



# Private Fostering Statement of Purpose

2019 - 2020

## Private Fostering Statement of Purpose

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## **1. Introduction**

This document is a description of private fostering arrangements within Lincolnshire County Council. This statement of purpose is designed to meet the requirements of the National Minimum Standards for Private Fostering, Standard 1, and to provide a guide of the service for professionals, the public, council members and external organisations.

This document describes the local authority's duties and functions in relation to private fostering and the ways in which they will be carried out.

## **2. Regulation**

Private fostering services provided by local authorities are regulated by OFSTED. Their contact details are:

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

**Telephone Contact 0300 123 1231**

Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Website: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

Lincolnshire County Council is committed to safeguarding and promoting the welfare of all children, including those in private fostering arrangements.

Maintaining high standards in relation to private fostering service provision is a priority for Lincolnshire County Council Children's Services and remain committed to reviewing this on a continual basis.

Lincolnshire County Council Children's Services Directorate holds statutory powers and responsibilities as a local authority in relation to private fostering arrangements. These responsibilities are reviewed in partnership with Lincolnshire Safeguarding Children's Board

Children's Services works to ensure that equal opportunities are incorporated into all aspects of the service delivery and all prospective private foster carers are assessed and supported on the basis of the needs of the individual private foster child/young person regardless of race, religion, class, marital status, sexual orientation or disability.

### 3. Legal Definition of a privately fostered child

In the definition provided by The Children Act 1989 a privately fostered child means:

- A Child under the age of 16 (under 18 if disabled) who is cared for, or proposed to be cared for, and provided with accommodation by someone other than:
  - A parent of his / hers
  - A person who is not a parent of his / hers but who has parental responsibility for him / her

And

- He / she has been cared for and accommodated by that person:
  - For 28 days or more

Or

- The period of actual fostering is less than 28 days, but the private foster carer intends to foster him / her for a period of 28 days or more.

In the case of a child with a disability, the upper age limit for child to be privately fostered is 18 years.

A child is not privately fostered if the person caring for him / her:

- Had done so for a period of less than 28 days
- Does not intend to do so for any longer period

For the purposes of the Act, parent includes unmarried or putative father. Relative means as above, whether of full blood, half blood or by marriage or civil partnership.

An arrangement is deemed as private fostering if it meets the criteria above whether for reward (monetary or otherwise) or not.

Some examples of private fostering arrangements include: children/young people with families overseas; black and ethnic minority community children/young people with parents working or studying in the UK; trafficked children/young people and asylum seekers and refugees; children/young people living with host families for a variety of reasons, ie attending language schools, undergoing medical treatment, etc, children and young people residing with friends.

#### **4. The local authority's duties and functions under the Children Act 1989**

Local authorities have a duty to be notified about private fostering arrangements in their area and to satisfy themselves that the welfare of children who are privately fostered in their area is being satisfactorily safeguarded and promoted and to secure that such advice is given to those caring for them as appears to the authority to be needed (The Children Act 1989 Section 67(1)).

Broadly the duties fall into three types of activity:

- Giving and receiving notifications
- Ascertaining the suitability of private foster carers in their households
- Monitoring placements through visits and written records of visits

#### **5. Duties under the Children Act 2004, the Children (Private Arrangements for Fostering) Regulations 2005 and the National Minimum Standards for Private Fostering 2005**

The measures in the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 and the National Minimum Standards for Private Fostering 2005 are intended to strengthen and enhance the existing private fostering notification scheme.

Local authorities are required to raise public awareness in their area of the requirements regarding notification of private fostering arrangements. Notifications must be given to local authorities when a child/young person is proposed to be privately fostered or is being privately fostered. This will enable local authorities to ensure that the welfare of privately fostered children/young people is being satisfactorily safeguarded and promoted by ongoing assessments and monitoring of arrangements within statutory timescales. These measures, along with the National Minimum Standards for Private Fostering July 2005, focus all local authorities' attention on private fostering and require them to take a more proactive approach with partner agencies and other professionals in identifying arrangements in their area. They are expected to improve notification rates and compliance with the existing legislative framework for private fostering and, therefore, to address the key problems identified with the former scheme. It is intended that these additional measures will improve the arrangements for safeguarding children/young people in private fostering arrangements.

