

## Childrens Services

| Version Control Process <b>Title</b>                   | <b>Version Control Process</b>  |
|--|---|
| <b>Purpose/scope</b>                                   | <p><b>The purpose of the policy:</b> The purpose of the document is to provide a comprehensive guide to private fostering arrangements within Shropshire. It outlines the responsibilities of all parties involved and ensures that the welfare of privately fostered children is prioritised.</p> <p><b>The scope of the policy:</b> The scope of the document includes providing a comprehensive guide to private fostering arrangements within Shropshire. The document describes the private fostering arrangements, the assessment processes, and the support and advice offered to private foster carers, privately fostered children within Shropshire, and their parents.</p> |
| <b>Subject key words</b>                               | Private Fostering, Family Arrangements, Kinship Arrangements  |
| <b>Council Priority</b>                                | Healthy People/Safeguarding Children  |
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| <b>Date Established</b>                                | <p>V1 draft completed 31.03.2024</p> <p>SLT approved 09.10.2024</p> <p>V3.1 FINAL 09.10.2024</p>  |
| <b>Date of Next Review</b>                             | October 2025  |
| <b>Service Improvement &amp; Efficiency Validation</b> | Yes   |
| <b>Legal Sign Off</b>                                  | n/a   |
| <b>Finance Sign Off</b>                                | n/a   |
| <b>Approver and date</b>                               | SLT Approved – 09.10.2024   |

# Shropshire Council

## Private Fostering

### Statement of Purpose

### October 2024



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## **1. Introduction**

Private fostering plays a crucial role in ensuring the well-being and development of children who are cared for by someone other than their parents or close relatives. This arrangement often arises due to various circumstances, such as parental illness, work commitments, educational opportunities, or family conflict. Private fostering provides a stable and supportive environment for children, allowing them to thrive and reach their full potential.

The impact of private fostering on children and families is significant. For children, it offers a sense of security and continuity, which is essential for their emotional and psychological development. It also provides them with the opportunity to form meaningful relationships with their carers, who can offer guidance, support, and a nurturing environment. For families, private fostering can be a valuable solution during times of need, ensuring that their children are well-cared for and safe.

Understanding the importance of private fostering and its impact on children and families is essential for professionals, the public, and external organizations. This document aims to provide a comprehensive guide to private fostering arrangements within Shropshire, outlining the responsibilities of all parties involved and ensuring that the welfare of privately fostered children is prioritized.

This statement of purpose provides a description of private fostering arrangements within Shropshire. It is designed to meet the requirements of the National Minimum Standards 2005, Standard 1 and to provide a clear description/guide to the service for professionals, the public, council members and external organisations. This must be read alongside the Procedures for Private Fostering which provides a description of the practice required to comply with the NMS.

The private fostering guidance and literature can be located by going to the following address:  
<https://www.shropshirefostering.co.uk/private-fostering/>

The procedures for private fostering are available online by going to the following address:  
[https://shropshirechildcare.proceduresonline.com/p\\_private\\_fost.html](https://shropshirechildcare.proceduresonline.com/p_private_fost.html)

The private fostering procedures (including guidance and literature) includes full details of the legislative requirements, together with practice guidance for social workers dealing with notification and supervision of private fostering arrangements and all the actions required in accordance with the National Minimum Standards (2005).

This Statement of Purpose will describe Private Fostering arrangements, the assessment processes and the support and advice offered to private foster carers, privately fostered children within Shropshire and their parents.

## **2. Definition of Private Fostering**

A 'Private Fostering Arrangement' is one where a child/children under the age of 16 or 18 years (18 years, in the case of disabled children) are cared for by a carer who is not their parent or a close relative\*; does not have parental responsibility for; and provided with accommodation in the carer's own home for a period of 28 days or more.

In these circumstances, it is the responsibility of the parent, carer, and anyone else involved in making the private fostering arrangement, to notify their local authority (LA) of the private fostering arrangement.

*\*A relative as defined by The Children Act 1989 'means a grandparent, brother, sister, aunt, uncle (whether of full blood, half blood or by marriage) or step parent.'*

This definition thus excludes cousins, great grandparents and co-habitees.

Privately fostered children include:

- Children sent from abroad to stay with another family for 28 days or more.
- Asylum seeking and refugee children staying with non-relatives or friends for 28 days or more.
- Teenagers who are staying with friends or 'non' relatives for 28 days or more.
- Children on 'exchange' visits living with host families for 28 days or more.

