

Private Fostering Policy

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Agreed by: CYPS Policies and Procedures Group and Safeguarding Children Board

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Updated by Fiona Harris, Corporate Parenting Service Manager

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Document Summary

The policy defines private fostering and outlines the Local Authority's duties towards privately fostered children and their carers

It is a legal requirement that the child's parents and the private foster carers must notify the arrangement to the Local Authority

Professional staff in all agencies working with children and young people should be aware of the legal requirements, and must report any private fostering arrangements they encounter in the community.

We will on request produce this policy, or particular parts of it, into other languages and formats, in order that everyone can use and comment upon its content.

Review Date:		
Version Control	Reason for revision and summary of changes needed	Date
5.0	Minor changes i.e. contact details updated	December 2016

PRIVATE FOSTERING POLICY

(This policy has been drafted in accordance with the National Minimum Standards for Private Fostering, Part IX and Schedule 8 of the Children Act 1989, the Children (Private Arrangements for Fostering) Regulations (2005) and the Replacement Children Act 1989 Guidance on Private Fostering.)

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1. Definition

- 1.1. "A private fostering arrangement is essentially one that is made privately, that is to say without the involvement of a local authority, for the care of a child under 16 (under 18 if disabled) by someone other than a parent or a close relative, with the intention that it should last twenty-eight days or more. Private foster carers may be from the extended family, such as a cousin or great aunt, however a person who is a relative under the Children Act 1989 or a step-parent will not be a private foster carer."
(Replacement Children Act Guidance on Private Fostering – DfES 2005, paragraph 1.6.)

1.2.

Examples of Private Fostering

- Children attending language schools who are placed with agency-recruited host families.
- Infants and young children whose parents are full-time students, or working unsocial hours, placed with agency-recruited host families.
- Children sent from abroad to improve their life chances, and placed with friends or distant relatives.
- Children who are estranged from their families who go to live, or are placed, with friends or distant relatives.

1.3. Identifying whether a child is privately fostered may not be straightforward. Key features to be considered are: -

- (a) Duration. If the placement is not intended to be longer than 28 days, it is not private fostering. If the Duration of the arrangement is not clearly known the arrangement should be treated as private fostering and the required visits and assessments undertaken within the prescribed timescales.

Frequency – Even if the child is not living with the carer fulltime, it may still be private fostering. As a guide, if the child stays more nights with the carer than with their parent, then this should be treated as private fostering.

- (b) Continuity. If the child is away from the placement for more than 27 days, it ceases to be private fostering.
- (c) The relationship between the child and the carer. If the placement is with a parent, a person with parental responsibility, a step-parent, a grandparent, a brother, a sister, an aunt or an uncle (whether of the full or half blood or by affinity) it is not private fostering.
- (d) The involvement of the local authority. Where a local authority takes a major role in making care arrangements for the child it is not private fostering. In these circumstances the child may in fact be looked after in an immediate placement.
- (e) The agreement is between parents, or others with parental responsibility, and the carers. If the child has been abandoned, or there is no-one with parental responsibility, it is not private fostering. Children who are found to have no responsible parent may need to be accommodated.

Where both parents disagree with the arrangement or it is not possible to establish their consent, it should be treated as private fostering in the first instance. Parents must take active steps to remove their child from the arrangement or it may be considered that they agree.

- (f) A financial arrangement. Parents often pay the private foster carer for caring for their child but even if no payment is made, the arrangement is still a private fostering arrangement.

- (g) Care arrangements that may involve the Child in Need process, Child Protection, applications for SGO/RO, a child being assessed as a Looked After Child or where Family and Friends procedures are involved, can still be private fostering arrangements and the private fostering process must be followed.

2.

Local Authority Duties

2.1

Local Authorities are under a legal duty to ensure that the welfare of children who are, or are to be, privately fostered is being satisfactorily promoted and safeguarded, and to secure that such advice as is necessary is given to all concerned with them. In the following procedure and guidance, it is expected that the child remains at the centre of practice.

2.2.

The Local Authority has the primary role of promoting awareness of private fostering. This is to ensure that those involved in prospective or actual private fostering arrangements are aware of their legal responsibility to notify the Local Authority. It also ensures that staff having contact with children and families (e.g. in schools, clinics, surgeries, early years and youth service settings) will notify the Local Authority if those making the arrangements fail to make a notification.

2.3.

The Local Authority is required to safeguard and promote the welfare of

- (a) Children who are privately fostered.
- (b) Children who are proposed to be, but are not yet privately fostered.

This means that the duty begins *before* a planned arrangement takes place.

The duty includes giving advice to all those concerned with such children.

The responsible Local Authority is that where the child is living, or is proposed to be placed, *not* a Local Authority where the child has previously been living. All private fostering arrangements in our Local authority remain our responsibility to assess the arrangement.

