such as Looked after Children [LAC] Reviews. Foster carers who do work may be eligible for additional nursery hours for the looked after child, which may be feasible in some situations.

### Spare Bedroom

Consider that although it is not a statutory requirement, it is preferred for prospective Foster Carers to have a spare bedroom that is suitable for a Foster Child over the age of one.

If the Applicant is considering offering a short-term placement for babies [from new-born up to a maximum of two years old] the baby can sleep in a cot in the Carers' bedroom; therefore, a spare bedroom is not required.

Where potential Foster Carers do not have a current spare bedroom to accommodate a child over the age of twelve months but there will be space within a year of placement [for example, where there is a planned move to a larger property, or space will increase when a birth child/relative moves out], the Recruitment process can commence. This will be with a view to potential Carers' initial terms of approval being 0-2 years, short breaks or day respite for individual children or sibling groups with complex needs. A child or young person can then be placed when a spare bedroom becomes available.

The Recruitment and Assessment process will need to consider very carefully any enquiries from Prospective Foster Carers who are proposing that the bedroom which they will be using for fostering will be that of an adult child who has left home to study at university.

### **Driving and/or Having Access to a Car**

Consider the importance of the need for Foster Carers to meet the transport needs of a child or young person living with them. It is necessary to be available on a day to day basis for responding to an emergency, getting to/from school, activities, contact, health appointments, and professional meetings such as Looked After Children [LAC] Reviews.

Whilst those who do not drive will not automatically be ruled out as prospective Carers, plans to overcome related issues will need to be carefully explored during the Assessment to decide if alternative arrangements are generally satisfactory; and whether they are specifically satisfactory during the matching process.

We would encourage any applicants to consider learning to drive as it is important for Applicants who do not drive and/or have a car to understand that placement options may be limited. Consideration should be given to their location, whether the person is learning to drive, has access to a car/public transport and how people in support networks can help. If carers wish to be placed with school aged children, we would prefer that they are able to drive.

### **Birth Children**

Consider that the placement of a child or young person in a Fostering Family where there are birth children can be complicated and challenging for Foster Carers. Carers will have to manage often competing needs and demands between their Birth Children and Foster Children who will have suffered trauma and may present with complex and difficult behaviours.

The needs/views of Birth Children will need to be balanced with those of Foster Children to ensure that the Fostering task does not have a negative impact on either.

Careful matching will be critical in ensuring that Looked after Children are successfully placed, and breakdown of placement is avoided. Placement type, relationships, one to one

time with birth and Foster Children, working arrangements and support networks should be taken into consideration within the Recruitment and Assessment processes.

We will seek to interview adult birth children will be interviewed as part of the Fostering Assessment process and depending on the age of any birth children living at home, the Assessing Social Worker will undertake a Child's Voice (direct work) session to gather their views about their parent/s Fostering.

### **Moving House**

Consider that the Local Authority will want to provide a stable home environment to a Foster Child and that good use of resources dictates that the Fostering household is ready to take placements of children soon after the Foster Carer[s] has been Approved at Panel.

If the Foster Carer Applicant is moving home at the time of their Enquiry or their house move is imminent [i.e. within the next 6 – 8 months], consideration should be given as to whether / when the Assessment commences. Determining factors to consider will include when their house move is scheduled and how quickly they will be able to take placements after Approval. Part of the fostering assessment process will focus on the home for us to understand the household.

Where an Enquirer informs the Local Authority of their future plans to move to a new house, this will not preclude them from entering the Recruitment and Assessment process. For example, if an Enquiry from a prospective Foster Carer is deemed positive an Initial Assessment Visit should be undertaken even if they are planning to move to a new house. An Assessment can commence and be undertaken over an extended period, to allow time for the Fostering Household to be ready to take placements upon Approval.

### **Duration & Nature of Relationship**

Consider that the service wants to approve Foster Carers who, if in a relationship, can provide a stable home environment which includes how they relate to each other.

When considering enquiries from couples, the Recruitment and Assessment Teams should consider the length of time they have been in a relationship with each other. To apply to become Foster Carers for Leicestershire County Council, couples need to have been living together for a minimum of 12 months. If the couple has been living together for 10 months, an enquiry could still be taken, and the couple invited to attend the Find out About Fostering Open Evening.

