



# **Bournemouth Borough Council Children's Social Care**

## **Private Fostering**

### **Statement of Purpose 2015 -2016**

The Children (Private Arrangements for Fostering) Regulations 2005

National Minimum Standards for Private Fostering 2005

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## **1. Introduction**

This Statement of Purpose explains our vision, objectives and services provided by Children's Social Care to identify, monitor and support Private Fostering arrangements in Bournemouth. In doing so it sets out how the service meets the requirements of the National Minimum Standards for Private Fostering 2005.

The services to Private Foster Carers and children being cared for in these arrangements, is within a dedicated Private Fostering Team, part of Bournemouth Children and Young People's Services.

This Statement of Purpose is updated regularly and reviewed by the Director for Children's Services. It is available to staff, Private Foster Carers, children and young people, other professionals and the public upon request.

The legislative framework for private fostering arrangements was established within the Children Act 1989 and continues in the Children (Private Arrangements for Fostering) Regulations 2005 together with the National Minimum Standards for Private Fostering which came into force in July 2005.

Children and young people living in private fostering arrangements can be particularly vulnerable. Bournemouth Borough Council is committed to equality and to making fair and equitable treatment an integral part of its work with children and families.

## **2. Background**

The current arrangements to oversee private fostering arrangements in England came into force in July 2005. The Children Act 2004 strengthened and enhanced the previous private fostering notification scheme, with new requirements to raise awareness and provide additional safeguards for children who are privately fostered.

Private fostering arrangements are covered by:

- Part 9 of, and Schedule 8 to, the Children Act 1989; Section 44, Children Act, 2004
- The Children (Private Arrangements for Fostering) Regulations 2005

- Replacement Children Act 1989 Guidance on Private Fostering 2005
- National Minimum Standards for Private Fostering 2005
- Working Together 2013
- Bournemouth Borough Council Tri-X Procedures on Private Fostering
- Performance management information (PF1)
- Family and Friends Care: Statutory Guidance for Local Authorities, 2011

### 3. Legal Definition

The definition of a privately fostered child:

“A private fostering arrangement is one that is:

- made privately, without the involvement of a local authority,
- for the care of a child under the age of 16 (or under 18, if the child is disabled)
- for care of the child, provided by someone other than a parent or close relative”

A “close relative” is defined as:

- Grandparent,
- Brother or Sister,
- Uncle or Aunt, or
- Step-parent; (if they have gained PR)
- and be a full or half relation by blood or marriage.

A parent's unmarried partner is not a step-parent in this context - this is a common misunderstanding.

## Legal Definitions of other arrangements

A child's caring arrangement is not considered to be a Private Fostering arrangement when:

- The carer is the child's parent
- The carer has parental responsibility
- The carer is an approved foster carer and the placement was made by Children & Young People's Authority.
- The placement lasts for less than 28 days.

The arrangement should last for 28 days or more to be considered a privately fostered arrangement and the period should be continuous.

With all Private Fostering arrangements, the responsibility for safeguarding and promoting the welfare of the child remains with the parent or person with parental responsibility.

Due to unique nature of Bournemouth, some host families for language schools fall under the private fostering national minimum standards. These will apply where the student is under 16 years (or 18 if he or she has a disability) and where his or her placement with the host family is expected to last 28 days or more. For such host families, it is therefore possible that they could undertake more than one private fostering arrangement per year. A written notification should be made to the local authority.

Children under the age of 16 who are pupils at a school not maintained by a local education authority who live at the school during school holidays for a period of more than two weeks are deemed to be privately fostered and all aspects of private fostering arrangements apply. This would include, for example, a child who attends the school and spends the school holidays with a member of staff who lives on the school premises.

If the placement is intended to be for less than 28 days, but overruns past 28 days, it becomes private fostering at the point that it becomes clear that it will continue for more than 28 days.

