

PRIVATE FOSTERING

**STATEMENT OF
PURPOSE**

June 2009

Private Fostering Statement of Purpose

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1. Introduction

This document is a description of Private Fostering arrangements within Peterborough City Council. This statement of purpose is designed to meet the requirements of the National Minimum Standards for Private Fostering, Standard 1, and to provide a guide of the service for professionals, the public, council members and external organisations.

This document will highlight the local authority's duties and functions in relation to private fostering and the ways in which they will be carried out, as fully described in the Private Fostering Operational Instructions.

Peterborough City Council is committed to safeguarding and promoting the welfare of all children/young people, including privately fostered children/young people. It recognises and acknowledges the particular vulnerability of many privately fostered children/young people, and the difficulties that may be inherent in their home and private fostering situation or circumstances.

Children's Social Care will ensure that private fostering arrangements are safe and suitable for children/young people, and children/young people in such arrangements are protected from abuse, neglect or exploitation.

The Council will ensure that its policy of equal access to opportunities is incorporated into its work in this area of child care practice, and that children/young people and carers are assessed and supported on the basis of the needs of the child or young person concerned regardless of any person's circumstances, background, status or personal attribute.

Children Social Care will seek to work in partnership with children, families and private foster carers in order to safeguard children in privately fostering arrangements, and ensure that their health, material, emotional, social and cultural needs are being met.

Children Social Care will ensure that the child/young person in a private fostering arrangement is seen, that his or her voice is heard and where possible his/her views, wishes, and feelings are taken into account with regard to the private fostering arrangement.

The Private Fostering Officer will consult with and advise colleagues within Peterborough City Council, and appropriate external organisations or agencies, regarding the needs of children who are privately fostered, and seek to work in partnership with these to ensure an optimum service is delivered to children, parents, and private foster carers.

2. Regulation

Private fostering services provided by local authorities are regulated by OFSTED. Their contact details are:

Address: Ofsted

Royal Exchange Building

St Ann's Square

Manchester

M2 7LA

Telephone: 08456 404045

Email: enquiries@ofsted.gov.uk

Website: www.ofsted.gov.uk

3. Legal Definition of a Privately Fostered Child/Young Person

In the definition provided by The Children Act 1989 a privately fostered child means:

A child/young person, under the age of 16 (under 18 if disabled) who is cared for, or proposed to be cared for, and provided with accommodation by someone other than:

- A parent of his/hers
- A person who is not a parent of his/hers but who has parental responsibility for him/her
- A close relative of his/hers, ie aunt/uncle/step-parent/grandparent/sibling but not a cousin or great-aunt/uncle

And

- She/he has been cared for and accommodated by that person:

- For 28 days or more

Or

- The period of actual fostering is less than 28 days but the private foster carer *intends* to foster him/her for a period of 28 days or more.

In the case of a child with a disability the upper age limit for a child/young person to be privately fostered is 18 years.

A child/young person is not privately fostered if the person caring for him/her:

- Had done so for a period of less than 28 days
- Does not intend to do so for any period longer than 28 days

For the purposes of the Act, parent includes unmarried or putative father. Relative means as above, whether by full, half-blood or by affinity or step-parent. Affinity refers to the relationship resulting from marriage, between the husband and the blood relations of the wife and also between the wife and the blood relations of the husband.

An arrangement is deemed as private fostering if it meets the criteria above whether for reward (monetary or otherwise) or not.

Examples of Private Fostering Arrangements

There are many arrangements which fall under the definition. The examples that follow suggest the variety of circumstances which can lead to children and young people being cared for in private fostering arrangements:

- children and young people who have their families overseas
- black/ethnic minority community children/young people with parents working or studying in the UK

- children/young people living with a 'host' family whilst attending language schools or undergoing medical treatment
- children/young people not having anyone to care for them; parents not available or not able to function as parents for whatever reason - death, imprisonment, drug dependency, parent in hospital, and so on.
- children/young person taking 'time out' from a difficult family situation and staying with friends
- a teenager living with the family of boyfriend or girlfriend
- children/young people at independent boarding schools who do not return home for holidays
- children/young people who are staying in Britain more than 28 days through a charitable organisation for holiday, treatment, training, etc.

4. The local authority's duties and functions under the Children Act 1989 and the Children (Private Arrangements for Fostering) Regulations 2005

The Peterborough City Council Policy and Procedures on Private Fostering [Private Fostering Operational Instructions (2009)] gives full details of the procedures to be followed in relation to the Authority's private fostering duties and functions. It includes procedures for checks and enquiries, records and visits, where there are child protection concerns, un-notified private fostering arrangements, disqualifications, prohibitions, requirements and appeals.

