



Private Fostering

Policy and practice guidance

SUMMARY

This document provides details of Brighter Futures for Children's policy and practice guidance in relation to Private Fostering

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1. Introduction

Brighter Futures for Children (BFfC) is committed to safeguarding and promoting the welfare of children being privately fostered in the area covered by Reading Borough Council (RBC). Our aim is to secure and promote positive outcomes for them and to reduce any risks to their welfare and safety. This includes raising public awareness and the awareness of our own staff and partner agencies, of the duty to notify of any private fostering arrangements being proposed or taking place within the Council's boundaries.

In order to promote the welfare of children who are privately fostered within the Reading area, Brighter Futures for Children will work in partnership with each child's parent(s) and carer(s) to plan and arrange services where these are assessed as necessary.

Local authorities do not approve or register private foster carers but have a duty to satisfy themselves of the well-being and safety of privately fostered children.

This policy and practice guidance defines private fostering and outlines Brighter Futures for Children's duties toward privately fostered children in Reading.

The key objectives of this guidance are:

- For privately fostered children in Reading to be protected and kept safe.
- To guide practitioners in their work with privately fostered children and their private foster carers, focusing on the developmental needs and progress of each child.
- To raise the awareness of staff in Brighter Futures for Children and our partner agencies of their roles and responsibilities in relation to private fostering.

2. Private Fostering Statement

The National Minimum Standards for Private Fostering (2005) requires that every Local Authority has a written statement or plan for private fostering. This should define the objectives of the service and cover those matters set out in the Children (Private Arrangements for Fostering) Regulations and National Minimum Standards. Brighter Futures for Children has a written Plan in respect of its Private Fostering Services which is reviewed on an annual basis.

3. Legal Framework

- The Children Act 2004 inserted a paragraph (7a) into Schedule 8 of the Children Act 1989 which places a duty on local authorities to promote public awareness of the notification requirements in respect of private fostering arrangements.
- Local authorities have a duty to satisfy themselves that the welfare of children who are privately fostered within their area is being satisfactorily safeguarded and promoted, including children who are proposed to be privately fostered.
- The Children (Private Arrangements for Fostering) Regulations 2005 which came into force on 1 July 2005 remain effective.

- Standards of care and management for private fostering arrangements are set out in the National Minimum Standards for Private Fostering (2005). Further guidance can be found in the Replacement Children Act 1989 Guidance on Private Fostering (2005).
- Section 68 and 70 of the Children Act 1989 deals with disqualifications from being a private foster carer. The Regulations made under Section 68 are the Disqualifications from Caring for Children (England) Regulations 2004.
- The Berkshire West Safeguarding Partnership Procedures Manual provides guidance on how agencies and individuals should work together to safeguard and promote the welfare of privately fostered children (see sections on private fostering in *Children Living Away from Home* and the procedure *Children from Abroad, including Victims of Modern Slavery, Trafficking and Exploitation*).

Privately fostered children are not children looked after in the terms of Section 22 of the Children Act 1989. However, local authorities have a responsibility to ensure that the welfare of privately fostered children is promoted, as identified in Part IX of the Children Act 1989, amended by Section 44 of the Children Act 2004.

4. Definitions

A private fostering arrangement is essentially one that is made privately, that is to say without the involvement of a local authority, for the care of a child aged under 16 (under 18 if disabled) by someone other than a parent or a close relative, with the intention that the arrangement will last twenty-eight days or more. Private foster carers can be members of the child's extended family, such as a cousin or great-aunt; however, where a child is placed in the care of an adult who is defined as a relative under the Children Act 1989 (grandparent, brother, sister, uncle or aunt whether of full-blood or half-blood, by marriage or a stepparent) this is not a private fostering arrangement.

Private foster carers can also be a friend of the family, the parent of a friend of the child, or someone previously known to the child's family who is willing to privately foster the child. The period for which a child is accommodated and cared for by the private foster carer should be continuous, but the continuity is not broken by the occasional short break. (*Replacement Children Act Guidance on Private Fostering - DfES 2005, paragraph 1.6.*)

A child who is looked after by a local authority or placed in a residential home, hospital or school (where they are receiving full-time education) is excluded from the definition. Local authorities must distinguish between private arrangements made between parents and carers, and arrangements in which the local authority with the consent of the parents, have been involved in making the placement. Where the local authority has been involved in making the arrangement, the child should be legally defined as accommodated under Section 20 of the Children Act 1989 thus becoming a child looked after.

In a private fostering arrangement, the parent(s) retain parental responsibility for the child, and the right to at any time resume the care of the child.

Children aged under 16 who board at a residential school and spend more than two weeks in residence at the school during holiday time, become privately fostered children during that holiday period.



The local authority in which the private foster carer(s) reside is responsible for deciding whether the arrangement is suitable and for monitoring whether the arrangement continues to be suitable.

5. The context for private fostering arrangements

Private fostering arrangements may include:

- Children sent to the UK for a “better life” or for health care, by parents living overseas
- Children (whether from abroad or from within the UK) who attend residential schools or sports academies and do not return home during the long school holidays but stay with another family – perhaps referred to as a ‘host’ family or carer
- Children living apart from their families due to parental or family difficulties.
- Teenagers living with the family of a boyfriend or girlfriend, or with a school friend, because of family breakdown or because they are for some other reason living apart from their family
- Children whose parents are working or studying abroad or in another part of the country or are serving in the armed forces
- Children whose parents’ work or study involves unsociable hours which make it difficult for them to use ordinary day care or after school care
- Children whose parents are unable to look after them due to long-term illness and/or hospitalisation
- Children who are being cared for by another family while their parent(s) is/are in prison
- Children brought in from abroad with a view to adoption.
- Children born by surrogacy (in certain circumstances).
- Unaccompanied minors (aged under 18) who are living with friends, relatives or strangers (see Homes for Ukraine, below)
- Trafficked young people

Private fostering arrangements can be a positive response to difficulties experienced by families. However, privately fostered children are a diverse group and whilst many privately fostered children will receive a good standard of care, it must be recognised that children in private fostering arrangements can be extremely vulnerable. Privately fostered children are often placed at a considerable distance from their parents who may only be able to visit on an infrequent basis and may have only minimal oversight of their children’s living arrangements. Other privately fostered children may be estranged from their parents with very limited or no contact. Some children may be in open-ended private fostering arrangements, affording the children little security or sense of identity. Some children may have been trafficked or may be being exploited. Some children may have been placed with people who are not personally known to their parent(s) and who are not suitable to look after children.


6. The role of Brighter Futures for Children

Brighter Futures for Children must ensure that the welfare of children who are, or are to be, privately fostered is promoted and safeguarded, and that the necessary advice and support is provided to the child and to those caring for them. This includes ensuring that the child's parent(s) and carer(s) fulfil their responsibilities.

A private fostering arrangement differs from a foster placement which has been arranged by Brighter Futures for Children, in that the child does not have the status of being looked after. It is a private arrangement between the child's parent(s) and the private foster carer(s). Brighter Futures for Children does not 'approve' such arrangements but has a duty to investigate the circumstances of the placement in order to determine whether or not there is a need to invoke any of its powers to ensure the safety of the child.

Brighter Futures for Children's responsibilities in respect of a private fostering arrangement include the following:

- Raising awareness amongst Brighter Futures for Children staff, partner agencies, and the general public, about private fostering and the duty to notify of any such placements.
- Receiving notifications from parents, private foster carers or any other person involved directly or indirectly in arranging for a child to be privately fostered and responding in accordance with legal requirements to those notifications.
- Appointing a social worker in the Family & Friends team (Adoption & Permanence service) to report on the suitability of any proposed or actual private fostering arrangement that has been notified to the local authority.
- Carrying out an assessment of all aspects of the arrangement, including the suitability of the private foster carer(s) and their household and premises.
- Carrying out all necessary checks on the private foster carer(s) and their household.
- Appointing a social worker in the Together for Families (TfF) service to visit the child who is privately fostered, within minimum timescales set out in Regulations, and when reasonably requested to do so by the child, the carer, a parent or parents or other person(s) with parental responsibility; privately fostered children must be visited at least every 6 weeks during the first year of the arrangement and at least every 12 weeks thereafter.
- Ensuring that the child is seen and where appropriate seeing the child alone, providing interpreting and translation services if required.
- Providing advice and support to the child, their private foster carer(s), and parent(s), and any other significant person(s) or organisation(s), so as to ensure that the child's needs are met and that they are safeguarded and protected.
- Completing a written report after each visit to the child.
- Assessing applications for exemptions to the usual fostering limit.
- Making appropriate enquiries to determine whether or not the proposed or actual private foster carer(s) or any member(s) of their family are disqualified.

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- Considering the need for specific Requirements and Prohibitions and exercising its powers if required.
 - Ensuring that the child’s parent(s) and private foster carer(s) are aware of the appeals process and responding to any appeals made.
 - Ensuring that where children are considered to be in need or at risk, or require action to safeguard and protect them, the appropriate procedures are followed such as Children in Need procedures and or Child Protection procedures.

Brighter Futures for Children has to monitor its compliance with its duties and functions in relation to private fostering. This includes:

- Maintaining data on all private fostering arrangements.
- Tracking the progress of all private fostering arrangements.
- Analysing the impact of awareness raising initiatives.
- Regularly auditing case records.
- Identifying themes, gaps, and exemplars of good practice and ensuring that they feed into practice and policy development.
- Consulting with children and young people, parents, and private foster carers.
- Investigating any patterns of concern raised by privately fostered children.
- Reporting annually to the Director of Children’s Services.
- Reporting annually to the Berkshire West Safeguarding Children Partnership.

Brighter Futures for Children’s Adoption & Permanence service is responsible for providing information and advice to parents and private foster carers, colleagues within Brighter Futures for Children and other professionals about private fostering.

All notifications of private fostering arrangements will initially be dealt with by Children’s Single Point of Access (CSPoA) who will be responsible for initial checks and completing the initial screening assessment in relation to the child and the arrangements for their care. On completion of the initial screening assessment, the case will transfer to the Brighter Futures for Children’s Tff team that is on duty, who will then be responsible for allocating a social worker to hold case responsibility for the child, who will complete the S.17 CA 1989 Single Assessment and undertake regular visits to the child (as a Child in Need).

CSPoA will at the same time, notify the Brighter Futures for Children Adoption & Permanence service of the private fostering arrangement; this service will then be responsible for carrying out the full assessment of the private foster carer(s) and their household(s) and for providing them with on-going support and advice.

7. Raising awareness within Children’s Social Care, across agencies and with members of the public

There is a requirement on local authorities to raise awareness of the notification requirements within their local communities (Section 7a of the Children Act 2004) and to ensure that staff or volunteers in all agencies encourage notification.

