



Private Fostering

A guide for carers

This guide contains information about your responsibilities and legal duties if you are providing a home and caring for a child/children who is/are not closely related to you



West Berkshire
COUNCIL

Private Fostering - A guide for carers

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Introduction

There have been a number of high profile cases in recent years of children who have been cared for outside of their family homes who have been neglected or harmed in some way.

These have resulted in the introduction of new legislation and regulations that place a legal duty on local authorities to ensure that all children who are, or who will be, privately fostered are well cared for and living in a safe environment.

In West Berkshire, West Berkshire Council's, Children's Services are responsible for this.



What is a private fostering arrangements

Private fostering occurs when a parent (or someone with parental responsibility) makes an arrangement for their child or children to be cared for by someone else and:

- the care of the child(ren) has already been for 28 consecutive days or longer
- the care of the child(ren) is planned to be for 28 consecutive days or longer
- the child or young person is younger than 16 (or 18 in the case of a child with disabilities)
- the person who will care for the child(ren) is not the child(ren)'s parent, grandparent, brother, sister, aunt, uncle, step-parent or an approved carer

The person looking after the child(ren) is known as the **private foster carer**.

Why might a child be privately fostered?

Children and young people may have to live with other families for a number of different reasons. These might include:

- a child living with a friend of his/her family because of separation, divorce or arguments at home
- a teenager living with the family of a boyfriend or girlfriend, or with a school friend's family because of family breakdown
- a child needing to be cared for because of his/her parent having a long-term illness and being unable to look after the child.
- a child being sent to this country by his/her parent(s) who are living overseas, for education or healthcare reasons
- a child needing to be cared for because his/her parent(s) work away from home or work particularly long or unsociable hours

Is private fostering the same as regular fostering?

No.

Regular foster carers are people who have been formally assessed and approved by the Council and who work with the Council to look after other people's children.

Private foster carers are people who have been chosen by the parent(s) of a child (or another person with parental responsibility for the child) to look after the child on his or her behalf. The Council is not involved in making the arrangements and the child's parent(s) or legal guardian(s) still have full parental responsibility for the child.

Is private fostering legal?

Yes.

However anyone who is involved in the setting up of a private fostering arrangement must let the local Council know the details of the arrangement.

What do you need to do?

If you are looking after a child or planning to look after a child who is not closely related to you and the arrangement has lasted, or is likely to last, for 28 days or more, you have a legal duty to inform the local authority in whose area you and the child live, or will be living, about the arrangement.

If you and the child live, or will be living, in the West Berkshire area you must tell the Referral and Assessment Team about the arrangement.

If you and the child live, or will be living, outside of the West Berkshire area then it will be the local authority where you live, or are going to live, that you need to notify.

As a private foster carer you should notify the appropriate local authority that you are planning to take on the full-time care of the child at least six weeks before the arrangement is due to begin.

If you are planning to take on the care of the child in less than six weeks time, or if the child is already living with you, you must inform the appropriate local authority of the arrangement immediately if you have not already done so.

If you have informed the appropriate local authority that a child is to be placed with you on a private fostering basis, in advance of the child moving to live with you, you must also notify the appropriate local authority that the arrangement has begun, within 48 hours of the child being placed.

If a child is placed with you in an emergency and there has been no time to notify the appropriate local authority in advance of the child's arrival, you must notify the appropriate local authority of the placement within 48 hours of the child being left in your care.

A form is included with this leaflet which will enable you to provide the information that the local authority needs about the child and about his/her planned or current placement with you.

If the private fostering arrangement changes

If a child is placed with you on a private fostering basis and the arrangement ends, you must tell the responsible local authority within 48 hours of the placement ending and give the name and address of the person who has taken over the care of the child.

You must also let the responsible local authority know about any other significant changes to your private fostering arrangements. This includes informing the authority if anyone new moves into your household or if anyone who is living in your household is convicted of a criminal offence. If the child has a serious accident or injury or dies whilst living in your household you must also inform the authority immediately.

It is an offence not to tell the responsible local authority about any private fostering arrangements that you, as a private foster carer, are involved with. If in doubt please contact the West Berkshire Council Referral and Assessment Team for advice.

Who should you notify?

If you and the child who you are caring for are, or will be, living in the West Berkshire area, the contact details for the Referral and Assessment Team are:

Address: Referral and Assessment Team
West Street House, West Street
Newbury, Berkshire RG14 1BZ

Telephone: 01635 503090

Email: child@westberks.gov.uk

If you and the child are, or will be, living outside of the West Berkshire area you should notify the social services office local to where you and the child are, or will be, living.



