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Private fostering

Statement of Purpose

September 2012

Leeds Children's Social Work Service

Private Fostering Statement of Purpose

September 2012

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Forward

Forward by Councillor Judith Blake, Deputy Leader of the Council and Nigel Richardson, Director of Children's Services.

As Deputy Leader of Leeds City Council and Director of Children's Services, we are both clear about our personal and professional duties to safeguard children. We all have a responsibility, individually and collectively, to work together to ensure that children are kept safe from harm and abuse.

Children living apart from their parents in private fostering arrangements are a particularly vulnerable group and it is essential that all agencies play their part in identifying and supporting privately fostered children.

We are pleased to introduce an updated Statement of Purpose for Private Fostering for 2012-2013. The document sets out the various roles and responsibilities of the Local Authority, partner agencies, and those members of the public who are involved in private fostering arrangements. Please take some time to look through it. By effective partnership working we will safeguard and support privately fostered children living in Leeds.

Thank you for your support

Councillor Judith Blake and Nigel Richardson

Introduction

It is a requirement for all Local Authorities to publish a statement of purpose in relation to Private Fostering. This statement of purpose is a description of Private Fostering arrangements within Leeds City Council. It aims to meet the requirements as outlined in the 1989 Children Act, the National Minimum Standards for Private Fostering which came into force on 18th July 2005 and the Children (private arrangements for fostering) Regulations 2005. This document provides key information about the service for the public, council members and external organisations. It addresses all the areas that must be covered in a statement of purpose.

This document will describe how Private Fostering arrangements, the national requirements and the assessment processes will operate to ensure that sufficient support and advice is offered to Private Foster carers, privately fostered children and their parents, so that privately fostered children within Leeds City Council are safeguarded.

The service works to ensure that Equal Opportunities are integrated into all aspects of our service delivery and we ensure that all Private Foster carers are assessed and supported, taking into account the needs of the individual private foster child/young person and their race, religion, class, marital status, sexual orientation and disability.

1. 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

2. Key Principles and Standards of Care

Our commitment to Privately Fostered Children, carers and their families:

- The best interests of children are of paramount importance in the work of the Private Fostering service.
- The Private Fostering service works with Private Foster carers, children, and their families to safeguard and promote children's physical, emotional, health, social and cultural needs.
- We ensure that children and young people are treated with respect and dignity and are safeguarded and protected from neglect, abuse and exploitation by the provision of safe, supportive Private Fostering services.
- In agreeing Private Fostering arrangements, we ensure that a child and young person's age, gender, health, personality, disability, sexuality, race, culture and life experiences are taken into account in the assessment and decision making process and the provision of care and support services.
- The Private Fostering service works with the Private Foster carer, the child/young person and their parents to ensure that all parties are clear about their responsibilities and for the parents to remain as closely involved as possible.
- In planning and agreeing the Private Fostering arrangement we ensure that the children are seen alone and their views heard. We recognise the importance of listening to the voice of the children who use our services.
- We continually advise professional colleagues about their duties and responsibilities in connection with children who are privately fostered and

work in partnership with them to meet the needs of the children, their carers and families.

3. Definition of a Privately Fostered Child

A Private Fostering arrangement is essentially one that is made privately, usually by the child's parents (that is to say without the involvement of a local authority) for the care of a child under the age of 16 (under 18, if disabled) with the intention that it should last for 28 days or more.

Private Foster carers may be from the extended family, such as a cousin or great aunt. However, a person who is a relative under the Children Act 1989, i.e. a grandparent, brother, sister, uncle or aunt (whether of full blood or half blood or by marriage) or step-parents will not be a Private Foster carer.

A Private Foster carer may also be a friend of the family, the parent of a friend of the child or someone previously unknown to the child's family who is willing to privately foster a child. The period for which the child is cared for and accommodated by the Private Foster Carer should be continuous, but that continuity is not broken by the occasional short break. Exemptions to this definition are set out in Schedule 8 to the Children Act 1989.

The Private Foster carer becomes responsible for providing the day-to-day care of the child in a way which will promote and safeguard his or her welfare. Overriding responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or any other person with parental responsibility.

4. Examples of Private fostering

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

- Children and young people whose families are overseas.
- A teenager living with the family of boyfriend or girlfriend.
- Local children living apart from their families These children may be living apart from their families and there may be no one available to look after them with parental responsibility. Parents may have died, divorced or for other reasons a parent is no longer available to care for the child. In some instances, parents may be imprisoned or may be misusing drugs and alcohol and may have made alternative care arrangements for their children.
- Asylum seekers and refugees. Some of these children may arrive in the U.K. seeking asylum, travelling with other adults who may not be known to them, or their family in their country of origin. Other children may have acquired refugee status, maybe living in isolation and unsupported with a lack of knowledge about the available services and where to go for help.