Promoting an understanding of private fostering and the notification requirements, should help to ensure that relevant professionals and other adults who are having contact with children and families (e.g., in schools, clinics, GP surgeries, and early years and youth service settings) will notify Brighter Futures for Children if those making the arrangements fail to make a notification. It is often these services who will first become aware of a private fostering arrangement.

The Adoption & Permanence service will promote awareness of the notification requirements amongst staff within all areas of Children’s Social Care, and amongst community professionals (e.g., GP’s, education providers, health visitors, mental health services, hospital staff, housing services, probation providers, early years providers, etc.), community faith group leaders and residents within the borough, through a programme of awareness raising events and ensuring that comprehensive written information about private fostering is easily accessible via Reading Borough Council’s website. The awareness raising campaign will be ongoing, serving to teach and reinforce the roles and responsibilities of everyone in relation to the notification of private fostering arrangements.

8. The role and expectations of parents and those with parental responsibility

Parental responsibility is defined by the Children Act 1989 to include all the powers and duties of parents in relation to a child and the child’s property. A parent(s) may arrange (under Section 2(9) of the Act) for a private foster carer(s) to meet some of their parental responsibilities, but a private fostering arrangement does not absolve the parent(s) of their parental responsibilities.

Responsibility for safeguarding and promoting the welfare of the privately fostered child rests with the child’s parent(s). The Local Authority must give careful consideration to the arrangements made for the child’s parent(s) to exercise their rights, powers, duties, and responsibilities.

In a private fostering arrangement, the responsibilities of the parent(s) include the following:

- Notifying Brighter Futures for Children of their intention to place their child with, or that their child has been placed with, or removed from the care of, private foster carer(s).
- Giving adequate information to the carer(s) about their child, including medical information. This should include information about family culture, race, language and background, and the child’s routines and care. Ideally it should also include information about the child’s previous educational experiences and any additional educational needs that the child is identified as having.
- Informing the carer(s) and Brighter Futures for Children of any changes in terms of their contact details, including the address of where they are living, their phone number(s) and/or their email address.
- Keeping in contact with their child and their child’s carer(s).



- Planning for their child's future.
- Financially maintaining their child.
- Exercising their parental responsibility appropriately.

If the parent(s) or those with parental responsibility are failing to exercise their responsibilities e.g., failing to pay maintenance or to keep in contact with the child, the social worker who holds case responsible for the child should try to locate them and find out if there is a problem, provide any required advice, and take action as necessary. **Where the child's parent(s) cannot be contacted despite repeated attempts over a period of time, legal advice must be sought in order to consider what, if any, actions should be taken by Brighter Futures for Children.**

9. The role and expectations of private foster carers

Private foster carers have a responsibility to safeguard and promote the welfare of any child placed with them under a private fostering arrangement. They are empowered [under Section 3 (5) of the Children Act 1989] to do what is reasonable to safeguard and promote the child's health, education, and emotional needs.

In a private fostering arrangement, the responsibilities of the private foster carer(s) are:

- To notify Brighter Futures for Children of their intention to receive a child or that a child has already been placed in their care.
- To notify Brighter Futures for Children of their intention to cease to care for a privately fostered child.
- To participate in a full assessment of themselves and their household member(s)' suitability to foster children privately.
- To inform Brighter Futures for Children of any changes of circumstances within the household.
- To allow the child to be visited by Brighter Futures for Children and to be seen alone.
- To maintain contact with the parent(s) of any privately fostered child and encourage visits to take place.

It is an offence for a private foster carer to refuse to allow a child to be visited by a social worker or to obstruct Brighter Futures for Children in carrying out any of its duties towards a privately fostered child.

If a circumstance arises in which a private foster carer, or a potential private foster carer, is not fulfilling their responsibilities, with particular reference to points c, d, e and f above, this should trigger concerns regarding the welfare of the child and a discussion must be held with the relevant team managers, Head of Service, LADO (Local Authority Designated Officer) and the Joint Legal Team, regarding the way forward. This may include convening a strategy meeting under S.47 CA 1989 child protection procedures, and/or convening a Legal Gateway meeting.

10. Notifications to Brighter Futures for Children

This section provides staff with practice guidance in relation to the notification requirements as set out in the Children (Private Arrangements for Fostering) Regulations 2005 and the associated replacement Children Act Guidance on Private Fostering (2005).

10.1 Notifications of the private fostering arrangement

There is a shared and individual responsibility on interested individuals to notify the local authority in relation to any proposed or actual private fostering arrangement, as detailed below:

- A person who proposes to privately foster a child but is not yet caring and providing accommodation for that child, is required to notify the local authority in writing not less than 6 weeks and not more than 13 weeks before they receive the child, unless they are to receive the child in an emergency (Regulation 3(1))
- A parent of a child, or any other person with parental responsibility for the child, who proposes, or knows that it is proposed, that the child is to be privately fostered, must notify the local authority in writing not less than 6 weeks and not more than 13 weeks before the arrangement is to begin, unless the private fostering arrangement is made in an emergency (Regulation 3(2))
- A person who is involved (whether or not directly) in arranging for a child to be privately fostered, must notify the appropriate local authority in writing not less than 6 weeks and not more than 13 weeks before the arrangements is to begin, unless the arrangement is made in an emergency (Regulation 3(3)).

Notifications should be sent to CSPoA.

10.2 Content of the Notice

Regulations 3(4) and 7(2) requires that the content of the notice must specify:

- The name, sex, date and place of birth, religious persuasion, racial origin and cultural and linguistic background of the child.
- The name and current address of the person giving notice and any previous address within the last 5 years.
- The intended duration of the private fostering arrangement.
- The name(s) and address(es) of the parent(s) of the child or of any other person(s) with parental responsibility, and (if different) of the person from whom the child is to be received.
- The name(s) and address(es) of any brothers and/or sisters of the child (where known).
- The name(s) and address(es) of any other person(s) involved in making the arrangement.
- The intended date on which the arrangement will begin.

- The particulars of any offence of which the proposed private foster carer has been convicted.
- Any disqualification or prohibition imposed on the proposed private foster carer(s) under Section 68 or 69 of the Children Act 1989, and any such convictions, disqualifications or prohibitions imposed on any other person living, or employed in the household.

A person who gives notice that they propose to privately foster a child must within 48 hours of receiving that child notify the local authority that they have received the child (Regulation 9).

10.3 Notifications by a person already privately fostering a child

Any person receiving a child in an emergency or already caring for and providing accommodation for a child, when the child became a privately fostered child, must notify the local authority for the area in which the child is privately fostered, and should do so in writing not more than 48 hours after the private fostering arrangement begins (Regulation 7(1)).

Regulation 7(2) requires that the content of the notice must specify:

- The name, sex, date and place of birth, religious persuasion, racial origin and cultural and linguistic background of the child.
- The name and current address of the person giving notice and any previous address within the last 5 years.
- The intended duration of the arrangement.
- The name(s) and address(es) of the parent(s) of the child or of any other person(s) with parental responsibility, and (if different) of the person from whom the child was received.
- The name(s) and address(es) of any brothers and/or sisters (where known).
- The name(s) and address(es) of any other person(s) who were involved in making the arrangement.
- The date on which the arrangement began.
- The particulars of any offence(s) of which the proposed private foster carer(s) have been convicted.
- Any disqualification or prohibition imposed on the proposed private foster carer(s) under Section 68 or 69 of the Children Act 1989, and any such conviction, disqualification or prohibition imposed on any other person(s) living or employed in the household.

10.4 Changes in circumstances

In accordance with Regulation 13, private foster carers are required to notify Brighter Futures for Children in writing of certain changes in circumstance, in advance if practicable, but not more than 48 hours after the change. They are required to notify Brighter Futures for Children of:

- Any person who begins or ceases to be part of their household.
- Any new conviction, disqualification or prohibition of theirs or any person living, or employed, in their household.

- Any change in their address¹.
- If the child leaves their household, or the private foster placement is otherwise ended.
- The child's death.

Where notification is received that a proposed placement has not gone ahead, the CSPoA team will check the reasons for the change in the proposed arrangements and consider whether any further action is required in relation to the child in their current situation, for example whether the child should be considered for an assessment, or whether the case can be closed.

Where notification is received that a private fostering placement has ended, the Adoption & Permanence service social worker should ascertain the name and address of the person now caring for the child, and their relationship with the child. The child's parent(s) also have a duty to notify Brighter Futures for Children in writing of the ending of the placement, including the name and address of the person into whose care the child has moved.

10.5 Notifications to or from other local authorities

Where notification is received that the private foster carer(s) have moved to a different local authority area, the child's allocated social worker must contact the local authority where the carer(s) have moved to. The social worker must provide the new local authority with the name of the child being privately fostered, the name and address of the private foster carer(s), and the name(s) and address(es) of the child's parent(s).

If a notification is received from a local authority about a private foster placement in the Reading area, then it is expected that full written information will be received from the previous local authority, including, where available, details of any previous assessment(s) of suitability, reports on the subsequent progress of the placement, and details of any concerns that may have arisen. Strenuous efforts should be made to obtain this information if it is not forthcoming.

10.6 Duties of other professionals to notify the local authority

Teachers, health, and other professionals all have a responsibility to notify Brighter Futures for Children of any private fostering arrangement within the Reading area that comes to their attention. This is so that Brighter Futures for Children can discharge its duty to safeguard and promote the welfare of the privately fostered child.

Any agency that becomes aware of a private fostering arrangement must immediately notify CSPoA of the arrangement and must inform the parent(s) and private foster carer(s) of their intention to do so. CSPoA can advise further if there are any concerns or questions in relation to informing parents and/or carers.

If a verbal notification is received by CSPoA, staff should explain the legal requirement for the notification to be made in writing:

- If the verbal notification is received from a parent or a proposed or actual private foster carer, a standard notification form should be provided – see Appendix 3.

¹ If a private foster carer moves to another local authority area, see section 9.5 - Notifications to or from other local authorities

- If the verbal notification is received from a professional, the expectation is that all contacts will be via a completed multiagency notification form which can be accessed at: <https://brighterfuturesforchildren.org/report-or-refer-concerns-about-a-child/>

Either way, CSPoA staff should ensure that the contact is formally recorded on Mosaic and provide written confirmation that the notification has been received. All notifications must be acted on immediately, even if received verbally.

10.7 Failure to notify a private fostering arrangement

If a private fostering arrangement comes to the notice of Brighter Futures for Children which has not been notified in accordance with the regulations, assessments should be progressed as they would have been had notification been received through the standard process.