2.4. The Local Authority is required to appoint an officer to report on the suitability of any proposed or actual private fostering arrangement that has been notified. Following receipt of the report the Local Authority must decide on the suitability of all aspects of the arrangement.

2.5. The Local Authority must appoint an officer to visit a child who is privately fostered, within minimum timescales set out in Regulations, and when reasonably requested to do so by the child, the carer, a parent or other person with parental responsibility. The child is to be seen alone, unless this is inappropriate, and an interpreter provided if required. A written report must be completed for each visit.

2.6. The Local Authority has powers to impose requirements on private foster carers regarding

(a) The number, age and sex of children who may be privately fostered.

(b) The standard of accommodation and equipment to be provided.

(c) Arrangements for health and safety.

(d) Arrangements for the provision of care.

Requirements must be notified in writing and there is a right of appeal.

(See 6. below for the local arrangements in Suffolk.)

2.7. The Local Authority has powers to prohibit a person from fostering privately

(a) Any child in any premises.

(b) Any child in specified premises.

(c) A particular child in specified premises.

Prohibitions must be notified in writing and there is a right of appeal.

(see 6. below for the local arrangements in Suffolk)

2.8 The Local Authority must make appropriate enquiries to determine whether or not the proposed or actual private foster carer or any member of their household is disqualified

(See 6. below for the local arrangements in Suffolk)

- 2.9.** The Local Authority is expected to monitor compliance with all duties and functions in relation to private fostering. This will include
- (a) Regular review of a sample of case records.
 - (b) Investigating any patterns of concern raised by privately fostered children.
 - (c) Improving practice.
 - (d) Reporting annually to the Director for Children and Young People.
 - (e) Reporting annually to the Suffolk Safeguarding Children Board.

3.

Work Force Training

- 3.1.** The County Council has identified three groups of staff who have training needs in respect of private fostering.
- (a) Staff in the specialist Fostering Changes for Children (CFCFT) team, who take responsibility for the initial case management of newly notified private fostering arrangements.
 - (b) Staff working with children in need and based in other social work teams, who take responsibility for some privately fostered children once a decision has been taken about the suitability of the placement. Additionally, these staff may, in the course of their work, encounter private fostering arrangements that have not been notified.
 - (c) staff who work with children in schools and other settings, who are expected to notify children's services if they should encounter a private fostering arrangement.
- 3.2.** Training programmes ranging from general awareness through to full case management will be commissioned from the County Workforce Development Team and the Suffolk Safeguarding Children Board.

4.

Monitoring

4.1. A Corporate Parenting Manager will be nominated to provide a quality assurance lead and provide expert advice on private fostering. They will work closely with the Practice Manager for CFCFT, who has the operational lead, to ensure consistency with minimum standards.

The nominated Corporate Parenting Manager is managed by the Head of Corporate Parenting and carries out this work alongside other duties. The responsibilities include: -

- Reporting annually to the Service Director for Children and Young People at the Quality and Engagement Performance Board, an evaluation of the outcomes of the private fostering service.
- Reporting annually to the Suffolk Safeguarding Children Board on how it satisfies itself that the welfare of privately fostered children is satisfactorily safeguarded and promoted and how it is working in co-operation with other agencies.
- Analyse the findings of the regular service audits of individual child and private foster carer records to check compliance with regulations.

To chair the Private Fostering Panel

To chair the Inter-Agency Steering Group for Private Fostering

5.

Promoting Awareness

5.1. A strategy has been put in place to ensure that awareness of the private fostering notification requirements is promoted

- (a) In other agencies, including health, education and adult services.
- (b) In the local community.
- (c) In voluntary and independent agencies.

5.2. The main features of this strategy are

- Fostering Changes for Children (CFCFT) promotes awareness and keeps a central record of activity.
- Representation at seminars, meetings and events, locally and centrally, engaging all children's social care staff and relevant staff in the County Strategic Centre.
- Leaflets in County offices

Regular campaigns, via fostering recruitment and publicity, to schools, libraries and other settings visited by the public.

A Quick guide is distributed to professionals

- Media campaigns.
- A dedicated private fostering page on the County Council website
- The Interagency Steering Group meets bi-annually and devises an action plan to promote awareness.

Information on private fostering is included as part of the Integrated Induction Programme and is included as part of the Safeguarding component for all practitioners in Children and Young People's Services.

5.3 Professional staff working in partner agencies may encounter cases where they are informed, or suspect, that a child is being privately fostered. Social workers and children's social care staff working across the service may also encounter such children. There is an expectation that they will notify the CAPF team, who will investigate the case further if appropriate.