There are a number of circumstances and reasons why parents make arrangements for their children to be cared for by someone else. Many such arrangements constitute private fostering and as such require additional monitoring and support. In many instances such arrangements can be positive for the child and family, allowing them to remain in their own community and looked after by familiar adults in their life. However, some children may be vulnerable and come from diverse groups in our society.

The responsibility for safeguarding and promoting the welfare of a child living in such arrangements remains with the parent or person with parental responsibility, however, local authorities must be in a position to satisfy themselves that the welfare of children in their area who are privately fostered is appropriate, safe and promoted their welfare.

### **Practice Guidance on the Definition of a Private Fostering Arrangement**

- a) If the period of placement is less than 28 days, it may be one of a series of placements that add up to more than 28 days. A break in the period for the child to visit his (her) parents at the weekend would not affect the calculation or the interpretation of the foster parent's intention. A period does not cease to be a period just because a child spends occasional weekends at the home of his (her) parents. For a break to cause a restart in calculating the period it must result in a genuinely fresh arrangement.
- b) A private fostering arrangement is made by parents, or a person with parental responsibility, directly with the private carers not through a voluntary childcare agency or a Local Authority Children's and Families Service. What distinguishes this type of arrangement from public fostering is that it is not paid for or arranged by the

local authority. If the local authority is sufficiently involved in arranging or financing the arrangement, the young person may be more properly viewed as a 'child looked after' within the meaning of the Act.

- c) Parent includes the unmarried or 'putative' father.

### **3. Legislative Framework**

The Government introduced new legislation on private fostering in Section 44 of the Children Act 2004 and The Children (Private Arrangements for Fostering) Regulations 2005 which came into force on 18th July 2007.

These measures, together with the National Minimum Standards for Private Fostering and the new role for the Safeguarding Children's Partnership in looking at private fostering, were designed to focus Local Authorities' attention on private fostering in light of the Victoria Climbié inquiry.

The legislative framework applicable to private fostering arrangements:

- The Children Acts 1989 and 2004
- The Children and Young Person's Act 2008
- Disqualification from Caring for Children Regulations 2004
- The Children (Private Arrangements for Fostering) Regulations 2005
- Children Act 1989 Guidance on Private Fostering (2005)
- National Minimum Standards for Private Fostering (2005)
- Working Together 2018

Shropshire Council is committed to ensuring its duties and functions in relation to private fostering are carried out in accordance with the requirements of legislation and guidance.

### **4. Local Authority Duties and Functions**

Shropshire Council works in accordance with the legislative and regulatory framework and is committed to fulfilling its duty with this regard to:

- Promote public awareness of private fostering notification requirements and develop a programme of communication activities for local authority staff, other professionals, and agencies and to develop a range of publicity materials.

- Provide advice to parents or persons with parental responsibility, to those proposing to privately foster a child, to existing private foster carers and any other person concerned with a privately fostered child.
- On receipt of a notification of a proposal to privately foster a child or on receipt of a notification of an existing private fostering arrangement we will arrange to visit the child within seven days and undertake enquiries in accordance with Regulation 4(1) Children Act 2004 and provide a report which includes the following:
  - arrangements are satisfactory or
  - that requirements should be imposed or
  - that the carer is disqualified or
  - that the carer should be prohibited from private fostering.
- Ensure procedures for assessing the suitability of a private fostering arrangement are in place and includes assessment of their households and their premises to ensure they can provide an environment in which the child's welfare will be safeguarded and promoted.
- Decide about the suitability of a proposed or existing private fostering arrangement within 42 working days from notification, or as soon as the outcome of appropriate check(s) are known.
- Exercise their powers to impose requirements on private foster carers with respect to the provision of care for a child or children.
- Impose a prohibition on or disqualification of a person who proposes to or who is privately fostering a child, if of the opinion that the person or premises is/are not suitable.
- Undertake visits to and see privately fostered children on their own in accordance with statutory guidance and whenever reasonably requested to do so by the child, carer, parent, or person with parental responsibility.
- Undertake an assessment of need under S17 of The Children Act 1989 of all children within private fostering arrangements, to assess if there are concerns that a privately fostered child may not achieve a satisfactory level of health or development without the provision of services. – this is particularly the case in respect of disabled children who are privately fostered.
- Provide advice and assistance to a disabled person resident in the area who is under 21 and who was (but is no longer) privately fostered at any time after their 16th birthday
- Satisfy themselves that the welfare of children who are privately fostered **and** who are proposed to be privately fostered in their area are being satisfactorily safeguarded and promoted.
- Appoint an officer to monitor how the authority discharges its duties.
- Undertake regular review of a sample of child and private foster carer records and provide annual reports to the Director of People, Assistant Director of Children's Services, and the

Shropshire Safeguarding Community Partnership. The Statement of Purpose will be reviewed and updated yearly to ensure it remains current and relevant for the children and families of Shropshire.