- Parents who may be unwell.
- Single parents who, on a planned or unplanned basis, need to be in hospital for more than four weeks and who arrange for care of their child or children with friends or neighbours on a temporary basis.
- Children who may be staying with friends for a short time because of family difficulties This involves an agreement of a young person staying with the parents of a friend for a period. Typically this might be in response to an illness or during a period where the relationship between the young person and parents means that they have reached a decision that they cannot live together at this time.
- Children attending language schools. These children may come from a range of different countries. A number of children and young people may be living with alternative families for more than 28 days, this will then become a Private Fostering arrangement and there would need to be safeguards in place for these children.
- Children at independent boarding schools who do not return home for holidays. Some charitable organisations and other individuals may arrange for children to come into the country for different reasons. These may include holidays for disadvantaged children, medical treatment and sports' trainees. During their stay in the U.K., they may be placed with a family for more than 28 days and therefore this becomes a Private Fostering arrangement.
- Children brought into the UK for adoption. Some children may be brought in to the U.K. to be adopted. These children will be privately fostered until formal notice of intention to apply to adopt is given. Some children who are subject to a form of interim overseas order, which will be finalised in their country of origin, are also considered by the Department of Education to be privately fostered.

It is NOT Private Fostering when:

- The person caring for the child is a close relative like an aunt, a brother, sister or a grandparent or a step parent where the person was married to the biological parent.
- The arrangement is not expected to last more than 28 days

5. Legal Framework

Private fostering is legally defined as an arrangement that occurs when a child who is under 16 (or 18 for a child with special educational needs and a disability or disabilities) is cared for by someone other than their parent or a close relative, for 28 consecutive days or more, or 14 days at a boarding school during the holiday period. A Private Foster carer is anyone who looks after someone else's child by agreement with the parent, unless they are a close relative. They may be a friend of the family,

the child's friend's parents or sometimes someone who is not previously known to the family, but who is willing to foster the child privately. The law requires parents and Private Foster carers to tell the local authority about a Private Fostering arrangement.

6. Notifying the Local Authority

Private Fostering is arranged and agreed by a child's parents and the family which will be caring for the child. The law requires that both the parents and carer must notify the Local Authority about the proposed placement before it takes place; failure to give notification is an offence. Local Authorities do not approve Private Foster carers; however they are required to assess and say whether or not they agree and accept the Private Fostering arrangements.

7. The Local Authority's duties and functions

Local authorities are not directly responsible for providing care to privately fostered children and young people. They focus on whether children and young people's welfare is promoted and safeguarded in their placement.

- Leeds City Council will therefore promote public awareness of the notification requirements for private fostering arrangements in order to improve and increase notification rates in Leeds. This will be done by ensuring social work staff know about Private Fostering; members of the community and other professionals who come into contact with children are fully aware of the need to notify the local authority and provide publicity materials in leaflet and electronic formats.
- Check if arrangements have been made for safeguarding the welfare of children and young people and take steps if they are not satisfied that the child's welfare is being protected and promoted. This may include the disqualification of the Private Foster carer or setting prohibitions against the foster carer.
- Visit the child or young person at least every six weeks during the first year of placement and then at least every three months in order to satisfy themselves that the child or young person is being properly cared for.
- Offer advice and support to parents or anyone concerned with a privately fostered child or young person.
- Ensure that Private Fostering is among the areas considered by Local Safeguarding Children Boards.

8. How the Local Authority will ensure the welfare of privately fostered children is safeguarded in Leeds

It is the duty of the Local Authority to satisfy themselves that the welfare of children who are privately fostered in their area is safeguarded and promoted. To achieve this Leeds Children's Social Work Service will, in addition to the above requirements:-

- Visit the premises where it is proposed that the child will be cared for and accommodated;
- Visit and speak to the proposed Private Foster carer and to all members of their household;
- Visit and speak to the child alone unless the Private Fostering social worker considers it inappropriate;
- Speak to and, if it is practical to do so, visit each parent or person with parental responsibility for the child;
- Establish the purpose and the intended duration of the Private Fostering Arrangement;
- Establish the child's physical, intellectual, social and behavioural needs;
- Identify whether the child's religious, cultural and linguistic needs are being met in the arrangement;
- Establish that the child is receiving a good standard of care and that the child is safe and looked after appropriately by the carers;
- Ensure that the child/young person is registered with a GP and dentist;
- Ensure that the child/young person is in appropriate nursery/education placement;
- Carry out an assessment which will look at the suitability of the Private Foster Carer's ability to look after the child and the suitability of the Private Foster Carer's household;
- Establish whether the child's parents are exercising Parental Responsibility for the child and consult with them to confirm their future plans for the child/young person;
- Establish what the financial arrangements for the care and maintenance for the child/young person are;
- Prohibit those persons from privately fostering deemed to be unsuitable;
- Appoint a Private Fostering officer to ensure the work of the Directorate in relation to Private Fostering is being adequately carried out and ensure that the public and professionals working with children are aware of the notification requirements by raising awareness and private fostering;
- Conduct its duties and responsibilities in relation to Private Fostering according to the National Standards;
- Provide literature on Private Fostering for privately fostered children, their parents, Private Foster carers and professionals;
- Provide opportunities for Private Foster carers to access any relevant training or advice and support.