#### **6. Training for relevant staff**

##### **Professionals**

Lincolnshire has a commitment to ensure all professionals have a clear and defined understanding of the private fostering regulations and their role and responsibility in relation to private fostering

Lincolnshire Children's Services will facilitate this by:

1. Publication of the Private Fostering Statement of Purpose
2. Training in relation to private fostering is available for newly qualified social workers in the assessed and supported year in employment (ASYE programme) and all new social workers will be required to undertake the e-learning course in private fostering within the first six months of starting
3. Providing information via on George (internal intranet service) and on [www.lincolnshire.gov.uk](http://www.lincolnshire.gov.uk)
4. Regular update of information through the e-mail network, and internal and external council publications.
5. Monitoring feedback for further training requirements.

### **Information is available to professionals and organisations**

Groups include:

- Lincolnshire County Council Children's Services
- Schools – Heads, teachers, designated teachers
- Health care – School Nurses, GPs, Health Visitors
- Education Welfare Service
- Child Protection School Liaison Officers
- Any other professionals in Children's Services who come into contact with children.
- Language Schools
- Independent Schools
- District and Borough Councils
- Police
- Department for Works and Pensions
- Citizens Advice Bureaus
- Faith and community groups
- Ethnic Minority Achievement Support Service
- Libraries
- CAFCASS
- Leisure Centres
- Courts and Youth Offending Services

## **7. Change of behaviour in relation to private fostering**

It is nationally accepted that the regulations have not been successful enough in identifying and reaching the vulnerable groups of children who may be in privately fostered arrangements. Lincolnshire acknowledges that further promotion is always needed in order to increase the number of notifications with the ultimate aim of detecting the true number of privately fostered children in Lincolnshire. Lincolnshire continue to review the publicity material, ie posters that are sent to all schools and colleges with a covering letter regarding private fostering and the need to refer any children or young people living in such arrangements. We recognise that we need continued engagement from other agencies and the community in order to reach out to the majority of privately fostered children alongside the robust safeguarding processes which are in place.

Leaflets were also devised for children under 11 and young people under 16 explaining what private fostering is and providing a brief overview of the process.

The Lincolnshire County Council website can also be used to find out more detailed information.

Lincolnshire is committed to continually evaluate its effectiveness of activities that contribute to a positive change of behaviour in relation to private fostering, and to review its communication and training plan accordingly.

## **8. Assessment of the suitability of private foster carers and their household**

All privately fostered children/young people within Lincolnshire County Council area will be allocated a Social Worker who will complete a Private Fostering Assessment of Arrangement (PFAAR) within 7 days of the notification, in accordance with national guidance on private fostering. In addition the Fostering Service will complete an Assessment of the Private Foster Carer(s) within 35 days of the end of the Arrangement Assessment.

The Assessment of Private Foster Carers is completed using the Private Fostering Carers Assessment (PFCA) a specific assessment tool which includes statutory checks and references.

The sign-off of decisions about the overall suitability of the arrangement is done by the Team Manager of the Social Worker to the child, in consultation with the Team Manager of the Fostering Services.

The ongoing visits to see children in their private fostering arrangement are completed in adherence to Regulation 8 by a Social Worker from Children's Services who ensures that they speak with the child so that their voice is heard.

As a minimum, dependent upon the outcome of the previous Regulation 8 visits, once every 12 months the Team Manager will complete a review of the arrangements and confirm their suitability. The Head of Regulated Services is the named person within the local authority with expertise in private fostering whom Social Workers and managers can contact for advice. This includes decisions regarding requirements, disqualification and prohibition. A Team Manager has been delegated responsibility for leading and developing this service across the county.