If the placement is intended to be for more than 28 days at the outset, then the arrangement is a private fostering arrangement from when it commences, not from 28 days. Where there is doubt about timescales, the private fostering arrangement is deemed to have begun when the local authority became aware of it.

Private fostering arrangements do not cease where a child spends an occasional period with a parent or close relative but otherwise is ordinarily living with the private foster carer.

The young person ceases to be privately fostered at age 16 but, if the living arrangements continue, then the Family and Friends Care statutory guidance will continue to apply as the arrangement will revert to that of informal family and friends care.

4. Examples of private fostering include:

- Local children living apart from their families
- Children whose parents have died
- Children from abroad sent to study and stay with a host family
- Teenagers who have (temporarily) broken ties with their parents and are staying in the short term with friends and non-relatives
- Children at Independent boarding schools who do not return to their parents during holidays
- Children brought from abroad with a view to adoption
- Parents whose work or study commitments lead them to choose to make arrangements for their children to be privately fostered
- Asylum seekers & refugees
- Trafficked children.

## 5. Duties and functions of the Local Authority

The Local Authority has a duty to inform the community about private fostering. Bournemouth works closely with its neighbouring authority, Poole and other local authorities regionally and nationally to ensure that the public in general and professionals working with these potentially vulnerable youngsters are informed about their responsibilities.

A dedicated Private Fostering team has been formed and the duties related to notification and assessments are outlined in the Bournemouth policies and procedures on Private Foster Care. As with all legislation relating to children, the child's welfare is paramount and the local authority has a duty to ensure the safety of all of those who are privately fostered.

Local authorities do not approve private fostering arrangements but they do have supervisory and regulatory functions within a safeguarding framework.

Bournemouth Borough Council receives referrals through two routes

- Mainstream notifications or concerns regarding possible Private fostering arrangements are received and screened via Children First. Discussion and appropriate timely transfer to the Private Fostering team will occur where appropriate to ensure prescribed timescales are fully met.
- Most educational establishments making arrangement for foreign students and directly email notifications to the Private Fostering team mailbox, which is, accessed daily.

A qualified Social Worker from the Private Fostering Team will be allocated to both the carer and child.

They will assess the carers and the suitability of the household.

The child's needs will be assessed at the same time, using the framework of assessment, to consider whether the child is a child in need and it is safe.

Bournemouth Private Fostering team's actions include:

- Receiving and responding appropriately to notifications
- Responding appropriately to information about a private fostering arrangement where there has been no notification
- Carrying out visits to the carers' address within 7 days and then no less than every 6 weeks (during first year, thereafter no less than every 12 weeks), speaking to the child, alone unless considered inappropriate, the carers and parents, if practicable
- Completing a written report using the ICS electronic recording system
- Assessing the suitability of the accommodation and the proposed arrangements, including DBS (CRB) checks on all household members over 16, within 42 days (or return of DBS checks, whichever sooner)
- Ascertaining the wishes and feelings of the child
- Ensuring the children's physical, intellectual, emotional and social and behavioural development is appropriate and satisfactory and that carers aware of child's racial, cultural, linguistic and religious needs, and are supported to meet them
- Ensuring that the intended duration and financial arrangement is understood and agreed between the parent and private foster carer and encouraging the use of a written agreement
- Establishing the capacity of the private foster carers to look after the child
- Ensuring that arrangements have been made for the child's health, including GP registration
- Ensuring that arrangements have been made for the child's education, including admission to a school
- Ensuring that standards of care are understood, agreed and satisfactory
- Agreeing how day to day decisions about the child will be made



The local authority has a duty to satisfy itself that the welfare of privately fostered children is being satisfactorily safeguarded and promoted and provide the necessary advice to those caring for them. The social worker will provide the child or young person, the private foster carers and the parents with contact details.

Advice and support will be provided to the private foster carers (including prospective private foster carers), to parents and others with parental responsibility, (wherever possible) and to others concerned with the privately fostered child.