6. Determining the Suitability of All Aspects of a Private Fostering Arrangement

6.1. A systematic approach ensures that all notifications of a proposed or actual private fostering arrangement are completed and passed to the FCFC team. Customer First will forward all new case referrals to the team and open a Background Information Record. The FCFC team responds to all notifications. Cases open to other teams must be notified to the FCFC team as soon as a private fostering arrangement is suspected or identified. For all new Private Fostering arrangements, a Schedule 1 Notification Form should be completed. A copy of this needs to be sent to the FCFC team as soon as the arrangement

is identified.

Within seven working days of notification, the Local Authority FCFC team will arrange for a suitably trained person to

- Visit the proposed private foster home.
- Speak to the proposed carers and give them Suffolk County Council information leaflet regarding private fostering arrangements including the leaflets "Private Fostering." (DfES 2004)
- Speak to all members of the household
- Speak to the child alone (unless considered inappropriate), and provide Suffolk County Council information leaflet regarding private fostering arrangements, or record why this is not appropriate,
- Write and speak to if practicable, every person with parental responsibility for the child, and provide Suffolk County Council information leaflet regarding private fostering arrangements including DfES leaflet
- Complete Declaration of suitability for each household member over 16 years old. (appendix 1)
- Complete written agreement between Private Foster Carer and Suffolk County Council (appendix 2)
- Complete exemplar entitled Private Fostering agreement between private foster carers and parent(s) /person with parental responsibility
- For all open cases, complete the Notification and Private Fostering Arrangement Assessment Record, which will focus on the capacity of the private foster carer to meet the needs of the child.
- Frequently private fostering arrangements will not be notified until they have already started. In this case the visit to the child is to be recorded on the Notification and Private Fostering Arrangement Assessment Record and the Private Fostering Arrangement Regulation 8 Visit Report.

- 6.2.** The Local Authority will assess the suitability of a private fostering arrangement within 42 working days of notification, or as soon as the outcome of DBS checks is known, whichever is the sooner

Within this timescale FCFC team will

- Complete a Private Fostering Arrangement Assessment Record (PFAAR) including a recommendation with regard to suitability. If this assessment (or the Private Fostering Arrangement Regulation 8 Report) indicates the child has complex needs, which parents and others with parental responsibility are unable to support without services, then a Core Assessment should be undertaken by the relevant Child in Need (CIN) team.
Case responsibility should pass to the relevant CIN team at that point. If the child becomes subject to a CIN plan, case responsibility remains with that team and FCFC team continue to monitor the arrangement and undertake the Regulation 8 visits.
- Undertake enhanced DBS checks on the actual or proposed private foster carers and each member of the household aged over 16.
- Check local authority records to see if proposed or actual private foster carer or any member of the household is known to social services and liaise with other local authorities covering all addresses where the carer has lived in the past five years.
- Consider the extent of contact with persons working or visiting in the household. The frequency of such contact should be explored and where such person is over 16 and the degree of contact and involvement is significant, an enhanced DBS check may be relevant.
- Obtain one personal reference, from outside the prospective private foster carer's family.
- Complete a Regulation 8 visit Report if the child is already placed. This and the PFAAR must be presented to the next available Private Fostering Panel alongside the Safeguarding Checklist, Declaration of Suitability and written agreements.

- 6.3** As soon as the case is presented to the Private Fostering Panel, they will make a recommendation to the Head of Corporate Parenting, acting as the Agency Decision Maker (ADM) about the suitability of the placement, and whether additional resources are needed. The Panel can also make recommendations to:
- (a) Impose requirements on private foster carers.
 - (b) Limit on the number of privately fostered children
 - (c) Impose a prohibition.
 - (d) Permit disqualified carers to be private foster carers.

6.1 **Requirements** can relate to an individual child or a category of children, e.g. those over a certain age.

Requirements can be imposed as to:

- the number, age, and sex of the children who may be privately fostered
- the standard of accommodation and equipment to be provided for them
- the arrangements to be made with respect to their health and safety and
- the particular arrangements which must be made with respect to the provision of care for them.

Where it is thought to be in the child's best interests, efforts should be made to support the private foster carer to address any concerns and meet the requirements through provision of support and advice, to enable the child to remain with the private foster carer.

If a private foster carer fails to comply with a requirement, the Private Fostering Panel will consider whether to recommend imposing a prohibition (see below).

Limit on the number of privately fostered children: The usual fostering limit of not more than three children in any household applies to private fostering although exemptions might be requested to the Private Fostering Panel. Social workers should note that private foster carers who are looking after more than 3 privately fostered children must have an exemption, or will be treated as running a children's home. This would require them to register the home under the Care Standards Act 2000 and failure to register is an offence.

Prohibitions: The Local Authority has the power to impose a prohibition on a person applying to be a private foster carer as well as to those who are actually fostering a child privately. A prohibition may be imposed if, having followed relevant procedures and attempted to negotiate with the private foster carer, the local authority is of the view that:

- they are not suitable to privately foster a child
- the premises are not suitable for private fostering, or
- it would be prejudicial to the welfare of the child for them to be, or
- to continue to be, accommodated by that person in those premises.