In this situation, Brighter Futures for Children also has a responsibility to consider whether an offence has been committed and consideration should be given to whether there is a reasonable explanation for why the carer(s) failed to notify the local authority. Where it is considered that there is no reasonable reason for the failure to notify, the social worker must consult with their line manager and the appropriate Head of Service before seeking legal advice in regard to whether an offence has been committed. In these circumstances the possibility of taking legal action against the private foster carer(s) must be discussed in a strategy meeting prior to any action being taken. Any decision reached must bear in mind the best interests of the individual child(ren) involved. If it appears that an offence has been committed – please see Section 42: Prosecutions – below.

11. Actions to be taken on receipt of a notification

When notification or information is received from any source that a child is privately fostered within the area covered by Brighter Futures for Children, this information must be passed to CSPoA without delay.

11.1 Initial contact and the screening assessment – CSPoA

During initial contacts with a privately fostered child's parent(s), private foster carer(s) or other professionals who are seeking to notify the local authority of a private fostering arrangement, the CSPoA social worker should check whether the care arrangement falls within the scope of the Private Fostering Regulations. The definition of private fostering can be found above, under Section 4 - Definitions².

Note: Should the arrangement not come under the definition of private fostering, alternative advice, information and/or services might still be required by the referrer or by the family concerned.

If the care arrangement falls within the scope of the Private Fostering Regulations, the CSPoA social worker should within 24 hours complete the initial screening assessment:

² **Note:** The sponsors of children who are placed under the Homes for Ukraine Scheme who are unaccompanied by their parent or guardian are to be assessed under the Private Fostering Framework and these cases should be progressed under private fostering, however, if a Ukrainian child remains living with their parent, albeit in the home of a Reading resident (or there are plans for this arrangement to be put in place), this does not constitute private fostering.

- Check the address where the child resides or is going to reside and whether this falls within the Reading Borough. If it does not, the worker must inform the person who is giving notice, of the contact details for the local authority who they should notify. The worker should also take sufficient details to then contact the relevant local authority and inform them of the actual or proposed arrangement and the contact details for the person who contacted CSPoA.
- Check whether the written notification addresses all of the relevant issues outlined in Section 9 of these procedures. (If necessary, a standard notification form should be provided – see Appendix 3) and record the position and actions taken on Mosaic.
- Contact the child’s parent(s), others with parental responsibility, the private foster carer(s), the child (if appropriate), and/or any other person(s) concerned (e.g., health / education), to explain the reason for BfFC’s involvement, and explain the statutory duty for a S.17 (CA 1989) single assessment to be completed. Consent must be sought from those with parental responsibility for completion of the assessment.
- Progress a referral to the Brighter Futures for Children Together for Families team on duty for completion of a S.17 single assessment.

12. Case transfer between teams

Once the initial screening assessment has been completed, subject to it being confirmed that the care arrangement for the child(ren) constitutes a private fostering arrangement, the case should be transferred from CSPoA to the Tff service. A social worker must be allocated for the child(ren) within Tff who will be responsible for completing an assessment in relation to the child(ren). The Tff team must immediately make a referral to the Adoption & Permanence service so that an allocated social worker can at the same time complete the assessment of the private foster carer(s) and continue to provide support to the carer(s) and the placement.

Note: The full assessment of the private foster carer(s) will be progressed from the point of notification, regardless of whether or not the child is already placed.

Local authorities differ in their approaches to private fostering, with some regarding all privately fostered children as vulnerable or potentially vulnerable and therefore assessing them as Children in Need. If a privately fostered child is deemed a child in need (CIN) then there is an allocated social worker and a CIN plan which is monitored, reviewed, and adjusted over time. Given the acknowledged vulnerability of privately fostered children **Brighter Futures for Children has determined that all children subject to private fostering arrangements will be deemed to be Children in Need for the purpose of monitoring and supporting the welfare of the children, through-out the duration of their respective placements.**

The Tff social worker will be responsible for completing an assessment in relation to the child(ren).

Where the assessment of the child(ren) indicates that there are no concerns about actual or likely significant harm, the allocated social worker and their manager should, in consultation with the child(ren), parent(s), private foster carer(s) and other agencies, determine what, if any, additional services should be provided.

If, at any stage information is obtained which suggests that a child who is placed in a private fostering arrangement has particular needs that the carer(s) are unable to provide for, the

responsible Tff manager may authorise services (including financial support) under a 'Child in Need Plan'.

The allocated social worker must visit the child(ren) in line with the visiting requirements for Children in Need. A report must be completed following each meeting with the child(ren) and uploaded to the case file(s). The child(ren) must be seen on their own. While some visits may be completed to the child(ren) at school, regular visits must be undertaken to the child(ren) in their placement in order for the social worker to see the child(ren) with their carer(s) and in the home environment.

13. The S.17 single assessment – Together for Families Team (Tff)

Following the referral being made to the Tff team on duty, the allocated Tff social worker should:

- Provide all relevant individuals with copies of Brighter Futures for Children's relevant information leaflet(s) relating to private fostering – see Appendix 2: 'Private Fostering – A guide for children' and 'Private Fostering – A guide for parents, carers, and professionals'
- Provide the private foster carer(s) with the 'Declaration regarding suitability to foster children privately' form, to be completed by all adult members of the household³ – see appendix 5.
- Contact / meet with the child's parent(s), others with parental responsibility, the private foster carer(s), the child (if appropriate), and/or any other person(s) concerned, to:
 - Explain the Brighter Futures for Children's private fostering procedure and the Private Fostering Regulations and Standards. (Provide them with copies of Brighter Futures for Children's relevant information leaflets relating to private fostering if these have not been previously provided – see Appendix 2).
 - Outline the assessment process and the support and advice that Brighter Futures for Children is able to provide to parents and carers and outline the local authority's powers and duties to impose prohibitions and/or requirements, and to otherwise exercise any of its functions under the Children Act 1989 in respect of the child.
 - Agree arrangements for completing the single assessment, which will include assessment of:
 - the suitability of the proposed or actual private foster carer(s) for the specific child(ren),
 - the suitability of other members of the household,
 - the suitability of the accommodation.
 - Ensure that the child(ren)'s parent(s) are involved in planning for the child(ren) and explore whether the child(ren)'s needs may be more appropriately met by providing services to the child(ren) and parent(s) at home.
 - Provide the child(ren)'s private foster carer(s) and parent(s) with any advice, guidance, or support that they may need.

³ **Note:** these should be provided either electronically or as a paper document, depending on the preferences of those required to complete them. If paper copies are provided, each adult member of the household should be provided with their own copy for completion.

- Undertake an assessment of the child(ren)'s needs and consider whether they require any additional services as a Child(ren) in Need.
- Discuss and explore whether any support or referral to another agency would diminish the need for the child(ren) to be privately fostered.

Where the child(ren) have already been placed:

- Ensure that the child(ren)'s development in all aspects is satisfactory, that the standard of care being given to the child(ren) is appropriate and that the child(ren)'s needs arising from their religious persuasion, racial origin and cultural and linguistic background are being met.
- Check that the financial matters are in order and the contact arrangements are working.
- Notify the relevant health and education services of the child(ren)'s placement or proposed placement including the health visiting service where appropriate.
- Ensure that any necessary links are or will be established with other agencies for example because of the child(ren)'s disabilities and/or educational needs.

In order to complete the assessment, the allocated Together for Families social worker must:

- Visit the private foster carer(s) in the home where the child(ren) are to live (or are already living) and speak to them and all members of the household.
- Visit and speak to the child(ren), if age appropriate, using the child(ren)'s preferred method of communication. The child(ren) should be seen alone on at least one occasion unless the social worker considers this to be inappropriate. The child's wishes and feelings about the private fostering arrangement must be ascertained.
- Speak to and, where practicable, visit the child(ren)'s parent(s).

An interpreter who is independent of the child(ren)'s parent(s) and of the private foster carer(s) should always be used to aid communication with the child(ren) and/or any person visited, where their first or preferred language is not English.

Where they have not already done so, the child(ren)'s parent(s) and carer(s) should be encouraged to draw up a written agreement detailing their respective expectations and responsibilities in relation to the fostering arrangement, including financial arrangements and the child(ren)'s contact with their parent(s) and other significant family members (a pro-forma for a private foster placement written agreement is available for parent(s) and carer(s) to use if required – see Appendix 7).

Where the private fostering arrangement is for a child(ren) who are not UK citizens, the social worker must also on their first visit check the child(ren)'s passport(s) in order to confirm the child(ren)'s immigration status and whether the child(ren) are lawfully present in the UK. This is also important in confirming each child's identity. Where there appears to be an issue, the Home Office UK Visas and Immigration should be consulted without delay.

The S.17 single assessment should be completed within 35 working days of receipt of the original referral.

If at any point of time the initial or full assessment or subsequent contact with the child(ren), identifies concerns that the child(ren) are suffering or at risk of suffering significant harm, a strategy/discussion meeting must be arranged in order to determine whether a child protection investigation is required and consider whether any immediate protective action is also required. Where the child(ren) are considered at risk of significant harm, the West Berkshire Child Protection procedures should be followed. Any action required to secure the child's safety must be considered and legal advice sought as necessary.

Once the assessment has been completed, covering all the above issues, the social worker's line-manager should sign it off and record this on Mosaic.

14. The role of the Adoption & Permanence social worker

14.1 The Initial Visit:

An initial visit should be made by the Adoption & Permanence social worker. During the initial visit, the social worker should:

- Ensure that the private foster carer(s) understand what the assessment process will entail and provide written information to them.
- Complete a Private Fostering Agreement with the carer(s) using the template document – see Appendix 4.
- Advise the carer(s) of the support, information, advice and training available to them and provide written information.
- Explain the requirements for Regulation 8 visits.
- Confirm, or if required ascertain, consent to agency checks and enhanced DBS checks.
- Arrange for the private foster carer(s) and all members of their household aged 18 or over to complete applications for Enhanced DBS checks.
- Establish the private foster carer(s)' childcare experience, access to support, and views and intentions regarding the care of the child(ren) and behaviour management.
- Establish the plans for contact between the child(ren) and their parent(s) and wider family members.
- Establish the private foster carer(s)' understanding of the child(ren)'s needs and give advice in relation to resources and facilities which could assist in meeting these needs.
- Advise the private foster carer(s) of the need to notify Brighter Futures for Children in advance when the placement is due to end, and of the importance of preparing the child(ren) before any further move and supporting continuity for the child(ren) by passing all important and relevant information on to any future carer(s).
- Advise the private foster carer(s) of the importance of recording the child(ren)'s development, and life experiences, particularly incorporating the following matters:
 - Maintaining the child(ren)'s medical histories
 - Keeping a file of school reports

- Noting the dates of contact with the child(ren)'s parent(s) and significant others
- Maintaining a financial record
- Noting the dates of contact with professionals
- Recording all significant events in the child(ren)'s lives
- Keeping a photographic record of their time in placement for both the child(ren) and their parent(s).