- Record information on the numbers of privately fostered children and private foster carers living in the area, the number of new notifications, enquires received, responses given, and actions taken.
- Maintain records for each privately fostered child and private foster carer.
- Have in place and implement policies and procedures which describe how decisions are to be made regarding the imposition of requirements on private foster carers, the removal or variation of requirements and which also describe how decisions are to be made regarding disqualification and prohibition from privately fostering.
- Have in place and implement a policy and procedure which describes how appeals against the imposition of requirements, disqualification or prohibition will be conducted.

## **5. Aims and Objectives**

In relation to private fostering Shropshire Council aims to:

- Promote awareness in the wider community in area of the requirement to notify the local authority of all private fostering arrangements with a view to increasing the overall number of known private fostering arrangements and reducing the number of retrospective notifications.
- Provide a comprehensive assessment and support service to privately fostered children and private foster carers.

The Council acknowledges that privately fostered children are a diverse and particularly vulnerable group. Many do not have a parent figure in a position to safeguard their welfare.

The Council accepts its responsibility to ensure the welfare of every privately fostered child in the county is satisfactorily safeguarded and protected, that risks to their welfare are reduced and that services are made available which promote positive outcomes.

The objectives of services to privately fostered children, their parents and to private foster carers are:

- To place the welfare, safety, protection and needs of children at the centre of processes. Such considerations will take precedence over those of anyone else involved.
- To listen to children and consider their wishes and feelings when making decisions on their behalf.
- To respect and promote the child's specific needs, self-image and sense of identity arising from ethnic origin, cultural background, religion, language, or disability when decisions are made.



- To maximise the life chances of privately fostered children by taking a holistic and lifelong view of their needs.
- To actively engage parents and/or persons with parental responsibility.
- To assess private foster carers fairly and thoroughly against their ability to provide care for the child concerned, regardless of race, religion, sexual orientation, marital status or disability.
- To support the role of private foster carers by delivering or facilitating appropriate advice and support services in response to assessed need.
- To work in partnership with parents, children, carers and their families, other professionals and agencies to ensure that services are provided to meet assessed needs.
- To ensure that all enquiries/notifications concerning private fostering are dealt with promptly and efficiently.
- To prevent persons identified as unsuitable from privately fostering children.

### **Working with Partner Agencies**

We aim to work with our partner agencies to provide all privately fostered children/young people with the information they need to access their services and to liaise with relevant professionals. All partner agencies will be given information on their responsibilities regarding notification under the Regulations 2005. Information materials are sent out to schools and health organisations on a regular basis.

### **Promoting Awareness**

Children's Services is responsible for fulfilling the Council's duty to promote public awareness of private fostering notification requirements. To achieve enhanced awareness in the wider community Children's Services, provide publicity materials and deliver awareness raising events.

Awareness raising activities will include:

- Production of leaflets and posters. A range of leaflets are available specific either to young people, parents, or prospective carers. A leaflet is also available for professionals or others who may come into contact with private fostering arrangements. Leaflets are refreshed and re-issued annually and are available via the Shropshire Fostering Website.
- Distribution of posters to Children's Centres, Health Centres, G.P surgeries, opticians, schools, and key partners in the voluntary and independent sector. Posters are to be displayed in all Council buildings to which the public have access signposting to where leaflets can be obtained and further information.
- Regular display of 'posters' in Council Buildings.
- Regular placement of posters and articles in the Council's internal publications e.g., School Bulletins and also in Elected Member's Information packs.
- Use of Shropshire Council website to publicise the issue of private fostering.
- Information sessions for Head Teachers, Elected Members and School Governors.

- Annual School Return

Training materials will be provided annually for all Children's Services staff, school-based staff, professionals from other agencies, school governors and elected members any of whom may come across private fostering arrangements.

Workshop materials will be available to all schools in the county in order that Head Teachers can maintain the awareness of school-based staff at times convenient to them. These materials will ensure that those who may come across private fostering arrangements understand:

- Their safeguarding duties in respect of children subject of private fostering arrangements
- The legal definition of a private fostering arrangement.
- The range of circumstances which may give rise to private fostering arrangements.
- Contact details for making referrals in respect of private fostering to children's social care.