The Local authority can prohibit a person from fostering privately:

- any child in any premises or
- a child in specified premises or
- a particular child in specified premises.

The Private Fostering Panel will make a recommendation and the social worker will inform their manager and the Locality Service Manager in the event that immediate action is needed.

Where a child is already being privately fostered, the parents should be advised to remove them. If they refuse, consideration should be given to the grounds for the Local Authority to seek an order to remove the child.

The Head of Corporate Parenting may, following legal advice, cancel a prohibition if satisfied that it is no longer justified.

Where a prohibition has been imposed the person is disqualified from:

- private fostering
- working in a children's home
- day care or childminding.

Disqualification from being a private foster carer is covered by the Disqualification from Caring for Children (England) Regulations 2002 (amended February 2012).

The Local Authority must make appropriate enquiries to determine whether or not the proposed or actual private foster carer or any member of their household is disqualified. This must be notified to the Private Fostering Panel. If in exceptional circumstances the Private Fostering Panel believes it is appropriate for a child to either remain or be placed with a person who is disqualified, it will make a recommendation to the Agency Decision Maker who must give written consent for the person to privately foster that child. If the ADM decides to refuse consent to allow a disqualified person to privately foster a child, they must notify the person concerned in writing and the notification must inform him/her of their right of appeal and the timescale for doing so. Legal advice must be obtained.

6.4 Involvement of private foster carers

Where the Private Fostering Panel is considering recommending imposing a requirement or condition, or declining to extend the usual fostering limit or preventing a disqualified person from privately fostering a child, the prospective or actual private foster carer will be given the opportunity to make written and/or oral representation to the Private Fostering Panel before a recommendation is made to the Head of Corporate Parenting. The social worker will co-ordinate involvement by prospective/actual private foster carers.

6.5 Decision making and notification

The Head of Corporate Parenting will determine the suitability of private fostering arrangements and whether to impose requirements, prohibitions and/or permit disqualified carers to be private foster carers and authorise exemptions from the usual fostering limit. The Head of Safeguarding will have delegated authority in the absence of the Corporate Parenting.

When the local authority makes a decision to impose a requirement or prohibition, refuse to cancel a prohibition, refuse to exempt a person from the fostering limit of 3 under Schedule 7 (or impose a condition on an exemption or variation or cancellation of such an exemption) or refuse to consent to allow a person who is disqualified to privately foster a child, the private foster carer can make an appeal to the family proceedings court within 14 days of notification of that decision.

The private foster carer must be notified in writing together with the reasons for the

decision and the notification must inform the person of his/her right of appeal and the time limit for doing so. The proposed or actual private foster carer will be informed of any decisions in order to give time for any informal negotiations to take place if it is consistent with the welfare of the child, thus preventing unnecessary appeals to the court. Legal advice must be obtained.

If there is any serious childcare incident, then notification will be made to Ofsted by the Head of Corporate Parenting. There is no Ofsted notification form for private fostering arrangements, however taking into consideration best practice, if it was determined that there was a need to notify Ofsted and/or the DfE then the Head of Corporate Parenting would do so.

(See Replacement Children Act 1989 Guidance on Private Fostering, Section 6.30.)

6.6 Unsatisfactory care — if the care of a child becomes unsatisfactory and fails to meet the needs of the child then decisions will be made promptly as to the best interests of the child.

Section 70 of the Children Act 1989 covers offences, and penalties, in relation to private fostering. It is an offence to:

- care for a child whilst disqualified from private fostering without the consent of the local authority, whilst living in the same household as someone who is himself disqualified from private fostering or at which any such person is employed or whilst prohibited
- fail to give the notice of a private fostering arrangement without reasonable excuse, within the time specified; or to provide information required, without reasonable excuse, within reasonable time.
- make, or cause or procure another person to make, any statement in the notice or information, which is known to be false or misleading
- fail, without reasonable excuse, to comply with any requirements imposed by the local authority
- refuse to allow a privately fostered child to be visited by an authorised officer of the local authority; or to obstruct such an officer in inspecting the premises in which a child is privately fostered or in which it is proposed to privately foster a child, and from seeing the child there.
- publish an advertisement offering to undertake or arrange for a child to be privately fostered unless it states the person's name and address.

The Social worker must consult with their line manager before seeking legal advice. Legal action against private foster carers in these circumstances will be initially discussed in a Legal Strategy Meeting. Decisions to prosecute will be taken in consultation with the Head of Corporate Parenting and the Service Manager.

6.7 The Private Fostering Panel will have regard to the following:

- (a) Whether the case meets the definition of private fostering.
- (b) Whether the private fostering arrangement meets the needs of the child.
- (c) Whether any other Children Act intervention is required.

Prospective private foster carers, parents and children of sufficient age must be notified in writing by the chair of these decisions, including where appropriate their right to appeal.