It must be emphasised that private fostering has been, and remains in some respects a hidden phenomenon. This character has caused great concern with regard to children's welfare for many years, owing to the difficulty of discovering, supervising and monitoring such arrangements. Consequently, concerns about poor standards of care, and, for example, failure to meet the cultural/religious needs of children have been prominent in a number of areas.

Estimates of the numbers of children who are in private fostering arrangements have varied considerably, with the British Association for Fostering and Adoption (BAAF) suggesting that as many as 15,000 children may be privately fostered nationally at any one time; however, no reliable figures are available.

As a result of the hidden nature of private fostering and the concerns about privately fostered children's welfare in the *Laming Report*, the government increased regulation and strengthened requirements in 2005, introduced minimum standards, and improved its own monitoring of local authority services. Although notification of private fostering arrangements by carers and parents of children placed is now required, and failure to notify is an offence, the government, as yet, has declined to introduce a system of registration for private foster carers.

Local authorities have a duty to be notified about private fostering arrangements in their area and to satisfy themselves that the welfare of children/young people who are privately fostered in their area is being satisfactorily safeguarded and promoted and to secure that such advice is given to those caring for them as appears to the authority to be needed [The Children Act 1989 Section 67(1)]. Notifications of private fostering arrangements will be dealt with through the Referral and Assessment Team (if new) and through the existing team (if already known and/or allocated), and passed to the Private Fostering Officer. The assessing of private fostering arrangements is undertaken by the Private Fostering Officer and allocated children Social Worker.

Broadly the duties fall into three types of activity:

- Giving and receiving notifications
- Ascertaining the suitability of private foster carers in their households
- Monitoring placements through visits and written records of visits

5. New duties under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005

The new measures in the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 and the National Minimum Standards for Private Fostering are intended to strengthen and enhance the existing private fostering notification scheme.

Local authorities are required to raise public awareness in their area of the requirements regarding notification of private fostering arrangements. Although the private foster carer thereby becomes responsible for the day to day care of the child/young person, and consequently must safeguard and promote his/her welfare, the primary responsibility for the child remains with the parent(s) (or person(s) with parental responsibility). There is a duty on the parents/those with parental responsibility), and the person privately fostering the child to notify the local authority of the private fostering arrangement proposed or made.

Notifications must be given to local authorities when a child/young person is proposed to be privately fostered or is being privately fostered. This will enable local authorities to ensure that the welfare of privately fostered children/young people is being satisfactorily safeguarded and promoted by ongoing assessments and monitoring of arrangements within statutory timescales. These new measures, along with the National Minimum Standards for Private Fostering (July 2005), focus all local authorities' attention on private fostering and require them to take a more proactive approach with partnership agencies and other professionals in identifying arrangements in their area. They are expected to improve notification rates and compliance with the existing legislative framework for private fostering and, therefore, to address the key problems identified with the former scheme. It is intended that these additional measures will improve the arrangements for safeguarding children/young people in private fostering arrangements.

6. Training for relevant staff

Professionals

Peterborough City Council has a commitment to ensure all professionals have a clear and defined understanding of the private fostering regulations and their role and responsibility to ensure that the authority becomes aware of any Private Fostering arrangements within its catchment area.

Peterborough City Council Children's Services will facilitate this by:

1. Publication of this Private Fostering Statement of Purpose on the LA website.

2. Training on private fostering in induction sessions, and ongoing child care training events including child protection and children in need, and training for the Integrated Services.
3. Awareness raising information for team meetings, training events, professional forums, school events, etc. for professionals working with children on a regular basis, through partnership with the Peterborough Safeguarding Children Board.
4. Information will be available on Insight (internal internet service) and on www.peterborough.gov.uk
5. Regular update of information through internal and external council publications.
6. Monitoring feedback for further training requirements.

Awareness campaign for targeted groups of professionals and organisations

This will include the distribution of leaflets and attendance at specific training events.

Groups include:

Social Work Teams, e.g. Referral and Assessment, Children in Need, etc.

Schools – Heads, teachers, designated teachers

Health care – School Nurses, GPs, Health Visitors

Education Welfare Officers

Child Protection School Liaison Officers

Connexions

Youth Services

Children Centres

Youth Offending Team

Any other professionals within Children's Services who come into contact with children.

Independent Schools

Police

Department for Works and Pensions

Citizens Advice Bureaus

Faith and community groups

Ethnic Minority Achievement Support Service

Libraries

7. How awareness of the notification requirements will be promoted

Awareness of the notification requirements will be promoted through distribution of publicity materials and through undertaking information sessions with key professionals and partnership agencies. Peterborough City Council will work with the Peterborough Safeguarding Children Board to ensure the co-ordination and effective implementation of measures designed to strengthen private fostering notification requirements.

Publicity materials in a range of languages and formats will provide contextual information on what is private fostering and contact details for notifying the local authority. They will also give the websites which can be used to find out more detailed information.

