

Help keep children safe and support families



Kirklees Duty and Assessment Service

Westfields
13a Westfields Road
Mirfield WF14 9PW

Telephone: 01924 326093 or 01924 483792

www.kirkleessafeguardingchildren.co.uk
or www.somebodyelseschild.org.uk



Private Fostering a cause for concern



- Studies show that councils aren't always notified when a child or young person is privately fostered.
- To help councils protect children and young people they need to be kept informed about all private fostering arrangements.
- Professionals in education, health and social care have a shared responsibility to notify councils of any private fostering arrangements.
- By working together we can ensure that all privately fostered children and young people get the quality of care they deserve.



What is the problem?

Studies show that often councils are not being notified about private fostering arrangements, despite this being an offence under the Children Act 1989. When they are informed, it is nearly always after the private fostering has started. It is likely that more than 50% of private foster placements are not notified to councils. This is a cause for concern, as privately fostered children, without the protection provided by the regulations, are a particularly vulnerable group.

What is private fostering?

Private fostering is very different from the care of children provided by councils through approved foster carers. A privately fostered child would not be looked after by the council under the Children Act.

Children under 16 (or 18 if they have a disability) are classed as privately fostered when they are cared for on a full-time basis by adults, who are not their parents or a close relative, for a period of 28 days or more.

A close relative is defined as a grandparent, brother, sister or step-parent. Or it can be an uncle - who is the brother of the child's father or mother, or an aunt - who is the sister of the child's father or mother. This includes an aunt or uncle who is related to the child by marriage.

Usually a birth parent chooses and arranges private foster placements, which could take many forms. These include children coming from abroad to access the education and health systems, children living with a friend's family after separation, divorce or arguments at home, teenagers living with the family of a boyfriend

If, however, the council thinks that a placement is unsuitable, and the child could not be returned to the parents, then the council would have to decide what action to take to safeguard the child's welfare. This may include providing support to the carer, but may also, in some circumstances, mean taking the child into care.

How private foster carers can get support

Private foster carers may approach their local council for help and support with looking after the child(ren) in their care.

- There may, in certain cases, be financial help available through 'Section 17' assistance for children deemed to be 'in need.' (Section 17 refers to the part of the Children Act which provides for such assistance, which may include a range of support services or, exceptionally, cash).
- There may be local support networks for carers.
- Carers may be able to claim social security benefits such as Child Benefit and possibly Income Support or Job Seekers Allowance if they receive Child Benefit. Enquiries should be made to the carers local Benefits Agency Office.



If you know that a child is being privately fostered, and you think that the council is unaware, please notify Safeguarding & Specialist Provision or encourage the carer or parent of the child to do so. You will not be breaching confidentiality, and may help secure the welfare of the child(ren) concerned. It is good practice to inform the carer and/or parent that you are making a referral, but not doing so should not delay your referral.

Any professional who becomes aware that a child is being privately fostered should make a referral to:

Duty & Assessment Service:

Westfields

13a Westfields Road

Mirfield WF14 9PW

Telephone: 01924 326093 or 01924 483792

A CAF is not required.

The responsibilities of councils

Councils have clear responsibilities towards privately fostered children. These responsibilities are discharged through a series of home visits and a link worker may be appointed to oversee the arrangement.

The purpose of home visits is to ensure that the children are well cared for in a safe and suitable environment. There may also be help and support available, through the council and other agencies, to assist the carer(s).

but antisocial hours make it difficult for them to care for their own children.

It is estimated that about 10,000 children in England are privately fostered.

What are the rules governing private fostering?

Privately fostered children are protected by the Children Act 1989 (Part IX) and associated regulations.

What private foster carers must do

- Advise their local council of their intention to foster a child at least six weeks in advance or, where an emergency placement is made, within 48 hours of the child's arrival.
- Notify their local council when a child leaves their care, stating why and giving the name and address of the person into whose care the child has been moved.

What birth parents must do

- Retain parental responsibility; initiating and participating in all the decision making processes in the placement.
- Provide the prospective carer with as much information about the child as possible, including health records, dietary preferences, school records, hobbies, religion and ethnicity.
- If the prospective carer has not already done so, advise the local council of the private fostering arrangement.



What the council must do

Professionals working with families who become aware that a child of that family is now residing with someone who is not their parent or a close relative or that a person has assumed responsibility for caring for someone else's child are required to inform the local authority's Safeguarding & Specialist Provision's Duty & Assessment Service.

The Safeguarding & Specialist Provision Service has clearly specified roles, responsibilities and accountabilities relating to private fostering. It is their responsibility, in conjunction with other agencies, to satisfy themselves that they are safeguarded. They also have to satisfy themselves that the private foster carers are suitable and ensure that they receive support and guidance to help them care for the child.

In doing so, the Safeguarding & Specialist Provision Service conduct an initial and core assessment. Children, young people, parents and carers and professionals known to the child are involved in all aspects of the process.

The service gives attention to the suitability of the private foster carer and considers of a range of other factors, such as:

- the suitability of the accommodation and of other members of the household
- health and safety matters
- emotional well-being
- educational and health provision
- cultural issues.

Safeguarding is given priority. The assessment takes account of Criminal Records Bureau (CRB) checks and searches with other agencies about all adult members of the household.

A child can be removed from a private foster placement if there is reasonable cause to suspect that the child is suffering, or is likely to suffer, significant harm.

Although the primary responsibility for safeguarding and promoting the welfare of the child rests with the parent, the regulations are intended to help protect vulnerable children who are likely to be cared for longer term in households other than their own.

What should professionals do?

Professionals in the education, health and social care fields need to be more aware of private fostering and be more proactive in identifying and notifying councils of private fostering arrangements.

Private foster carers are legally required to notify their council but many do not (or do not know that they have to). This means that social services departments are unable to check whether the child is being properly cared for.

It is vital that the Safeguarding & Specialist Provision team is aware of such arrangements so that they can safeguard the welfare of potentially vulnerable children. Ideally, notification should come from the carer or parent, but education, health and social care professionals can also play an important role in identifying these arrangements and in getting key messages across to carers and parents who may be unaware of their responsibilities.