If the child is in need, a Child in Need plan must be drawn up, identifying how the arrangement will support the child's needs, and specifying any other inputs that are needed.

6.8 The Private Fostering Panel will review all Private Fostering arrangements on an annual basis. The social worker will submit to the panel the most recent Private Fostering Arrangement Regulation 8 Visit Record with a recommendation regarding the suitability of the arrangement

7. Safeguarding and Promoting the Welfare of Privately Fostered Children

7.1 Private Foster Carers and parents, who have notified a proposed private fostering arrangement, are required to notify the Local Authority within 48 hours of the arrangement starting. Should they fail to do so, once the proposed start date has passed the social worker should enquire pro-actively with them if the arrangement has begun, and if not whether it is still to proceed.

7.2. Every privately fostered child will have an allocated Social Worker, based either in the FCFC team or in one of the local area teams. All language school students will remain the responsibility of the FCFC team. If the privately fostered child is subject to a CIN or CP plan, then the case responsible social worker will be based in the relevant CIN team. The

FCFC team will continue to have a monitoring role across the county for all private fostering arrangements.

The FCFC team social worker will visit the placement in accordance with legislative requirements, or on reasonable request. The legislative requirement is within seven days of the start of the arrangement, then at intervals of not more than every six weeks for the first year, and thereafter at intervals of not more than twelve weeks. (Arrangements that were not notified until the child was already in placement are deemed to have started on the date of notification) The child must be seen alone, and in appropriate cases an interpreter will be provided. The social worker will complete a Private Fostering Arrangement Regulation 8 Visit Report at every relevant visit i.e. within 6 or 12 weeks depending on the duration of the arrangement. Arrangements may be visited more frequently but a report is not required for every visit.

7.3. Cases of private fostering will be discussed in supervision at least every three months or monitored through management oversight via Regulation 8 visit reports. If the child is in need a review will be held three months following the start of the arrangement and thereafter every six months. The FCFC team will be included in CIN and CP meetings and any risk management or other strategy meetings related to the privately fostered child.

7.4. Private foster carers will be advised of their responsibility to notify the Local Authority in advance of changes of circumstances, i.e.

- any change of their address
- any further offence of which they or a person who is part of, or employed at, their household has been convicted
- any further disqualification imposed on them or a person who is part of, or employed at, their household under s.68 Children Act 1989
- any person who begins to be part of, or employed at, their household,
- and any offence of which that person has been convicted, and any disqualification or prohibition imposed on them under s.68 or 69 of the Children Act 1989 (or under any previous enactment of either of those sections) and
- any person who ceases to be part of, or employed at, their household.

If the change of address is to another Local Authority the social worker will pass all relevant details of the arrangement to the new authority, and carers will be advised of their responsibility to notify the new authority.

Parents and private foster carers will be advised of their responsibility to notify the Local

Authority, within 48 hours of the placement ending, including the details of the person who has taken over the child's care.

If a privately fostered child dies, the carers must inform the Local Authority, and the social worker must ensure that parents are made aware. Regardless of the circumstances the line manager and the Head of Corporate Parenting must be notified. If there is any serious childcare incident, then notification will be made to Ofsted by the Head of Corporate Parenting.

In all of the above circumstances, notification of a change in circumstances must be made in writing to the Private Fostering Panel by the social worker.

- 7.5.** Parents will be advised that they continue to hold overarching responsibility for the child's well-being, and that they must notify the social worker of any change of address or contact details.
- 7.6.** Any child protection concerns that are raised in respect of a privately fostered child will be followed up in accordance with Suffolk Safeguarding Children Board Procedures. Child protection enquiries will be undertaken by the Child in Need team covering the placement address. The child's parents must be kept fully informed.
- 7.7.** In circumstances where private foster carers are failing to meet the child's needs the case will be referred back to the Private Fostering Panel to consider imposing requirements or a prohibition. If the placement fails, parents or their agents are expected to make an alternative arrangement or else return the child home. Thresholds for care need to be considered as the final resort when no other safe alternative is available.
- 7.8** A separate file will be opened for each privately fostered child and for each private foster carer.

8 Duty to Assess/Framework of Assessment

- 8.1** Local authorities are under a legal duty to ensure that the welfare of a privately fostered child is being promoted and safeguarded and are therefore required to undertake assessments of proposed and current private fostering arrangements.

Assessments should be completed within 42 days from the date of notification or as soon as the outcome of enhanced CRB checks is known, whichever is soonest.

8.2 The purpose is to assess the capacity of the private foster carer to look after the child adequately. When assessments are being carried out prior to the arrangement commencing, information must be obtained to make an informed decision about whether the arrangement is suitable for the child, and whether the private foster carer is able to meet the child's needs.

