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Leicestershire Guidance

Family and Friend Guide for Carers

Applies to-

All children



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What this Guide is about

This Guide has been developed to help you as a Family and Friends carers to gain a better understanding of the issues involved in taking on the care and responsibility of a child, or children, aged 0-18, when their birth parents are unable to look after them. For obvious reasons, this can be a confusing and bewildering time.

This Guide will offer you information on:

- What your Local Authority's responsibilities are.
- What your responsibilities are.
- Information on your legal rights.
- Information on your financial rights.
- Understanding complicated legal terms.

The Guide will also describe some case studies that outline the experiences of carers and the children they care for in Family and Friend carer arrangements.

What is Family and Friends foster care?

Some children are unable to live with their parents, for a variety of reasons. The preferred option is for them to grow up in the care of other family members, or someone with whom they have a significant relationship.

Most families arrange to care for children within the family themselves, but sometimes the local authority will need to help. This is when it becomes a Family and Friend foster care placement.

Like all other local authorities, Leicestershire County Council has a duty of care to all children who live in the county. They need to make sure that a child's welfare needs are safeguarded and must always make decisions in the best interests of the child.

If a decision is made that the child needs to be taken into care, family and friends will be contacted and asked to be considered as Family and Friend foster carers.

There are a number of legal and informal arrangements under which a child could be placed into your care.

For example, the parents of the child may, outside of or within care proceedings, agree to the child being placed outside of their own care and with a family member or friend.

This is a voluntary agreement under Section 20 of the Children Act 1989. Such a placement would count as a foster placement. The duration of such a placement outside of proceedings would vary and would depend on the reasons for the parent agreeing to Section 20 in the first place

Equally, within court proceedings the court may make an interim care order endorsing the placement of the child with a family or friend foster carer whilst the proceedings were ongoing and whilst assessments were undertaken of the parents and carers. Court proceedings under care order applications generally should be completed within about 26 weeks.

Finally, the court may make a final care order placing the child for the rest of its minority in the care of the local authority with a care plan for placement with a foster carer and that could be a family and friend foster carer. However, it would be at this stage that the court and local authority would consider other long-term options for the child, namely

whether or not a special guardianship order was suitable or whether or not a child arrangements order was suitable.

Child Arrangements orders and Special Guardianship orders are what are known as private law orders. Under such orders the Local Authority would have less involvement with the child and you would not be considered a foster carer. These alternative options are discussed later in this booklet.

What benefits does Family and Friend foster care give to the child?

There are many reasons why Family and Friend foster carers are preferable to mainstream foster care:

- Being looked after by family members or people they already know is much less disruptive to the child, and tends to give much better stability than if they are fostered by strangers
- It is usually easier to maintain contact with parents
- It is easier for the child to explain their circumstances e.g. 'I live with my grandparents' rather than 'I'm fostered'
- Being looked after by family members can help the child maintain a sense of identity
- It is easier for children to build strong relationships with people they already know

Who are Family and Friend foster carers?

Anyone who has a close relationship to the child being taken into care, including:

- Grandparents
- Aunts/uncles
- Adult brothers/sisters
- Adult cousins/half cousins
- Extended family members such as great aunts and great grandparents
- Family friends who have an important relationship with the child
- Any adult who has a connection with the child - it does not have to be a 'blood' relative, and could be their neighbour or teacher for example

What are the criteria for becoming a Family and Friend foster carers?

A carer must:

- Be aged 18 or over

- Have a safe and secure home, with suitable sleeping arrangements for the child and suitable for any disabilities the child may have (ideally that allows the child to remain living near its usual home)
- Be able to help the child to attend school every day (ideally with the child being able to continue at its usual school)
- Positively promote contact between the child and their parents where required
- Ideally be able to provide accommodation for any siblings so that the sibling group will not be split up

The placement criteria are important because many children and young people benefit by being placed with relatives or friends or others connected to them, near their own homes, continuing to attend the same school, living with their siblings and in accommodation that suits any special needs. However not all these factors are always beneficial for all children, and some will have greater priority than others at different times in children's lives. In weighing up the different options a number of issues need to be considered, the most important of which is how far a placement will meet the assessed needs of a particular child or young person given their previous history and their current circumstances

What is expected of Family and Friend foster carers?

Family and Friend foster carers are expected to:

- Be available for regular visits from social workers
- Keep daily written records about the child
- Complete basic foster carer training
- Work honestly and openly with all professionals involved in the child's life
- Attend all the meetings regarding the child
- Work within the 'care plan' for the child (a care plan sets out what support and help the child should get)

The most important thing is to provide a safe, loving and nurturing home for the child to grow up in

What is involved in becoming a Family and Friend foster carer?

Even though you may have always known the child, you will still need to be assessed to become a friends and family foster carer. This includes a number of background checks, attending training sessions and other meetings, and visits in your home by a social worker.

It is very important that you co-operate fully with everyone involved.

Leicestershire County Council have to work in partnership with everybody involved in order to make sure that all the child's needs are met.

If you don't meet any of the agreed expectations then the assessment may stop. This means that the child won't then be placed in your care, or if the child is already in your care they may not be allowed to continue living with you.

Step-by-step guide to the process

Step 1 – Putting yourself forward

Sometimes a meeting called a 'family group conference' is held, where you can put yourself forward to become a Friends and Family foster carer. In other cases, the child's parents may ask you to put yourself forward or you may be approached by the local authority to care for the child.

Step 2 – First conversation

When the council know that you want to be considered, a social worker will contact you to get some basic information. If everything sounds OK, a children's social worker will arrange a home visit.

Step 3 – Home visit and initial assessment

The child's social worker will visit you in your home. They will get some further information from you at this visit, which will help them decide whether or not to start the assessment process. You will be asked about your life history, your childcare experience, and get your consent to carry out background checks. This will include a basic police and social care check. It is important at this stage to be open and honest with the social worker.

Sometimes at this stage the children's social worker may place the child in your care. The child will be placed with you on 'temporary approval'. Temporary approval can last for up to 16 weeks. During this time a Friends and Family foster carers fostering assessment will be completed. However, sometimes children remain in foster care until the assessment has taken place. You will begin to receive fostering allowances if the child is placed with you.

Step 4- Initial assessment passed on to the Friends and Family fostering team

If your initial assessment is positive, it will be passed over to the Friends and Family fostering team. The team will contact you to arrange a home visit to begin the formal assessment. You will need to provide the following:

- details of previous addresses

- details of jobs and employers
- details of previous significant partners (depending on the circumstances we do not always need to contact previous partners)

You will also need to provide three personal referees, who know you well as a person.

You will be expected to undergo a 'fostering medical assessment' by your GP. This is an enhanced medical to make sure you will be able to care for the child in the long term.

You will be expected to provide information regarding your financial situation. Information on your family, educational and life history will be sought, as well information on your relationship with the parents of the child and full information on all other members of the household or persons who would be in regular contact with the child. We will contact any other local authority where you have lived. They will also speak to other members of your family to get their views on your ability to care for the child and see what your support network is like. The local authority will want to assess your understanding of the child's needs and your capacity to provide for those needs, including protecting the child from harm and offering a secure and stable home environment for the child.

You will need to have an enhanced Disclosing Barring Scheme (DBS) criminal record check (this used to be known as Criminal Record Bureau or CRB check).

It can take up to six weeks for all these background checks to be completed. Everything will be put into an in-depth report which is created by the fostering social worker. It needs to be in-depth, so that the people making the decisions are completely happy that the child is going to be safe.

Step 5 – Fostering panel

The fostering social worker will present the report to the people making the decisions about who can foster. They are known as the 'panel'. The panel is made up of childcare and health professionals, together with independent people who have experience of children in foster care. You will be asked to attend the panel meeting along with the fostering social worker. This is so that the panel members can meet you before they make their final decision.

What financial support will be available?

You will start to receive fostering allowance payments as soon as the child is placed in your care. These payments are designed to help you with the costs of looking after the child on a daily basis.

You will also receive extra payments on the child's birthday, at Christmas (or other religious festival), and for a holiday once a year. This payment is equivalent to one week of fostering allowance.

As a Friends and Family foster carer you are also entitled to apply for a settling-in grant. This is to help with the initial costs of the child being brought into your care, such as clothing and any equipment if it is required. You are also entitled to claim mileage where appropriate. This can include taking them to have contact with their birth parents or going to meetings or appointments.

Please note that you can't claim child benefit or tax credits for the child if you are still receiving fostering allowance payments.

What sort of support do Friends and Family foster carers get?