Peterborough City Council is committed to continually evaluating its awareness raising activities by reviewing the communication and training plan.

8. Assessment of the suitability of private foster carers and their household

All privately fostered children/young people within Peterborough City Council area will be allocated a Social Worker, who will complete an Initial Assessment (if new) or Core Assessment (if already known/allocated, and if existing assessment is out of date). The Private Fostering Officer will complete a Private Fostering Arrangement Assessment on the (proposed) private foster carer. Both assessments will be completed as per requirements stated under Section 7 (Assessment of Private Foster Carers) of the Private Fostering Operational Instructions.

9. Advice/support and information available to private foster carers, parents/those with parental responsibility and privately fostered children / young people

An allocated Social Worker will be responsible for working with and supporting each privately fostered child/young person and their family, if and when appropriate. The Private Fostering Officer will be supporting the private foster carer and parents and others with parental

responsibility, as stated under Section 8 – Advice and Support of the Private Fostering Operational Instructions.

The level of contact that each private foster carer will receive will be determined through the Assessment of Private Foster Carers and the Regulation 8 visits, and within statutory guidelines. The Private Fostering Officer will notify private foster carers of any relevant training that they may wish to attend.

In addition to statutory visits, other visits when requested by privately fostered children/young people, their parents, private foster carers will be undertaken.

Interpreters who are independent of parents and private foster carers will be used where it is the request of the child/young person or where the preferred language is not English.

Private foster carers (including prospective foster carers) will have access to advice on benefit entitlement, parenting strategies and techniques, and other appropriate training and support as well be identified.

BAAF guides will be provided to parents, privately fostered children and private foster carers.

10. Ensuring the welfare of privately fostered children / young people is safeguarded and promoted

Children's Services will ensure that privately fostered children/young people's welfare is satisfactorily safeguarded and promoted by staff undertaking the assessments and support of the arrangement and private foster carers. The assessments will be signed off by the Safeguarding Service Manager and assessments concerns will be discussed with the External Consult Team to verify recommendations, as stated under Section 6.11, and Section 7 of the Private Fostering Operational Instructions. The Designated Manager (Private Fostering) will notify in writing the parent or others with parental responsibility, private foster carers and relevant agencies that the child/young person is living in or will live in an private fostering arrangement and that the local authority consents to the arrangement or otherwise.

In line with the Assessment of Children in Need and their Families and the Department of Children, Schools and Families guidance, the Private Fostering assessments will include ensuring that the child/young person's physical, intellectual, emotional, social and behavioural development is satisfactory and needs arising from his/her religious persuasion, racial origin and cultural and linguistic background are being met. In addition, the assessment will include the suitability of the accommodation and an evaluation of the parenting capacity of the prospective/current private foster carer.

Private foster carers will be given advice on the child/young person's individual needs, which may include advice on any medical condition or learning disability, in order to enhance their ability to care for the child/young person. Support services will be made available to private foster carers, where necessary. They will also encourage the promotion of contact between the child/young person and his/her parents, siblings, extended family and significant others.

The appropriate team will respond to notifications received (Referral and Assessment Team, if new, and the allocated team, if already open or known) with referrals being authorised within one working day. Visits to privately fostered children/young people will be carried out in accordance with statutory timescales and recorded following the Department of Children, Schools and Families guidelines. This includes the recording of whether the child was seen and spoken with alone to ensure that the child's voice is heard, as stated in Section 6 – Action Required upon Receipt of Notification of the Private Fostering Operational Instructions.

All private foster carers will be subject to an enhanced Criminal Records Bureau check.

All privately fostered children/young people will have an allocated social worker. Along with their contact details they will be provided with information materials relevant to their age and understanding on what private fostering means. The BAAF publication guide for Private Fostering is currently provided to each child privately fostered. The contract with the National Youth Advocacy Service is being reviewed to include the service to children/young people who are privately fostered.

Those children/young people who have been deemed as 'children/young people in need' or 'disabled' under the Children Act 1989 and are privately fostered will, at the age of 16/18 years, have access to an after care service.

Privately fostered children's welfare will further be promoted by awareness campaign regarding the notification requirements which will be carried out within the City. Training programmes on private fostering will be available and private fostering will also be a part of more generalised child care training. Partner agencies, voluntary/community sector, faith groups will all be made aware of the notification requirements and of their responsibility to safeguard and promote the welfare of privately fostered children/young people.

The Directorate will carry out internal file audits on a regular basis, and has a policy for the use of requirements, prohibitions, disqualifications and appeals, as stated in the Private Fostering Operational Instructions. Decisions regarding the latter powers will be made whilst bearing in mind the best interests of the individual child/young person.

The local authority will carry out its other duties under the Children Act 1989 wherever there are safeguarding concerns.

