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SOUTH DARLEY C of E PRIMARY SCHOOL

PRIVATE FOSTERING POLICY

Person/Committee responsible for reviewing/updating this plan	Full Governing Body
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South Darley CE Primary School

PRIVATE FOSTERING POLICY

1 Introduction and Context

Most children and young people spend some time away from their home staying with relatives and friends. In cases where children/young people may stay for longer period of time special procedures may apply.

Private Fostering is an arrangement made by a parent with a carer who has agreed to look after the child/young person on their behalf. In some circumstances they may not have agreed or the circumstances of their living arrangements raises health, welfare and safety concerns for the child/young person.

2 Definition

A privately fostered child is a child under 16 (or 18 if Disabled) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent (including civil partnerships), sister or brother, and may be a family friend, or neighbour and where the child is to be cared for in that person's home for 28 days or more.

This arrangement does not have to be continuous; if a child/young person is staying with extended family members, who is not a parent, grandparent, aunt, uncle, step parent (Including civil partnerships), or a family friend or neighbour for example, that adds up to 28 days or longer in any period of time this may then be seen as Private Fostering.

A child who is Looked After or placed in any residential home, hospital or school (where they are receiving full-time education) is excluded from the definition. In a private fostering arrangement, the parent retains Parental Responsibility.

Children under 16 who spend more than 2 weeks in residence during holiday time in a school, become privately fostered children for the purposes of the legislation during that holiday period.

2.1 Our responsibilities

South Darley CE Primary School fully recognises its responsibilities regarding Private Fostering ensuring staff are fully aware on how to identify a child/young person and the circumstances around Private Fostering. This includes **a duty to report any instances to the local Authority** if it is believed the child/young person is possibly living in a Private Fostering arrangement.

This policy should be read in conjunction with “How to Identify a Privately Fostered Child” Appendix A, found at the end of this policy and more information/guidance can be found by following this link: <https://www.derbyshire.gov.uk/social-health/children-and-families/adoption-and-fostering/fostering/become-foster-carer/types-fostering/private-fostering/private-fostering.aspx>

Furthermore, we will follow the procedures as set out by the Derbyshire Safeguarding Children’s Board, section 1.6.10:
http://derbyshirescbs.proceduresonline.com/p_ch_living_away.html#priv_fostering

And provide to any parent/carer where it is believed the child is in a private fostering arrangement this leaflet: <https://schoolsnet.derbyshire.gov.uk/keeping-children-safe-in-education/safeguarding-policies-guidance-and-protocols/safeguarding-policies-guidance-and-protocols.aspx>

2.2 Our duties

Under the Children Act, 1989, the Local Authority has a duty to make sure a Private Fostering arrangement that the child/young person is in provides for their needs and safeguards his/her welfare.

We will ensure all Staff, Governors and Volunteers in the school are aware of this duty.

If a member of Staff, Governor or Volunteer becomes aware that a child/young person may be living in a Private Foster arrangement it is the responsibility of that person to report the details to the School’s Safeguarding Designated Lead (SDL) who will then make further enquiries to try and establish the circumstances.

The Designated Safeguarding Lead should seek advice from Children’s Social Care as to whether the child/young person is in a Privately Fostered arrangement under the regulations. The Derbyshire professional advice line can be contacted on 01629 535353 if the child’s current residence/play of stay in this arrangement is in Derbyshire. If not we will make contact with the relevant local authority Childrens Services contact and referral point

If upon taking advice, it is confirmed this may be a private fostering arrangement in Derbyshire, a referral will be made by the Designated Safeguarding Lead into Call Derbyshire (Starting Point) using the recommended on line contact/referral form. If there are immediate concerns for the child’s welfare and safety, we will treat this as a child protection concern and contact Call Derbyshire (Starting Point) on 01629 533190.

Essential information for making a referral includes:-

- Full names and dates of birth for the child
- Address and daytime phone numbers for the current carer including mobiles
- Relationship to the child eg- neighbour, friend, extended family member (by definition of a private fostering arrangement)
- The child's address and phone number;
- Whereabouts of the child (and siblings);
- Child and family's ethnic origin;

- Child and family's main language;
- Actions taken and people contacted;
- Special needs of the child, including need for an accredited interpreter, accredited sign language interpreter or other language support;
- A clear indication of the family's knowledge of the referral and whether they have consented to the sharing of confidential information;
- The details of the person making the referral.