- You will have regular meetings with your own supervising social worker
- An out-of-hours phone support line operated Mon-Fri 6pm-12pm Sat and Sun 12am- 12pm. Tel 0300 456 2600
- The child will have regular contact with the childcare social worker
- You will be given or help towards funding any equipment you need such as a cot, stair gates etc.
- Access to specialist support for carers and children, such as health, education, mental health etc.
- The council offer carers a wide range of training courses in child-related subjects
- Membership of the Fostering Network - a national organisation which provides specialist support to foster carers such as legal help and training
- Membership of a foster carer support group, which holds regular coffee mornings, and organise social events and fun activities such as trips and parties for carers and their families
- An induction pack containing all the information you need.

Specific Family and Friends foster care training

The supervising social worker will work with you to ensure you understand the statutory training requirements and to help you identify your own learning needs.

Training is available on a variety of related subject such as Children's attachment, Managing Contact, Managing Family relationships and Boundaries, Friends and Family Support.

The role of the supervising social worker

Once you have been approved at the fostering panel, you will be supported by a fostering social worker. They will visit you at least once a month but can visit more often if you or they think it is needed. You will be able to phone the social worker any time you need help or advice. Three times a year we must make an unannounced visit too, to make sure everything is OK.

Further advice and information

If you have any questions then please call us on 0116 305 3051

Feedback and complaints

We provide a wide range of services, and always strive to make sure that they are both high quality and value for money.

We're keen to hear your comments and feedback, both positive and negative, to ensure our services are working as well as possible for you.

Making a complaint or compliment

<https://www.leicestershire.gov.uk/about-the-council/contact-us/complaints-and-comments>

Customer Relations Manager
Corporate Resources Department
County Hall
Glenfield
Leicester
LE3 8RL

Tel: 0116 305 7422

Email: complaints@leics.gov.uk

County Hall Switchboard: 0116 232 3232

Special Guardianship Orders

All situations are different, but in many cases local authority encourage Friends and Family foster carers to apply for a Special Guardianship Order. This is similar to adoption in that it means you have the majority of parental responsibility for most aspects of caring for the child.

When a Special Guardianship Order is made, social workers will not need to be involved any further but will provide support if necessary. The Special Guardianship Order is subject to a means tested financial assessment, as once the Order is granted the fostering allowance payments will stop. You may be entitled to additional payments depending on your circumstances. Once you have the Special Guardianship Order you can apply for child benefit and family tax credits.

What is Special Guardianship?

Special Guardianship is an order made by the court that places a child or a young person to live with someone permanently and gives legal status for non-parents who wish to care for that child or young person in a long-term secure placement. The Adoption and Children Act 2002 introduced Special Guardianship and Special Guardianship Orders.

Who has Parental Responsibility?

A Special Guardianship Order gives the special guardian Parental Responsibility for the child until the child reaches 18 years old. Unlike adoption a Special Guardianship Order will not remove Parental Responsibility from the child's birth parent(s). The special guardian can also appoint a guardian for the child in the event of his or her death.

This means that the special guardian will have responsibility for the day-to-day decisions and all the important decisions about the child or young person. An example of this could be a decision about which school the child or young person is to attend. As the parent(s) retain Parental Responsibility there may be a times where the birth parent(s) would need to be consulted, for example, a special guardian cannot give their consent to change a child's surname or live abroad for more than 3 months without the agreement of others with Parental Responsibility, or the leave of the court. The special guardian cannot override a parent's refusal to consent to the adoption of the child.

What are the effects of a Special Guardianship Order?

The effect of a Special Guardianship Order is to:

- Secure the child or young person's long-term placement;

- Give Enhanced Parental Responsibility to the special guardian(s)
- Maintain links with the child or young person's birth parent(s) ;
- Enable the special guardian to have day to day control and to exercise their Parental Responsibility to the exclusion of all others with Parental Responsibility except another special guardian.

What kind of support can I get if I am a Special Guardian?

Under the Adoption and Children Act 2002 financial support and other services may be available for the special guardian, the child and the birth parents. However, if a child is not (or was not) looked after by a Local Authority before being made the subject of a Special Guardianship order, then there is no entitlement to an assessment for Special Guardianship Support services. However, whilst there is no entitlement and any offer of support services is discretionary, it is important that children aren't disadvantaged by the lack of entitlement. A request for an assessment can still be made and If the local authority decides not to carry out an assessment where they have a discretion, they must give the carer notice of the proposed decision in writing including reasons for the decision. The carer who requested the assessment must be allowed at least 28 days to make representations in relation to the decision.

Family and friends carers should be made aware of the eligibility criteria and when means testing applies, how to apply for any such financial help, and how and when decisions are made about eligibility.

Examples of possible services:

- Mediation to assist with new or existing contact arrangements;
- Counselling and advice and information;
- Access to support groups;
- Therapy services;
- Training for the special guardian to meet the needs of the child;
- Respite care;
- And financial assistance

Biological parents remain financially responsible in law for their child even when a Special Guardianship Order has been issued and so in most cases they will be under an obligation to pay maintenance for the child's upbringing.

Leicestershire County Council SGO Support Offer

- Future access for therapeutic services via the fostering services to be put in place. Support from the Local Authority for SGO holders to access other specialist support services such as CAMHS if needed in the future or to access support through the Adoption Support Fund.
- In addition, Leicestershire County Council has a dedicated social worker who will, if appropriate, work with the carer to understand a child's emotional needs and how best to respond to that child.
- Means tested financial package of support to continue until the child is 18 years of age Contingency plans to enable SGO holders to re-establish contact if they need support. Fostering will be the point of contact.
- The fostering training opportunities to be opened up to SGO holders throughout their time as carers for the child.
- Contact/family time agreement signed by all parties for contact and advice and support given for this and a dedicated support worker who will help you get the most out of family time for the child.
- Life story work in place for the child to construct a coherent life narrative to explain the shape their life has taken.

Financial Support

It is possible to apply to the Local Authority for a Special Guardianship Allowance. The allowance is means tested but guidance is given in The Special Guardianship Regulations 2005; this directs Local Authorities to have regard to how much fostering allowance would have been paid had the child been fostered rather than cared for under a Special Guardianship Order. Recent case law confirms that the rate for Special Guardianship Allowances should be calculated in line with fostering allowances. Deductions may be made to consider Child Benefit and Tax Credit. The Council also gives due regard to the child's needs and the financial requirement to support best outcomes for our children.

Can a Special Guardianship Order be varied or discharged?

Special Guardianship Orders terminate when the young person reaches the age of 18.

Unlike adoption orders, Special Guardianship Orders can be varied or discharged before the young person reaches the age of 18. This will happen if the circumstances surrounding the order have significantly changed and if it is in the best interests of the child. It is possible to apply to the court to vary or discharge the order if:

- You are the special guardian;



- You are the Local Authority named in a care order relating to the child before the Special Guardianship Order was made;
- You have a Residence Order (granted prior to 22.04.2014) in your favour or a Child Arrangements Order stating the child should reside with you which relates to the child before the Special Guardianship Order was made.

If you are the child, parent, step-parent who has acquired Parental Responsibility, a guardian, or any individual who had Parental Responsibility before the making of the Special Guardianship Order but no longer has it or any other with Parental Responsibility and you wish to vary or terminate the existing Special Guardianship Order, you will need to:

- First get the permission of the court; and
- Secondly show a change of circumstance since the making of the Special Guardianship Order.

Child Arrangements Orders

Sometimes it will be appropriate for a child not to remain a 'looked-after' child (e.g. in foster care) and for that child to be placed under a private law order with a family member or carer. Such an order allows for the carer of the child to have parental responsibility for that child, and they share that parental responsibility in equal measure with anyone else who holds it (the child's parents, for example).

It gives legal status for non-parents who wish to care for that child or young person in a long-term secure placement.

A relative of the child who has been a foster carer for the child may apply to the court for leave to apply for a child arrangement order at any time. A friend who has been a foster carer for the child for less than 12 months can only apply for leave to apply for a child arrangement order with the consent of the local authority

What are the effects of a Child Arrangement Order?

The effect of a Child Arrangement Order is to:

- Secure the child or young person's long-term placement until they are 18;
- Give Parental Responsibility to the carer
- Maintain links with the child or young person's birth parent(s)

What kind of support can I get if I have a Child Arrangements Order?

The Local Authority has no on-going obligation to offer support services or financial support to a carer with a child arrangements order, other than signposting a carer to universal services, if help is asked for.

The Local Authority has a discretion under S17 of the Children Act 1989 to provide services or financial support to a carer, on request.