When a child/young person leaves the Private Fostering Arrangement the social worker to the child/young person will, wherever possible, visit the child/young person at the new address to determine if other duties under the Children Act 1989 are required before closing the case. If the child/young person moves to another local authority the social worker will, wherever possible, visit the child/young person and shall notify the local authority where the child/young person is living and of the child/young person's past circumstances.

11. The role of other agencies in safeguarding and promoting the welfare of privately fostered children / young people, including encouraging notification

Peterborough City Council Children's Services will work with the Peterborough Safeguarding Children Board to ensure that partner agencies are given information on their responsibilities regarding notification under the new Children (Private Arrangements for Fostering) Regulations 2005, particularly where they are not satisfied that the Children's Services has been or will be notified of an arrangement. Information materials will be distributed to other agencies.

There will be workshops and training made available to partner agencies on their role in promoting the welfare of privately fostered children/young people.

The Private Fostering Officer will notify private foster carers of any training events that are relevant to looking after children on behalf of parents.

12. How relevant staff will have an understanding of the Directorate's duties and functions in relation to private fostering

Children's Services staff will have access to this Statement of Purpose, Private Fostering Operational Instructions (SCIP), information materials and training on private fostering including the associated procedures. Other departments within Peterborough City Council will also have these documents, and together with outside agencies, have printed information and relevant training as part of the Local Safeguarding Children Board multi-agency training. The Private Fostering Officer, will visit other departments within Peterborough City Council and partnership agencies, as appropriate, to inform them of the new guidance, private fostering safeguards and procedures.

13. Private Fostering Training Objective

Children's Services will ensure that its duties and functions in relation to private fostering are included in the annual training plan and will be reviewed in light of any changes in legislation, guidance and best practice developments.

At the end of training and awareness raising programmes, evaluation via feedback forms will be collated to assess if the training meets the needs of informing participants of the local authority's duties and functions regarding private fostering. In addition to this, individual workers' training needs in relation to private fostering will be assessed as part of their personal development by their team manager.

All practitioners and managers within children's services including social workers will undergo induction and ongoing training programmes in relation to the local authority's duties and

functions that include private fostering and all child care training will include a component on these duties and functions.

A customer feedback survey will be undertaken annually to seek the views of parents, privately fostered children/young people and the private foster carers. Learning from the surveys will inform the training plan and content of specific training events, and other relevant activity associated with the Private Fostering service.

The training plan and content of training events will be reviewed and evaluated following any complaints made by privately fostered children, their parents or private foster carers.

14. Monitoring the discharge of functions and compliance with part 9 of the Children Act 1989

Under Regulation 12, the Designated Manager (Private Fostering) will monitor the way Children's Social Care complies with and discharges its statutory duties and functions in relation to private fostering.

This officer will monitor compliance with the following duties and functions:

- The promotion of awareness regarding notification requirements.
- How Children's Social Care responds to notifications received and if these are within timescales.
- How Children's Social Care manages disqualifications, prohibitions, requirements and appeals against these, and refusals to consent to disqualified persons being private foster carers.
- How Children's Social Care exercises its functions under section 67(5), Children Act 1989.
- How Children's Social Care processes decisions regarding offences committed bearing in mind the best interests of the child/young person.
- How Children's Social Care assesses the parenting capacity of prospective or actual private foster carers, members of their households and the suitability of their accommodation.

- That statutory visits are within timescales and decisions about the suitability of arrangements are also within timescales and approved at managerial level.
- That additional visits are made when requested by the child/young person, private foster carer, parents or those with parental responsibility.
- That written reports are made in accordance with the Regulations, ie conclusions drawn on the arrangement, the child/young person seen alone, wishes and feelings of child/young person, any concerns raised, etc.
- That advice and support is provided to private foster carers, parents/those with parental responsibility or any person concerned with the child/young person and recorded.
- That information and support is provided to privately fostered children/young people.
- That independent interpreters are used as appropriate.
- That a sample of individual child/young person and private foster carer records are regularly reviewed to check that compliance is being fulfilled.
- That any concerns raised by privately fostered children/young people are investigated.
- That a system for recording the number and nature of enquiries received in relation to private fostering, the responses given and action taken is effective.

The monitoring of notifications, arrangement assessments and visits under Regulation 8 are reported monthly to the Commissioning and Performance Division (Information and Research Section) and recorded onto RAISE.

The Designated Manager (Private Fostering) will provide the Director of Children's Service with an annual report summing up performance and related plans for improvement and monitoring.

15. Advice on private fostering

Advice on private fostering can be obtained from the Private Fostering Officer, Peterborough City Council Website, Internal Communications (Insight) and/or the Designated Manager (Private Fostering).

Notifications of private fostering arrangements should be directed to the Referral and Assessment Team, 01733 - 864180.