

PRIVATE FOSTERING

PROCEDURE

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Amendment.

This procedure was completely revised in January 2022 and added to the manual in April 2022.

1. Definition

A privately fostered child is a child under 16 (or 18 if Disabled) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent (including civil partnerships), sister or brother where the child is to be cared for in that person's home for 28 days or more.

A child who is Looked After placed in any residential home, hospital or school is excluded from the definition. In a private fostering arrangement, the parent retains parental responsibility.

Examples of private fostering would be a child:

- Living with the family of a boyfriend or girlfriend.
- Staying with another family because their parents have divorced or separated or there has been an argument at home.
- Sent to this country, for education or healthcare, by parents who live overseas.
- Living with family friends because their parents study or work which involves unsociable hours.
- Educated at a boarding school and staying during the school holidays.
- On a language school or holiday exchange.

2. Notifications to the Local Authority

Where a child is to be placed with private foster carers, the local authority must be notified in writing at least 6 weeks before an arrangement begins. Where no prior notification of a placement is given, private foster carers must notify the local authority of the placement immediately.

The person making the notification should be asked to provide the following information:

1. The name, gender, date and place of birth and address of the child.
2. The racial origin, cultural and linguistic background and religion of the child.
3. The names and address of the person giving the notice and any previous address within the last five years.
4. The name and addresses of the child's parents and any previous addresses within the last 5 years.
5. If different, the name and address of the person from whom the child was or is to be received.
6. The name and address of the private foster carers and any previous addresses within the last 5 years.

7. The name and address of any other person who is involved in making the arrangement.
8. The name and address of any siblings of the child who are under 18, and the current arrangements for their care.
9. The purpose and likely duration of the arrangement.
10. The intended date when the child is to be placed with the private foster carers or the date when the placement began.

In relation to notifications given by the private foster carer or proposed private foster carer, the following information should also be obtained:

- Any offence of which he/she or any other member of the household has been convicted.
- Any disqualification or prohibition (see **Section 9, Prohibition and Disqualification**) placed on him/her or any other member of the household.
- Any actions taken or orders made in relation to the private foster carer or any child who is or was a member of the same household.

Written notification must also be made to the local authority by the private foster carer within 48 hours of any change in circumstances, e.g. a change of address, a change in the household, a criminal conviction/disqualification or prohibition (see **Section 9, Prohibition and Disqualification**) in relation to any person in the household or any intention to foster another child privately.

Where notification is that the private foster carers have moved to live in the area of another local authority, the social worker must immediately pass to the new authority the name and address of the private foster carer, the name of the child being privately fostered, the name and address of the child's parents.

Where notification is that the placement has ended, the social worker should ascertain the name and address of the person now caring for the child and his or her relationship with the child.

Parents also have a duty to notify the local authority in writing of the ending of the placement including the name and address of the person into whose care the child has moved.

Any agency that becomes aware of a private fostering arrangement must immediately notify the local authority in writing of the arrangement and must inform the parent and private foster carer of their intention to do so.

3. Action to be Taken on Receipt of Notification

When notification or information is received from any source that a child is privately fostered, this information must be passed to the Children's Services office where the privately fostered child resides. If the child resides in Darlington the information must be sent to the Children's Access Point. All private fostering cases will be allocated directly to an Assessment and Safeguarding team to undertake the assessment. The private fostering pathway on Liquid Logic must be used.

A social worker will be allocated to carry out the following initial tasks within one week of the notification:

1. Visit the private foster carers in the home where the child is to live and speak to them and all members of the household.
2. Visit and speak to the child alone, unless the social worker considers it inappropriate to do so in which case the reason should be recorded and brought to the attention of the team manager.
3. Speak to and if possible visit the parents.
4. Ensure that the purpose and likely duration of the private fostering arrangement is understood by and agreed between the parents and the private foster carers.
5. Ascertain the wishes and feelings of the child about the private fostering arrangement.
6. Check the suitability of the accommodation, the capacity of the private foster carer to look after the child, the suitability of other members of the private foster carer's household.
7. Ensure that the parents are involved in planning for the child and explore whether the child's needs may be more appropriately met by providing services to the child and parent at home.
8. Encourage the parents to draw up a written agreement (it may be helpful to use a Placement Plan as a guide) with the private foster carers as to their respective expectations and responsibilities in relation to the fostering arrangement including financial arrangements and the child's contact with his or her parents and other significant family members.
9. Where the child has already been placed, ensure that the child's development in all aspects is satisfactory, that the standard of care being given to the child is appropriate and that the child's needs arising from his or her religious persuasion, racial origin and cultural and linguistic background are being met.
10. Where the child has already been placed, check that the financial matters are in order and the contact arrangements are working.
11. Notify the relevant health and education agencies of the child's placement or proposed placement including the health visiting service where appropriate.

12. Ensure that any necessary links are or will be established with other agencies for example because of the child's disabilities and/or special educational needs.
13. Enter the child and the carer's details onto the electronic database.

4. Initial Visit to Private Foster Carers

During the initial visit, the social worker should:

1. Explain the assessment process to the private foster carers and provide written information to them.
2. Obtain the written consent of the private foster carer and all members of the household over 16 to checks being made with the Disclosure and Barring Service and ask the private foster carer for the names of 2 personal referees.
3. Establish the private foster carer's child care experience, access to support and views and intentions regarding behaviour management of the child.
4. Establish the plans for contact between the child and his or her parents.
5. Establish the private foster carer's understanding of the child's culture, and give advice in relation to resources and facilities which could assist in meeting the child's racial, cultural, religious and linguistic needs, including the use of an interpreter if necessary.
6. Advise the private foster carer of the need for notification to Children's Services in the event of a change in circumstances and preparation of the child before any further move, and for continuity of information being passed to the next carer.

Advise the private foster carer in relation to recording the child's development, particularly incorporating the following matters:

- Maintaining the child's medical history.
- Keeping a file of school reports.
- Noting dates of contact with the parents and significant others.
- Maintaining a financial record.
- Noting dates of contact with Children's Services.
- Keeping a photograph album.

In the event of a refusal of any person to cooperate with the making of the necessary checks, the social worker should advise the private foster carers that they cannot be recommended as suitable and advise the parents of the reason why alternative arrangements will have to be made for the child.

Any action required by the local authority to secure the child's safety should be considered and legal advice sought as necessary.

If the initial visit takes place after the child's placement, the social worker should also:

1. Ensure that the parents have fully informed the private foster carer of the child's medical history and any current need for ongoing professional monitoring and medication, and has handed the child's personal child health records to the private foster carer.
2. Encourage the private foster carers to draw up a written agreement with the child's parents as to their respective expectations and responsibilities in relation to the private fostering arrangement including the contact arrangements, finances and expected duration.
3. Ensure that the child is registered with a GP, dentist and, if necessary, optician local to the private foster home.
4. Ensure that a school place has been arranged for the child if of school age.
5. Ensure the parent provides the private foster carer with a written general consent to cover any necessary medical treatment and that a copy of this consent is given to the GP, dentist, optician and retained on the child's file.
6. Advise the private foster carer to arrange a medical examination of the child with the GP as soon as practicable after the start of the placement.

After the visit, the social worker should complete a written report of the meeting and pass a copy to the Assistant Director for Children's Services who is the **Designated Manager (Private Fostering)** for information.

5. Assessment of Private Foster Carers

The social worker undertaking the assessment must arrange for checks on the private foster carer, all members of the household and frequent visitors over 16 to be made with the Disclosure and Barring Service and Children's Services records (including for the areas of any previous addresses). The social worker should also seek written references and arrange to visit the personal referees.

The assessment will consider the following:

- The suitability of the private foster carer and all members of the household.
- The suitability of the accommodation.

A report on the assessment should be presented to the **Designated Manager (Private Fostering)** for a decision to be made. Written notice of the decision must then be sent to the private foster carer and the parents, including any requirements, exemptions or prohibitions imposed - see **Section 7, Imposing**

Requirements on Private Foster Carers, Section 8, Limit on Number of Children and Section 9, Prohibition and Disqualification.