Additionally, the referrer should include:

- Address and daytime phone number of the parent/parental responsibility holder and any known previous addresses
- Address and phone numbers of any other family members linked to the child in this arrangement and particularly if under 16
- Any details of anyone else involved in making this arrangement
- Any known addresses of the child previous to this current arrangement
- Any other helpful information eg- a chronology to assist an understanding of why this child/young person is not living with the parental responsibility holder.
- Details of any concerns if relevant to making this referral

We will work together with the Local Authority to help safeguard and promote the child/young person's safety and welfare.

We will assist the local authority in their assessments and work as a partner to offer advice and support to the child and carers involved in the arrangement.

3 Safeguarding Roles and Responsibilities

All Staff (anyone who has contact with a child or young person) including, Volunteers and Governors have responsibility for the following:

- To ask parents/carers questions about their relationship with any pupil if the relationship is unclear, confusing or concerning.
- To follow up any discussion with any pupil about their living arrangement when it is unclear, confusing or concerning.
- We as a school will commit to reviewing, and on a regular basis our emergency contacts and details of who has parental responsibility on our school records. And will pursue any anomalies with that parent or carer, and may then ask questions of any pupil about the nature of their relationship to that adult.
- We will have robust consent/trips/outings letters which clearly define the child's relationship to the adult giving consent and identify their status to that pupil including any legal order.

If a child or young person is living in a Private Fostering arrangement:

- To work with, monitor & report to the Local Authority ensuring the child/young person's needs, safety & welfare are being met whilst in a Private Fostering arrangement.
- To assist with advising and supporting the carer(s) to undertake their duties whilst the child/young person is living with them in a Privately Fostered arrangement.

4 Training

The Designated Safeguarding Lead/s will endeavour to read and cascade information on Private Fostering to school staff on a regular basis and as part of annual training/updates.

All Designated Safeguarding Leads will undertake the DSCB Private Fostering e-learning module ensuring a copy of their certificate is held on the School Safeguarding Training Portfolio: <https://derbyshire.learningpool.com/login/index.php>

5 Management of the Policy

The DSL/s will ensure they are familiar with this policy regularly updating all Staff, Governors and Volunteers regarding the legal requirements, and duties.

The Head Teacher will ensure that Private Fostering awareness forms part of Staff Safeguarding Induction and is included in the annual Safeguarding Training for teaching and non-teaching staff

The Head Teacher/Principal will report on any private fostering arrangement in their school and any issues or impact on the school in relation to Private Fostering to the Governing body.

The Governing Body will oversee the policy; ensuring its implementation and reviewing its content on an annual basis in line with the S175 School Safeguarding Audit.

Private Fostering Policy updated April 2019
Schools & Educational settings

Private Fostering
Information Pack

Author: Quality Assurance Team

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Controlled upon completion

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1. Introduction and definition

Most children spend some time staying with friends and relatives at some time during their childhood. However, for some children and young people these arrangements can be longer term.

If a child or young person aged under 16 years (or under 18 years if they are disabled) stays with people who are not related to them for 28 days or more, this is known as a private fostering arrangement and special rules apply.

Private fostering is the term used to describe an arrangement made privately (that is without the involvement of a local authority) between a child's parent or person with parental responsibility and a Carer of their choice.

A child or young person is considered to be in private foster care if they are in the full time care of someone who is not directly related, nor is a legal guardian, for a total of 28 days or longer.

The period of 28 days does not have to be continuous. If, for example, a child regularly stays with a school friend's family and this arrangement adds up to 28 days or longer, after which he or she returns home to the full-time care of their parents, then this would not be a private fostering arrangement.

However, if a child is cared for by a non-relative or legal guardian but returns to the parent at weekends, then this is a private fostering arrangement.

2. Private fostering and childminding.

Private fostering is different from childminding in that the child in foster care live with the carer. Childminders can only offer daily care and occasional overnight stays.

Private fostering arrangements are used by some parents to meet the needs of their children. Such agreements are acceptable providing specific guidelines are followed for the protection of the child, the parents and the carers.

Some teenagers may choose to live with another family who agrees to care for them. The same rules apply.