Family and friends carers should be made aware of the eligibility criteria and when means testing applies, how to apply for any such financial help, and how and when decisions are made about eligibility.

Can a Child Arrangements Order be varied or discharged?

Yes, on the application to court by a parent or guardian or person who holds parental responsibility for the child or already has a child arrangement order in their favour. The court will consider what is in the best interests of the child when considering any application to vary or discharge an existing child arrangements order.

Challenges faced by Family and Friend carers

As a Family and Friend carer you can expect to face quite a few challenges. It's not easy to step in and care for someone else's child and you need to be ready to face difficulties which may arise. This section describes some of the challenges – hopefully they will not all apply to you, but you should know that you are not alone if they do.

Family relationships

Bringing up children isn't the same as visiting them in their own home or having them on a sleepover, and you may not know them as well as you think. There might be things which have been kept from you, such as domestic violence or child abuse, which have affected the child's behaviour and emotional wellbeing. Family and Friend carers need to be aware of the complexities of caring for another family member's child and the impact that this may have on family relationships. The child's needs must always be put first, and it's not always easy to do this. Although there are lots of benefits of a child remaining within their family network,

Family and Friend care arrangements can also be a source of difficult family relationships. Especially where social workers have been involved, parents may feel resentful of the Family and Friend carers or simply not understand why they cannot care for their own children. The children may not understand why they are unable to live with their parents and can even get caught up in the middle of a difficult relationship between the adults.

If a child who is formally looked after by the local authority is placed with Family and Friend foster carers and their parent undermines what is written in the placement plan, this can make it very difficult for the carers to do what is expected of them by the local authority.

It is often the case that parents of children in Family and Friend care have separated and formed new partnerships or remarried, so that several family units all have a role to play in the child's life – the mother's family, the father's family, and the Family and Friend carers. Relationships between all these people can be tense at the best of times, and it can be a real challenge for Family and Friend carers to manage the interrelationships and to make sure that everyone remains focused on what is best for the child.

Sometimes grandparents have to accept that in order to step in and do their best for their grandchildren their relationship with their own adult children is irrevocably damaged. It is not surprising that Family and Friend carers often feel very disappointed

and angry towards parents who they regard as having let down their own children and this in turn can make relationships harder to manage, especially for grandparents.

However, Family and Friend carers may find that their wider family networks are a source of real strength and support, and that other family members may be willing to look after children from time to time to give them a break.

Contact – Family Time

Coming to terms with their past and their family relationships is very important for children in Family and Friend care, and contact can help with this if it goes well. However, if adults fall out about the purpose of contact it can be hard to keep the focus on the needs of the child rather than the parents and others. Managing contact is problematic to some degree or other for most Family and Friend carers. In one survey seven out of ten Family and Friend carers said that helping children to cope with parental contact was one of the biggest challenges facing them.⁵ Sometimes this means helping children to cope with bitter disappointments, such as when a parent appears to lose interest in them.

Another common problem faced by Family and Friend carers arises when the court has made an order which gives a parent contact with their child, but the carer disagrees about the kind of contact that should take place. Sometimes the child themselves does not want contact. Family and Friend carers have to support the children and adults to make contact a positive experience for the child, but sometimes they also need to protect children from confused messages and potential harm by parents.

When contact and relationships are difficult, family mediation services may be able to help but this is often far from straightforward because, unlike divorce cases, the parent-carer relationship is not one between two adults with equal rights and responsibilities regarding the child. The child may have suffered significant harm, so careful judgements have to be made, which parents may not always accept. The goal of mediation is agreement, which can be difficult to reach where one party may be mentally ill, or addicted, or may disagree with legal decisions made against them. There are times when Family and Friend carers may judge that they have to challenge a court order regarding contact, or they may become involved in court proceedings started by a parent or a local authority. Contact difficulties can give rise to a series of court hearings, significant legal fees, and considerable emotional strain. If you are involved in court proceedings you will need independent legal advice.

For looked after children placed with Family and Friend foster carers, the placement plan agreed with the social worker will include contact arrangements, but the difficulties

of putting the plan into action can be just the same as for other Family and Friend carers.

In the modern digital world, contact can mean so much more than meeting face to face or communicating by letter or phone. Whatever formal contact arrangements we make for children, we must understand that other forms of contact may be taking place. Mobile phones, social networking, instant messaging, the internet, Skype, online gaming and many other forms of communication have opened up whole new ways of remaining in contact with family and friends. Often children understand these better than us adults! You can find out more about managing contact through social media from publications listed in the further reading section.

Age and health

Many Family and Friend carers are older than the average parent and in poorer health, and this can pose challenges in itself. It's important to consider how long the Family and Friend care arrangement might last, and whether you will be able to carry on caring for the child until they are able to return home or live independently. Sometimes Family and Friend carers are just needed to help for a few days or a few weeks, or to provide a series of breaks for the parents to help them to manage in the long run. In other circumstances the

plan could be for the child to remain with you until they are old enough to manage independently. Plans are not always clear from the start and you might be anxious about discussing these with the parents in case it makes things difficult. But for the sake of the child you need to understand how everyone is thinking and to be clear that you are in a position to take this on. If the child is being placed with you by the local authority as a Family and Friend foster carer, there will be a written care plan which will make timescales clear and which will be kept under review.

Caring for a child is physically and mentally demanding, and children coming into Family and Friend care often have greater needs than the average child of their age. A significant number have special educational needs or disabilities. Are there other family members who would be willing to help you out sometimes, especially if you are older?

Family and Friend carers sometimes find themselves managing quite difficult behaviour which might well include things they haven't experienced before, such as acting out, depression, inappropriate sexual behaviour, or criminal activity.

Depending on the circumstances you should discuss with members of your family, the child's parents and others, what arrangements might be needed if you become unable to continue caring. Someone else may need to take on your role. You may be able to

make informal arrangements, or if you are a special guardian you will be able to appoint a testamentary guardian in your will.

Accommodation

Lack of suitable accommodation is another challenge often faced by Family and Friend carers, especially older carers who have downsized and suddenly find that they have insufficient living and sleeping space, or those who already have children living in the household. Living in cramped conditions may be manageable for a short period, but it can easily add to the pressures of caring for a child. For those living in social housing, policies of housing departments should recognise the needs of Family and Friend carers, and wherever possible Family and Friend carers should be given priority to move to more suitable accommodation if this will prevent the need for a child to become looked after by the local authority.

Things to consider

Whether you are already a Family and Friend carer, or are just thinking about it, there are a lot of things you should consider helping you to make the right decisions both for the child and for you. We've already explained about some of the challenges you might face.

Here's a list of some things to think about and some questions you may want to ask yourself or other people:

What do you know about the needs of the child or children you are going to care for?

Is anyone else such as a social worker or health visitor involved and concerned about the child's welfare? If so, how will they provide care and support for the child?

Who will support you?

It will be helpful to try to think from the start about what support you will need to meet the child's needs, and where you might get this. Friends, neighbours and family can all be a great source of help, and there are also support networks and information sources for Family and Friend carers. There are also services which are available to all children or to those with particular needs.

What about emotional support?

You need to consider your own needs too if you are going to do the best you can by the children. It's important that you care for yourself and keep yourself fit and healthy emotionally as well as physically.

What is your motivation?

You might have thought very carefully about becoming a Family and Friend carer, or everything may have happened in a big rush. You may have lots of complicated emotions, such as feeling responsible, angry, or that you have no real choice but to help. None of these feelings are wrong, but if you are clear about why you are offering to help it will enable you to make better informed decisions. You can still say no if you have weighed it all up and you feel this isn't the right choice. Only you know the right decision for you.

How will being a Family and Friend carer affect family relationships?

You should think about how your new role will affect your own and the child's relationship with their parents, as well as with other family members. How will your own children feel about someone else joining the household? How will the child react to their grandparents taking on a parental role?

What is the long-term plan?

If you agree to take the child for a short period, might this turn into a long-term commitment? Are you clear about for how long the child will need care, and are you in a position to meet that need?

What is the legal position?

As this guide explains, there are different legal situations in which you can be a Family and Friend carer, some of which involve court orders. This can be quite confusing but there are important differences including your rights and responsibilities, the decisions you are able to make, and the support you are entitled to. If you are unclear about anything or in doubt about what to do you should seek independent legal advice.

Did you know?

If you have been with your employer for more than a year and are caring for a child who

- is under five, or
- was placed with you for adoption less than five years ago, or
- who qualifies for disability living allowance

You may be entitled to up to 18 weeks unpaid parental leave.

This only applies if you have parental responsibility or are applying for a legal order that will grant you parental responsibility (so does not apply if you are a foster carer).