Where assessments are being carried out on existing arrangements, the purpose should be to decide if the arrangements are safeguarding and promoting the child's welfare, and what action needs to be taken if the child's needs are not being met.

8.3 Assessment of the child

Assessment of the child should look at:

- Their developmental needs and progress
- The quality and permanence of previous care and relationships
- How separation and loss are being dealt with (parents and carers may need advice on the impact of separation) and any arrangements for contact.
- Their sense of self-worth, self-image and identity
- Their cultural, linguistic, racial and religious needs and how these will be met
- Their wishes and feelings regarding the private fostering arrangement.

The Framework for the Assessment of Children in Need and their Families should be the basis of any assessment of the child's needs and should be carried out using Signs of Safety and Well-Being principles. The child should be seen alone, and if they are not seen alone, the reasons for this should be recorded on the assessment record. To ensure safeguarding, if a child has not been seen the Social Care Manager will need to be notified.

The social worker must ensure that children with verbal communication difficulties are able to use a preferred method of communication. Where English is not the child's first language, an interpreter who is independent of either the parent or the carer should be used.

The assessment should take into account the child's wishes and feelings about the private fostering arrangement taking the child's age and understanding into consideration.

If the assessment is being carried out prior to the private fostering arrangement beginning, the child's parents should be given general advice and information about private fostering and the role of CYPS in safeguarding the child.

The social worker should ensure that parents provide private foster carers with adequate information about the child and family's health history, including any health records held by the parent.

Private foster carers should also be informed of any treatment the child is receiving, and a written agreement between the parent(s) and the private foster carer(s) should be drawn up that enables the carer to consent to medical examinations and treatment. (see exemplar Private Fostering agreement between private foster carers and parent(s)/person with parental responsibility)

Children who are privately fostered are not subject to CIC procedures and there is no need to complete any CIC records.

Where a privately fostered child has come from abroad, the social worker should actively investigate their immigration status via a Home Office check, and take any necessary steps to ensure that where applicable, an application to remain is made on the child's behalf before they reach 18 years.

8.4 Assessment of the private foster carer

The social worker should meet with the private foster carer and all members of the household as part of the assessment process. At this first meeting, it is imperative that the social worker makes it clear to the private foster carer that this is a private fostering arrangement between themselves, the child and the parents. They must be informed that the Local Authority does not have the duty to fund private fostering arrangements.

Assessment of the private foster carer should look at:

- Their capacity to look after the child (including their capacity to enable a child to continue to have contact with people from their own race, religion or culture).
- The suitability of their accommodation (including any health and safety risks to the child, and sleeping arrangements).
- The suitability of their household.
- Whether they are able to provide a safe and stable environment for the child

(including their views on discipline).

The assessment must include the following checks on the private foster carer and members of the household over 16 years:

- a) Police checks and enhanced DBS (written consent must be provided before these checks are made).
- b) Other local authorities in which they have lived in the past 5 years.
- c) The Authority's own records.

The private foster carer and members of their household aged over 16 should be asked to complete and sign a declaration of suitability (Appendix 1) which gives consent to checks being carried out for the purposes of the assessment. Checks are taken out by administrators based in the local team.

The extent of contact with persons working in the household and frequent visitors should be explored and where such person is over 16 and the degree of contact and involvement is significant, an enhanced CRB check may be relevant.

As part of the assessment, the allocated social worker must draw up a written agreement between the CYPS and the private foster carer that covers: (see Appendix 2)

- A statement by the private foster carer that they will care for the child in compliance with any standards of care set out by CYPS within the written agreement
- Any agreed standards of care regarding the child's health and education, or agreed action to be taken by the private foster carer to ensure the child's religious or cultural needs are met.
- Details of any support CYPS has agreed to provide to help the private foster carer meet the child's needs.
- The name of the social worker whom the private foster carer may contact for support and advice.
- Compliance with home visits by social workers.
- Contact arrangements for the child.
- Any training that has been agreed.
- Requirements for notifying the social worker of any changes of circumstance.

What action the private foster carer will take to meet any requirements that have been requested by the social worker following assessment.

9.

Advice and Support to Carers and Parents

9.1. Private foster carers and prospective foster carers will receive advice that enables them to care for the child and meet their individual needs. This includes ensuring that the child has access to universal services such as health and education. This can also include the following advice on:

- (a) Financial support, e.g. statutory benefits.
- (b) Inter-agency support.
- (c) Promoting family contact.
- (d) The child's racial origin, religious persuasion, and cultural and linguistic background.
- (e) Access to foster carer training and support groups
- (f) Keeping relevant records to share with parents, for example on health, education and significant events in the child's life. This information will be important when the child returns to live with their family.
- (g) Consideration can be given to discretionary financial support in the form of a one off payment or regular payments from the relevant CIN team

All carers will have the contact details of the named social worker.