If during the enquiry, initial visit or assessment process, it comes to light that there have been previous incidents of domestic abuse between applicants, serious consideration will be given as to whether Applicants continue in the Recruitment and Assessment process.

## ***Ex-Partners Reference***

Consider that the ex-partners of Fostering Applicants are often able to provide important information to the Applicant's Assessing Social Worker which informs conclusions about their suitability to Foster, characteristics and aptitude for the fostering role. Ex-partners are often able, for example, to comment upon an Applicant and, where co-parenting has been undertaken, their ability to meet the care needs of Children and Young People.

Applicants need to be made aware that Leicestershire County Council will need to interview previous partners with whom they shared a significant relationship. This will also include partners with whom they have had birth / adopted children and / or those with whom they shared a parenting role for an unrelated child, for example, the Applicant provided care to an ex-partners Child/ren (whether or not they lived with that partner). A significant relationship will also be considered as one which has involved the Applicant living with their partner and / or was long in its duration i.e. two years plus. This can also include significant relationships where there were no parenting / co-parenting roles, as arguably they are best placed to comment on the person as they would be the most significant person during that time period.

Any allegations ex-partners make to previous domestic abuse incidents committed by the Applicant, would be considered carefully and would need to be explored more fully. In this situation, to determine whether an Application progresses or is closed on the basis of such allegations, a Risk Assessment Report would need to be completed and signed off by Service Manager.

It is also important to reassure an Applicant that the service would not wish to put them or any of their family at risk of harm. If there is any history with their previous partner which would lead us to query this, the Local Authority would consider not progressing an Ex-Partner reference within the Assessment but would seek to evidence this through documentation of this relationship – court or legal papers or via a third party who knew of the relationship at this time.

Where a decision has been made to progress an Ex-Partner Reference, the Applicant and Assessing Social Worker will need to evidence that they have made all reasonable attempts to contact a previous partner to progress an Ex-Partner Reference. Where it has been decided that an Ex-Partner Reference is not being sought from a previous partner, a corroborating Reference will need to be taken from a Third Party.

## ***Recruitment Outside of County Borders***

Consider that it may be useful for Leicestershire County Council to place children outside of our County borders and that Enquiries to Foster with Leicestershire County Council can be progressed from Enquirers living in Derbyshire, Northamptonshire, Nottinghamshire and Warwickshire.

A decision about whether we would progress an Enquiry from a potential Fostering Household from outside of Leicestershire will be made on a case by case basis. Recruitment Team staff should liaise with the Recruitment Team Manager or Assessment Team Manager

to seek a view in respect of individual cases. The decision to progress an Assessment will be based upon how far outside of the County border the Enquirer lives, what type of Fostering Approval they are considering and the projected requirement for Placements at that time.

### **Social Media Check**

Fostering Enquirers need to be made aware that the Assessment process will require that we undertake a Social Media Check. This involves us searching for their name within an Internet Search Engine.

### **Finances Including Mortgage**

Applicants will be asked if they rent or own their home during the initial assessment visit stage of the process. If applicants rent their home, they would need their landlord's permission to foster in the home should they progress to assessment. If the applicants state that they own their home, they would further need to state if they have a mortgage on the property or not.

Part of the initial assessment visit will be to consider the financial position of fostering applicants and whether or not they can afford to foster. During the application process this will be more thorough. However, we need to ascertain that applicants will not be diversely affected, for example, how would not having a child in placement with them, therefore not receiving the fostering allowance, impact on them and their family?

### **Life Changing Events**

During the initial assessment visit stage, applicants will be asked to discuss not only their immediate future life plans, with regard to work plans, house moves, adding to their family through birth children / adoption but also any other potential life changes they see in their immediate, mid-term or long term future.

Leicestershire County Council need to be confident that all applicants who enter the process will ultimately be actively available to look after our children in care upon their approval and as a continuum.

### **Working as a Child Minder**

Childminders will have valuable experience of looking after other people's children. However, there are considerations:

When potential fostering applicants are child minders, then their 'registration approval' and ratio of number of children they can care for in their home will need to be considered in relation to their ability to foster.

Further consideration will need to be given to the regular 'movement' of children in and out of the home with regard to childminding and the how this could potentially impact on looked after children living in the home.

A foster child may need to be taken to and from contact during the day; how would this impact on the childminding role? Would the parents of the children be happy for their children to be travelling to and from contact for example?

