

Private Fostering

Briefing for Front-line staff

1 Scope and status of this Guidance

- 1.1 This guidance is issued by the Waltham Forest Safeguarding Children Board. It is intended to apply to all who work with children in the borough, whether in the statutory, independent, voluntary or not for profit sectors.
- 1.2 This guidance is being issued as good practice, but draws on statutory guidance.

2 The purpose of this Guidance

- 2.1 To raise awareness of front line staff of:
- The need to notify the local authority of private fostering arrangements
 - The importance of notification
 - How to notify.

3 Why is this important?

- 3.1 Many private fostering arrangements provide children with adequate or good care, however, it is recognised that children who are privately fostered can be potentially vulnerable or in need. They may be at significant risk of harm or neglect.
- 3.2 There is a legal duty on parents and foster carers to notify the local authority of private fostering arrangements, within strict time

scales. It is an offence not to notify the local authority of a private fostering arrangement.

- 3.3 Once the local authority has been notified, they can arrange to visit the child, carers, and where possible the parents to ensure that the child's needs are being met. They can also offer support and advice.
- 3.4 The local authority has a duty to investigate and support private fostering arrangements.
- 3.5 Estimates vary, but it is widely accepted that private fostering arrangements are very largely under-notified.

4 What is a private fostering arrangement?

- 4.1 A private fostering arrangement is essentially an arrangement between a child's parent (or a person with parental responsibility) and another adult to care for their child for 28 days or more in the other adult's home. The other adult is not a close relative (grandparent, brother/sister, uncle/aunt or step-parent) and does not have parental responsibility for the child.
- 4.2 This only applies where the child or young person is under the age of 16, or 18 if the young person is disabled. It does not apply where the child has been accommodated by the local authority. (See the attached flow chart for more details.)

5 What types of arrangements are made?

- 5.1 Private fostering arrangements can take many forms. Some of the most common ones are:
- Parents leaving their children with a friend or neighbour while they attend a place of study or start a job away from their home area;
 - Parents sending their children to live in the UK from abroad, for educational or other purposes;
 - Children becoming estranged from their parents following domestic problems and being cared for by friends' parents;
 - Teenagers living with the family of a partner;
 - Children whose parents work unsocial hours.
- 5.2 If a child is not living with their natural parents, you should always consider whether or not this is a private fostering arrangement.

6 What must I do?

- 6.1 The law places a duty of the parents of the child (or those with parental responsibility) and the foster carers to notify the local authority. Under normal circumstances this should be done at least 6 weeks (but not more than 13 weeks) before the placement starts or within the first 48 hours in an emergency. Persons facilitating or otherwise

involved in the fostering arrangement also have a duty to notify the local authority.

- 6.2 Sometimes, a placement is unplanned and the intention is for the child to return to the parents within 28 days. In such cases, the local authority should be notified as soon as it becomes apparent that the placement is likely to extend to 28 days or more.
- 6.3 You should therefore:
- Advise the parents, carers, or both, of their duty to notify the local authority of the arrangement;
 - Explain how this is to be done;
 - Give information about why the local authority needs to be notified and what action they will take;
 - Pass the child's details to the duty officer in the Children and Families service for the area in which the child will be cared for. In the case of Waltham Forest, this is the First Response team, who are available on the Council switchboard at **020 8496 3000**. Inform the person currently caring for the child that you are doing this, unless you believe that in doing so, you might place the child at risk.

7 What will the local authority do?

- 7.1 Once notified, the local authority has a duty to contact the child, carers and parents. They will then:
- Visit the child within 7 days and carry out an assessment of needs;
 - Carry out necessary checks to ensure that there are no reasons why the child should not be cared for in the foster carers' household. This will include interviewing and carrying out suitability checks on all members of the household;
 - Speak to the parent(s) of the child if possible to ascertain the reasons and circumstances that led to the private fostering arrangement being made;
 - Ensure that there is an agreement between the parents and carers for the financial support and maintenance of the child;
 - Ensure that proper arrangements are in place for the health and education of the child;
 - Refer to the local authority Fostering Panel for approval;
 - Make arrangements to support the child during the placement and provide information and advice to the carers;
 - Monitor and review the placement.

8 Points to remember

- 8.1 It is a legal requirement for parents, carers or anyone involved, either directly or indirectly in the arrangement to notify the local authority.
- 8.2 Private fostering arrangements must be approved.
- 8.3 The key reason for the local authority being involved is to safeguard and promote the welfare of the child.
- 8.4 The local authority can help with the agreement between parent and foster carers about the support and maintenance of the child.. They can also offer information, advice and support.
- 8.5 **Failing to notify the local authority might place the child at risk.**

PRIVATE FOSTERING – Decision tree