How will you manage contact arrangements?

Can contact be free and easy, or will it need to be organised and supervised by someone? Where will it take place? Who will pay for travel and other expenses? How will the inevitable conflicts be managed and supported?

What about my age and health?

It is sensible to think about your age in relation to that of the child, and the long-term plans. Think also about your health and how you would manage if it gets poorer. Will you be able to go on providing care for as long as it is needed, and are there others who will be able to help you or to take over if necessary?

Will you have to give up your job?

If you are caring for a child, you have the legal right to ask your employer for flexible working, which might include working part-time or as a job share or working longer hours over fewer days or working from home. Your employer must hold a meeting with you to discuss your request. They do not have to agree to your request but they must give you reasons why not.

How will you manage financially?

Work out how you will be affected by any loss of income from employment and whether you will be eligible for any benefits or other financial support which might help to cover any loss (see section on foster carer payments below)

Consider what it might cost to provide for any child you are caring for and whether you can manage this without financial help. Parents remain responsible for maintaining their children, but very often Family and Friend carers do not receive any financial support from parents.

The local authority can give additional cash assistance to carers for Children in Need under Section 17 of the Children Act 1989. Additional guidance on applying for such a payment can be found in the document 'Adoption and Fostering Services, Discretionary Payments and Capital Loans to Carers'.

How will being a Family and Friend carer affect your life?

Think about the ways in which caring for a child will affect the way you lead your life, and any changes you will need to make. Do you have other caring responsibilities to fit in? Are you prepared to make any necessary sacrifices to your social life and outside interests? Consider who might be able to help you with any childcare you need, and if necessary how you will find out about other issues that are important when you are bringing up a child, such as the education system and social networking.

Might you need respite?

Sometimes you might need a bit of a break. This might be possible if, for instance, the child can sometimes spend a day, a weekend or a short holiday with their parents or

with another family member. Could the child take part in children's activities such as brownies or scout camps that would be a way for you to have a break while the child has fun with other children? There's nothing wrong with needing respite, and it might make all the difference to being able to carry on, but you should always try to put the child's needs first. Respite works best if the child goes somewhere they enjoy being, so that they don't feel pushed around.

Do you have sufficient accommodation?

Bear in mind that you may need more space as children get older, such as when they can no longer share a bedroom or need room to do homework. How might you get help with bigger accommodation if this is a problem?

Local Authorities have a duty to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area that meets the need of the children that are looked after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area. Housing and social care services should work in partnership to support the housing needs which may face family and friends carers and local authorities do have the power under section 17 of the 1989 Act to give financial support towards accommodation costs where they assess this as the most appropriate way to safeguard and promote a child's welfare.

Fostering Payments

~~Fostering Allowances~~ The Weekly Fostering Allowance

These payments are based on the National Minimum Fostering Allowance Payments and are made every 4 weeks in arrears. Most carers have the payment made directly into their bank account. These full weekly rates will be paid pro rata for emergency placements. Any part of a day that a child is in placement is paid at a full day's allowance. Where a child in foster care receives respite from another carer, both carers receive a full day's allowance for part days. These rates are free from income tax, as long as they do not exceed the qualifying amount. Information regarding tax is available from the Fostering Network's Fosterline on 0800 040 7675, or from the local tax office.

The weekly allowance covers the following:

- Food including school lunches
- Personal and household expenditure
- Toys and play equipment
- Activities - including clubs, hobbies and family days out
- School activities - including trips, holidays and associated equipment
- Dental and optical needs
- Bedding and replacement bedding
- Pocket money and savings
- Day to day transport by car or public transport
- Clothing and school uniform

In some circumstances, a payment of up to £350 can be paid as a set up cost for equipment. This will be agreed by a Team Manager and be a one-off payment.



Positivity



Trust and respect



Flexibility



Openness and transparency

This list is not exhaustive and further guidance can be obtained from the Fostering Team.

By adopting a skills-based approach to the payment of allowances it is expected that there will be a reduced reliance on additional payments to carers in the future

Clothing Allowances

It is important that children in care are provided with appropriate, well-fitting clothing. The fostering team provide a minimum clothing list setting out what a child or young person should have after six months of being looked after.

It is the responsibility of the supervising social worker and the carer to make sure that a clothing list is completed at the start and end of every placement. If, when a child moves to a new carer, it is found the clothing is not adequate, then the previous carer will be expected to reimburse the costs of the shortfall. Carers should keep receipts for all clothing. In cases where children or young people arrive in an emergency with no clothing, or inadequate clothing, a cash payment of £120 for each child can be made direct to the foster carer.

(These rates are reviewed annually).

School Uniform

The department provides additional help with school uniform when:-

- A child starts primary school (when a grant of £105 is paid)
- A child changes school (the grant will depend on what clothing the child already has and what they need for the new school)
- A child starts secondary education (a grant of £155 is paid)

(These rates are reviewed annually).

The replacement of worn out or outgrown school uniform is the responsibility of the carer. Some of the above amounts might be varied if children are in very short-term placements or if there are very specific uniform requirements. Carers should keep receipts for all clothing.

Birthday Allowances

The birthday allowance is equal to one week's basic maintenance allowance and is paid automatically just before the child's birthday. It is paid for the child's birthday gifts and celebrations.

Christmas Allowance

The Christmas Allowance equal to one-week basic maintenance allowance is paid automatically at the beginning of December. If you would like it to be paid instead for another major religious festival please let your supervising social worker know.

Holiday Allowance

Holiday opportunities for children and young people in care should be made available. These must be discussed with the child's social worker and fostering supervising social worker and agreed as part of the Care Plan. For example, where children accompany foster carers on holiday the carer will receive the holiday allowance. If the foster carer is not providing a holiday the holiday allowance may be used to pay for a holiday experience elsewhere; for example, a school trip abroad or residential holiday.

These payments are age-related and are based on two weeks of the basic maintenance allowance. Payments will not be made automatically but will have to be claimed by foster carers at the appropriate time.

The holiday allowance is paid once a year for each child and should be seen as a contribution towards the total cost of the holiday of the carer's choice. Where children move placement during the year and the first carer has already received the holiday allowance, any payment to the second carer will be at the discretion of the Placements Service considering the child's needs. ***Please ensure that all holidays are in school holiday periods and not in term time.***

School Trips Abroad

Please discuss with the child's social worker who can apply for funding from a child's Personal Education Allowance (PEA).

Clubs, weekly activities, sporting sessions, music lessons etc.

The department is keen to encourage all children in care to experience a range of leisure, sport and cultural activities as these promote friendships, confidence and the opportunity to succeed. Carers are expected to promote these activities and, other than in very exceptional circumstances, fund them from the fostering allowance.

Additional costs

Costs for children's personal needs and activities are included in the weekly allowance. If children are undertaking expensive activities, additional money may be identified through access to other funding, such as the Personal Education Allowance if related to a child's learning needs, the Corporate Parenting Team or through schools. Please discuss this with the child's social worker.

Travel Costs

The fostering allowance contains a transport element for all day to day journeys. It is expected that wherever possible and appropriate, carers will be responsible for the transport of children in placement. Travel costs can be claimed at **42p** per mile for additional mileage approved by the fostering social worker.

(These rates are reviewed annually).

This will mainly be for: -

- Contact
- School journeys (where out of the catchment area of the carer).

Please include VAT fuel receipts when you claim your mileage allowance, these are provided by the petrol station on request and enable the Authority to reclaim the VAT paid.

Please note: -

- If you are looking after two or more children of different ages, related or not, and taking them on the same journey please claim one trip for the youngest child
- It is the carer's responsibility to make sure their vehicle has valid insurance which includes transporting foster children, MOT and road fund license documents, and is in good working order.

Carers using public transport:

All bus tickets for a child should be submitted each month for eligible journeys. If a carer needs to accompany the child on a bus journey, the carer may submit their ticket as well.

A bus pass for the young person should be considered if bus travel would be an appropriate and cost-effective alternative to eligible transport by the carer. The full cost of such a bus pass for school or college will be reimbursed. Where there is a delay in

issuing a pass, carers will be reimbursed in full on submission of bus tickets for non-catchment school journeys.

Assistance to foster carers with purchasing vehicles



Financial assistance to adapt a vehicle or a contribution towards vehicle purchase is not an automatic right for a foster carer. LCC can contribute towards the purchase of a vehicle in specific circumstances to meet the transportation needs of the looked after child:-

- Where the foster child has a requirement for a specialist vehicle
- Where a vehicle is needed to transport children placed with a family, and the family would not otherwise need a vehicle, or would not need a multi-seat vehicle
- Assistance is only given following an assessment of the child's specific needs, or to meet essential Health and Safety standards where foster carers cannot make alternative arrangements.