3. Letting us know about a private foster care arrangement

What is best for the child or young person is always the first consideration even if the arrangement is not intended to be long term.

If you are looking after a child and think you could be a private foster carer or you are the parent of a child who is cared for by someone who is not a relative, contact fostering and adoption service for advice on telephone number 0800 083 7744 as you may already be involved in a private fostering arrangement.

You may also like to find out about other types of fostering by visiting our website and searching for the following:

- Mainstream fostering
- Specialist fostering schemes

4. How we can help you as a child or young person being privately fostered

It is our first duty to ensure that the welfare of privately fostered children or young people is safeguarded and promoted, while respecting the parent's right to make such arrangements. To ensure this happens:

- Arrangements will be made for you to be visited at regular intervals throughout the arrangement
- You will be given an allocated worker so you have someone to contact if you are unhappy about the arrangements made for you. There is an expectation that allocated workers provide those they are supporting with their contact details so you can contact them directly
- You can ask us for advice or information at any time during the arrangements put in place by your parents.
- You can ask for an advocate to speak on your behalf if you are finding it difficult to say what you want to say.

If you need more information or advice please contact Call Derbyshire on 01629 533190 or Children's Rights on 01629 580000

5. **How we can help you, as parents, to make appropriate arrangements for the care of your child(ren)**

Under the Children Act 1989, we have a duty to make sure that the proposed arrangement will provide for the child or young person's needs and safeguard their welfare. These duties include:

- Working with parents to see if they need this arrangement and look at alternatives if necessary
- Clarifying how long the arrangement will last for
- Making sure that everyone involved is aware of the implications of these arrangements, this includes the wishes and feelings of the child or young person
- Assessing the prospective private foster carers' and their family's suitability for the role
- Ensuring that all the necessary requirements are met

We can stop a person from privately fostering if they, or their household, are considered unsuitable.

We can also impose restrictions upon the way a person may operate as a private foster carer. For example, the number of children they care for and/or the length of time an arrangement should last. Although, private foster carers have the right to appeal to a court against any such decisions.

If you're thinking about placing your child with a private foster carer, the first thing you need to do is contact us:

- At least 6 weeks before the proposed arrangement, and later within 48 hours of the arrangement commencing or immediately if the timescale is shorter.
- To complete a written notification of your intention

Even if you're arranging for someone to care for your child, you remain responsible for them in all ways, so be aware that:

- Separation even for short periods of time can be emotionally damaging, especially for very young children
- Anyone who has cared for someone else's child for 3 or more years has the right to apply to a court for an order granting them parental responsibility

It will be your decision and it needs to be made with the best possible information.

You'll need to provide the private foster carers with as much information as possible to enable them to adjust their lives to accommodate the needs of your child, especially about

how long the arrangement is to last, how you intend to maintain contact and continue to be involved in your child's life. This information should be written down for them.

You'll need to include information about your family members and family friends, especially those with whom your child has a close relationship. You'll also need to provide the fullest possible information about his or her needs and routines, likes and dislikes, including details of their first language (if not English), culture, religion, diet, health and education. Most of all, you need to explain if your child has any special needs which come from disability or illness. In particular you'll need to give your written agreement for the private foster carer to be able to give consent for any medical treatment your child may need.

You'll remain financially responsible for your child and will need to agree the arrangements for meeting the costs of your child's care.

We would strongly advise you to have a written agreement signed by both parties setting out clearly how your child's welfare is to be safeguarded and what expectations you have of each other. By keeping this up to date and altering it as the need arises, there is less chance of any misunderstanding.

If you need more information or advice please contact Call Derbyshire on 01629 533190.

6. **How we can help you, as a private foster carer, provide appropriate care for a child/children**

If you are thinking about caring for someone else's child or young person, we will explain what this involves and provide advice on:

- How to work with the child or young person's parents
- How to help the child or young person you are caring for
- Your rights and responsibilities

Prior to a child arriving, we will:

- Arrange to speak to everyone involved to ensure that they fully understand what this entails and are aware of their responsibilities.
- Provide advice and support for planning the child's stay
- Help you get all the necessary information to meet the child's needs for the duration of the arrangement.