9. Designated workers and responsible managers

Director of Children's Services Nigel Richardson
Chief Officer, Leeds Children's Social Work Service Saleem Tariq
Head of Service for Looked After Children Vacant

Service Delivery Manager Fostering and Adoption Sarah Johal	
Deputy Service Delivery Manager (Temporary) Val Hales	
Team Manager Kinship Care Team Brenda Dring (Temp)	Team Manager Kinship Care Team (PF) John Murray (Agency)
Business Support Manager Pat McGreavy	

There are two temporary designated fostering officer posts (appointed in June 2012), based in the Kinship Care team, who provide a lead on Private Fostering, including assessment and support to Private Foster carers, and training and advice to social workers on Private Fostering matters. In conjunction with the manager, John Murray, they also have a brief to work in raising public awareness on private fostering.

10. Training for staff and other professionals

Leeds City Council has a commitment to ensure all its social workers have a clear understanding of the Private Fostering regulations and their role and responsibility to ensure that the authority becomes aware of any Private Fostering arrangements within Leeds.

Training on Private Fostering is provided through regular briefings for social workers, team managers, duty and advice teams and is also part of the newly-qualified social worker training programme.

Awareness raising information for team meetings, professional forums, schools and professionals who work with children is available and is part of the Private Fostering Communication strategy.

11. 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, recognising that professionals working with children are more likely to refer children and families rather than the families themselves. (See also the Communications Strategy for more detailed information). Our publicity materials are currently being updated in line with the vision for Leeds as a "Child Friendly City" in order to reinforce the messages and ensure privately fostered children are identified and included in the vision.

A range of activities and resources are used to raise the profile of Private Fostering with the aim of improving the notifications of Private Fostering arrangements in Leeds.

These include the distribution of leaflets and attendance at specific training events and taking part in any planned national campaigns for raising awareness on Private Fostering through the “Somebody else’s child” campaign.

Groups include:

Social Work Teams
Schools – Heads, teachers, designated teachers
Health care – School Nurses, GPs, Health Visitors
Education Welfare Officers
Child Protection School Liaison Officers
Youth Services
Children Centres
Youth Offending Team
Independent Schools
Faith and community groups
Libraries
Community groups
Leeds City Council Website

12. Assessment of the suitability of Private Foster carers and their household

All privately fostered children/young people will be allocated a Social Worker who will complete an initial assessment and core assessment. Arrangements are now in place so that any newly identified Private Fostering arrangement will be jointly visited, wherever possible, by the Private Fostering officer and social worker, within the seven day period from notification. If it is confirmed that the placement arrangement is Private Fostering, then an assessment of the carers’ suitability will be undertaken by the Private Fostering officer. The Private Fostering arrangement will then be supported and supervised by a social worker and the fostering officer.

13. Advice, supervision, support and information for Private Fostering arrangements

An allocated social worker will be responsible for working with and supporting each privately fostered child/young person and their family. The fostering officer will focus on providing support and supervision to the Private Foster carer. The level of contact that each Private Foster carer will receive will be determined through the assessment and review 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 may be beneficial and assist them in attending training.

In addition to statutory visits, other visits when requested by privately fostered children/young people, their parents or 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 and the assessment cannot be completed satisfactorily without the use of an interpreter.

The Private Foster officer will provide an annual review of the carer and the social worker will undertake an annual review of the child.

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

When children from Leeds are placed out of area with Private Foster carers in circumstances where Leeds Children's Social Work Service has been involved in supporting such arrangements, the Service will seek to ensure that the Social Work Service where the Private Foster carer(s) resides is formally notified of the Private Foster placement so that the area authority is enabled to fulfil its duties under the regulations.