Your responsibilities as a private foster carer

As a child's private foster carer you will provide a home and day-to-day care for the child and have a responsibility to promote and safeguard his or her welfare. However, the child's parent(s) (or legal guardian(s)) will still hold parental responsibility for the child and should continue to be involved in all of the important decisions that will affect the child. It is important that before the child is left in your care, you make sure that his/her parent(s) (or legal guardian(s)) provide you with as much information as possible about the child's family history, his/her previous life experiences and his/her previous health/medical history and that you agree arrangements for the child's care including:

- his/her education
- his/her hobbies and interests
- his/her health needs and any ongoing or anticipated medical treatment
- what methods of discipline and sanctions are and are not acceptable to the child's parent(s) (or legal guardian(s))
- how the religious and/or cultural needs of the child will be met
- what contact the child will have with his/her parent(s), with other members of his/her family and with any other people who are significant to him/her (It is very important that the child's parent(s) (or legal guardian(s)) stay in frequent contact with the child while he/she is living away from his/her family)
- when and how you, as the child's carer, will update the child's parent(s) (or legal guardian(s)) on the child's progress

This will help you as the child's carer to understand the child and to take good care of him/her.

You should also agree the financial arrangements for the child's care and maintenance.

Ideally the arrangements for the placement that you agree with the child's parent(s) (or legal guardian(s)) should be written down so that you both have a copy of exactly what you have agreed and can therefore expect.

(We can provide you with a format for this agreement if this would be helpful).

If you have other children or adults living in your household you will need to consider how you will introduce them to the child and how you will ensure that the child is supported in settling into your family. It will be very important that you talk to the child so that he/she understands his/her situation, how long he/she will be living in your household and how he/she will be able to maintain contact with his/her parent(s) and with other relatives or friends who are important to him/her.

What will happen if you notify the local authority of a Private Fostering arrangement?

A social worker will be allocated to check out that the arrangements for the care of the child do constitute a private fostering arrangement and where this proves to be the case an assessment of the suitability of the placement for the child will be completed.

This will involve a social worker interviewing you as the child's private foster carer and where possible the child's parent(s) and any other person who has parental responsibility for the child and who is, or was, involved in making the arrangement.

The child will be seen and, depending on his/her age, he/she may be interviewed.

All other members of your household will be seen and the accommodation where the child is, or will be, living will be inspected.

The authority will take up references in respect of you and make other enquiries to ascertain your suitability to look after someone else's child on a private fostering basis.

Other agencies already involved with the child (e.g. school, or health visitor) will be contacted to ascertain their views as to whether the child's needs are being, or are likely to be, appropriately met within the placement.

If the child is not a British Citizen enquiries will be made of the Home Office — Border and Immigration Agency — to check that he/she is able to enter or remain in the UK throughout the intended duration of the private fostering arrangement.

When full information is available, a decision will be made as to whether the proposed or actual private fostering arrangement is acceptable.

If we are concerned about the suitability of the placement for the child, we will let you know our concerns. Sometimes it may be possible for a private foster carer to take action to address any concerns that we have, however if this is not the case we will discuss with the child's parent(s) (or legal guardian(s)) whether the child can return to live with them or with one of his/her relatives, or whether they can identify a different private foster carer with whom the child can live.

If they are unable to identify a suitable care arrangement for the child, we will consider whether the local authority should provide a foster home for the child.

The Local Authority has the power to legally prohibit a private fostering arrangement if it is found to be unsuitable to the needs of the child concerned.

Generally the private fostering arrangements that parents make for their children are appropriate to their children's needs and children are safe and well cared for whilst living away from home.

Where placements are appropriate we still remain involved, monitoring each arrangement and providing support to the private foster carer to ensure that he/she is able to continue to meet the child's needs until he/she is able to return to live at home or is old enough to live independently.

While any child is living with you on a private fostering basis, you should feel able to contact the social worker who is monitoring the placement at any time, if you want to discuss, or to seek advice about, any issue relating to the private fostering arrangement.

What should you do if you are unhappy with a private fostering arrangement?

Difficulties most commonly arise in private fostering arrangements due to:

- the private foster carer being provided with insufficient information about the child and his/her care needs in advance of the placement
- the parent(s) not agreeing appropriate financial support for the child or failing to provide financial support at the level agreed
- the parent(s) or other significant relatives, failing to maintain regular, meaningful contact with the child
- the parent(s) failing to maintain regular contact with the private foster carer or not being available to make important decisions that affect the child

If you are unhappy or concerned about any issue relating to a child who you are caring for on a private fostering basis, you should contact the appropriate local authority (covering the area where you and the child are living). If you are living within the West Berkshire area, please contact the Referral and Assessment Team. We will do everything possible to support you in promoting and safeguarding the child's welfare.

For Further Advice and Information

If you require more general advice or information about private fostering please contact the Family Placement Team and we will endeavour to help you.

Family Placement Team

West Street House
West Street
Newbury
Berkshire
RG14 1BZ

Telephone: **01635 503155**

Email: **familyplacementduty@westberks.gov.uk**

Alternatively visit our website at:
www.westberks.gov.uk

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