This includes linking with universal and targeted services in their locality including Family Centres and Youth Services, advice on claiming benefits, possible financial support for some essential items and parenting advice and support. This support can also help bring families back together. This includes general leaflets on private fostering, and specific Private fostering information leaflets for parents and carers, and for children and young people. These can be translated if required.

The local authority has to maintain a balance between the right of the parent to make a private fostering arrangement for the care of their children and the local authority's obligation to satisfy itself about the safety and welfare of children. Equally, the regulatory responsibilities need to be balanced with the need to provide the right supports to help the arrangement work. Consideration should be given to what action could be taken to remove the need for the parent to have the child privately fostered and, where feasible and in the child's best interests and with the parents' consent, provide services to help the child return to their family.

Information and support will be made available to privately fostered children. A social worker will visit the child on a regular basis and develop a relationship with the child; this may include services for a child in need. In addition, support is available from Education professionals where there are particular difficulties with education or schooling. Health advice and support is available from Health services. The social worker can provide advice and support in relation to education or health difficulties, such as admissions to school or accessing health professionals.

Other agencies have a clear role in assisting the local authority to carry out its duty under section 67(1) of the Children Act 1989, in particular notifying the authority of an arrangement where they are not satisfied

that the local authority have been, or will be, notified of that arrangement.

## 6. Requirements, limits, prohibitions, disqualifications and appeals

The local authority has a range of powers and duties in relation to private fostering, including placing requirements on the private foster carer, setting limits to the arrangements, preventing someone unsuitable from caring for someone else's child, or taking action about unsatisfactory care.

The local authority can make a requirement on a private foster carer (such as only to care for children over a certain age). If the private foster carer does not comply with this there are further powers available to the local authority including the power to prohibit someone from caring for children. The local authority may cancel a requirement if the circumstances have changed.

There is a limit of not more than three children. If a private foster carer exceeds this limit they may be guilty of an offence. In exceptional circumstances an exemption can be allowed.

The local authority has the power to prohibit people from privately fostering where it believes they are not suitable to privately foster a child; or where their premises are not suitable for private fostering; or where it would be harmful to the child to be accommodated by this person in their premises. Where a private foster carer does not follow a requirement they can they be prohibited from private fostering altogether. The local authority may cancel a prohibition if the circumstances have changed.

Some people are disqualified from privately fostering children. There is a range of reasons why someone may be disqualified from privately fostering someone else's child including someone whose own children have been made the subject of care orders, or convicted of certain offences.

The private foster carer has 14 days to appeal to the Family Proceedings Court. The circumstances where someone may want to appeal will be where the Council has made a decision to impose a requirement or prohibition, or refuses to cancel a prohibition, or refuses to exempt a person from the fostering limit of 3, or refuses to consent to allow a person who is disqualified to privately foster a child. The reasons are always based upon safeguarding children.

## 7. Monitoring arrangements

The annual report to the Safeguarding Board and the Service Director of Children's Social Care provides a formal report detailing all activity in this area.

Annual returns are made to the Department for Education for the financial year at the end of May.

Ofsted are responsible for the inspection of our Private Fostering Service.

The local Ofsted office responsible for inspecting our services is:

Ofsted South Region  
Freshford House  
Radcliffe Way  
Bristol BF1 6NL  
Telephone – 08456 404040  
Email – enquiries@ofsted.gov.uk

A Quality Assurance process has been developed to monitor and support arrangements through case audits including embedding self- assessment and QA functions within practice.

## 8. Training strategy:

All those working within Children's Social Care who have direct contact with children are required to undertake safeguarding training to a level appropriate to their role and responsibilities. All such training will take into account the particular vulnerability of children in private fostering arrangements. Information on private fostering is available to all relevant staff and is seen as part of an induction for new social staff working within Children's Social Care.

A dedicated Private Fostering team has been established and this team will undertake all of the private fostering assessments and subsequent support visits has commenced a programme of visiting relevant teams within Children's Social Care and also externally to raise awareness of the issues and requirements in relation to private fostering. Literature and publicity materials have been redesigned has been widely distributed.