Foster carers are regularly asked to attend meetings and host them in their home. They will also have training sessions along with support and supervision from their supervising social worker. Therefore, consideration would need to be made as to how this would work if they are also looking after children in a childminding role.

### **English as a Second Language**

The large majority of children and young people who are in LCC care, speak English as their first and often only language/ They will, therefore, need their carers to be able to speak English with them and to be able to advocate for them by being able to communicate with the team of professionals around the child.

Whilst we value the richness of individual cultural practices and with this, other languages spoken in the home, we believe it is vital that children and young people living and growing up in the United Kingdom, do so in homes where their primary language is English to enable them to ultimately engage in their communities and society as a whole. Also, it is vital that during the assessment process, each applicant can engage with and communicate appropriately their opinions, values, thoughts and emotions to the Assessing Social Worker directly. We do not believe this can be achieved by using an interpreter to translate in these circumstances. Therefore, in respect of both of these points, LCC expects that all applicants are able to speak English competently enough to take part in the assessment process. Where a potential applicant is not able to speak English to this standard, then we will offer information about local ESOL courses.

If an applicant engages with the ESOL course and is actively improving their English skills, then the service is willing to provide interpretation services to support during the interim period. So, for example, should they wish to attend a 'Find out about Fostering' event and can prove that they are actively taking part in ESOL lessons then we will provide and pay for an interpreter at one of our events.

In terms of initial visits and assessment sessions, it is not appropriate to carry these out unless both applicants are able to take part effectively and engage in discussion to provide information needed.

### **Joint Working**

There is an expectation that Fostering Applicants should provide accurate information to staff within the Fostering Recruitment and Assessment Teams. The Assessment Social Workers will seek to corroborate this information by seeking additional information from third parties including character references, health professionals and employers. Refusal to consent to

such checks and references will likely result in Leicestershire County Council being unable to proceed with the Application; only in exceptional circumstances will consideration be given to progressing without the usual Assessment checks and references.

### ***Specialist Carer Placements***

Leicestershire County Council provides four types of specialist Carer placements and the criteria and considerations for these are provided below:

#### ***Specialist Carers- Parent & Child Placements***

Consider that the main Foster Carer providing Parent and Child Foster Placements needs to be able to provide a significant level of flexibility to the child and parent[s] placed with them. They will be expected to offer a high level of guidance and assistance to the parent in managing the care tasks for the child.

The main Parent and Child Foster Carer is expected to not be in employment and be available full time (upon approval). Any other children in the home must be of school age or older. Potential applicants will be required to have a spare bedroom and will be prepared to undertake Parent Assessment Training.

Being approved as a Parent and Child Foster Carer does not preclude an individual from being approved for other types of Foster Care also, and assuming that the needs of all children within the home can be met, Parent and Child placements can take place alongside placements of other Looked After Children within the home.

#### ***Specialist Carers- Mainstream One to One***

Consider that Leicestershire County Council continue to build its in-house Specialist Foster Carer Service. The Local Authority wants to build the capacity for us to place children and young people with complex needs, including emotional difficulties and challenging behaviour, with Foster Carers who have the skills and capacity to meet these needs.

Consider that this cohort of Children and Young People will require intensive, full-time care, support, monitoring and guidance throughout their placement with their Specialist One to One Carer who will provide a placement which is specifically tailored to their specific needs.

There are some key criteria which relate to this Foster Carer Role. The main Foster Carer, for instance, must not be in employment because they will be dedicated to their Specialist Fostering role on a full-time basis. Potential carers can work during their assessment, but upon approval would need to be available fulltime. There is an expectation also that the One to One Specialist Foster Carer will have professional qualifications and / or a background in child care, youth work, social care, teaching or as an experienced Foster Carer. An additional criterion in respect of this type of fostering is that there cannot be any other Children or Young People under 18 years of age, living in the Specialist One to One Foster Carer's home.



As a result of the level of commitment required for this role and the prerequisite for Carers to have professional experience in the care of children and young people with complex needs, the main Specialist One to One Carer will be paid an annual fee. They will also be entitled to receive enhanced weekly fostering allowances [for the Child or Young Person in their care], determined by the needs/outcomes required and age of the Child or Young Person placed.

One to One Foster Carers will be paid regardless of whether they have a Child or Young Person in placement. During these times, they may be asked to support other Carers, offer Respite Care and support the service.