## **6. Advice, Information and Support**

The Council has a duty to provide advice to parents or persons with parental responsibility, to those proposing to privately foster a child, to existing private foster carers and any other person concerned with a privately fostered child.

### **Advice and Support for Parents**

The local authority will provide advice and support to parents as needed. Parents will be provided information as to the notification processes and implications of private fostering arrangements. This will be available in digital poster and leaflet form on council websites and parents can be provided a hard copy.

- In every private fostering arrangement notified to the local authority, the assessing social worker will consider and assess whether direct provision of services to the parent by the local authority or another agency would remove the need for the parent to have the child privately fostered and provide such services or make a referral as required.
- Parents will be provided the name and contact details of the social worker responsible for visiting them and their child.

Parents will be advised that:

- No person chosen by them to be a private foster carer has parental responsibility for their child, but s/he is empowered to do what is reasonable to safeguard and promote the welfare of the child.
- S/he or the person with parental responsibility carries the prime responsibility regarding decision-making in the private fostering process.

- They must notify the local authority of arrangements for the care of siblings not included in the private foster care proposals.

Parents will be advised about the exercise of their parental responsibilities:

- They must provide the private foster carers with as much information as possible concerning the child including details of:
  - Health
  - Dietary needs and preferences
  - School/education needs
  - Hobbies
  - Religious preferences
  - Ethnic background
- They should discuss with private foster carers the expectations of day-to-day management of the child's life.
- They should establish clearly with the private foster carer the purpose of the fostering arrangement. At no stage should the child be left to feel insecure or not knowing what their future is.
- They should review on a regular basis with the private foster carer the purpose and duration of the arrangement. Unplanned moves or changes should be avoided, and the child should be involved in any discussion concerning their future.
- They should ensure that financial arrangements made and agreed with the private foster carer are kept.
- They should confirm to the local authority that all those with parental responsibility are agreeable to the private fostering placement. The address of all those with parental responsibility should be made available to the local authority.
- The parents of a privately fostered child should maintain contact between siblings. Only in extreme circumstances of concern should contacts be discouraged.
- Parents will be advised about any concerns which arise in respect of their child and whether they should make alternative arrangements for the child.
- The parent, or any other person who has parental responsibility, for a privately fostered child must notify the local authority if the private fostering arrangement has ended.

### **Advice, Information and Support to Private Foster Carers**

Assessing social workers will ensure that private foster carers or prospective private foster carers receive information about the requirements in respect of notification. The social worker will provide private foster carers including prospective private foster carers' information/advice on:

- The legal requirements and responsibilities of private fostering
- Entitlement to child and other financial benefits

- Resources or facilities available to assist in meeting the particular needs of the child they are caring for or plan to care for in respect of religion, culture, race and language, parenting strategies and other training and support as identified.
- Support services available in the local area –including health, education and housing services, youth support services, voluntary organisations, and community groups.

During the assessment process the assessing private fostering social worker will advise the private foster carer:

- Though not having parental responsibility for the child, they are empowered to do what is reasonable to safeguard and promote the child's welfare.
- On promoting and safeguarding the child's welfare – including the need to notify the local authority of any concerns of possible abuse.
- Treating and accepting the child as a member of the private foster carer's family.
- Ensuring the child can express his/her own identity and on establishing relationships that ensure his/her views are heard in helping him/her attain a high level of self-esteem.
- Promoting and facilitating regular contact between the child, parents, siblings, extended family, and other significant persons where this promotes the welfare of the child.
- The requirement to notify the local authority of any change of address, which is likely to be effective for more than six (6) weeks.
- The requirement to notify the local authority of any person (child or adult) who begins or ceases to be part of the household, including another child who is to be privately fostered.
- The requirement to inform the local authority of any new convictions relevant to any person living or employed in the household and that such conviction may lead to the private foster carer being disqualified from caring for children.
- The requirement to inform the local authority if they cease to care for the child/ren concerned. Notification should be in advance but no more than 48 hours later and should include information as to the name and address of the person who has taken over the care of the child/ren. A notification of ending a private foster placement must state the reasons for termination.
- The requirement to inform the local authority immediately if a privately fostered child dies whilst in their care.