The Private fostering team are regularly represented at national and regional events about private fostering including regular special interest groups led by the British Association for Adoption and Fostering (BAAF).

Bournemouth and Poole continue to liaise and work together in relation to private fostering.

9. Delegated responsibility for manager(s) who will sign-off decisions about the overall suitability of an arrangement and contacts for advice in Children's Social Care

Clodagh Wilkinson– Team Manager, Private Fostering Team.  
Office 5, Bournemouth Learning Centre, Ensbury Avenue  
Bournemouth, BH10 4HG  
TEL: 01202 456711  
E-mail [clodagh.wilkinson@bournemouth.gov.uk](mailto:clodagh.wilkinson@bournemouth.gov.uk)

Iris O'Brien – Practice Manager, Private Fostering Team  
Office 5, Bournemouth Learning Centre, Ensbury Avenue  
Bournemouth, BH10 4HG  
TEL: 01202 454651  
E-mail [Iris.o'brien@bournemouth.gov.uk](mailto:Iris.o'brien@bournemouth.gov.uk)

Completed assessment reports are signed off by the Private Fostering Team Manager/Practice Manager, who are both qualified social workers, with a clear recommendation and decision on the suitability of the arrangement. This will include clear recommendations, any additional requirements, which should be imposed, and/or any prohibitions to consider.

10. Awareness raising strategy:

The local authority has a duty to promote awareness of the requirement to notify private fostering arrangements with other agencies and within the wider local community.

The Bournemouth and Poole LSCB multi agency private fostering task group has continued to meet during the year and has broadened its membership to include a representative of the private language schools.

There is an information site on Bournemouth Borough Council's website which can be accessed by staff working for Bournemouth and the general public and this website is being developed further.

A range of posters, leaflets and other publicity materials have been developed and these have been distributed widely. They will continue to be distributed to people who may be aware of, or become involved with, private fostering. Leaflets are included in information packs given to prospective foster carers.

Further information sessions with partner agencies such as schools, GP surgeries, health visiting services, faith, ethnic minority and community groups has begun.

Work is continuing with language schools and agents to raise their appreciation of their responsibilities in terms of timely notifications, completing DBS checks prior to children and young people being placed and information on the children to be placed and their families.

The Team Manager meets with the Regional Accredited Language schools Association (RALSA) quarterly and is seeking the group's support to raise standards with accredited schools.

A presentation & individually tailored advice is available to staff internally and to external organisations from the Private Fostering Team. The Private fostering Team Manger and Practice Manager will be regularly visiting Social Care teams to continue to raise awareness of private fostering across the service.

Bournemouth runs a programme of awareness raising throughout the year and has a communication and marketing strategy which is being progressed.

Information is provided to Elected Members providing information about private fostering and local authority responsibilities.

Regular alerts and internal bulletins are sent to Senior Managers within Bournemouth Borough Council including Youth Services, Libraries and Schools.

#### 11. Review

This statement has been updated from the original posted on the website and is reviewed at least annually.

#### 12. Compliments, comments and complaints

Bournemouth Borough Council aims to provide a wide range of high quality services. Your feedback is very important to us, we like to hear when we are doing something well. We realise that there may be times when you are unhappy with a service or you just might want to make a comment about how we can improve it.

How to make a Compliment, Comment or Complaint

- Completing the 'Your Voice' Compliments, Comments and Complaints Form available from any Council office.
- Completing our online Comments, Compliments and Complaints form.
- Contact the Team Manager –Clodagh Wilkinson– Team Manager, Private Fostering Team.

Office 5, Bournemouth Learning Centre, Ensbury Avenue  
Bournemouth, BH10 4HG  
TEL: 01202 456711  
E-mail [clodagh.wilkinson@bournemouth.gov.uk](mailto:clodagh.wilkinson@bournemouth.gov.uk)