

Private Fostering



HARTLEPOOL
BOROUGH COUNCIL

Private Fostering
Statement of Purpose

Introduction

All Local Authorities are required to publish a written Statement or plan in respect of its Private Fostering Service in accordance with the National Minimum Standards for Private Fostering (Standard 1). This document sets out Hartlepool Borough Council's duties and functions in relation to Private Fostering and the ways in which these will be carried out.

What is Private Fostering?

Private fostering is when a child under 16 (or 18 if they are disabled) lives for 28 days or more with an adult who is not:

- A parent of the child
 - Someone who holds parental responsibility for the child
 - A close relative* of the child
- *See Section 2, legal definition

There can be many reasons why a child or young person does not live at home and their parent has arranged for someone else to care for them. These include:

- Adolescents/teenagers living apart from parents due to relationship or family breakdown.
- Children living with someone else due to parental illness or death.
- Children whose parents and families live overseas.
- Children sent to the UK for education or health purposes.
- Children attending language schools or on an education exchange staying with host families.
- Children attending boarding schools who do not return home for the holidays.
- Children whose parents are in hospital or prison.
- Children brought to the UK with a view to adoption.
- Asylum seeking or refugee children.
- Children who are trafficked

Legal Definition

The Children Act 1989 defines privately fostered child as: Any child under the age of 16 or (18 if disabled) who is cared for, proposed to be cared for and provided with accommodation for over 28 days by someone who is not:

- A parent of the child
- Someone who has parental responsibility for them
- A close relative

The Children Act 1989 defines a "close relative" as:

- Grandparent
 - Brother or Sister
 - Uncle or Aunt (whether by full blood, half blood or by marriage)
 - Step-parent*
- * A parent's unmarried partner is not a step-parent within this context.

More extended members of the family such as cousins, great aunts/ uncles and great grandparents are not deemed as "close relatives"

The arrangement should last for 28 days or more to be considered as private fostering and the period of care should be continuous. This arrangement would not cease where a child spends an occasional period with a parent, close relative or carer, but is otherwise living with the private foster carer.

Within any Private Foster arrangement, the responsibility for the child or young person remains with the parent or person who holds legal Parental Responsibility.

Background

It is a legal requirement for Local Authorities to be notified of all private fostering arrangements in their area. They must then satisfy themselves that the welfare of the child/ren and young people are adequately safeguarded and their health and wellbeing is being promoted. The Local Authority will ensure the availability of advice and support to private foster carers, children and their parents and have an ongoing duty to monitor the arrangement.

The Children Act 1989 and its regulations were strengthened and enhanced by the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005. Local Authorities are required to take a proactive approach to raising awareness of the requirements in respect of Private Fostering as well as to provide additional safeguards for children and young people living in private fostering arrangements. National Minimum Standards for Private Fostering were also implemented in 2005.

Local Authorities Duties and Functions

The Children Act 1989, The Children (Private Arrangements for Fostering) Regulations 2005

Under Section 67 (1) Local Authorities should be notified of Private Fostering arrangements in their area and must be satisfied that the welfare of the children who are privately fostered is being adequately safeguarded, their health and wellbeing is being promoted, their needs are being met and that carers, children and parents receive any advice and support they consider necessary.

Parents and/or carers should notify the Local Authority of any Private Fostering arrangement, however all professionals hold a safeguarding duty and therefore should notify the Local Authority if they become aware of a private arrangement or believe such an arrangement is unlikely to be notified by the parent and / or carer.

The Local Authority duties fall into three main areas:

i. Receipt of notifications

Written notification is required not less than 6 and not more than 13 weeks before receiving a child or, in an emergency, or if a child becomes a private foster child whilst already in the arrangement, within 48 hours by the person with parental responsibility, or the proposed private foster carer, or any other person who is aware of the proposed arrangement.

ii. Assessing the suitability of the carers and their households

Within 7 days of Notification, a social worker will commence a Child and Family Assessment and will:

- Visit the premises where it is proposed the child will live and be cared for;
- Visit and speak to proposed private foster carers and all members of the household;
- Speak to the child alone;
- Speak to, and if practicable, visit the parent/person with parental responsibility;



- Assess the appropriateness of the arrangements to meet the child's needs, including his/her wishes and feelings, contact arrangements, financial arrangements, provision of health (that the child is registered with a GP), education and any other required services and day to day decision making, agreements in place;
- Establish the intended duration of the proposed private fostering arrangement;
- Obtain consents and commence PNC checks and enhanced DBS checks.

iii. Ongoing monitoring of arrangements through visits and written records

The local authority must also arrange to visit privately fostered children at regular intervals - at a minimum:

- Every six weeks in the first year;
- Every twelve weeks in the second or subsequent years;