### **Specialist Carers- *One to One Specialist Carer (EBD) Emotional & Behavioural Difficulties***

Consider that the related criteria for this job role, is the same as that relating to Mainstream One to One Foster Carers; see above for the Considerations and Criteria relating to Mainstream Specialist One to One scheme.

In addition, consider that one of the essential criteria within the Person Specification for Specialist Carers for Children with Disabilities is that applicants have experience caring for Children with disabilities, in particular Autism. Further to this, they must have an understanding of Children with Disabilities and hold qualifications in relation to the care of Children with Disabilities- this is desirable, although is not essential.

### **Specialist Carers- *Pathway Foster Carers***

Consider that an important feature of Leicestershire County Council's drive to build their Specialist Foster Carer provision is to recruit a number of Pathway Foster Carers. Pathway Foster Carers can take up to two placements of Children and Young People, aged eight years and above, some of whom may be leaving Residential Care. Pathway Foster Carers will provide family-based care to these Children and Young People, who may present with complex needs – these placements can be short or long term.

It is essential that Pathway Carer applicants have an understanding of the additional needs which Looked after Children and Young People's may present with. Applicants must have experience of looking after Children and Young People with complex additional needs, for example, offending/rehabilitation and additional learning/educational needs. These placements may be short or long term.

Pathway carers will be entitled to enhanced weekly Fostering Skills Payments and additionally, Fostering Allowance for the Child or Young Person in their care; this payment is dependent on the age of the child and their level of care needs.

### **Supported Lodgings**

Supported Lodgings providers offer a room, support and guidance to develop independence skills in their home. The young person would need their own room which would need to be

suitably furnished. The aim of this role is to empower young people to develop their independence skills and be able to move into adulthood successfully in a considered and planned way. Supported Lodgings Providers can work full or part time. A fundamental part of this type of care is role modelling, so leading by example and encouraging young people to make positive decisions and plans for their future whilst supporting and guiding them at the same time.

### **Transfer from another Fostering Agency or Other Local Authority (OLA)**

LCC operates within the guidelines of the Transfer of Foster Carers Protocol (2015) and as such, provides prompt responses to enquiries from carers who currently foster for other agencies or other Local Authorities.

Consider that the Local Authority could benefit from the skills and expertise that experienced Foster Carers could provide to the children in our care. If transferring from an independent fostering agency (IFA), their transfer to Leicestershire County Council may also benefit us financially (i.e. reducing costly IFA payments). Because of the potential benefits this type of application may have for LCC, enquiries and any future assessment work of Foster Carers transferring from another fostering agency should be progressed expediently by the Recruitment and Fostering Assessment Teams.

The same criteria apply to this type of application; however, close consideration should be given throughout the Assessment to the skills and expertise of these types of applications. Furthermore, if approved recently (within the last 4 years) the assessment could draw heavily upon information provided within their previous fostering assessment, if this is made available by applicants and / or their current agency.

Any enquirers should be informed that Leicestershire County Council offers competitive fostering payments and that we would consider matching their current payments; such agreements would be subject to verification i.e. receipt of confirmation of current payments.

It is also important to inform experienced foster carers who are considering transferring to Leicestershire County Council that they are more likely to receive regular placements and additionally, they would receive a bespoke package of support (including regular supervision and training) based upon their skills and experience.

Enquirers should be advised that their assessment will be fast tracked i.e. they would not need to attend a 'Find out about Fostering' Open Evening in order to progress to an Initial Assessment Visit and the Assessment Team will give consideration to whether an assessment can be undertaken in 3 months, as opposed to 4 months. These considerations would take into account when the Foster Carer(s) was last assessed, and the extent of the statutory checks and references which would need to be progressed (e.g. if a 'full' health assessment was required and if all reference requests needed to be sent).

Adherence to the guidelines set out in the Guidance protocol is important and the service must ensure that they provide relevant 'notifications' to the applicants as part of the protocol, including 'Comfort letter' and receipt of the applicant's 'Notification of their intent to transfer' that they have sent to their current agency.