Dependent on circumstances other advice may include:

- Keeping a record of the child's life history and development while in their care. This should include the child's medical history, school reports, contact with significant people in the child's life including visits from the local authority, significant events, photographs, the child's achievements and any certificates or information relating to them. These records should be sufficient for the child, as s/he grows older, to have a complete picture of his/her upbringing. If the child changes carers the records, or a copy, should be passed on to new carers.

- Maintaining a financial record of payments received from parents and made in respect of the child.
- Planning the ending of the placement and preparing the child.

Training will be made available to private foster carers as identified within the child's Child in Need plan. The child's social worker, as part of the supervision of the placement and CIN plan will advise them of any relevant training courses, they assess would assist them in carrying out their functions as private foster carers and facilitate their attendance. A specialist Private Fostering Social Worker will contact the family every 12 weeks to discuss the arrangement and CIN plan and signpost to any other support services or training that could assist the family i.e. Kinship.

### **Information and Support for Privately Fostered Children**

All privately fostered children/young people will have a named social worker and be provided their contact details.

The social worker will provide age-appropriate information and advice on:

- What being privately fostered means.
- The responsibilities of a private foster carer.
- What to do if they are worried about their care or any other arrangements pertinent to their care.
- Advocacy services and their right to participate in decisions about their lives.

Privately fostered children with a disability who may remain privately fostered up to the age of 18 years will be provided with additional information about:

- Transition arrangements for service provision by adult services
  - After care provision under Section 24 of the Children Act 1989 as these privately fostered children 'qualify' for advice and assistance, in kind or in cash, under the Act.
- Please visit [Leaving care | Shropshire Council](#)

Where appropriate independent translators and interpreters will be used to support children, young people and their parents and carers within private fostering arrangements.

## **7. Assessment Of Private Fostering Arrangements**

Private Fostering Services for Shropshire Council are located within Children's Services. The Council has clear arrangements in place for responding to and assessing notifications of private fostering.

All 'notifications' of actual or proposed private fostering arrangements meet the threshold for social work intervention (Level 4 Complex/Significant Needs).

Notifications of private fostering arrangements in respect of children previously unknown to Children's Social Care are assessed by a social worker from within the Fostering Service. Where 'notifications' are received in respect of arrangements for children already known to Children's Social Care and who already have a social worker, the social worker will make a

referral to the Fostering Service for a fostering social worker to complete the initial private fostering assessment for the arrangement.

A privately fostered child is a 'Child in Need' (S17 C.A. 1989). All children proposed to become or actually subject of a private fostering arrangement previously unknown to Children's Services will be subject to an Assessment.

At any point during assessment of private fostering arrangements in respect of any child (whether a previously open case or not) the assessing social worker may trigger a more in-depth assessment if it is felt that the welfare of the young person is compromised.

The Local Authority must assure itself that people proposing to or already acting as private foster carers are suitable people to do so. To do this, the Local Authority will make a number of enquiries and have discussions with a range of agencies. All these will have the aim of establishing:

- a) The suitability of the person and his/her household.
- b) The suitability of the accommodation in which the private fostering is to take place.
- c) That the arrangements will meet the child's needs.

Assessment of Private Fostering Arrangements must be completed and presented to the Head of Service 42 days of 'notification' of the proposed or actual private fostering arrangement.

In order that the Local Authority can complete its duties regarding the suitability of the private foster carer the following checks will be made:

#### **Police Records**

The proposed private foster carer and all members of the household over 16 years of age must complete an enhanced Disclosure and Barring check.

A record of convictions does not necessarily preclude a person from becoming a private foster carer although certain people are automatically disqualified. These are people who have committed offences against children or offences involving injury or threat of injury to another person. The Rehabilitation of Offenders Act does not apply to people proposing to become private foster carers therefore all convictions should be declared even those which may be counted as 'spent' in other circumstances.

#### **Departmental Records**

The social worker will check Children's System's as to whether the proposed private foster carer is known and in what context.

#### **Statutory Checks**

The social worker will check with health visitors, schools, education services and other relevant professionals where appropriate, as to whether the proposed private foster carer is known and in what context.