In the event of refusal by the proposed or actual private foster carer(s) or any adult member of their household to cooperate with the local authority undertaking any of the necessary checks, the social worker should advise the private foster carer(s) that they cannot be recommended as suitable and the child(ren)'s parent(s) advised of the reason why alternative arrangements will have to be made for the child(ren) – generally it will be the responsibility of the TfF social worker to advise the child(ren)'s parent(s) that the assessment of the carer(s) will not be further progressed.

If the initial visit takes place after the child(ren)'s placement, the Adoption & Permanence social worker should also:

- Ensure that the parent(s) have fully informed the private foster carer(s) of the child(ren)'s medical histories and any current need for ongoing professional monitoring and medication and have handed the child(ren)'s personal child health records to the private foster carer(s).
- Encourage the private foster carer(s) to draw up a written agreement with the child(ren)'s parent(s) as to their respective expectations and responsibilities in relation to the fostering arrangement, including the contact arrangements, finances and expected duration (a template for written agreements can be provided to parents and carers – see Appendix 7).
- Ensure that the child(ren) are registered with a GP, a dentist, and if necessary, an optician local to the foster home.
- Ensure that a school place has been arranged for each child who is of school age.
- Ensure that the parent(s) have provided the private foster carer(s) with written general consent to cover any necessary medical treatment and that a copy of this consent is given to the GP, dentist, optician and retained on the child(ren)'s case record(s).

Whilst there is no reference in legislation to the minimum or maximum age that a private foster carer can be, age can be an important issue. A person under the age of 18 is not an adult and is unable to secure independent accommodation as they are not able to legally sign a tenancy agreement. This is of considerable importance and Brighter Futures for Children therefore considers it good practice to not allow any person under the age of 18 to be considered as a potential private foster carer.

14.2 Checks and references

The assessment of a private foster carer must include:

- Enhanced DBS checks on the private foster carer(s), and all members of the household aged 18 or over.
- Mosaic checks on all household members.

- Local authority social care record checks on the carer(s) against all previous addresses in the last 10 years.
- Police National Computer (PNC) checks where a child has been placed in an emergency or where it is anticipated that a child may be placed prior to the completion of DBS checks.

Other checks may be taken up in respect of the proposed or actual private foster carer(s), their household members, or their address, as appears appropriate. This may include checks with:

- Probation.
- The carer(s)' GP.

If a proposed or actual carer has a child(ren) aged under 18 years who is not living in their care, consideration will be given to whether a reference should be obtained from the child(ren)'s other parent in order to check out if there are any safeguarding concerns in respect of the applicant.

If a proposed or actual carer has an adult child(ren), regardless of whether or not they are living in the household, consideration must be given as to how their views on the application should be sought, in order to check out if they have any safeguarding concerns in respect of the applicant.

Brighter Futures for Children also has a duty to, where appropriate, consult with other agencies who may already be involved with the child, the proposed or actual private foster carer(s) or members of their household. Where the carer(s) have child(ren) of pre-school or school age, a reference may be sought from the child(ren)'s health visitor, nursery and/or school(s) to provide evidence of the carer(s)' capacity to support a child's health and/or education.

The proposed or actual carer(s) must be made aware that such views will be sought.

The Homes for Ukraine Scheme

Brighter Futures for Children recognises the additional vulnerability of children who are placed under the Homes for Ukraine Scheme who are unaccompanied by their parent or guardian and whose sponsors are to be assessed under the Private Fostering Framework. Given that many of the children and young people who move to the UK under this scheme will not be joining families with whom they or their parent(s) already have a well-established relationship, Brighter Futures for Children are particularly mindful of their responsibility to safeguard the welfare of the children and young people who are to be subject to such arrangements. To this end, the local authority has made the decision that when assessing potential Homes for Ukraine carers, in addition to the reference requirements detailed above, personal references will be taken up on the proposed carers in line with the references that are taken up in respect of applicants who wish to be approved as local authority foster carers. The assessment of Homes for Ukraine carers for unaccompanied minors, will therefore include three personal references being taken up for each carer (these can be joint references if a couple). Only a maximum of one reference can be from a relative of the applicant(s).

14.3. Assessment of the private foster carer(s) and their household

Once the Initial visit has been completed by the Adoption & Permanence social worker, they will continue with the assessment of the proposed or actual private foster carer(s). The assessment should be completed using the agreed template document – see Appendix 8.

In order to complete the assessment, the allocated Adoption & Permanence social worker must:

- Visit the private foster carer(s) in the home where the child(ren) are to live (or are already living) and speak to them and all members of the household, including all adults who are not related to the carer(s) but are living in the household.
- See any children who are living in the household with the private foster carer(s), to ascertain the nature of their relationships.
- See around the private foster carer(s)' home and complete a home safety check using the agreed template document – see Appendix 6.

The private foster carer assessment, once completed, will consider and make recommendations as to the following:

- The suitability of the private foster carer(s) and all members of the household (including anyone employed at the household).
- The suitability of the accommodation.

The assessment must establish:

- That the intended duration of the private fostering arrangement is understood and agreed between the parent(s) of the child(ren) and the private foster carer(s).
- That the child(ren)'s physical, intellectual, emotional, social and behavioural development is appropriate and satisfactory.
- That the child(ren)'s needs arising from their religious persuasion, racial origin, and cultural and linguistic background are being, or will be, met.
- The standard of care which the child(ren) will be given or are being given where the child(ren) are already in placement.
- That the arrangements for contact have been agreed and understood and are satisfactory to the child(ren).
- That the financial arrangements for the care and maintenance of the child(ren) have been agreed, and where the child(ren) are already in placement are working
- That appropriate arrangements have been made in respect of the child(ren)'s health, in particular that the child(ren) are, or will be, included on the list on a General Practitioner
- That appropriate arrangements have been made in respect of the child(ren)'s education
- How decisions about the day-to-day care of the child(ren) will be, or are being, taken.

As detailed in section 14.2 (above), the assessment must include:

- Enhanced DBS checks on the private foster carer(s), and all members of the household aged 18 or over.
- Mosaic checks on all household members.

- Local authority social care record checks on the carer(s) against all previous addresses in the last 10 years.

Other checks may be taken up in respect of the proposed or actual private foster carer(s), their household members, or their address, as appears appropriate.

The assessment should also seek information about regular visitors to the household, particularly any who may be entrusted with the short-term care of the child(ren) placed.

In the event of a refusal of any person to cooperate with the making of the necessary checks, the social worker who is completing the assessment of the proposed or actual carer(s) should:

- Seek advice and support from their line manager.
- Advise the carer(s) that they cannot be recommended as suitable.
- Inform the Tff social worker who holds responsible for the child(ren) and/or their manager, who will be responsible for advising the child(ren)'s parent(s) of the situation and the reason why alternative arrangements may have to be made for the child(ren).
- Consider any actions required by Brighter Futures for Children to secure the child(ren)'s safety, seeking legal advice as necessary.

The private foster carer assessment should be completed within 35 working days of receipt of the original referral, or as soon as the outcome is known of the Disclosure and Barring Service (DBS) checks, whichever is the sooner.

If any information comes to light during the course of the private foster carer assessment, for example as a result of the DBS checks, which indicates that a private foster carer may be a disqualified person and/or would preclude the person from fostering a child(ren), the Adoption & Permanence social worker should immediately discuss this with the child(ren)'s allocated social worker and relevant managers. The parent(s) of the child(ren) concerned must be advised that the proposed or actual carer(s) are not suitable to care for a child(ren), and if the child(ren) concerned are already placed, that they must make immediate alternative arrangements for the care of their child(ren). In the event that the child(ren)'s parent(s) cannot be found, or the parent(s) decline to make alternative arrangements for the care of their child(ren), consideration must be given to whether any actions may be required by Brighter Futures for Children to secure the child(ren)'s safety, and, if necessary, child protection procedures should be followed. Legal advice should be sought as necessary

15. Signing off the assessments of private fostering arrangements and recommendations

A report on the private foster carer(s)' assessment, together with the S.17 single assessment and any recommendations made, should be checked and agreed by the Adoption & Permanence team manager and then presented to the Brighter Futures for Children Fostering Panel for a recommendation as the carer(s)' suitability.

After the Brighter Futures for Children Fostering Panel has considered the application, the Panel Chair will complete a panel recommendation/advice sheet with regards to the private fostering arrangement. The final decision as to the suitability of the proposed or actual private fostering

arrangement will rest with Brighter Futures for Children’s Agency Decision Maker (fostering), who will consider the panel bundle, the panel minutes and the Panel Chair’s recommendation/advice sheet, prior to reaching the agency decision. Written notice of the decision must then be sent to the private foster carer(s) and the child(ren)’s parent(s) within 7 working days of the decision being made, this must include details of any requirements, exemptions or prohibitions imposed.

The outcome of the private foster carer assessment and the agency decision must be recorded on Mosaic and a copy of the panel minutes/decision sheet placed on the private foster carer(s)’ Mosaic record.

16. Imposing requirements on private foster carers

Where appropriate, assessment reports can include recommendations for requirements to be imposed on the private foster carer(s), for example to restrict the approval to an individual child or to limit the number, age or gender of children who may be cared for privately.

Requirements may also relate to the standard of accommodation, health, and safety matters and/or practical matters such as equipment. A requirement may include a timescale within which the private foster carer(s) must take the necessary action(s).

It is advisable to inform the proposed or actual private foster carer(s) that a requirement is to be made, in order to give time for any informal negotiations to take place if this is consistent with the welfare of the child(ren), thus preventing unnecessary appeals to the Court.

The Agency Decision Maker (fostering) will make the final decision as to imposing requirements. Any requirements imposed must be specified in writing, together with reasons. Written notice of any requirements imposed, together with the reasons, must be sent to the private foster carer(s) and to the child(ren)’s parent(s) within 7 working days of the decision.

Should the requirement later no longer be required, or should it need to be varied or added to, the Adoption & Permanence social worker should provide an update report and recommendation to the Agency Decision Maker (fostering) who will make the decision. The private foster carer(s) and the child(ren)’s parent(s) must then be informed of the decision in writing within 7 working days.

17. Non-compliance with requirements

Where requirements which have been imposed are not complied with, the Adoption & Permanence social worker must consider whether support should be provided to ensure compliance and/or whether to report further to the Agency Decision Maker (fostering), recommending that the private foster carer(s) be prohibited from caring for the child(ren), in which case the procedure for prohibitions, as set out in Section 23 below, must be followed.