Once the arrangement has begun and the child is in your care you will:

- Receive regular visits to ensure that the arrangement is working well
- Have access to advice and support from a named worker should you require any assistance

Some of the things private foster carers need to know

If you are thinking of looking after someone else's child by private arrangement, the first thing you need to do is contact us:

- At least 6 weeks before the proposed arrangement and later, within 48 hours of the arrangement beginning
- Immediately if the timescale is shorter, or if you are already caring for a child who is unrelated to you

It is our duty to make sure all children are kept safe, and that people wishing to become private foster carers, and all other adults in their households are suitable. This means that:

- They must agree to police and other checks to establish their suitability to care for other people's children
- The accommodation in which the child will live must be suitable for the job of private fostering
- The arrangements proposed for a child, matches their needs and the care provided meets those expectations

As a private foster carer you must meet these expectations and agree to regular visits to check that the arrangements are in proceeding as planned. If these requirements are not met, we have the power to impose restrictions, including stopping you or members of your household from privately fostering children.

To make a private fostering arrangement is first and foremost a matter for the parents and, wherever possible we will want to enable them to make suitable arrangements and assist the private foster carer to meet the child's needs

When the child comes to live with you, you become responsible for their day to day care and upbringing. However, the child's parents remain fully responsible for them, not you as the private foster carer nor us as a local authority

It is your responsibility to make sure:

- The child is happy, healthy and that all their needs are met
- Your costs of caring for the child are adequately met, this is the responsibility of the child's parents
- We are informed of any changes to the arrangements or your circumstances

For more advice and information Call Derbyshire on Tel: 01629 533190

PRIVATE FOSTERING STAFF GUIDANCE

Definition

- The child is not considered 'looked after' (i.e. is not a child in care).
- This is an arrangement to care for a child made between a parent/person with parental responsibility, with another adult.
- Currently the regulations only apply to young people up to 16 years old (18 if disabled).
- There are statutory requirements for Local Authorities (Children Acts 1989, 2004; Private Fostering Arrangements 2005).

6 Notifications

A parent should notify the LA in writing;

- 6 weeks before the arrangement is due to start,
- 48 hours after the arrangement has commenced,

Any professional who becomes aware of a private fostering arrangement should inform Call Derbyshire

7 It constitutes private fostering if:

- The adult is not a close relative (close relative is defined as sibling, aunt, uncle, grandparent and step parent).
- The child has left home and has moved in with someone that the PR holder is happy for them to live with.
- The child is unaccompanied, under 16, seeking asylum and intends to live with someone within their extended family and friend network.
- The arrangement is expected to last continuously for over 28 days.
- The child is from another country and staying with a host family for 28 days or more.

8 It does not constitute private fostering if:

- The adult is a close relative.
- The arrangement lasts less than 28 days.

The role of the Local Authority:

- The statutory requirements are clearly set out in the private fostering regulations. Once notified of a private fostering arrangement, begin the process. Duties include; a written assessment and a visiting and review pattern in line with those of 'looked after' children. Guidance and process is on MOSAIC including the recording of visits.
- To explore the possibility that the child is being trafficked. Establish that there is a genuine link between the child and the carers.
- To inform the parents if there are concerns about the arrangement proceeding or commencing.

Appendix A

Private Fostering

- is an arrangement to care for a child made between a parent and another adult.
- applies to children up to 16 years old (18 if disabled)

The law says:

Parents have to tell us in writing:

- Six weeks before it is due to start
- 48 hours after it has begun.

Any professional aware of a private fostering arrangement should Call Derbyshire on 01629 533190.

It counts as private fostering if:

- The adult is not a close relative (cousins, great-aunts and great-uncles are not close relatives)
- The child has moved in with someone that the parent is happy for them to live with
- The child is under 16, seeking asylum and intends to live with someone in their extended family and friend network
- It is expected to last more than 28 days
- The child is from another country and staying with a host family for 28 days or more.

It is not private fostering if:

- The adult is a close relative – such as a grandparent or sibling
- It lasts less than 28 days.

We must:

- Carry out written assessments, visits and reviews – like those for looked-after children. See Framework I under 'new episode'
- Be aware of trafficking. Is there a genuine link between the child and the carers?
- Tell the parents if there are concerns about the arrangement, before or during.



www.derbyshire.gov.uk/PrivateFosteringELearning

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