9.2. If the privately fostered child is a child in need parents should be consulted in respect of any services that would prevent the need for private fostering. As well as this, parents will receive advice in the following areas:

- (a) Support that is available.
- (b) Promoting family contact.
- (c) Alternative arrangements in the event that they are unhappy with proposed or

current arrangements or when a private fostering arrangement has been prohibited.

- (d) Issues around attachment and the need for them to remain in close contact with their child throughout the duration of the arrangement
- (e) All aspects of the arrangement are agreed in advance and recorded in a written agreement with the private foster carer and the proposed duration of the arrangement. This is to ensure that the placement remains stable and avoids breakdowns that would have a negative effect on the child. (see exemplar)

All parents will have the contact details of the named social worker. Suffolk has produced a leaflet for parents and private foster carers that should be given to them during the assessment.

10.

Information and Support to Privately Fostered Children

- 10.1.** Privately fostered children will be provided with the following information, in an age-appropriate manner
 - (a) The meaning of private fostering, the private foster carer's responsibilities, and the child's right to be safeguarded.
 - (b) their right to speak openly about their experience and to inform the social worker where they are unhappy about any aspect of the care they receive
 - (c) help in dealing with separation and problems with identity when they move to the placement, particularly when they are from a different culture to their carer
 - (d) Advocacy services
 - (e) Eligibility for adult services, if they are disabled.
 - (f) Leaving care arrangements if they are "a person qualifying for advice and assistance" under section 24 of the Children Act ((i.e. privately fostered at any time while aged 16 or 17. (*see Suffolk's Leaving Care Policy.*))

- (g) The social worker will advise the young person prior to their 16th birthday that 'Post 16' support and advice is available.

All children will have the contact details of the named social worker. Suffolk has produced a leaflet for privately fostered children that should be given to them during the assessment.

- 10.2 Making a complaint:** Suffolk County Council Complaints Procedures apply to all services to privately fostered children. Information is provided on the County website and the leaflet "Having Your Say."

11. Training for Prospective and Actual Private Foster Carers

- 11.1.** No specific training is provided by the Local Authority for private foster carers. However, when training needs are identified during assessment carers will be signposted towards appropriate training, and in some circumstances this may be the Local Authority's "in house" foster care training.

12. An Inter-Agency Approach

- 12.1.** Like other vulnerable children and children "in need" privately fostered children are expected to receive services that are organised

- (a) Within community clusters.
- (b) Universally, or by a tiered approach.

The named social worker will act as Lead Professional. Identified needs will be met through inter-agency planning.

- 12.2.** Inter-agency Steering Group

- (a) chaired by the nominated Corporate Parenting Manager and meets

bi-annually

- (b) Terms of reference includes raising awareness and understanding of private fostering, to provide a forum for networking and discussion about issues and to identify solutions and proposals for improved service delivery for privately fostered children, their carers and the parents.

With acknowledgements to Portsmouth City Council, the London Borough of Camden and Research in Practice for making policy material available

APPENDIX 1

DECLARATION OF SUITABILITY

SUFFOLK COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICES

**CHILDREN ACT 1989 (PART 9)
 DECLARATION REGARDING SUITABILITY TO FOSTER CHILDREN PRIVATELY**

To be completed by all members of the household over 16 years

Full Name

Date of Birth

Address

.....

..... Post Code

HAVE YOU EVER	YES	NO (please tick)?
1. Been convicted of any offences involving a child	<input type="checkbox"/>	<input type="checkbox"/>
2. Had a child removed from your care by the order of any court	<input type="checkbox"/>	<input type="checkbox"/>
3. Had registration under Part X of the Children Act 1989 refused or cancelled (childminding)	<input type="checkbox"/>	<input type="checkbox"/>
4. Had a prohibition from private fostering imposed on you at any time	<input type="checkbox"/>	<input type="checkbox"/>
5. Been disqualified from acting as a private foster carer	<input type="checkbox"/>	<input type="checkbox"/>

If you have answered "yes" to any of the above questions, please supply the dates and circumstances.

Section 70(1)(a) of the Children Act 1989, provides that a person who makes any statement in this notice of information which he knows to be false or misleading, shall be guilty of an offence and liable on summary conviction to fine not exceeding level 5.

I agree to the local authority arranging for an enhanced Disclosure and Barring Service check for previous convictions.