18. Limits on the numbers of children placed

The maximum number of children privately fostered in any one household must not exceed three unless there are exceptional circumstances. The usual fostering limit of not more than three children in any household applies to private fostering although exemptions may be requested via the Fostering Panel.

Private foster carers who are looking after more than three privately fostered children must have an exemption or they will be regarded as running a children's home. This would require them to register the home under the Care Standards Act 2000 and failure to register is an offence.

When an application for exemption is being requested, the Fostering Panel and the Agency Decision Maker (fostering) must be supplied with the following information:

- The number, name(s) and age(s) of the child(ren).
- The proposed arrangements for the care and accommodation of the child(ren).
- The intended and likely relationship between the child(ren) and the private foster carer(s).
- The proposed length of each child's placement.
- How the welfare of the child(ren) in the placement will be safeguarded and promoted.

Exemptions will only be granted in relation to named children and will cease when the named children leave the placement.

Where an exemption is granted, this will be confirmed in writing to the private foster carer(s) and to the children's parent(s) within 7 working days of the decision.

19. Disqualification

Private foster carers may be disqualified from looking after other people's children under Section 68 of the Children Act 1989 and the Disqualification from Caring for Children (England) Regulations 2002. Section 68 of the Children Act 1989 disqualifies certain people from being private foster carers unless the disqualification has been disclosed and their local authority has given specific written agreement to them becoming a private foster carer.

The grounds for disqualification under the Regulations are too numerous to be set out in this procedure. The Regulations will need to be consulted in each case. Social workers must seek information and management advice and support on individual cases. Timely legal advice should also be sought. Some reasons for Disqualification are:

- Being the parent of a child who has been the subject of a Care Order under Section 31 of the Children Act 1989 or the parent of a child who had been subject to a Care Order under the legislation that was applicable before the Children Act came into force in 1991.
- Having criminal convictions in relation to a child(ren).
- Having been convicted of an offence(s) against a vulnerable adult(s).
- People who are refused registration in respect of children's homes or whose registration has been cancelled, or who were involved in the management of, or had financial interest in, the running of a children's home(s) whose registration was cancelled.
- A person who has been refused registration for the provision of day care or child minding or has had their registration cancelled.

If a private foster carer is considered to be a 'risk to children' they can be automatically disqualified from looking after someone else's child(ren).



The final decision will rest with the Brighter Futures for Children Head of Service Corporate Parenting and must be recorded on Mosaic.

It is possible for Brighter Futures for Children to give consent to a person acting as a private foster carer who would have otherwise been disqualified, but only if satisfied that the welfare of the child(ren) concerned will not be prejudiced in any way by the arrangement. Legal advice must be sought prior to the making of any such decision, and where consent is given, it should be specific to the private fostering arrangement proposed and the carer(s) and parent(s) must be provided with written details of the consent, including the child(ren) and the circumstances to which it relates and the date on which this consent will expire.

20. Prohibition

Brighter Futures for Children has the power to impose a prohibition on a person applying to be a private foster carer as well as on those who are already fostering a child(ren) privately. A prohibition may be imposed if, having followed relevant procedures and attempted to negotiate with the private foster carer, Brighter Futures for Children is of the view that:

- The carer is not suitable to privately foster a child(ren)
- The premises is not suitable for private fostering

or:

- It would be prejudicial to the welfare of the child(ren) for them to be, or to continue to be, accommodated by the carer(s) at the premises.

Brighter Futures for Children can prohibit a person from fostering privately:

- Any child in any premises
- Any child in specified premises
- A specified child in any premises

or:

- A specified child in specified premises.

The fact that a private foster carer is disqualified is a good reason upon which to seek a prohibition (see section 22 above for the definition of 'disqualified').

Where the social worker for the child(ren) and/or the Adoption & Permanence social worker considers that it would be appropriate to consider a private foster carer as suitable, despite the fact that they, or a person in the household, are disqualified, the assessment report must set out the reasons and be presented to the Fostering Panel for consideration and a Panel recommendation. In these circumstances, a decision can be made to not prohibit the private foster carer(s) from caring for a specific child(ren). The final decision on any such application will rest with the Agency Decision Maker (fostering). The decision must be recorded in writing, with reasons, and the private foster carer(s) and the child(ren)'s parent(s) notified of the decision within 7 working days.

Where a decision is made to prohibit a private foster carer from caring for a child(ren), the reasons for the decision must be recorded. Written notice of the decision, together with the reasons, must

be given to the private foster carer(s) and the parent(s) of the child(ren) concerned, within 7 working days. The private foster carer(s) must also be advised of their right to appeal.

Immediate discussion should take place with the parent(s) of the child(ren) to whom the placement relates, regarding the need for them to make alternative arrangements for their child(ren)'s care.

Unless it would not be in the best interests of the child(ren) concerned, all reasonable steps must be taken to secure the child(ren)'s return to the care of their parent(s), any other person with parental responsibility, or a suitable relative, with Brighter Futures for Children providing support where appropriate. In order to determine the best outcome for the child(ren), an assessment or update assessment of their needs for safety and protection should be completed.

A prohibition may be cancelled by Brighter Futures for Children, either of its own motion or on application, if the local authority is satisfied that the prohibition is no longer justified (Section 69 Children Act 1989).

Brighter Futures for Children's Tff service and the Adoption & Permanence service should both be involved in any decision as to whether a person is to be prohibited from privately fostering and this should be discussed with the Berkshire Joint Legal Team, who will be responsible for serving any notice and preparing for any possible appeal (Schedule 8 Paragraph 8 Children Act 1989).

21. Appeals

Brighter Futures for Children is required to have a comprehensive appeals process through which private foster carers have the opportunity to appeal against requirements, conditions, prohibitions, or disqualifications placed upon them.

Where the Fostering Panel is to consider requirements, conditions, prohibitions or disqualification, advice must be sought from the Berkshire Joint Legal Team. In cases where this is an issue, a representative from the Joint Legal Team should be invited to attend the Panel meeting to provide advice and to inform if legal action is likely. The same legal representative should then be available to discuss the case with the Agency Decision Maker (fostering) or the Head of Service Corporate Parenting, prior to the agency decision being made.

Where Brighter Futures for Children makes a decision to:

- Impose a requirement or prohibition
- Refuse to cancel a prohibition
- Refuse to exempt a person from the fostering limit of three (under Schedule 7) (or impose a condition on an exemption or a variation or cancellation of such an exemption)

or to:

- Refuse to consent to allow a person who is disqualified to privately foster a child

it must provide the private foster carer(s) with a written notice. The Berkshire Joint Legal Team should be requested to prepare and send this notice. The notice must inform the private foster carer(s) of the reason for the determination, their right to appeal and the time limit in which any appeal must be lodged.

An appeal may be made by making an application to the local Family Proceedings Court within 14 days of notification of the decision. Where the appeal is against a proposed requirement, refusal to grant an exemption to the usual fostering limit, or a variation or cancellation of an exemption, it shall not have effect while the appeal is pending.

The Court has a range of options open to it. It can grant or refuse applications. It can vary, make exemptions, and impose conditions. The Court's decision is then deemed for the purposes of the Children Act 1989 to have been made by Brighter Futures for Children (Schedule 8 to the Children Act 1989 deals with appeals).

22. Prosecution

The Local Authority may prosecute private foster carers for the following offences:

- Persistent and flagrant failure to notify of private fostering arrangements
- Refusal to allow a privately fostered child to be visited by a Brighter Futures for Children social worker and/or manager who has produced appropriate identification
- Knowingly continuing to privately foster whilst prohibited or disqualified from doing so
- Failure to comply with any requirements imposed by Brighter Futures for Children

The social worker must consult with their line manager and the appropriate Head of Service before seeking legal advice. In these circumstances the possibility of taking legal action against the private foster carer(s) must be discussed in a strategy meeting prior to any action being taken.

23. Assessment of the child

As detailed in Section 11 (above), Brighter Futures for Children has determined that all children subject to private fostering arrangements will be deemed to be Children in Need for the purpose of monitoring and supporting the welfare of the child, through-out the duration of the placement.

However, it is recognised that not all privately fostered children's situations meet the criteria for Children in Need as defined by Section 17 of the Children Act 1989, i.e.:

- The child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under the Children Act 1989
- The child's health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services

or:

- The child is disabled.

An assessment as to whether the child is in need of services under Section 17 must be completed by the allocated Tff social worker, in accordance with the Framework for the Assessment of Children in Need and their Families (DH, 2000). This will also provide the opportunity to consider any support or services that could be provided to increase the capacity of the private foster carer(s) to meet the needs of the child(ren).

The Child in Need plan must be reviewed within the first 3 months and then at least every 6 months whilst the child(ren) remain in placement.

Where a Child in Need Plan does not result in an improvement of the care received by the child(ren), consideration must be given as to whether the private fostering arrangement should continue to be supported; whether the child(ren) can be reunited with their parent(s) or whether an alternative arrangement needs to be made, which might potentially include the child(ren) being accommodated under Section 20.

24. Support and information for privately fostered children

Privately fostered children should be able to access information, help and support when required so their welfare is safeguarding and protected.

Privately fostered children should be provided with information, using methods or formats appropriate to their age and level of understanding. This should include information about:

- Private foster care and the carer(s)' responsibilities.
- The meaning of their privately fostered status, and their right to be safeguarded.
- Their right to speak openly about their experience and to inform their allocated social worker if they are unhappy about any aspect of the care that they receive, and how any information that they share will be treated.
- What support is available to them and how to access that support when they need it. (This should particularly acknowledge the fact that privately fostered children are separated from their parents, and often from other close relatives and/or friends and will have associated feelings of loss).
- Maintaining their cultural and/or religious identity when they move to the placement (particularly if they are from a different culture to their carer(s)).
- Advocacy services, Children's Rights Services.
- Whether the child will be eligible to receive advice and support from the local authority when they cease to be privately fostered.
- The Brighter Futures for Children complaints procedure.

This information is contained within Brighter Futures for Children's leaflet for privately fostered children: 'Private fostering – A guide for children' – see Appendix 2.

Each child should be provided with their own copy of the leaflet, which should be explained to them by their allocated social worker. The leaflet can be accessed at:

<https://brighterfuturesforchildren.org/for-parents-carers/fostering-and-adoption/family-and-friends-carers/>

The leaflet should be translated into the child's language of heritage (if appropriate).

In addition, privately fostered children should all be given the contact details of the social worker who will be visiting them whilst they are privately fostered. If of sufficient age and understanding, each child should be made aware of how they can contact their social worker if they have any

worries about their care; if they would like the social worker to visit them to check on anything that is concerning them about their care or if there are other matters that they want to talk about.