Assistance to foster carers with property adaptations or extensions

On occasions, foster carers may need assistance with funding property adaptations or extensions. A request for assistance will be considered based upon an assessment of a child's specific needs. Current criteria include:-

- Where a sibling group can be placed together
- To support a permanence solution for children so that they are no longer in care
- To support children's specific needs

Except in exceptional circumstances, carers will be expected to contribute to the purchase of vehicles and adaptations. A procedure is available to inform this process.

Local Authorities have a duty to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area that meets the need of the children that are looked after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area. Housing and social care services should work in partnership to support the housing needs which may face family and friends carers and local authorities do have the power under section 17 of the 1989 Act to give financial support towards accommodation costs where they assess this as the most appropriate way to safeguard and promote a child's welfare.

Family and Friends carers may also be able to apply for a grant, loan, or part grant-loan from the local authority to assist with any such requirements.

Insurance Claims

Leicestershire County Council has purchased an 'All Risks' insurance policy for foster carers and Supported Lodgings providers. This provides cover for the carer's property, and property belonging to members of their family permanently living with them up to a maximum value of £250,000. The insurance is intended as contingency cover in the event that a carer's own insurance fails to respond in the event of an incident. All carers are required to inform their household insurer that they are foster carers. Carers need to demonstrate that their own household insurance does not cover the loss before making a claim. Vehicles are not covered by this policy. Cover is for loss or damage caused by a foster child. A claim form is available once carers have already submitted a claim to their own household insurer and it has been declined.

Claims need to be submitted immediately after an incident. Any claim made more than 30 days after cannot be considered by the insurers. Carers are advised to keep the damaged article or photographic evidence where this is not possible, until the claim has been processed.

In addition, Leicestershire's County Council's Public Liability insurance policy provides cover for injuries to children in placement where the injury has been caused due to the carer's negligence. The policy also covers damage caused by the children to property belonging to members of the public. However, it does not cover damage caused by the children to the carer's own property.

Any claims for injuries caused as a result of travel in a motor vehicle should be referred to the carer's own motor insurers.

Staying Put

Staying Put describes the situation when young people over 18 who were fostered and in training or education wish to stay with their foster carers. When a young person reaches the age of 18 they are no longer regarded as being in foster care as all Care Orders cease and parental responsibility ends. The legal basis for this arrangement is "excluded licensee" as young people are effectively lodging in the carers' home.

Full policy details are available and Staying Put carers become entitled to a Post 18 Providers Allowance.

(These rates are reviewed annually).

This covers heating, lighting, rent and food. The carers are not expected to provide the young person with a personal allowance.

Young people are expected to apply for housing benefit once they are 18 and they will be given help with this. If the claim is successful the amount received is deducted from the carers Post 18 Providers' allowance.

If a young person is in employment they will be supported to arrive at a private arrangement to remain with their ex-foster carers, but whilst financial support to the former foster carer will continue, it may be at a reduced level due to the expectation that the young person is in a position to contribute to their own upkeep.

Carers should seek independent tax advice about their income tax. Information is available from the Fostering Network's Fosterline on 0800 040 7675, or from the local tax office.

Young people who remain in foster homes after they are 18 need to have a DBS check if there are other younger foster children within the home. A risk assessment should be considered if other younger children are not siblings of the young person.

Independence Preparation

As young people in foster care grow up they should not only receive their recommended level of pocket money but also some of their clothing and personal allowances. These should be gradually increased to encourage them to take more responsibility for their self-care and eventual independence. Carers should make sure that the young person opens and manages a bank account to help them to develop budgeting skills.

Children at University

These rates are reviewed annually. Please ask the Fostering Service or the child's worker for up-to-date information

My Notes

Welfare benefits and other sources of financial help for Family and Friend carers

Becoming a Family and Friend carer can place a significant strain on household resources. You will inevitably face increased expenses. At the same time, your income may reduce because you have to give up work, reduce your hours and/or draw on savings. This section gives some basic information about the benefits you may be entitled to claim and other help you can get because you are raising a child or because you are living on a low income.

Entitlement to some benefits depends on your income and/or savings. It's worth noting that if you receive a fostering, special guardianship or residence order allowance it will be ignored as income when you apply for these means-tested benefits. The welfare benefits system is currently going through a process of major changes. For up-to-date information check Grandparents Plus' website. For advice on your own situation including benefit entitlements and other sources of financial support, contact their advice service on 0300 123 7015.

Benefits if you are raising a child

Family and Friend carers are generally entitled to the same benefits as parents although the rules are different for foster carers.

Child benefit

Child benefit is paid to people who are bringing up a child aged under 16 or a young person aged under 20 who is in full-time non-advanced education. Only one person can be awarded child benefit for a particular child.

The child's parent is allowed to keep claiming child benefit as long as they pay it to you for the child's upkeep. However, if you want to receive the money directly you will have priority because the child is living with you. If there are competing claims, you may have to wait longer for a decision about your claim. You can get child benefit regardless of your income. However, if you or your partner have an individual income of more than £50,000 a year, you may have to pay extra tax which will offset some or all of the child benefit.

If you are receiving a fostering allowance for a child, you cannot claim child benefit for them.

You can get a claim form by phoning the child benefit office on 0300 200 3100. You can download a form from www.hmrc.gov.uk/childbenefit.

Child tax credit

If you are on a moderate or low income you can claim child tax credit for any child who normally lives with you unless you are being paid a fostering allowance for them. If a parent is also claiming, your claim will have priority if you have the main responsibility for the child. You can get child tax credit whether or not you are working. Payments depend on your family circumstances and income. If you live with a partner you must make a joint claim. You can claim for a child or a young person up to the age of 20 as long as they are in full-time non-advanced education or on an approved training course. You can get extra child tax credit for a child who is getting disability living allowance (DLA) or is registered blind. You can check if you qualify for child tax credit and how much you should get by using the online questionnaires at www.hmrc.gov.uk/taxcredits.

For an application form phone the tax credit helpline on 0845 300 3900.

Guardian's allowance

You may be entitled to guardian's allowance if you qualify for child benefit for a child whose parents have died. Sometimes you can get guardian's allowance if only one parent has died. For example, if:

- the other parent's whereabouts or paternity are unknown
- the parents were divorced or their civil partnership has been dissolved and the other parent isn't paying maintenance
- the surviving parent is in prison or is detained in hospital by a court order.

You can get more information and an application form from the guardian's allowance helpline on 0300 200 3101 or from the HMRC website at www.hmrc.gov.uk.

Benefits if you are looking after a disabled child

Research shows that it costs three times as much to raise a disabled child (Source: Dobson and Middleton – Paying to Care: the cost of childhood disability 1998) and families with a disabled member are more likely to be living in poverty.

Disability living allowance (DLA)

If you are raising a child with a disability or long-term health condition, it's well worth applying for DLA because it can make a big difference to your family's income. You can claim for a child with a physical disability, learning disability, or behavioural or mental

health problems – even if they don't have a diagnosis. What matters is the impact of their condition on their care, mobility and supervision needs.

DLA is not means-tested or treated as income for other benefits. You can apply for DLA even if you are a foster carer. An award of DLA can help you to qualify for additional benefits or for extra amounts of means-tested benefits and tax credits. If someone in your household gets DLA you will be exempt from the 'benefit cap'. When you are filling in the claim form make sure you include as much information as you can about your child's needs. Any information provided by a professional involved with your child's care may also help. The form is long and can be off-putting to complete but give as much detail as possible – it may increase your chance of getting the benefit. You can get a DLA claim form from the benefits enquiry line 0800 88 22 00 or download one from www.gov.uk/dladisability-living-allowance-benefit.

Contact a Family – a national charity supporting the families of disabled children – may be able to put you in touch with local help to complete the [form](#).
[See www.cafamily.org.uk](http://www.cafamily.org.uk) or phone its helpline on 0808 808 3555.

Carer's allowance

If you are caring for a child who is getting the middle or higher rate of disability living allowance and you are not working (or working part-time and earning below £100 a week) you may be able to get carer's allowance.

You may also be able to get carer's allowance if you are caring for a disabled adult. In some cases, you may not be able to receive carer's allowance because you are getting another benefit, such as the retirement pension or contributory employment and support allowance. Even so, making a claim for it might allow you to get extra amounts in other benefits such as pension credit, income support and housing benefit.