Date implemented: January 2021

Reviewed: April 2024

Next review: April 2025

### 3. Appendix

#### **Criminal Justice Act 2003 - Offences in England and Wales**

##### **Offences in England and Wales**

###### **PART 1**

1. Any of the following offences against an adult: -

(a) an offence of rape under section 1 of the Sexual Offences Act 2003,

(b) an offence of assault by penetration under section 2 of that Act,

(c) an offence of causing a person to engage in sexual activity without consent under section 4 of that Act, if the activity fell within subsection (4) of that section,

(d) an offence of sexual activity with a person with a mental disorder impeding choice under section 30 of that Act, if the touching fell within subsection (3) of that section,

(e) an offence of causing or inciting a person with mental disorder impeding choice to engage in sexual activity under section 31 of that Act, if the activity caused or incited fell within subsection (3) of that section,

(f) an offence of inducement, threat or deception to procure sexual activity with a person with a mental disorder under section 34 of that Act, if the touching involved fell within subsection (2) of that section, and

(g) an offence of causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception under section 35 of that Act, if the activity fell within subsection (2) of that section.

###### **PART 2**

1. An offence under any of the following sections of the Sexual Offences Act 1956: -

(a) section 1 (rape),

(b) section 5 (intercourse with a girl under 13),

(c) subject to paragraph 4, section 6 (intercourse with a girl under 16),

(d) section 19 or 20 (abduction of girl under 18 or 16),

(e) section 25 or 26 (permitting girl under 13, or between 13 and 16, to use premises for intercourse), and

(f) section 28 (causing or encouraging prostitution of, intercourse with an indecent assault on, girl under 16).

(2) An offence under section 1 of the Indecency with Children Act 1969 (indecent conduct towards young child).

(3) An offence under section 54 of the Criminal Law Act 1977 (inciting girl under 16 to incest).

(4) An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).

**2.** A person falls within this paragraph if the person has been convicted of any of the following offences against a child committed at the age of 18 or over or has been cautioned by a constable in respect of any such offence—

(a) an offence under section 2 or 3 of the Sexual Offences Act 1956 (procurement of woman by threats or false pretences),

(b) an offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse),

(c) an offence under section 14 or 15 of that Act (indecent assault),

(d) an offence under section 16 of that Act (assault with intent to commit buggery),

(e) an offence under section 17 of that Act (abduction of woman by force or for the sake of her property), and

(f) an offence under section 24 of that Act (detention of woman in brothel or other premises).

**3.** A person falls within this paragraph if the person has been convicted of any of the following offences committed at the age of 18 or over or has been cautioned by a constable in respect of any such offence—

(a) an offence under section 7 of the Sexual Offences Act 1956 (intercourse with defective) by having sexual intercourse with a child,

(b) an offence under section 9 of that Act (procurement of defective) by procuring a child to have sexual intercourse,

(c) an offence under section 10 of that Act (incest by a man) by having sexual intercourse with a child,

(d) an offence under section 11 of that Act (incest by a woman) by allowing a child to have sexual intercourse with her,

(e) subject to paragraph 4, an offence under section 12 of that Act by committing buggery with a child under the age of 16,

(f) subject to paragraph 4, an offence under section 13 of that Act by committing an act of gross indecency with a child,

(g) an offence under section 21 of that Act (abduction of defective from parent or guardian) by taking a child out of the possession of her parent or guardian,

(h) an offence under section 22 of that Act (causing prostitution of women) in relation to a child,

(i) an offence under section 23 of that Act (procuration of girl under 21) by procuring a child to have sexual intercourse with a third person,

(j) an offence under section 27 of that Act (permitting defective to use premises for intercourse) by inducing or suffering a child to resort to or be on premises for the purpose of having sexual intercourse,

(k) an offence under section 29 of that Act (causing or encouraging prostitution of defective) by causing or encouraging the prostitution of a child,

- (l) an offence under section 30 of that Act (man living on earnings of prostitution) in a case where the prostitute is a child,
- (m) an offence under section 31 of that Act (woman exercising control over prostitute) in a case where the prostitute is a child,
- (n) an offence under section 128 of the Mental Health Act 1959 (sexual intercourse with patients) by having sexual intercourse with a child,
- (o) an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts) by:
  - (i) procuring a child to commit an act of buggery with any person, or
  - (ii) procuring any person to commit an act of buggery with a child,
- (p) an offence under section 5 of that Act (living on earnings of male prostitution) by living wholly or in part on the earnings of prostitution of a child, and
- (q) an offence under section 9(1)(a) of the Theft Act 1968 (burglary), by entering a building or part of a building with intent to rape a child.



## Appendix B

### Coram BAAF – Practice Note 68

Attached as PDF.



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