25. Support and information for birth parents or those with parental responsibility

The parents of privately fostered children are entitled to receive information, advice and support from the responsible local authority, whilst their children are living away from their care, in private fostering arrangements. Providing support to the birth parent(s) of a privately fostered child is primarily the responsibility of the child's allocated social worker.

Birth parents and other adults who hold parental responsibility for a child who is to be, or has already been, placed in a privately fostering arrangement, should be given or sent a copy of the following information leaflet: 'Private Fostering – A guide for parents, carers and professionals' – see Appendix 2.

The leaflet can be accessed at: <https://brighterfuturesforchildren.org/for-parents-carers/fostering-and-adoption/family-and-friends-carers/>

The leaflet should be translated into the parent(s)' language of heritage (if appropriate).

All parents who have placed their child(ren) in a private fostering arrangement should be made aware of the support and information that is available to them. Whenever possible this should be done in person and confirmed in writing. If this is not possible as the parent is abroad for example, written information should still be sent, and contact made by phone and/or email.

Parents need to be informed that they are required by law to notify Brighter Futures for Children if they change address. Parents should also keep Brighter Futures for Children up to date with their latest contact details so that Brighter Futures for Children can maintain contact with them. They should also be advised to keep the private foster carer(s) informed of any changes in their contact details. Children can become worried if their parents are not contactable, particularly if they do not live locally or live abroad.

Parents may need advice on a wide range of issue which their child(ren)'s allocated social worker, or the Adoption & Permanence social worker should be able to provide. This may include:

- Advice around whether or not private fostering is the right choice of care for their child(ren), or whether a specific private foster carer(s) is able to meet their child(ren)'s needs.
- Advice and support around making alternative arrangements for the care of their child(ren) where Brighter Futures for Children considers that it is not appropriate for the child(ren) to be privately fostered, or where a private fostering arrangement is prohibited, and no other arrangement is contemplated.
- If applicable, advice on the desirability of, if possible, keeping siblings together – unless a child has particular needs which precludes them being with their sibling(s).
- Advice on what to do if they are concerned about their child(ren)'s care (both for information and if a situation arises).

Parents may also require help in looking for an alternative to private foster care in the event that they are unhappy with a proposed or ongoing arrangement.

The Tff and Adoption & Permanence social workers should advise parents around the importance of promoting positive attachments for their child(ren). This should be done by emphasising to parents the need for them to remain in close contact with their child(ren) throughout the duration of any private fostering arrangement and advising of the implications of child(ren) living away from home with someone else if parental involvement and contact is not maintained.

Information and advice should always include looking at what can be done to help the child(ren) to return to their family and end the need for the private fostering arrangement. In each case Brighter Futures for Children will consider whether support, or referral to another agency, would remove the necessity for the child(ren) to be privately fostered and, where feasible and in the child(ren)'s best interests and with the parent(s)' consent, provide that support or make that referral.

It is important that children's parents are advised of the benefits of ensuring that all aspects of any private fostering arrangement are agreed and recorded in a written agreement with the private foster carer(s). A written agreement should include clear statements around the proposed duration of the care arrangement and any financial support that the parent(s) or other family members will provide towards the upkeep of the child(ren). This will support the stability of the placement and reduce any risk of a placement ending prematurely.

Brighter Futures for Children can provide advice around the drawing up of a written agreement and a template for written agreements can be provided to parents if required – see Appendix 7.

Any agreement between a child(ren)'s parent(s) and private foster carer(s) should ensure that the child(ren)'s holistic needs are being met. The agreement should cover:

- The purpose of the placement and its intended duration.
- Any financial arrangements around the care of the child(ren).
- Contact arrangements, including visits.
- Meeting the child(ren)'s educational needs.
- Meeting the child(ren)'s health needs.
- Meeting the child(ren)'s cultural and/or religious needs (if appropriate).
- Supporting the child(ren)'s leisure activities and friendships, including them staying with friends.
- Any other issues particularly pertinent to the child(ren) or the placement.

The parent(s) and others with parental responsibility for a privately fostered child(ren), should be given the contact details of the child(ren)'s Tff social worker and the Adoption & Permanence social worker whose role it is to support the carer(s). The parent(s) should also be given details of how to access the Brighter Futures for Children Out of Hours Service.

26. Support and information for private foster carers

Private foster carers, and those who are intending to privately foster a child(ren), are entitled to receive information, advice and support from the responsible local authority. Providing support to private foster carers is primarily the responsibility of the Brighter Futures for Children Adoption & Permanence service.

Private foster carers or those intending to privately foster should be given a copy of the following leaflet: 'Private Fostering – A guide for parents, carers and professionals' – see Appendix 2.

The leaflet can be accessed at: <https://brighterfuturesforchildren.org/for-parents-carers/fostering-and-adoption/family-and-friends-carers/>

The leaflet should be translated into the carer(s)' language of heritage (if appropriate).

It is important that both prospective and actual private foster carers are advised of the benefits of ensuring that all aspects of any private fostering arrangement are agreed and recorded in a written agreement with the child(ren)'s parent(s). A written agreement should include clear statements around the proposed duration of the care arrangement and any financial support that the parent(s) or other family members will provide towards the upkeep of the child(ren). This will support the stability of the placement and reduce any risk of a placement ending prematurely.

Brighter Futures for Children can provide advice around the drawing up of a written agreement and a template for written agreements can be provided to proposed or actual private foster carers if required – see Appendix 7.

Private foster carers need to be informed about when they need to notify Brighter Futures for Children of changes in their circumstances or contact details.

Prospective and actual private foster carers should receive advice and support aimed at enabling them to provide appropriate care for the child(ren) who are placed with them and to meet the child(ren)'s individual needs. This includes ensuring that the child(ren) have access to universal services such as health and education. This may also include advice on:

- Caring for the child(ren); including, obtaining practical support, parenting strategies, providing emotional support for the child(ren), managing issues of separation and loss, ways to ensure that the child(ren) remain in contact with their family; valuing and supporting the child(ren)'s culture and religion, and other aspects that will enhance their ability to provide effective care.
- Any issues that arise for other members of the household as a result of the private fostering arrangement.
- Where to get financial support e.g., welfare benefits (Private foster carers can claim child benefit and child tax credit, if not being paid to the parent(s), but the financial responsibility to maintain the child(ren) remains with the adults who hold parental responsibility for them).
- Promoting family contact.
- Keeping relevant records on the child(ren)'s progress, development and life experiences, to share with the child(ren)'s parent(s); for example, health issues, educational difficulties and/or achievements and significant events in the child(ren)'s lives. This information will be important when the child(ren) returns to live with their family.

Such advice should specifically cover:

- Maintaining and updating the child(ren)'s medical histories to include notes and dates of visits to the GP, health clinic, hospital etc.
- Keeping a file of school reports, examination results and special pieces of work.

- Noting the dates and means of contact with the parent(s) and other significant people in the child(ren)'s lives (visits, letters, phone calls).
- Recording the child(ren)'s out of school activities such as sport, art, music, drama, clubs.
- Maintaining a financial record of money received in relation to the child(ren)'s upkeep.
- Noting the dates and nature of contact with Brighter Futures for Children.
- Keeping an album of significant events/people in the child(ren)'s lives during their time in the private fostering placement.

It may also include:

- Signposting and assistance in accessing local resources such as appropriate childcare, health care, nursery, or school.
- Providing links to support groups in the area.
- Providing information on the advice and support that is available from other agencies, including health services, education, housing services, youth support services, independent advice and advocacy services, voluntary organisations, and community groups.
- Providing information on training and how to access this.

Advice to private foster carers can be given in a number of ways:

- Individually by the Adoption & Permanence social worker (at, or between visits), health visitor or other professionals.
- In a support group, learning from other carers. This can be particularly useful if it includes some experienced carers with good standards of care who can act as role models to others.
- Through bespoke training for private foster carers or more general training for all foster carers or Connected Carers and/or Special Guardians.

Private foster carers should be given the contact details of the Adoption & Permanence social worker who they can go to for advice and support if they have any significant worries about the care of the child(ren) who are placed with them, or if they would like to request a visit to the child(ren). Private foster carers should also be given details of how to access the Brighter Futures for Children Out of Hours Service.

27. The monitoring of private fostering arrangements

27.1 The frequency of visits

The allocated social worker (for the child(ren)) must visit the child(ren) at the private foster carer(s)' home within one week of the placement. All privately fostered children must then be visited on at least a six-weekly basis throughout the first year of placement. In subsequent years, privately fostered children must be visited at least three-monthly

Whether there is a need for a privately fostered child to be visited or seen more frequently will be decided by the social worker for the child and the responsible manager, depending on the circumstances of the case. The need for periodic unannounced visits and/or for visits to take place at

times when all members of the household are likely to be present, should also be considered. Additional visits should be arranged at the request of the child(ren) or the private foster carer(s).

The child(ren) must be seen alone by the social worker during each visit unless this is not appropriate having regard to the young age of the child(ren), or the child(ren) not wishing to see their social worker alone.


Note: It is also important that the child(ren) are seen in the placement, with the carer(s) and with other household members, so meetings with the child(ren) should not routinely take place while the child(ren) are at school.

Private foster carer(s) may also contact their Adoption & Permanence social worker for advice and support which might necessitate a visit. All visits to privately fostered children and/or their carers must be recorded on Mosaic.

27.2 The purpose of visits

The overall purpose of all visits is to check that the child(ren)'s needs are being met within the private fostering placement, and to, where necessary, encourage the maintenance and improvement of childcare standards. Visits should provide the opportunity for the allocated social worker to:

- Observe and check the overall standard of the care that the child(ren) are receiving, including the suitability of the home environment.
- Observe the child(ren) in placement and to speak to and ascertain their wishes.
- Review the purpose and likely duration of the placement and ensure that the arrangements agreed with the child(ren)'s parent(s) are working. When necessary, the parent(s) and the private foster carer(s) should be encouraged to plan the ending of the placement and advised as to how to prepare the child(ren) for the change.
- Check that any requirements imposed are being met, and whether they need to be changed or cancelled.
- Ensure that the arrangements for the child(ren)'s education are satisfactory.
- Advise or arrange advice for the private foster carer(s) as necessary, for example in relation to the maintaining of the child(ren)'s links with their cultural heritage, or in relation to making appropriate travel arrangements for the child(ren) visiting family abroad.
- Where the child(ren) are from overseas, check the child(ren)'s immigration status and whether it is consistent with the intended duration of the arrangements.
- Ensure that the child(ren) are, and remain, registered with a GP and dentist, and that any necessary health care is being provided, including any that relates to the child(ren) having additional health needs.
- Ensure that if the child(ren) are of school age, they are being supported to attend school regularly and to pursue age-appropriate interests and any extra-curricular activities agreed with their parent(s).