If, at any stage of the assessment of the private foster carers, information is obtained which suggests that a child already placed with the private foster carer may be a **Child in Need**, the manager may authorise services under a **Child in Need Plan** and/or an Assessment to be carried out alongside the assessment of the private foster carer.

In the event of a refusal of any person to cooperate with the making of the necessary checks, the social worker should advise the private foster carers that they cannot be recommended as suitable and advise the parents of the reason why alternative arrangements will have to be made for the child. Any action required by the local authority to secure the child's safety should be considered and legal advice sought as necessary.

If any information comes to light during the course of the private foster carer assessment, for example as a result of the Disclosure and Barring Service checks, which may preclude the person from fostering a child, the social worker should prepare a report to the Designated Manager (Private Fostering). Immediate consideration should also be given to the arrangements for the child and if necessary child protection procedures should be followed.

See **Section 9, Prohibition and Disqualification.**

In the event that the parents decline to make alternative arrangements or where the parents cannot be found, the social worker should consider whether any action may be required by the local authority to secure the child's safety under **Darlington SCB Policy, Procedures and Guidance** and legal advice should be sought as necessary.

6. Financial Support for Private Foster Carers

Financial support by the local authority to sustain an otherwise satisfactory placement may be considered and where appropriate, the social worker should seek the approval of DARP (Darlington's Access to Resource Panel) by making a referral to DARP with supporting evidence.

Ordinarily payments, if agreed, should be part of a Child in Need Plan via section 17. Payments could be a one off payment or a series of payments dependent upon need.

7. Imposing Requirements on Private Foster Carers

Where appropriate, reports to the **Designated Manager (Private Fostering)** can include recommendations for requirements to be imposed on the private foster

carers, for example to restrict the approval to an individual child or to limit the number, age or gender of children who may be cared for privately. Requirements may also relate to the standard of accommodation, health and safety matters and/or practical matters such as equipment. A requirement may include a time-scale within which the foster carer must take the necessary action.

A requirement may be varied, removed or added at any time.

Any requirements imposed must be specified in writing, together with reasons. Written notice of any requirements imposed, together with the reasons, will be sent to the private foster carer and to the parent by the social worker responsible for the assessment. The foster carer will also be advised of their right to appeal using the complaints process and also to seek their own legal advice.

8. Limit on Number of Children

The maximum number of children privately fostered in any one household must not exceed 3 unless there are exceptional circumstances.

Any application for exemption from this limit must be made to the **Designated Manager (Private Fostering)**. The application must contain the following information:

1. The number, names and ages of the children.
2. The proposed arrangements for the care and accommodation of the children.
3. The intended and likely relationship between the children and the private foster carers.
4. The proposed length of the placement.
5. Whether the welfare of the children in the placement will be safeguarded and promoted.

Exemptions will only be granted in relation to named children and will cease when the named children leave the placement.

Where an exemption is granted this will be confirmed in writing to the private foster carers.

9. Prohibition and Disqualification

A decision can be made to prohibit the proposed private foster carer from fostering on the basis that they are not suitable and/or the premises are unsuitable.

The fact that a private Foster Carer is a **Disqualified Person (Foster Carer)** is a good reason upon which to seek a prohibition.

Where the social worker considers that it would be appropriate to approve a private foster carer despite the fact that he or she or a person in the household is disqualified, a written report must be presented to the **Designated Manager (Private Fostering)** for consideration.

Where a decision is made to prohibit a private foster carer from caring for a child, reasons for the decision must be recorded. Written notice of the decision, together with the reasons, must be sent by hand or recorded delivery post to the private foster carer and to the parent by the social worker responsible for the assessment. The private foster carer will also be advised of the right to seek their own legal advice.

Discussion should also take place with the parent as to the making of alternative arrangements for the child.

10. Non-compliance with Requirements

Where requirements which have been imposed are not complied with, the social worker must consider whether support should be provided to ensure compliance and/or consider whether to report further to the **Designated Manager (Private Fostering)** recommending that the private foster carer be prohibited from caring for the child, in which case the procedure for prohibitions as set out above must be followed.

