

Private Fostering. What is your role?

A guide for people who work with
Children and Young People



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Do you know of children who are
looked after by someone other than
their parents for more than **28 days?**



Find out more about Private Fostering and the legal
requirements involved in these arrangements



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What is private fostering?

Private fostering is an arrangement whereby a parent (or legal guardian) arranges for their child or children to live with someone who is not a close relative such as a step-parent, grandparent, brother, sister, uncle or aunt for 28 days or more.

It only applies to children under the age of 16 years, or 18 if the young person is disabled.

Private fostering arrangements are made for a variety of reasons such as:

- Children or young people who are living with a friend's family as a result of parental separation, divorce or arguments at home
- Young people living with the family of a girlfriend or boyfriend
- Children who have been sent to the England for education or medical treatment
- Children being cared for while their parent/s are hospitalised or imprisoned
- Children on holiday exchanges or attending language schools
- Children whose parents work unsocial hours

Ealing Council has a legal duty to assess the care they are receiving and, if there are concerns about their welfare, to consider what action to take. However a privately fostered child is NOT 'looked after' by the local authority.

Why does it matter?

It is estimated that more than 15,000 children in England and Wales are privately fostered – but many people are unaware that they are involved in a private fostering arrangement, or that the law says they must notify the Council. This means that Ealing's Children's Social Services are unable to check whether the child is being properly cared for.

This is a cause for concern as privately fostered children are a diverse and potentially vulnerable group, with many not having a parent figure in a position to safeguard their welfare.

Your responsibilities

People who work with children and young people often come across private fostering situations as part of their daily activities.

You can play an important role by informing the parent or carer of their legal requirement to contact the council.

You should also contact the Council if you are aware of any private fostering arrangement and you are not sure if the local authority has been, or will be, notified.

It is vital that Ealing Council's Children's Social Services is aware of such arrangements so that they can ensure that potentially vulnerable children are safeguarded and they get the quality of care they deserve.

If you know of, or have a query relating to, a private fostering arrangement please contact Children's Social Services on (020) 8825 8000.

If you have concerns that a child may be at risk of harm you should follow your local child protection procedures. In an emergency outside normal office hours, please contact the council's emergency duty team on (020) 8825 8000 or the Police.

For more information on the Pan-London Child Protection Procedures visit safeguarding section of www.ealing.gov.uk/changeforchildren

What Children's Social Services will do

The Council has a legal duty to visit and check that the arrangement is safe and suitable for the child, and that they are well cared for during the time they are being privately fostered.

Children's Social Services will:

- ensure that the home is safe and that all members of the household are suitable to care for the child
- visit all parties involved to ensure they are satisfied with the arrangement
- monitor the child's welfare and any changes in the household composition
- offer support and advice about looking after someone else's child and how to meet the child's day to day needs
- help the carer to work together with the child's parents for the benefit of the child and take action if the care provided is unsatisfactory

They have the power to prohibit such placements if they are found to be unsuitable. Alternatively they may impose requirements on the parties to make the arrangement suitable.

They won't interfere in what is working well. Their aim is to provide support and advice to ensure that the private arrangement goes as smoothly as possible. However, they cannot help if they are not aware of the arrangements.

Local authorities do not formally approve or register private foster carers, however all private fostering placements are required to be monitored on a regular basis by Children's Social Services.

What parents should do

The parent, or anyone else involved in making a private fostering arrangement, must inform the Children's Social Services department in the area the child will be living. It is a legal offence for them not to do so.

The parent (or guardian) still retains parental responsibility for their child throughout the time they are being privately fostered, even though their child is not living with them.

It is very important that the parent and the private foster carer agree on how the child will be cared for. The parent should also provide the private foster carer with as much information about their child as possible, including their:

- health and school records
- dietary preferences
- interests
- religion and ethnicity

Any financial arrangements should be agreed between the parent and the carer. The parent must also ensure that they are involved in all the major decisions concerning their child. The parent should also talk to their child to make sure they understand and are comfortable with the arrangement.

What carers should do

If the parent hasn't done so, the carer must by law notify the Children's Social Services department that they will be looking after someone else's child. They must do this even if they do not receive payment for being a private foster carer.

They should also:

- Allow a social worker to their home to see the child
- Allow the social worker to inspect the home and make reasonable adjustments that are suggested
- Report any changes in their household
- Comply with any legal requirement. For example enhanced Criminal Record Bureau (CRB) checks on all members of the family
- Make an agreement with parents about their expected level of involvement in the day-to-day care and decision-making about their child

When a child leaves their care, the local authority must be told, stating why, and giving the name and address of the person into whose care the child has moved to.

The laws governing private fostering

- Private foster children are safeguarded by the Children Act 1989(Part IX)
- Children Act 2004
- Children (private arrangements for fostering) Regulations 2005
- Private Fostering National Minimum Standards July 2005

Further sources of information

Every Child Matters: Government programme for a national framework to support the "joining up" of children's services
<http://www.everychildmatters.org.uk/>

British Association for Adoption & Fostering
<http://www.baaf.org.uk>

Information for professionals who work with Children and Young People in Ealing
www.ealing.gov.uk/changeforchildren

London Safeguarding Children Board includes pan-London safeguarding procedures
<http://www.londonscb.gov.uk/>

Notify us

If you are aware of a private fostering arrangement, we want to hear from you. Please telephone (020) 8825 8000.