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- Where required, ensure that the child(ren) have access to additional services required as a result of any disabilities.
 - Discuss and monitor the contact arrangements for the child(ren) with their parent(s) and any siblings, providing advice and support as required.
 - Encourage the private foster carer(s) to keep record(s) of the child(ren)'s development, and day-to-day life experiences, including accidents, illnesses, immunisations, school reports, achievements and any contact with their parents or significant others.

27.3 Records of visits

A written report on every visit must be made by the social worker concerned. The report must state whether each child was seen and if so, whether the child was seen alone. If the child was not seen, the reasons must be recorded. Observations of the child within the home should be recorded. The record must comment on the child's welfare and how the placement is progressing, and include any views expressed by the private foster carer(s) and/or the child(ren).

Case recording must contain a recommendation about the continued suitability of the private fostering arrangement, and address whether any actions should be taken and/or requirements imposed on the private foster carer(s) or with regards to the arrangement.

A report must be uploaded to each child's Mosaic record.

28. Reviews of private fostering arrangements

The suitability of each private foster carer should be reviewed annually and reported back to the Agency Decision Maker (fostering). In preparation for the review, the Adoption & Permanence social worker will need to review the records pertaining to the child(ren) and the placement, consider the views of the child(ren) who are placed with the carer(s), and consider any recent assessments and any previous placement review(s), assessments, etc.

Reviews of Private Fostering arrangements will be chaired by the Brighter Futures for Children Family Placement Reviewing Officer and completed using the agreed template document – see Appendix 9.

As well as reviewing the care and arrangements, the review should consider whether there have been any changes to the placement and whether any additional support is required. DBS checks must be updated at least every 3 years.

The record of the review should be presented to the Agency Decision Maker (fostering) for scrutiny and final sign off.

29. Unsatisfactory care

If Brighter Futures for Children is not satisfied that the arrangements made for the care and accommodation of a child(ren) will be suitable, or about the welfare of a child(ren) who are already privately fostered, the local authority should impose requirements on the private foster carer(s) or, if appropriate, prohibit the arrangement and inform the child(ren)'s parent(s) or those with parental responsibility for the child(ren). In such a situation, unless it would not be in the best interests of the

child(ren) concerned, Brighter Futures for Children must take reasonable steps to ensure that the child(ren) are looked after by a parent, another person with parental responsibility, or a relative.

Brighter Futures for Children must also consider whether it should exercise any of its local authority functions under the Children Act 1989, including:

- Invoking child protection procedures
- Accommodating the child under Section 20 of the Act

or:

- Offering support under Section 17 of the Act (if the child is considered to be a 'Child in Need' of services).

Decisions under Section 67(5) of the Children Act 1989 should not be taken by the social worker alone. Concerns must be discussed with senior managers. Legal advice may also be required. The relevant procedures such as the child protection procedures should also be consulted as applicable to the situation

30. Notification of significant changes

Regulation 9(1) provides that a private foster carer must notify Brighter Futures for Children of:

- Any change of address
- Any further offences of which they or a person who is part of, or employed at, their household has been convicted
- Any further disqualification (under Section 68 of the Children Act 1989) imposed on them, or a person who is part of, or employed at, their household
- Any person who begins to be part of, or employed at, their household, and any offence(s) of which that person has been convicted, and any disqualification or prohibition imposed on them under Section 68 or 69 of the Children Act 1989 (or under any previous enactment of either of those sections)

and:

- Any person who ceases to be part of, or employed at, the household.

Wherever possible, notification of changes should be reported in advance and, in any other case, not more than 48 hours after the change of circumstances.

If a private foster carer moves to another local authority area, including Scotland, Wales and Northern Ireland, Brighter Futures for Children must inform the local authority where the new address is located of the following:

- The name and new address of the private foster carer(s)
- The name(s) of the child(ren) who are being privately fostered

and:

- The name(s) and address(es) of the child(ren)'s parent(s) or any other person who has parental responsibility for the child(ren).

The responsibility for monitoring the placement will then transfer to the local authority in whose area the private foster carer(s) are or will be residing.

When informing another local authority that a private foster carer(s) has moved to their area, it is good practice to draw the authority's attention to any important matters relating to the welfare of the child(ren) placed with the carer(s) (e.g., a disability or health condition or special educational needs) and to the suitability of the private foster carer(s). It is also good practice to notify other agencies of the carer(s)' change in address, e.g., the relevant Health and if appropriate Education Authorities.

31. Termination of a private fostering arrangement

When a private fostering arrangement comes to an end, the private foster carer(s) should within 48 hours inform their allocated Adoption & Permanence social worker or their manager. The Adoption & Permanence social worker must find out the name and address of the new carer(s) and their relationship with the child(ren). The child(ren)'s parent(s) also have a duty to notify Brighter Futures for Children of the ending of the placement, including the name and address of the person(s) into whose care the child(ren) have moved.

A private fostering arrangement ends when:

- The child(ren) return to their parent(s)
- The child(ren) become subject to special guardianship or are adopted
- The child reaches the age of 16 (unless the child is disabled, in which case the arrangement ends when the child reaches the age of 18)
- The child dies.

The end of the placement must be recorded on Mosaic.

The Adoption & Permanence team manager should be informed of the ending of any private fostering arrangement, so that management data can be updated. If no other services are being provided to the child(ren), for example as a Child in Need, then both the child(ren)'s and the carer(s)' Mosaic case records must be closed.

32. Reunification of privately fostered children with their parents

Private fostering is an arrangement made by the parent(s) of the child(ren) who are subject to the arrangement. However, parents may later need advice, support, or additional services, in order to achieve reunification with their children. The support and advice that is available should be made clear to parents.

In cases where the child(ren) are placed from overseas, the parent(s) of the child(ren) who are being privately fostered, or another person with parental responsibility for the child(ren), can arrange for the child(ren)'s return to their own country from the United Kingdom, even in this is in opposition to the wishes of the child(ren) or in opposition to the wishes of the private foster carer(s). It is

advisable for the child(ren)'s social worker in the Tff service and the foster carer(s)' social worker in the Adoption & Permanence service to ascertain at the outset of an arrangement, in so far as it is practicable, if there are any plans for the child(ren) to be reunited with a parent(s) who is not present in the UK. This should help to avoid any frustrations that may arise from mistaken, confused or disappointed expectations about any proposed or actual plans for the child(ren) to return to the country of origin.

Where arrangements for leaving the UK need to be made for children whose families live abroad, this is primarily a matter for the private foster carer(s) and the parent(s) to agree and arrange between them.

If a private fostering arrangement disrupts and the child(ren) become accommodated under Section 20 of the Children Act 1989, Brighter Futures for Children may then assist the child(ren)'s parent(s) by making travel arrangements in order for the child(ren) to be reunited with their parent(s) or another adult who holds parental responsibility for them.

33. Locating birth parents

There may be cases where the details of the parent(s) of a privately fostered child(ren) are unknown, or one or both of the parents are said to be dead. Attempts must always be made to establish the whereabouts and situation of the child(ren)'s parent(s). If both parents are said to be deceased, as far as is possible, this needs to be confirmed. Advice should be sought from the Home Office and/or International Social Services if required.

34. Immigration and nationality

The allocated social worker for the child(ren) must check each privately fostered child's passport, in order to satisfy themselves about the child's immigration status, in particular that the child is lawfully present in the UK. This should be completed on the first occasion that the child(ren) are seen following notification that a private fostering arrangement is in place. This simple practical step is also an important way of confirming each child's identity.

Children who are UK citizens, may not hold a passport. Where the carer(s) are unable to provide a child's passport and there is doubt about the child's immigration status, the social worker is strongly advised to consult the Home Office UK Visas and Immigration department at the earliest opportunity. Brighter Futures for Children can also seek assistance from authorities in a child's country of origin and/or from the International Social Services (ISS), with a view to tracing a child's parent(s), and then if appropriate arranging for the child to be returned to them.

Before re-unification is proposed, it is important to ascertain the circumstances of the placement and whether there are any concerns that suggest that it may not be appropriate for the child to be returned to the care of their parent(s). This will include checking whether parental responsibility has been terminated or circumscribed by any overseas authority.

35. Child trafficking and exploitation

Identifying a child who is privately fostered is not the same as identifying a child who has been trafficked. Nevertheless, private fostering can potentially mask child trafficking, when traffickers use a private fostering arrangement to formalise having a trafficked child in their home as a 'fostered'

child. It is therefore imperative that the possibility of child trafficking is considered when making an assessment of a private fostering arrangement.

Children in private fostering arrangements may also be vulnerable to being exploited as domestic servants or subjected to other forms of forced labour, or even to sexual exploitation. It can be difficult for practitioners to identify these children and therefore to track their movements and monitor their welfare.

Social workers and managers should consult the statutory guidance in relation to trafficking of children and young people⁴ and Brighter Futures for Children and West Berkshire's specific guidance and procedures. Brighter Futures for Children's LADO should also be consulted.

36. Disabled children

Paragraph 2(2) of Schedule 2 to the Children Act 1989 requires local authorities to maintain a register of disabled children in their area. Paragraph 6 of Schedule 2 places a duty on local authorities to provide services for children with disabilities designed to minimise the effect of their disabilities and give such children the opportunity to lead lives that are as normal as possible. The register and services should help in the identification, assessment and service provision for privately fostered children who are disabled.

Registration is voluntary and requires parental consent. A child does not have to be on the register to be assessed for and receive services, and registration does not automatically mean that a child is eligible for services as each child must be assessed individually.

In co-operation with other relevant agencies, social workers need to consider the overall developmental needs of a disabled child who is privately fostered. The private foster carer(s) should be advised of services and support available to disabled children.

37. Brighter Futures for Children foster carers who privately foster

Where a Brighter Futures for Children approved foster carer notifies of their intention to privately foster a child(ren), the same procedures apply as would apply to any other person intending to privately foster.

The foster carer should be advised of the differences between the two roles and the expectations of each. Consideration will need to be given to the implications for any Child Looked After already placed with the foster carer(s). Consideration should also be given to the future placement of any other Looked After Children, particularly having regard to the usual fostering limit of three children.

Where the Brighter Futures for Children foster carer lives outside the area covered by Reading Borough Council, they must formally notify the local authority in whose area they reside of their

⁴ See 'Statutory guidance for the care of unaccompanied migrant children and child victims of modern slavery' (DfE 2017), 'Safeguarding children who may have been trafficked: Practice Guidance' (DfE 2011) and 'Safeguarding strategy for unaccompanied asylum seeking and refugee seeking children' (DfE 2017).

intention to privately foster a child(ren), as their home local authority will be responsible for ensuring the welfare of any child(ren) placed with them under a private fostering arrangement.