11. Visits to the Private Foster Carers Home - Frequency, Purpose and Records

a. Frequency

Visits by a social worker must be made to the child and the private foster carer at the foster home within one week of the placement, or the date when notification was received if later, and then visits will be made every six weeks in the first year by a social worker. The private fostering pathway must be used on Liquid Logic.

In subsequent years, visits must be at least three monthly.

The need to visit more frequently will be decided by the social worker and his or her manager depending on the circumstances and the need to visit unannounced and/or to choose times when all members of the household are likely to be present should also be considered.

Additional visits should be arranged at the request of the child or the private foster carer.

The child must be seen alone by the social worker on each visit unless this is not appropriate having regard to the young age of the child or if the child does not wish to see the social worker alone. The child's bedroom should be seen on some visits.

b. Purpose

The purpose of and matters to be discussed at the first visit after the child's placement are set out in **Section 4, Initial Visit to Private Foster Carers**.

The overall purpose of all visits is to encourage the maintenance and improvement of child care standards and check that the child's needs are met within the foster placement and in particular:

1. To observe the overall standard of care including visiting the child's bedroom.
2. To ensure that the child is developing satisfactorily and that his or her needs arising from religious persuasion, racial origin and cultural and linguistic background are being met.
3. To speak to and ascertain the wishes of the child.
4. To review the purpose and likely duration of the placement and ensure that arrangements with the parents are working.
5. The parent and the private foster carer should be encouraged to plan the ending of the placement and prepare the child for the change.
6. To check that any requirements imposed are being met and check whether they need to be changed or cancelled.
7. To ensure that the arrangements for the child's education are satisfactory.
8. To advise or arrange advice for the private foster carer as necessary, for example in relation to the maintaining of the child's links with his or her cultural heritage or in relation to appropriate travel arrangements for the child visiting family abroad.
9. To check that the financial arrangements for the care of the child are working.
10. To ensure that the child remains registered with a GP and dentist and that any necessary health care has been provided to take account of any special health needs.
11. To ensure that the child has access to services as required as a result of any disabilities.
12. To enquire as to the contact arrangements for the child with the parents and siblings.
13. To encourage the private foster carer to keep a record of the child's development, including accidents, illnesses, immunisations, school reports, achievements and any contact with parents or significant others.

c. Reports on Visits

A report on every visit must be made by the social worker using a case note on Liquid Logic. The case note must state whether the child was seen and if so, whether the child was seen alone. If the child was not seen, the reasons must be recorded. The case note must comment on the child's welfare and how the placement is progressing including any views expressed by the private foster carer and the child. It must also contain a recommendation about the continued suitability of the fostering arrangement and whether any action should be taken and/or requirements on the private foster carer.

The case note must be reviewed by the team manager.

d. Unsatisfactory care

Where there are concerns about the child's care, the parents should be advised and consideration should be given to safeguard the child.

12. Review of Private Foster Carers

The suitability of the private foster carer should be reviewed annually by the social worker and reported to the **Designated Manager (Private Fostering)**.

13. Local Authority Foster Carers who Privately Foster

Where local authority foster carers notify their intention to privately foster a child, the above procedure should be followed.

In these circumstances, a supervising social worker will normally carry out the assessment.

The foster carers should be advised of the differences between their two roles.

Consideration will need to be given to the implications for any Looked After Child already placed with the foster carer and contact should be made by the supervising social worker involved with the social workers for such children.

Consideration should also be given to the future placement of any **Looked After** children particularly having regard to the usual fostering limit of three children.

14. After the Private Fostering Arrangement Ends

Parents have a duty to notify the local authority of the ending of the placement including the name and address of the person into whose care the child has moved.

Unless a young person has a disability, private fostering ends at 16. Children's Services will review the young person's circumstances and future plans as they approach 16. Where a young person remains with the private foster carers after the age of 16, but requires continuing support, he or she should be assisted as a Child In Need. Where the young person moves to independent living, support can be provided to them up as he or she will fall within the definition of **Qualifying Young People**. Support may include advice, befriending and discretionary financial assistance. It will be provided at the request of the young person on the basis of assessment of need and can continue up to the age of 25.