The rules about benefits for carers are complicated – you can contact Grandparents Plus' advice service on 0300 123 7015 or

your local citizens advice bureau for advice on your particular situation. You can claim carer's allowance online or download a form at www.gov.uk/carers-allowance or phone the carer's allowance unit on 0845 608 4321.

Benefits if you are not working

Income support

Income support is a means-tested benefit for people of working age. You may be entitled if you are bringing up a child aged under 5 on your own. You can also get it if you are a single foster carer or if you are receiving carer's allowance. If you get income support you will have to attend work-focused interviews if you are raising a child aged between one and five (or a foster child aged between one and sixteen). These interviews are intended to help and encourage you to keep in contact with the

employment market and eventually to begin full-time work. If you get income support you will be entitled to housing benefit, council tax support and other help – for example, with health costs and free school meals. If you have a mortgage you can get help towards your interest payments (usually after 13 weeks).

To claim income support phone 0800 055 6688 or download a form atwww.gov.uk/income-support. Between October 2013 and April 2014 new claims for Income Support will be phased out and replaced by universal credit – see page 48.

Jobseeker's allowance (JSA)

JSA is a benefit for people who are unemployed or working less than 16 hours a week and who are actively looking for work. If you are raising a child on your own, you must be available to work as many hours as your caring responsibilities allow and for at least 16 hours a week. If the child is under 13 you can restrict the hours you are available to their normal school hours.

JSA is a benefit in two parts: Contribution-based JSA is paid at a flat rate for the first six months you are unemployed if you have paid enough national insurance contributions. Income-based JSA is means-tested.

Entitlement depends on your financial circumstances. You can't get income-based JSA if your partner works for 24 hours a week or more. If you have a mortgage, you may be able to get some help towards your interest payments (usually after 13 weeks). To claim JSA phone 0800 055 6688 or claim online at www.gov.uk/jobseekers-allowance

Employment and support allowance (ESA)

If you cannot work because of an illness or disability, you may be able to claim ESA. There are two types of ESA:

- contributory ESA, which you can get if you have paid enough national insurance contributions (for some people this is time limited)
- income-related ESA which is paid if your income and capital are low enough.

Initially you will have to show you cannot work by providing medical certificates from your GP. During the first 13 weeks of your claim, you will usually have to have a number of tests which, together, make up what is called the work capability assessment. To make a claim, phone 0800 055 6688 or download a form from www.gov.uk/employment-support-allowance.

Other benefits if you are on a low income

Working tax credit

If you are single and work at least 16 hours a week, you may be entitled to working tax credit. If you have a partner you must work at least 24 hours a week between you, with one of you working at least 16 hours.

There are some exceptions to this rule, such as if the working partner is aged over 60 or is disabled, or the other partner is 'incapacitated' or a full-time carer. Your entitlement depends on your family's circumstances and income. Working tax credit can include an element towards childcare costs. If you are a foster carer, you can be treated as self-employed and you may be able to get working tax credit. Your foster allowance will not be counted as income, unless it is above certain limits. Some foster carers can choose whether to claim income support, jobseeker's allowance or working tax credit. You can contact Grandparents Plus' advice service on 0300 123 7015 or your local citizens advice bureau for advice if you think this might apply to you. You can check if you qualify for working tax credit and how much you should get by using the online questionnaires at www.hmrc.gov.uk/taxcredits. To obtain an application form phone the tax credit helpline on 0845 300 3900. Between October 2013 and April 2014, new claims for tax credits will be phased out and replaced by universal credit – see page 48.

Pension credit

Pension credit is a means-tested benefit for men and women aged above the women's state pension age. This is gradually increasing from 60 and will reach 65 by November 2018. To find out whether you might be entitled to pension credit you can use the calculator at www.gov.uk/pension-credit-calculator. Pension credit can include extra amounts if you are severely disabled or a carer or if you have housing costs. It is worth claiming pension credit even if you are only entitled to a small amount as it can help you to qualify for other financial help for your family such as free school meals and help with health costs.

To claim pension credit phone the claim line on 0800 99 1234 or download the form at www.gov.uk/pension-credit. Because child tax credit and housing benefit are being abolished, pension credit will change from 2014 to include additional amounts for children and rent.

Housing benefit

You can get housing benefit to help pay your rent whether or not you are working – as long as your income and savings are not too high. You should contact your local council for a claim form. If you are getting income support, income based JSA, income-related ESA or pension credit (guarantee element) you will automatically qualify for maximum housing benefit – although this may not cover your full rent. If you are affected by a shortfall in your housing benefit, you can contact Grandparents Plus advice service on 0300 123 7015 to discuss your options. Contact your local council for a housing benefit claim form. Council tax support From April 2013 a local system of council tax support has replaced the previous national system of council tax benefit for people who can't afford to pay a full council tax bill. Each council can decide which groups of people it will help and how much help to offer. This means entitlement to support may vary depending on where you live – although pensioners are protected from cuts to support. You should check with your local council for details of the scheme in your area.

Other sources of financial help

Financial support from the local authority depends on the arrangements under which you're caring for the child and is explained in the relevant chapters

Free school meals

You can get free school meals for the child you're raising if you get one of the following benefits:

- Income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- the guarantee part of pension credit
- Child tax credit and your income is below a certain amount – although in most cases this does not apply if you are also receiving working tax credit
- Universal credit and your income are below a certain level.

The child will not be entitled to free school meals if you are being paid a fostering allowance for them. You can find out how to apply for free school meals by contacting your local council or your child's school.

Help with health costs

You can get free prescriptions, dental treatment and sight tests and help towards the cost of glasses/lenses if you or a member of your family get one of the following benefits:

- income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- the guarantee part of pension credit
- Working tax credit and/or child tax credit, depending on your income
- Universal credit – if your income is below a certain amount.

If your income is low, you may still be able to get help with health costs under the NHS low-income scheme. This will depend on the amount of income and savings that you have. To apply for help under the NHS low income scheme, you need to complete form HC1 which is available from benefit offices, NHS hospitals and some practitioners. You can also order a form online at www.nhsbsa.nhs.uk.

[illegible]

	Children who are the subject of Final Care Orders (FCO)	Children being cared for under a Child Arrangements (previously Residence) Order (CAO)	Children being cared for under a Special Guardianship Order (SGO)
Who has PR?	The Local Authority (LA), mother, father or anyone else who has acquired Parental Responsibility (PR) through the Courts. The PR is shared with the LA.	Carers who have gained a CAO through the Courts. The Order may have been done with the agreement of the parents. This may be shared with the mother, father and/or anyone else who may have PR.	Carers with an SGO have almost total PR. The only exceptions where birth parents would need to be consulted would be major decisions such as adoption, change of religion and/or moving abroad for more than 3 months.
Who can make decision on behalf of the child	Carers can make day to day decisions. However, important decisions such as taking a child abroad must be done in conjunction with the LA. A carer would need an Order to allow permission for medical treatment, etc.	Carers with a CAO can make decisions on behalf of the child. As there may be shared PR with this Order, the other party would have to be consulted on major decisions such as medical treatment, religion, etc.	Carers with an SGO can make all decisions without consulting other parties apart from major decisions such as adoption, change of religion or moving abroad for more than 3 months.
Is the child classed as a Looked After	Yes	No	No

Child			
Are Statutory visits required – these are visits made by a Social Worker.	Yes	No as the child is no longer considered to be, or hasn't been, a Looked After Child (LAC).	No as the child is no longer considered to be, or hasn't been, a LAC.
Can the child be removed from me?	Yes as you may be considered to be the same as a normal foster carer by Social Services.	Not unless there is a police Protection Order or the LA obtains from court an Emergency Protection Order (EPO), Interim Care Order (ICO) or Final Care Order (FCO)	Not unless there is a police Protection Order or the LA obtains from court an Emergency Protection Order (EPO), Interim Care Order (ICO) or Final Care Order (FCO).
Can I take the child out of the UK?	Only with the consent of all parties who have PR and only up to one month unless you have the permission of the Court.	Yes, for up to one month otherwise consent from all parties who share PR would have to be obtained or granted leave by the Court.	Yes, for up to 3 months otherwise consent from all parties who share PR would have to be obtained or granted leave by the Court.
Can carers appoint	PR is usually shared with	A carer with a CAO has no legal	Carers with an SGO are

a guardian?

parents and they can appoint a guardian. Advice would need to be taken as to when this could take place.

right to appoint a guardian as PR is usually shared. The parents (if they share PR) are allowed to appoint a guardian. Advice would need to be taken as to when this could take place.

entitled to appoint a guardian as they have almost total PR. Advice would need to be taken.