38. Private fostering and adoption

Non-relatives who have been caring for a child(ren) under a private fostering arrangement for 36 months or more, are eligible to make an adoption order application in respect of the child(ren) provided that they have given the required notice to their local authority.

In these circumstances, the application may be considered provided the Children (Private Arrangements for Fostering) Regulations 2005 have been complied with. If there has been a failure to comply with the Private Fostering Regulations, it will be necessary to seek advice from the Brighter Futures for Children Service Manager who holds responsibility for adoption and from the Berkshire Joint Legal Team.

Failure to notify the relevant local authority of the private fostering arrangement (with or without subsequent conviction of an offence under Section 70 of the Children Act 1989) is something that should be taken into account when considering the private foster carer(s)' suitability to adopt.

39. After care

Once a privately fostered child reaches the age of 16 (or 18 if disabled) they are no longer considered to be privately fostered. Under The Children (Leaving Care) Act 2000, those qualifying for advice and assistance include any young person under the age of 21 (or under the age of 24 if still in education or training) who ceases to be privately fostered after the age of 16. This refers only to disabled young people who continue to be considered as privately fostered children until they are 18 years of age.

Children Act 1989 Guidance on Private Fostering, 3.7 also states: *“The local authority can advise, assist and befriend such a young person if he asks for help and his previous private foster carers do not have the necessary facilities to advise or befriend him. Assistance may be in kind or, in exceptional circumstances, in cash which may also be conditional on repayment, except where a person is in receipt of certain benefits.”*

None of the above precludes Brighter Futures for Children considering that a child who ceases to be privately fostered at the age of 16 continues to be a 'Child in Need'. In this case, Brighter Futures for Children has the power to support the young person under Section 17 Children Act 1989. Many privately fostered young people continue to be vulnerable and need continuing support and assistance to enable them to successfully make the transition to adulthood and independence.

Children placed under the Homes for Ukraine scheme are not eligible for after care support as privately fostered children, but they may be eligible for additional supports under the Homes for Ukraine Scheme.

40. The death of a privately fostered child

If a child dies whilst living in a private fostering arrangement, the Director of Children's Social Care must be notified immediately. The Brighter Futures for Children LADO should also be notified without delay so that it can be agreed whether or not they have a role in the situation.



The Adoption & Permanence social worker must visit the private foster carer(s) to offer support and assistance if needed in notifying the child's parent(s).

41. Case records

An individual Mosaic case record must be set up and maintained for each privately fostered child, even if fostered as part of a sibling group. Where siblings are placed their case records must be cross referenced.

All case records pertaining to a privately fostered child must be uploaded to the child's Mosaic file, including records of visits, communication, assessments, plans and reports. The case record should clearly demonstrate the process of decision making in respect of the child; the evidence or rationale, the sequence of agreements reached, decisions taken, the reasons for them, and any arrangements made as a result. The views of children (as appropriate) and their parent(s) and carer(s) should be evident throughout the recording. Evidence of managerial oversight should also be apparent in the case records.

A Mosaic case record must also be set up and maintained for each private foster carer (cross referenced to the child(ren) placed). The case records should include:

- Details of any assessments made (including copies of the assessment report(s))
- Details of checks and references carried out and their outcomes
- Details of any convictions, disqualifications or prohibitions of the private foster carer(s) or any person(s) living or employed in their household
- Details of any requirements imposed on the private foster carer(s)
- Details of any visits made to the carer(s) and any advice or support given
- Detail of any reviews of the carer(s) and their private fostering arrangement(s) (including copies of the signed review report(s))

42. Managerial monitoring, compliance, and independent scrutiny

The Children (Private Arrangements for Fostering) Regulations 2005 require Local Authorities to monitor the way in which they discharge their functions under Part 9 of the Children Act.

42.1 Private fostering management spreadsheet and activity log

In order for Brighter Futures for Children to effectively monitor the way in which it discharges its functions in relation to private fostering and to collect performance data, a Private Fostering Management Spreadsheet has been established. This spread sheet records the following information:

- The number of privately fostered children placed in the Reading Borough, and the profiles of the children
- The number of private foster carers living in the Reading Borough and details of the carers
- The number of new placement notifications received



- The dates of all notifications received (regardless of who the notification came from)
- The date that each placement started
- The dates that the single assessment and the Private Fostering Assessment were started and concluded
- The progress of DBS checks
- The date that each placement terminated and the reason that it ended (including where the child moved to)
- Decisions on suitability, requirements, prohibitions etc.

The Adoption & Permanence service also maintains a Private Fostering Activity Log which records:

- The number and nature of enquiries received in relation to private fostering and brief details of any actions taken

Brighter Futures for Children monitors its compliance and evaluates its effectiveness in improving practice in relation to private fostering via a number of means including:

- Data collated on the Private Fostering Management Spreadsheet
- Tracking the progress and outcome for all privately fostered children
- Audit findings
- Consultation / surveys with children, young people and their carers (through annual placement reviews and reviews of the Child in Need Plans)

42.2 Line management and auditing

Brighter Futures for Children's Adoption & Permanence team manager maintains managerial oversight of the local authority's private fostering services through:

- Maintaining a rolling programme of private fostering awareness raising and monitoring the effectiveness of different initiatives
- Managing the Private Fostering Management Spreadsheet
- Staff supervision and signing off reports
- Monitoring compliance through periodic case auditing

The purpose of audits is to ensure that all required areas of work have been completed to a high standard, and within the required timescales and that this has been achieved through:

- Multi agency working
- Partnership with Children & Families social work colleagues
- Child focused practice

Details of the audit activity undertaken, and its findings, will be incorporated into the annual report on Private Fostering. Brighter Futures for Children may also commission independent audits to be carried out as part of its quality assurance functions.

42.3 Consultation / feedback from children, parents, carers, and professionals

Brighter Futures for Children's Adoption & Permanence service will seek to obtain feedback from privately fostered children, their parents, and their carers, in order to inform the future service improvement and development.

This will concentrate on obtaining feed-back through:

- Child in Need Reviews
- Annual reviews of private fostering arrangements
- Where possible, arranging:
 - An annual telephone consultation between the Adoption & Permanence team manager and the parent(s) of each privately fostered child.
 - An annual telephone consultation between the Adoption & Permanence team manager and the carer(s) of each privately fostered child.

The private fostering auditing process should also check that the views of children, parents and carers are being sought and listened to and are considered at all stages of the assessment and decision-making process.

43. The Annual Report on Private Fostering

The Brighter Futures for Children Head of Service Corporate Parenting will produce an annual report on Brighter Futures for Children's private fostering services. This report will:

- Detail how Brighter Futures for Children complied with its duties and functions in relation to Private Fostering during the preceding year and the outcome of its work in relation to privately fostered children.
- Provide an overview of private fostering activity in the local area, including the actions taken by Brighter Futures for Children and the extent to which local agencies are cooperating in respect of private fostering matters, having particular regard to the extent to which Brighter Futures for Children and partner agencies have taken action to:
 - Promote staff awareness of the requirements of the Private Fostering Regulations.
 - Promote public awareness of the requirements of the Private Fostering Regulations.
 - Identify whether any of their service users are acting as private foster carers.
 - Identify whether any of the children using their services are placed with private foster carers.
 - Provide private foster carers or prospective private foster carers with advice, guidance and support.



- Promote access to relevant training for private foster carers.
- Detail the extent to which partner agencies have notified Brighter Futures for Children of the placement or proposed placement of any children with private foster carers living in the Reading Borough.
- Detail the extent to which Brighter Futures for Children has notified other local authorities of the placement or proposed placement of any children with private foster carers living in their areas.
- Provide an assessment of the extent to which the requirements of the Regulations are being met in the area covered by Reading Borough Council.
- Provide recommendations as to what additional actions (if any) are required by Brighter Futures for Children and/or partner agencies.

The annual report will be provided to the Director of Children’s Social Care and presented to:

- Brighter Futures for Children Quality Assurance & Improvement Committee.
- The Berkshire West Safeguarding Partnership.
- The Reading Borough Council Corporate Parenting Panel.

Appendices

Appendix 1: Glossary of terms

Close Relative: The Children Act 1989 defines a close relative as a:

- Sibling
- Grandparent
- Aunt/Uncle
- Stepparent

These relationships can be of full blood, half blood or by marriage or civil partnership.

Parental Responsibility: Parental responsibility means all the rights, duties, powers, responsibilities and authority, which by law a parent of a child has in relation to the child and the child's property.

A person who has parental responsibility for a child may not surrender or transfer any part of that responsibility to another but may arrange for some or all of it to be met by one or more persons acting on his behalf. The making of any such arrangement shall not affect any liability of the person making it, which may arise from any failure to meet any part of their parental responsibility for the child concerned.

Privately Fostered Child: A person aged under 16 years (or under 18 years if disabled), who is being cared for someone other than a parent, an adult who holds parental responsibility for the child, or a close relative, with the intention that the arrangement will last twenty-eight days or more.

Private Fostering Arrangement: A private fostering arrangement is essentially one that is made privately (that is to say without the involvement of a local authority) for the care of a child under the age of 16 (or under 18, if disabled) by someone other than a parent, someone with parental responsibility or a close relative, with the intention that it should last for 28 days or more.

Responsible Authority: The responsible Local Authority is that where the child is living, or is proposed to be placed, not a Local Authority where the child has previously been living.

Stepparent: A stepparent is someone who is party to a marriage in relation to whom the child is a child of the family. If the stepparent is legally divorced from the child's parent, they no longer qualify as a close relative as the legal relationship is severed by the divorce.

Appendix 2: Leaflets re. Private Fostering

Private Fostering – A guide for children



Private Fostering -
Guide for Children - 2

Private Fostering – A guide for parents, carers, and professionals



Private Fostering -
Guide for Parents Car

Appendix 3: Standard Notification Form – Private Fostering Arrangement



BFFC - Private
Fostering - Notificatio

Appendix 4: Private Fostering Assessment Agreement



BFFC - Private
Fostering - Assessmer

Appendix 5: Declaration regarding suitability to foster children privately



BFFC Private
Fostering - Declaratio

Appendix 6: Private foster home safety checklist



BFFC - Private
Fostering - Home Saf

Appendix 7: Pro-forma for private foster placement written agreement



BFFC - Private
Fostering - Agreemen

Appendix 8: Template for Private Fostering Assessment



BFFC - Private
Fostering - Assessmer

Appendix 9: Template for Annual Reviews of private fostering arrangement



BfFC - Private
Fostering - Annual Re