The social worker completing the assessment will conduct a series of meetings/ interviews with the proposed carers as individuals, with other members of the household and with the household as a whole. The assessment will cover:

- The ascertainable wishes and feeling of the child regarding the private fostering arrangements.
- The purpose and duration of the private fostering arrangement
- Whether direct provision of services to the parent by the local authority or another agency would remove the need for the parent to have the child privately fostered.
- The child's physical, educational, emotional, social and behavioural needs and development
- Whether the parents have provided:
  - An accurate medical history.
  - Written general consent to medical treatment.
  - The personal child health record for the private foster carer.
  - Information on dietary needs.
- The arrangements for the child's medical and dental care and treatment and in particular that the child is registered with a general medical practitioner.
- The arrangements for the child's education and in particular that the education authority have been informed of the fostering arrangement.
- The agreement about disciplinary arrangements for the child.
- Whether the child's needs arising from their religion, racial origin and cultural and linguistic background are being and will be met.
- The parenting capacity of proposed private foster carers.
- The extent to which household relationships will affect the placement.
- The general lifestyle of the proposed private foster carers.
- Whether the birth parents understand their financial responsibility.
- Whether the child's parents are exercising parental responsibility for the child.
- Whether family time arrangements for the child and their parents is satisfactory.
- Whether the premises in which caring is to take place are safe for the privately fostered child.

This means inspection of:

- Sleeping accommodation – bedrooms should reflect the needs and individual expectation of each child. The privately fostered child should have at least an individual wardrobe, drawer space and a single bed. The privately fostered child should be allowed to personalise their space with pictures, cuddly toys etc and be able to keep any personal possessions in a secure locked cupboard if necessary.
- Standard and suitability of accommodation having regard to the child's age and welfare:
  - Fires, electrical sockets, windows, floor covering and glass doors; cooking facilities and safety in the kitchen or cooking areas; washing and toilet facilities; equipment -such as cots are British Standard approved.

- Whether private foster carers are aware of hazards, particularly to young children, and take appropriate precautions e.g., Use of stair gates, safe storage of medicines and dangerous household substances, presence of pets and arrangements for their control, use of car seats, safety belts, use of smoke detectors.

### **Outcomes of assessment**

The social worker undertaking an assessment of a Private Fostering Arrangement will complete the assessment and will make recommendations about the suitability of the placement and about the need for imposition of requirements on a placement or for 'prohibition' of an unsuitable person.

The assessment will be 'validated' on by the workers line manager and heard within a Suitability Forum Meeting with a Head of Service ratifying the outcome of the assessment.

The local authority **does not have the power to approve** private fostering placements but does have the power to **prohibit** a person from privately fostering where they are of the opinion that:

s/he is not a suitable person (S69(2)(a) of the Act)

the premises are not suitable (S69(2)(b) of the Act)

neither the premises nor the accommodation is suitable (S69(2)(9c) of the Act)

### **If the Placement is Assessed as Suitable but the Person is Disqualified**

If the placement is assessed as suitable but a person is disqualified because either:

(i) S/he has been convicted of certain specified offences or

(ii) An order has been made at any time in respect of a child in his/her care or

(iii) Their rights in respect of a child have been removed at any time or

(iv) S/he has been refused registration as a child minder or similar or

(v) S/he managed or had a financial interest in a children's home where registration was refused or cancelled or

(v) S/he lives in the same household as someone who is disqualified

Discussions should take place with the team manager who should escalate to the Head of Service for consideration of the assessment and agree next steps to be taken. It may be appropriate to take legal advice.

### **If the placement is assessed by the social worker as unsuitable**

a) The social worker will advise the parents of the child and applicants of the outcome of their assessment and advise them of the possible need for them to make alternative suitable arrangements.

b) The Head of Service will consider the assessment. They may decide to:

i (i) **Impose requirements**

ii (ii) **Impose prohibition**

### **Imposing requirements**

The local authority has the power to impose requirements relating to the placement or premises with regard to the number, age and sex of children cared for, the standard of accommodation or equipment, arrangements for the health and safety of a child and in respect of any special arrangements relevant to a particular child.



Requirements may include provision of family support services under S17 C.A. 1989 for a child in need.

The local authority will use its powers to recommend 'requirements' as appropriate.

The private foster carer must be notified in writing of any 'requirements' and of the right of appeal, therefore it is **essential** that legal advice is sought when considering imposition of requirements.

Once a requirement has been made, a private foster carer has 14 days in which to appeal to the Court during which time the requirement has no effect.

If the requirement concerns the child's safety, it is essential the parents are kept fully informed so they may take appropriate action in relation to the child's welfare depending on the private foster carer's response to the requirements. If the requirement has not been complied with within 14 days, the local authority may then prohibit the person from private fostering.

### **Imposing prohibition**

Prohibitions may apply to a named person in respect of placements of any child or in respect of a named child or named premises. As when considering imposition of 'requirements' it is essential to seek legal advice before imposing a prohibition.