Can I claim Child Benefit?	No. A carer should be paid an allowance which reflects this and includes the amount.	Yes, you are entitled to claim Child Benefit. A claim should be made because, without doing so, Tax Credits cannot be accessed. The amount of Child Benefit may be deducted from any allowance received from the LA.	Yes, you can claim Child Benefit if you have an SGO. Tell them you have it when you apply. You may be asked for SGO paperwork. Please note that if the birth parents were claiming Child Benefit prior to you obtaining the SGO, they will be entitled to claim it for 8 weeks prior to you obtaining it.
Can I claim Child Tax Credit?	No	Yes	Yes
Can I claim Working Tax Credit?	Yes, as an allowance received is classed as income subject to HMRC	Yes	Yes

	<p>rules. Visit https://www.gov.uk/foster-carers/help-with-the-cost-of-fostering</p>		
Can I claim Disability Living Allowance on behalf of the child?	Applications for DLA on behalf of the foster child should be done so within the care plan and with the knowledge of the Social Worker and parents.	Yes	Yes
Is the allowance that I receive from the LA counted as income when claiming Child or Working Tax Credits or benefits?	The allowance is classed as income. Whilst there are certain tax exemptions, it would still need to be declared.	No. This was clarified by George Osborne in his 2010 Budget as the allowance is for the maintenance of the child.	No. This was clarified by George Osborne in his 2010 Budget as the allowance is for the maintenance of the child.

**Is DLA for the child
counted as income
when claiming
Child or Working
Tax Credits or
benefits?**

No (if you are entitled to claim) as it is for the benefit of the child.

No. However it is advisable to mention it when you are claiming as it increases the amount you are entitled to receive.

No. However it is advisable to mention it when you are claiming as it increases the amount you are entitled to receive.

Is my Housing/Council Tax affected by receiving an allowance?	Yes as the allowance is counted as income.	No. This was clarified by George Osborne in his 2010 Budget as the allowance is for the maintenance of the child.	No. This was clarified by George Osborne in his 2010 Budget as the allowance is for the maintenance of the child.
What happens to the Child Trust Fund?	Control would remain with the LA or parents as the child may only be in your care for a short period of time.	As holder of a CAO you can apply to have it changed and also where it is placed but it still remains the child's investment.	As holder of an SGO, you can apply to have it changed and also where it is placed but it still remains the child's investment.
Is the child entitled to LAC status for	Yes and they will still be considered Looked After	Yes, if they were considered Looked After before coming to	Yes, if they were considered Looked After before coming to

school admissions?	(LAC) whilst in your care.	you.	you.
Can the school claim Pupil Premium from the Government?	Yes, the child is considered a LAC.	Yes, if the child in your care was considered as a LAC before coming to you. This may already be highlighted if the child in your care receives free school meals however, if you have to pay for school meals, you will have to highlight the status of your child so that the school can submit a claim.	Yes, if the child in your care was considered as a LAC before coming to you. This may already be highlighted if the child in your care receives free school meals however, if you have to pay for school meals, you will have to highlight the status of your child so that the school can submit a claim.
Is the child in my care entitled to free school meals?	Foster children will not usually receive free school meals as this is included in the allowance.	Free school meals are based on income. However, if the birth parents are on benefits/income support and you have their permission, you can claim free	Free school meals are based on income. However, if the birth parents are on benefits/income support and you have their permission, you can claim free

		school meals as it is based on the income of the parents.	school meals as it is based on the income of the parents.
Legally, am I financially responsible for the child in my care?	No, as the parents are still financially responsible for the child.	No, although through the term of the CAO, your finances will be taken into account whilst claiming means-tested allowances.	No, although through the term of the SGO, your finances will be taken into account whilst claiming means-tested allowances.
Are regular Looked After medicals required for the child in my care?	Yes, as they are still considered a LAC.	No, as they are no longer considered a LAC.	No, as they are no longer considered a LAC.
Are regular Looked After Reviews required for the child in my care?	Yes, as these are a Statutory Requirement.	No, as they are no longer considered a LAC.	No, as they are no longer considered a LAC.
Are regular Personal Educational Plans required for the child in my care?	Yes and if there is a change in placement, there should be a review within 10 days.	No, as they are no longer considered a LAC.	No, as they are no longer considered a LAC

Getting Independent Legal Advice

We know that legal proceedings is a difficult time for all parties, and quite often there is a lot of information to take in and this information is important for all parties, including connected carers, to make informed decisions. At times carers or prospective carers may want to seek independent legal advice. If the case is in the court arena in private proceedings or the child in your care is already subject to a care order, the Council will facilitate you receiving this advice by contributing towards one legal consultation.

You can also get free confidential independent legal advice about Family and Friend care from the following

sources –

Family Rights Group Advice line: 0808 801 0366

Email: advice@frg.org.uk

Website: www.frg.org.uk

Specialist advice to families whose children are involved with or need children's services because of welfare needs or concerns.

Coram Children's Legal Centre Advice line: 0808 802 0008

Website: www.childrenslegalcentre.com Free information and advice on all legal issues relating to children and young people.

Grandparents Legal Centre

Telephone: 0843 289 7130 Website: www.grandparentslegalcentre.co.uk

Specialist legal advice for grandparents, including local authority responsibilities and other issues affecting Family and Friend carers.

Finding a solicitor

You can contact the Law Society on 020 7242 1222 or search on its website www.lawsociety.org.uk to find a solicitor. Solicitors who are accredited by the

Law Society in Children Law are specialists in dealing with the areas of the law related to children. You may be entitled to legal aid if your income and capital are low enough, although from April 2013 certain types of cases no longer qualify for legal aid.

You can check whether you might be able to get legal aid by using the legal aid calculator on the [GOV.UK](http://www.gov.uk) website. [www.gov.uk/checklegal-](http://www.gov.uk/checklegal-aid) aid. If you cannot get legal aid, the local authority may be able to help with the cost of getting legal advice and/or legal proceedings. It's also worth bearing in mind that some solicitors will offer a free initial consultation.

Free legal assistance from barristers

The Bar Pro Bono Unit is a charity which helps to find free legal assistance from volunteer barristers. This includes advice and representation in all areas of the law. Cases must be referred by advice agencies (such as CAB or Grandparents Plus' advice service) or solicitors. See the website [www. barprobono.org.uk](http://www.barprobono.org.uk) for more information, or call 020 7092 3960

Grandparents Plus has an arrangement with 4 Brick Court specialist Family Law Barristers, who have agreed to provide free legal advice to clients referred by Grandparents Plus. To find out whether they might be able to help in your case, you can contact Grandparents Plus on 0300 123 7015. For this free service, 4 Brick Court cannot accept self-referrals.

Helpful organisations

Grandparents Plus Advice line: 0300 123 7015

Email: advice@grandparentsplus.org.uk Website: www.grandparentsplus.org.uk

Grandparents Plus advice and information service provides comprehensive information and advice on all issues affecting Family and Friend carers including: welfare benefits and other sources of financial support, employment rights, housing, education and caring for a child with special needs. Grandparents Plus also runs a free peer support network for Family and Friend carers.

Mentor

1st Floor, 67-69 Cowcross Street

London EC1M 6PU

020 7553 9920

Email: admin@mentoruk.org

Website: www.mentor.org.uk

A national charity specialising in the prevention of alcohol and drug misuse.

Citizens Advice

Telephone: 08444 111 444 to find a local CAB

Website: www.citizensadvice.org.uk

Citizens Advice Bureau (CAB) deliver free, independent, confidential and impartial advice from community locations all over the country. You can search for a local CAB on the website or by phoning the number above. Citizens Advice also has a self-help website www.adviceguide.org.uk full of practical, reliable information on a range of subjects including benefits, housing, employment and debt.

Contact a Family

Helpline: 0808 808 3555

Email: helpline@cafamily.org.uk Website: www.cafamily.org.uk

Support, advice and information for families with disabled children, no matter what their condition or disability, including local projects. Contact a Family also has a dedicated special educational needs advice service.

Coram Children's Legal Centre Advice line: 0808 802 0008

Website: www.childrenslegalcentre.com

Free information and advice on all legal issues relating to children and young people.

Family Lives

Helpline: 0808 800 2222

Website: www.familylives.org.uk Family Lives offers information on all aspects of family life. As well as the helpline, it runs groups and courses on parenting issues.

Family Rights Group

Advice line: 0808 801 0366 Email: advice@frg.org.uk Website: www.frg.org.uk
Specialist advice to families whose children are involved with or need children's services because of welfare needs or concerns.

