



# **Private Fostering Protocol**

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# Policy Version History

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Version	Date of PPE Approval	Date of Review	Document Author
V5	December 2012 (revised June 2015)	June 2018	Hayley Phillips (revision by Gill Davies)

# Suffolk Local Safeguarding Children Board Protocol on Private Fostering

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## Main Points

- The LSCB should seek to raise awareness of the need to safeguard the welfare of privately fostered children
- The Local Authority must satisfy itself as to the welfare of privately fostered children
- LSCB partner agencies should make staff aware of the definition of private fostering
- Partner agencies should encourage carers or parents to report private fostering arrangements, and if no reporting is forthcoming report directly to the LA

## 1 Background

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Working Together to Safeguard Children 2010 sets out a policy and procedure function for the LSCB in relation to private fostering. The LSCB role includes its usual roles of co-ordination, monitoring and quality assurance, and a specific role with regard to raising awareness.

## 2 Definition of Private Fostering

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- 2.1 Private fostering is an arrangement made between the parent and the private foster carer, who then becomes responsible for caring for the child in such a way as to safeguard and promote his/her welfare.
- 2.2 A privately fostered child means a child under the age of 16 (18 if a disabled child) who is cared for and provided with accommodation by someone other than:
- A parent
  - A person who is not a parent but has parental responsibility
  - A close relative
  - A Local Authority
- for more than 28 days and where the care is intended to continue.
- 2.3 If a period of care is less than 27 days but further periods are planned which total more than 28 days, then the child is privately fostered.
- 2.4 A relative is defined as a grandparent, brother, sister, uncle or aunt (whether of the full-blood or half-blood or by affinity, i.e. marriage or a stepparent). There is no stipulation as to the age of the relative.

- 2.5 A step-parent is someone who is, or who has been, a party to a marriage in relation to who the child is a child of the family. A cohabitee of the mother or father would not qualify as a relative.
- 2.6 An unmarried father qualifies as a relative whether or not he has parental responsibility.  
Similarly, a relative of an unmarried father qualifies as a relative of the child.
- 2.7 A child, who has been placed by Children and Young People's Service is NOT privately fostered, statutory fostering regulations apply.
- 2.8 It is the duty of the Local Authority to satisfy themselves that the welfare of privately fostered children within their area is being satisfactorily safeguarded and promoted, and to ensure that advice is given to parents and carers whenever necessary.
- 2.9 A balance needs to be maintained between parental rights to make private arrangements for the care of their children, and the local authority's obligations to satisfy themselves about the welfare of the children.
- 2.10 The Act prescribes a usual fostering limit of three children whether local authority or private fostering.

### **3 Legal Reference**

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- Children Act 1989, Part IX Schedule 7 and 8
- Children Act Guidance and Regulations, Volume 8, Private Fostering.
- Replacement Children Act 1989, Guidance on Private Fostering, DfES, Every Child Matters, 2005
- National Minimum Standards for Private Fostering, DfES, Every Child Matters, 2005
- The Children (Private Arrangements for Fostering) Regulations 2005
- The Disqualification for Caring for Children Regulations, Volume 6 Children with Disabilities
- The Children Act Guidance and Regulations, Volume 5, Independent Schools.
- Section 44 of the Children Act 2004
- Fostering Services Regulations and National Minimum Standards 2002 (DOH)

## **4 Diversity Statement**

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- 4.1 The Suffolk Local Safeguarding Children Board (LSCB) is bound by the provision and spirit of the relevant legislation and all of its work is informed by a commitment to the promotion of diversity. All constituent agencies are required to ensure that their services are equally underpinned by such commitment.
- 4.2 The Suffolk LSCB believes that the welfare of children is of paramount concern, and that their individual needs and rights should be respected. Those working with children should be sensitive to the diversity of children's circumstances and backgrounds (e.g. in respect of their age, gender, physical and mental ability, ethnicity, culture and religion, language, sexual orientation and socio- economic status).
- 4.3 These principles underpin all LSCB policies, procedures, protocols and training.
- 4.4 The LSCB will use its influence to promote these principles and will seek wherever possible, both in its own work and that of its partner agencies, to eliminate discrimination, harassment and attacks on any group or individual.
- 4.5 We will monitor the effectiveness of our work, and that of partner agencies, in these areas, and continuously seek to improve our performance.

These ideals are supported by the principles underpinning work to safeguard and promote the welfare of children set out in Working Together to Safeguard Children 2006.

## **5 Responsibility of Suffolk SCB Members**

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- 5.1 All LSCB member agencies will ensure appropriate staff are aware of the definitions of private fostering, and their obligations.
- 5.2 Where an agency becomes aware of a private fostering or an intended private fostering arrangement it is their responsibility to encourage the carers and or parents to report to the Fostering Changes for Children Team. It is an offence for a private foster carer to fail to report a private fostering arrangement.
- 5.3 If a carer and/or a parent do not notify the local authority of a private care arrangement, the agency aware of the arrangement must report it to the local authority.

## Contact Numbers:

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The Fostering Changes for Children Team provides advice and guidance to social care and partner agencies in relation to private fostering, notification requirements and prospective arrangements. The Practice Manager is Gill Davies who can be contacted on 01473 265025.

A Corporate Parenting Manager has the Quality Assurance lead for Private Fostering and reports to the Safeguarding Children Board. Please contact Fiona Harris on 01473 260797.

Members of the public can be advised to contact the local authority to make a referral by:

**☎:**                    **Customer First - 0808 800 4005**

**Email:**            [customer.first@suffolk.gov.uk](mailto:customer.first@suffolk.gov.uk)

**Address:**        Customer First  
Customer Service Direct  
Box 771  
Needham Market  
Ipswich  
IP6 8WB

**Visit the following websites for more information on safeguarding children**

[www.suffolk.gov.uk](http://www.suffolk.gov.uk) or [www.suffolkscb.org.uk](http://www.suffolkscb.org.uk)

***With acknowledgement to Norfolk LSCB for agreeing Suffolk LSCB to use parts of their protocol on Private Fostering***

Updated June 2015