The local authority will use the power to recommend prohibition as appropriate.

Notice of prohibition will be sent by recorded delivery or delivered by hand. The notice will specify the reason for prohibition and inform the private foster carers they have 14 days in which to appeal to the Court.

## **Supervision Of Arrangement**

### **Responsibility for Supervision of Arrangement**

Supervision of privately fostered children in a private fostering arrangement is undertaken by a qualified children's social worker under a Child in Need Plan. A qualified social worker from the Private Fostering Service will contact Private Foster Carers every 12 weeks to provide guidance and support. Statutory visits to the child either at 6 or 12 weeks remains the responsibility of the child's social worker under the CIN plan.

### **Visiting Requirements**

The minimum visiting requirements by the Local Authority are within one week of the arrangement commencing and then every six weeks for the first year of that arrangement. Thereafter at not less than 3 monthly intervals determined by the circumstances of the case or whenever reasonably requested by the child or private foster carer.

The child/young person's social worker will arrange to see the child alone during welfare visits, unless there are circumstances, which make this inappropriate. The reasons for this should be recorded in a management case note.

It is an offence for a private foster carer to refuse to allow a child to be visited or to obstruct the social worker in the exercise of their duty. If such difficulties are encountered, then advice will be sought from the team manager and legal services.

### **Purpose of Visits**

a) **Safeguarding the child.** This should include: -

- Observation of the overall standard of care
- Seeing the child's bedroom on some visits
- Seeing the child alone, unless this is inappropriate
- Making some visits unannounced
- Making some visits when all members of the household are present
- Monitoring the welfare of the child.

If concerns arise about the care of the child, the social worker will inform the parents of the child who then have the responsibility to make alternative arrangements if the placement is not satisfactory. If the parents are not able or willing to make alternative suitable arrangements, it may be necessary for the local authority to consider whether this places the child at risk and in need of protection or accommodation from the local authority.

If the child is not achieving a satisfactory level of health or development without the provision of services, the social worker should complete further assessments and consider further provision of services (S17 C.A. 1989), and to consider the local authorities' duty of care to the child/children.

b) **Providing a link.**

This includes:

- The child, parents and private foster carers being able to contact the social worker or the private fostering social worker.
- Encouragement of improvements in childcare in line with the general welfare duty

c) **Checking requirements** are being met and whether they need to be changed.

d) **Providing advice.**

This may include:

- Advice from the social worker about the child's care and development
- Ensuring the private foster carer receives advice from other professionals as necessary e.g., GP health visitor, school.

e) **Monitoring Arrangements.**

The social worker will:

- Monitor the arrangements and contact with the child's parents or persons with parental responsibility and consider whether they are appropriate and whether any intervention is necessary.

- Satisfy the local authority that the arrangements for the child are satisfactory.
- Make sure that the private foster carers are receiving the level of support they feel is necessary and offer advice with regard to particular incidents or activities.

### **Written Records**

There shall be a written report after each visit recorded on children's services IT systems which details:

- Whether the child was seen alone.
- Information about the child's welfare.
- Information about the placement.
- Views of the child and carer.

As with any Child in Need plan, Private Fostering Arrangements will be reviewed within supervision between the allocated worker and their team manager on a frequent basis. Any matters of concern will be brought to the attention of the team manager and the Head of Service. Concerns should also be raised with the Private Fostering Worker in the Fostering Service.

An individual record will be kept for each child privately fostered and a separate case record for the private foster carers.

### **Review Arrangements**

A child who is privately fostered is a child in need and the private fostering plan in respect of the child should be reviewed by the children's social worker at 3 months and at a minimum frequency of 6 months thereafter as part of the Child in Need plan. This should involve contributions from the child, parents and all those involved with the child, including the social worker allocated to the family in the Fostering Service.

### **Training**

#### **Private Foster Carers**

Training will be made available to private foster carers as identified within the child's Child in Need plan. The child's social worker, as part of the supervision of the placement and CIN plan will advise them of any relevant training courses, they assess would assist them in carrying out their functions as private foster carers and facilitate their attendance. The allocated worker from the Fostering Service will make contact every 12 weeks to provide support and guidance around additional training needs. The Fostering Service will encourage and promote carers to engage with charity organisation such as Kinship who can support private foster carers with specific training and forums.

#### **Social Care Staff**

Information on the duties and functions of the local authority in respect of Private Fostering is available to all staff via the Personal Development Hub space and is made available to them through workshops and briefings.