Signed Date

APPENDIX 2

WRITTEN AGREEMENT BETWEEN A PRIVATE FOSTER CARER AND SUFFOLK COUNTY COUNCIL

1. Information about the private fostering arrangement.
Name(s) of private foster carer(s)
Name of privately fostered child
Name(s) of child's parents
Placement address
Planned duration of placement
2. Suffolk County Council will provide
 - (a) a named officer to visit the child and supervise the placement
Name
Address/telephone number
Manager's contact details
 - (b) Visits to the placement within statutory guidelines.
Details
.....
 - (c) Support and advice to the private foster carer.
Details
.....
 - (d) Information and support to the child.
Details
.....
3. The private foster carer(s) will
 - (a) allow visits to the child by officers of the County Council.
 - (b) care for the child in compliance with all standards of care set out by the County Council, particularly in regard to
the child's health

the child's education

the child's religious, ethnic or cultural needs

.....

family contact arrangements

(c) inform the County Council (i.e. the named officer or their manager)

- if the placement ends, and if so, who has taken over the care of the child.
- if there are changes in the household composition.
- if they, or a household member has further convictions or disqualifications.
- if they move house.
- if the child dies.

4. Agreement

We agree to comply with all the provisions set out above

..... (private foster carer)

..... (private foster carer)

..... (for Suffolk County Council)

..... (date)

We will on request produce this policy, or parts of it, into other languages and formats, in order that everyone can use and comment upon its content.

EXEMPLAR**PRIVATE FOSTERING AGREEMENT BETWEEN PRIVATE FOSTER CARERS AND
PARENT(S) / PERSON WITH PARENTAL RESPONSIBILITY**

(Please complete a **separate** form for each child)

This agreement is a statement of responsibilities, requirements and expectations which we jointly agree in relation to the placement of:

Child's Name:

Date of Birth:

Name of Parents:

Address:

With Private Foster Carers:

Name:

Address:

Name of Parents:

Address:

With Private Foster Carers:

Name:

Address:

Parents

1. I / We intend to place our child with (Name)_____ and our plan is that he / she will remain for_____months or_____years (delete as appropriate)
2. I / we will maintain contact with my / our child and his / her carers ensuring that we visit every_____week(s) as well as keeping in touch by telephone.
3. I / we agree to pay at least the sum of £_____per week for the care of my / our child and that this will increase yearly. The Child Benefit book will / will not be handed to the carer.
4. I / we agree / do not agree to pay additionally for clothing and equipment.
5. I / we agree that permission is given for the carers to sign for medical treatment and have given my / our permission on the relevant medical consent card.
6. I / we have given all information about the child's and family's health history.
7. I / we will notify the carers on any planned change of address before I / we move and periods of absence.
8. I / we will ensure that carers always have a contact person in the UK.
9. I / we will ensure that carers have copies of all documents including the Birth Certificate in respect on my / our child.
10. I / we understand that a Social Worker is required by law, to visit my / our child at intervals of not more than six weeks in the first year and at intervals of not more than three months thereafter.
11. I / we will not change anything in this agreement without consulting the carers.

Private Foster Carers

1. I / we agree that we will care for _____ as if she / he were a member of my / our family for a period of _____ months or _____ years.
2. I / we will respect and encourage the child's religion, culture and language.
3. I / we agree the sum of £ _____ paid for maintenance and understand that this will increase annually from the time of placement.
4. I / we agree to register the child with my / our GP and ensure that the child receives medical and dental treatment as needed and Health Visiting input as needed. I / we also agree to ensure the child receives education properly.
5. I / we will keep information about the child and family confidential and will keep a health record of the child and will attend the Health Clinic as required.
6. I / we will inform parents of immunisation and developmental checks the child has required and any other information and progress made.
7. I / we have received all the information about the child's and family's health history and this has been shared and recorded.
8. I / we will welcome parents on visits which we have agreed and encourage them to keep in touch with their child.
9. I / will allow Social Workers to visit the child at intervals of not more than six weeks during the first year of placement and at intervals of not more than three months thereafter.
10. I / we will ensure that my / our home is a safe place for the child.
11. I / we will not change our address without previously notifying the parents of any absences and changes in the household.
12. I / we will not change anything in this agreement without consulting the child's parents.

We, the undersigned, agree to the Local Authority having a copy of this agreement.

Signed: _____ Private Foster Carer

Signed: _____ Private Foster Carer

Signed: _____ Child's Mother

Signed: _____ Child's Father

Date: _____

Private Fostering Arrangements Safeguarding Checklist

NAME OF APPLICANT /HOUSEHOLD MEMBER: _____

PRIVATELY FOSTERED CHILD: _____

COMPASS ID: _____ Date started checks: _____

ALLOCATED WORKER _____

PLEASE COMPLETE the details of those services that apply.

Details of contacts	Name and address	Tele. Contact	Date req	Date received	comments
Social Care Services					
GP					
Health Visitor					
Education Welfare					
Probation					
Head Teacher/ School reference from carer's children's school					
Childminding Inspection report seen					
Personal referee: Someone who has known you for at least 3 years + <i>(cannot be a family member)</i>					
<u>DBS checks</u>	Documents Verified PLEASE LIST (e.g. passport, birth certificate, proof of address etc.)	Declaration of Suitability Signed?	Date Sent for counter-signing	Date CRB received	Comments
Name					
Form ref:					
Disclosure number:					