Fostering Network

Telephone: 020 7620 6400 Email: info@fostering.net

Website: www.fostering.net General information about fostering, and publications for foster carers and professionals. Benefits for members include advice and legal insurance for foster carers.

Fosterline

Adviceline: 0800 040 7675 Email: fosterline@fostering.net

Advice and information for anyone who is interested in fostering or is already a foster carer.

Grandparents Association

Helpline: 0845 434 9585 [Email: advice@grandparents-association.org.uk](mailto:advice@grandparents-association.org.uk)

[org.uk](http://www.grandparents-association.org.uk) Website: www.grandparents-association.org.uk National charity providing advice and support to all grandparents, especially those who are raising their grandchildren, providing childcare or have lost contact with grandchildren. Grandparents Legal Centre Telephone: 0843 289 7130 Website: www.grandparentslegalcentre.co.uk

Specialist legal advice for grandparents, including local authority responsibilities and other issues affecting Family and Friend carers.

Working Families

Helpline: 0800 012 0312 [Email: advice@workingfamilies.org.uk](mailto:advice@workingfamilies.org.uk)

Website: www.workingfamilies.org.uk

Advice for parents and carers on their rights at work.

Young Minds

Helpline: 0808 802 5544

[Email: parents@youngminds.org.uk](mailto:parents@youngminds.org.uk)

Website: www.youngminds.org.uk

A helpline for any adult worried about the emotional problems, behaviour or mental health of a child or young person. See Grandparents Plus' website www.grandparentsplus.org.uk for information on other organisations which you may find useful including those providing support on specific issues such as drugs and alcohol, prisoners' families, bereavement, domestic violence, disability and education

Jargon buster

Not sure what some of the jargon used in fostering actually means? We explain some of the most commonly used words and phrases.

Allegation – an accusation of physical, emotional or sexual abuse, or serious neglect, of a child or young person by a foster carer or other member of the foster family.

Allowance - this is a payment given to foster carers to cover the cost of the child's care including food, clothing, transport and pocket money.

Assessment – this is the process undertaken to ensure that a person is suitable to become a foster carer. The assessment process includes interviews, training, references and other checks.

Care plan – every child in care should have a care plan which will include details of their needs and how these will be met and contain information about their placement and the longer-term planning for their care.

Children's services - part of a local authority that has responsibility for providing services to children and young people, including the provision of foster care.

Child's social worker (CSW) - this is a social worker who is provided by the responsible authority to work with a child and to plan for their care. They are also responsible for meeting with the child to ensure that their needs are being met.

CIN - abbreviation used for Child in Need.

Connected person – a connected person is a family member (whether by birth or marriage/civil partnership), friend of, or another person who is known to, the child. They can be child minders, teachers, youth workers or others working in a professional capacity with the child.

Contact – the process whereby children stay in touch with people who are important to them, including relatives such as parents and grandparents as well as others, such as former foster carers.

CRB check (Now called DBS) – the Criminal Records Bureau check is undertaken to discover if a person has an existing criminal record in the UK. CRB checks can include ‘soft’ information, where no criminal charges have been brought but where serious concerns have been raised.

Delegated authority - this is where the responsibility for making day to day decisions about a child has been passed to the foster carer. This can include decisions around activities, haircuts and overnight stays amongst other things.

Family and friends care - when a child is living full time with someone who is a family member, friend or was previously known to them. The majority of family and friends care is made up of informal arrangements between parents and relatives, but there are other situations and sometimes legal orders too. Where the child is looked after by a local authority and the family and friends carer is approved as their foster carer, this is known as family and friends foster care.

Family and friends foster care - where a child was previously known to their foster carer and their foster carer was approved to look after them, this is known as family and friends foster care. More comprehensive guidance on family and friends foster care in England is given in Family and Friends Care: statutory guidance for local authorities.

Fee - this is a payment made to a foster carer for their work as a foster carer.

Foster care agreement - an agreement between the fostering service and the foster carer which sets out matters such as terms of approval, the obligations of the foster carer, and what training and support the fostering service will provide for them. More information on what should be included in the Foster Care Agreement can be found In Schedule 5 of the Fostering Services (England) Regulations 2011.

Fostering panel - the panel is a group of appointed people who make recommendations on the approval of prospective foster carers and any changes to the approval of existing foster carers. Details of who has to sit on this panel are covered in Regulation 23.

Agency decision maker - this is a senior person within the fostering service who makes a final decision on the recommendations from the fostering panel (see above). The qualifications required for this role are explained in National Minimum Standard 23.

Guidance - this explains how the regulations should be put into practice. All fostering services must comply with them unless there are exceptional circumstances. You can read the guidance relating to foster care in England on the [Department for Education website](#).

IFP - An IFP (Independent Fostering Provider) is an organisation that places children into foster placements on behalf of the Local Authority. Some are profit making companies while other are charities or not for profit companies. A listing of IFPs that are members of the Fostering Network is available on [Find a Fostering Service](#).

Independent Review Mechanism (IRM) – the IRM reviews, on behalf of the secretary of state, qualifying determinations issued by fostering services.

Independent Reviewing Officer (IRO) - the IRO is a social worker who takes part in the reviews for children in care. They chair the review and monitor implementation of the care plan, as well as ensuring that the child's voice is heard and that their wishes are taken into account. You can find out more about the work of the IRO on the [Department for Education's website](#). These also arrange Children in Care (CIC) Review Meetings.

Local Authority - the local council that has responsibility for children's services, including provision for looked after children. A listing of Local Authorities that are members of the Fostering Network is available on [Find a Fostering Service](#).

Looked after child (LAC) - anyone under age 18 who is looked after by the local authority, either because they are on a care order or they are accommodated through a voluntary agreement with their parents.

National Minimum Standards – these describe the absolute minimum standard of service expected by the government, which fostering services must provide. They are used during inspections to check the regulations are being met. You can read the National Minimum Standards for Foster Care in England on the [Department for Education website](#).

Ofsted – the Office for Standards in Education, Children’s Services and Skills (Ofsted) is the government body responsible for inspecting fostering services in the England. All independent fostering providers have to be registered with Ofsted.

Parental responsibility - all the rights, duties, responsibilities and powers which the law gives a parent in relation to their child. Mothers automatically have parental responsibility as do fathers if married to the mother when or after the child was born or by other legal agreements. Parental responsibility can also be given by the courts to others under orders such as special guardianship or adoption.

Pathway plan – the pathway plan is completed as part of the leaving care process for each young person and includes any actions that have to be carried out by the responsible authority, foster carer, the young person themselves and any others involved.

Personal Education Plan (PEP) – the PEP is part of the child’s care plan and gives information about the arrangements that have been made for their educational and/or training needs by the responsible authority.

Placement plan – the placement plan forms part of the child’s overall care plan and lays out how the placement will meet the particular child’s needs.

Private fostering - an arrangement whereby a parent arranges for their child under 16 (or under 18 if they are disabled) to live with someone who is not a relative (as defined below) for more than 28 days. Private fostering arrangements must be notified to the local authority, who will visit periodically to ensure the welfare of the child.

Regulations - these outline the legal requirements for foster care and all fostering services must comply with them. Failure to do so is a breach of the law. You can read the Fostering Services regulations for England on the [Government Legislation website](#).

Relative - defined by the Children Act 1989 s.105 as a person who is by full blood, half blood, marriage or civil partnership the grandparent, brother, sister, uncle or aunt, or step-parent of a child.

Residence order - an order granted by the court which gives the holder parental responsibility for a child, although they share this with anyone else who has parental responsibility.

Responsible authority - this is the authority that has responsibility for ensuring that the child is looked after appropriately while in its care.

Short breaks – these are a series of placements made for a limited amount of time where the child then returns to their parents. This does not include children who are subject to a care order.

Special Guardianship – when the court makes a Special Guardianship order it gives parental responsibility to the special guardian, which they share with anyone else who has this (but can exercise it to the exclusion of other holders). The order lasts until the child is 18, unless the court discharges it earlier.

Statement of purpose – required by law under the Fostering Services (England) Regulations 2011, the statement of purpose must include the aims and objectives of the fostering service as well as the services and facilities that they offer. The statement of purpose has to be placed on the fostering service's website if they have one.

Staying Put scheme – a scheme that supports young people to remain with their former foster carer beyond the age of 18.

Usual fostering limit - under the Children Act 1989 Schedule 7, the number of children fostered by a foster carer is limited (the usual fostering limit). The current usual fostering limit is three children unless the children are all siblings although exemptions can be granted. More information about the usual fostering limit and its exemptions can be found in section 5 of the [The Children Act 1989 Guidance and Regulations Volume 4: Fostering Services](#).