Children's Services social work team managers are responsible for ensuring their teams are aware of all policies and associated procedures.

Training on private fostering will form part of the induction of all new staff via the mandatory safeguarding packages.

Information on private fostering and the duties of all agencies towards privately fostered children will be included in all multi agency child in need training.

Training on social work duties and functions regarding private fostering are included in the multi-agency induction program for new children's services staff and is mandatory for all childcare social work staff. This training ensures that social work staff have knowledge and understanding of:

- The legal definition of private fostering arrangements.
- The legislative framework, timescales and statutory duties placed upon the local authority in respect of private fostering arrangements.
- Their safeguarding duties in respect of private fostering arrangements
- The assessment requirements and concept of 'requirements' and 'prohibitions'
- Where to go to access further advice.

Social workers can access additional advice and support from the Head of Service for Fostering and Team Managers within the Fostering Service.

Staff training requirements will be reviewed annually by the Workforce Development Team in consultation with the Head of Service (Social Work).

## **8. Arrangements for Monitoring and Evaluating the Quality and Effectiveness of Shropshire Council Private Fostering Services**

Shropshire Council is committed to providing services, which comply with Regulations and the National Minimum Standards for private Fostering. Overall responsibility for oversight of private fostering services lies with the Assistant Director of Childrens Services.

Monitoring and evaluation takes place in the following ways:

- Social work staff have a supervision contract and are provided with supervision at least once a month. Supervision includes the monitoring of professional competence in undertaking social care functions.
- Shropshire Council has good quality management information systems. The following records will be maintained:
  - 1) The numbers and placement details of privately fostered children in the area.
  - 2) The numbers and details of private foster carers in the area.
  - 3) The number and detail of new notifications - which are also recorded on an annual statistical data return submitted to the Department for Education.

4) The number and nature of enquiries received by Shropshire Council in relation to private fostering, the responses given and any subsequent action.

- On a monthly basis, data in relation to private fostering arrangements will be reviewed by the Private Fostering Lead Officer.
- Reports will be provided to Shropshire Safeguarding Community Partnership.
- The lead officer - will monitor the timescales affecting children, including placement visits to privately fostered children. Reasons for potential or actual delay can therefore be identified, managers informed, and actions taken to remedy the situation.

### **Corporate And Management Responsibilities**

All policies and plans are presented for discussion and approval to the Children's Management Team. They are then considered and ratified by:

- Children's Services Senior Leadership Team (SLT)

An annual Private Fostering Report will be presented to the Director of Children's Services and will include performance data together with an evaluation of issues and outcomes in the Shropshire area in relation to privately fostered children.

The Private Fostering Report will be presented via the Director of Children's Services to Shropshire Safeguarding Community Partnership, for consideration by all agencies of agency contributions to private fostering practice in the area.

### **Complaints**

Shropshire Council have in place a Complaints Procedure and a designated Complaints Officer. The complaints procedure underpins all service areas and ensures comments and complaints are heard and responded to in a fair and timely way. The Service would aim to resolve any complaints within 10 working days.

When a private foster child or a private foster carer has a query or is not satisfied with the service they are receiving, every attempt will be made to resolve the problem. However, should the matter become a formal complaint, the complaints procedure would be followed. In such cases the complainant is advised to contact the Complaints Section if they wish and to put their complaint in writing. The member of staff dealing with the issue will provide the complainant with an information leaflet on the complaint process.

All privately fostered children will be provided information as to how to gain support from Advocacy Services about how to make a complaint and how to obtain access to an independent person who can help them with the complaint process. All children, birth parents and private foster carers will be informed of their right to complain to Ofsted: Piccadilly Gate, Store Street, Manchester, M1 2WD. Their telephone number is 0300 123 1231 and the email address is [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

**Shropshire Safeguarding Community Partnership**

As referenced in the 'Corporate and Management Responsibilities' paragraph above, the Private Fostering Annual Report will be presented by the Director of Children's Services to the Shropshire Safeguarding Community Partnership to allow transparency around how the authority has complied with its duties and functions in relation to Private Fostering in the preceding year.

**Review**

The Statement of Purpose and Procedures in respect of the discharge of local authority duties in respect of private fostering will be reviewed annually in line with any changes in legislation or guidance to ensure that the Council's duties and functions in relation to private fostering are effectively discharged. Annual Review will be conducted by the senior manager with lead responsibility.

**END OF STATEMENT OF PURPOSE**