14. Ensuring the welfare of privately fostered children is safeguarded and promoted

Leeds City Council will respond effectively to any notifications about Private Fostering and satisfy itself that the welfare of children who are privately fostered within the Leeds area is being satisfactorily safeguarded and promoted, including children who are proposed to be privately fostered. In the event that it is not satisfied that the arrangement is going to be suitable, it will make arrangements for the care and accommodation of the child to be undertaken by his/her parents, others with parental responsibility, or a relative, and consider whether and to what extent it should take any other actions to safeguard the child and promote his or her welfare in accordance with its wider duties under the Children Act 1989.

The Service will ensure that privately fostered children/young people's welfare is satisfactorily safeguarded and promoted by specialist staff undertaking the assessment and support of the arrangement. The assessments will be agreed and signed off by the Service Delivery Manager for the child. Where there are concerns, these will be discussed with the social worker, team manager and service delivery manager, and will include the team manager with lead responsibility for Private Fostering. Once agreed by the service manager, this decision will be conveyed by the Private Fostering officer who 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 whether the local authority consents to the arrangement or otherwise.

In line with the Assessment Framework, 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. Visits to privately fostered children/young people will be carried out in accordance with statutory timescales and recorded. This includes the recording of whether the child was seen and spoken with alone, to ensure that the child's voice is heard. 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 relevant to their age and understanding on what Private Fostering means. Leaflets on Private Fostering are available to children and young people, their parents and their Private Foster carers as well as for professionals. 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 have access to any other services identified as being appropriate and within the remit of the department. Signposting to other services will also be offered.

Privately fostered children's welfare will be further promoted by awareness campaigns 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, the voluntary/community sector and 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 Service will carry out internal file audits on a regular basis, and has a procedure for the use of requirements, prohibitions, disqualifications and appeals, as stated in the Private Fostering procedures.

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.

15. Role of other agencies and individuals in safeguarding and promoting the welfare of privately fostered children

The Leeds Safeguarding Children's Board has a central role in overseeing the effectiveness of each agency's role in identifying and supporting Private Fostering arrangements.

Under the Children Act 1989 agencies such as the Education Service, Early Years Service and the Health Service have a duty to notify the Children's Social Work Service of planned and existing Private Foster care arrangements of which they believe the service is not aware.

The fostering officers for Private Fostering will work with in partnership with those agencies to increase identification and notification of private fostering arrangements.

Individuals have a similar responsibility and these officers will publicise this duty through the communications strategy outlined above.

16. Awareness of local authority duties in private fostering

The Service will ensure through the fostering officers responsible for Private Fostering that all relevant staff are aware of the local authority's duties and functions in relation to Private Fostering and that such information is regularly reviewed and evaluated, updated and included in induction and other training courses.

The Service will provide information on our plans for Private Fostering to the Local Children's Safeguarding Board, who will monitor arrangements for Private Foster Care and will receive an annual report on our activities and an updated plan. The annual report will be made available to the Director for Children's Services and also to the Corporate Carers group.

The governance of the Private Fostering service will be updated in line with any new legislation, regulations or guidance and will be regularly reviewed by its managers.

The authority is aware of its corporate parenting responsibilities towards privately fostered children and will ensure that all those responsibilities are carried out to ensure their well being.

17. Monitoring the discharge of functions and compliance with Part 9 of the Children Act 1989

Under Regulation 12, the Designated Manager with responsibility for Private Fostering, in conjunction with the Performance Team, will monitor the way in which the Children's Social Work Service complies with and discharges its statutory duties and functions in relation to Private Fostering. The following duties and functions will be monitored:

- a. The promotion of awareness regarding notification requirements.
- b. How the Children's Social Work Service responds to notifications received and if these are within timescales.

- c. How the Children's Social Work Service manages disqualifications, prohibitions, requirements and appeals against these, and refusals to consent to disqualified persons being private foster carers.
- d. How the Children's Social Work Service assesses the parenting capacity of prospective or actual Private Foster carers, members of their households and the suitability of their accommodation.
- e. That statutory visits are within timescales and decisions about the suitability of arrangements are also within timescales and approved at managerial level.
- f. That information and support is provided to privately fostered children/young people.
- g. That independent interpreters are used as appropriate.
- h. That a sample of individual child/young person and Private Foster carer records are regularly reviewed to check that compliance is being fulfilled.
- i. That any concerns raised by privately fostered children/young people are investigated.
- j. 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.
- k. The Manager responsible for Private Fostering will provide the Director of Children's Service with an annual report.

18. Who to contact for advice on Private Fostering

Advice on private fostering can be obtained from the Kinship Care Fostering team, telephone 0113 2474654, the Leeds City Council Website and the linked BAAF Private fostering website. Notifications of Private Fostering arrangements should be directed to the Leeds City Council Call Centre in the first instance on telephone 0113 2474654.

Dated 30/9/2012