#### **9. Advice/support and information available to private foster carers, parents/those with parental responsibility and privately fostered children**

An allocated Social Worker will be responsible for working with and supporting each privately fostered child/young person, the private foster carer and parents and others with parental responsibility. They will be the named case holder with contact details provided to all those concerned.

For the duration of Private Foster Carers Assessment, the Fostering Service will provide advice and support either directly to the private foster carer or through the Social Worker. The Fostering Service will notify private foster carers of any relevant training that they may wish to attend. The level of contact that each private foster carer will receive will be determined through the Private Foster Carers Assessment and the Regulation 8 visits.

In addition to statutory visits, other visits when requested by privately fostered children/young people, their parents, or private foster carers, will be undertaken.

Interpreters who are independent of parents and private foster carers will be used where it is the request of the child/young person or where the preferred language is not English.

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

Parents of prospective/current privately fostered children/young people will also be advised, if in the best interests of the child/young person, of other service provision or other agency help available, which could remove the necessity for the child/young person to be privately fostered.

Coram BAAF guides will be provided to parents, privately fostered children and private foster carers.

#### **10. Ensuring the welfare of privately fostered children is safeguarded and promoted**

Partner agencies, voluntary/community sector, faith groups will all be made aware of the notification requirements and of their responsibility to safeguard and promote the welfare of privately fostered children/young people.

Children's Services will ensure that privately fostered children/young people's welfare is satisfactorily safeguarded and promoted by staff undertaking the assessments and support of the arrangement and private foster carers.

Customer Service Centre will send the notifications to The Family Assessment and Support Team within one working day to avoid any unnecessary delay. Visits to privately fostered children/young people will be carried out in accordance with statutory timescales and recorded on Mosaic. This includes the recording of whether the child was seen and spoken with alone to ensure that the child's voice is heard.

The assessment of the private fostering arrangement is signed off by two Team Managers. One reviews the child's perspective of the arrangement and the other the abilities of the proposed private foster carer and their ability to meet the child's needs.

This dual signing allows for an extra level of safeguarding to be inserted into the process. The Team Manager of the child's Social Worker will notify in writing the parent or others with parental responsibility, private foster carers and relevant agencies that the child/young person is living in or will live in a private fostering arrangement and that the local authority consents to the arrangement or otherwise.

In line with the Child and Family Assessment and the national guidance, the Private Fostering Assessments will ensure that the child/young person's physical, intellectual, emotional, social and behavioural development is satisfactory and the needs arising from his/her religious persuasion, racial origin and cultural and linguistic background are being met. In addition, the assessment will include the suitability of the accommodation and an evaluation of the parenting capacity of the prospective/current private foster carer.

Private foster carers will be given advice on the child/young person's individual needs, which may include advice on any medical condition or learning disability, in order to enhance their ability to care for the child/young person. Support services will be made available to private foster carers, where necessary. They will also encourage the

promotion of contact between the child/young person and his/her parents, siblings, extended family and significant others.

All private foster carers will be subject to an enhanced Disclosure and Barring Services check (DBS).

All privately fostered children/young people will have an allocated social worker. Along with their contact details they will be provided with information materials relevant to their age and understanding on what private fostering means. The CoramBAAF publication guide for private fostering is currently provided to each child privately fostered. Information about the advocacy service Total Voice and how to access this is also provided to all children/young people who are privately fostered.

Those children/young people who have been deemed as 'children/young people in need' or 'disabled' under the Children Act 1989 and are privately fostered will at the age of 16/18 years have access to an after care service.

The Directorate undertakes file audits on a regular basis, and has a policy for the use of requirements, prohibitions, disqualifications and appeals' decisions. Decisions regarding the latter powers will be made whilst bearing in mind the best interests of the individual child/young person.

The local authority will carry out its other duties under the Children Act 1989 wherever there are safeguarding concerns.

When a child leaves the private fostering arrangement the Social Worker to the child will, wherever possible, visit the child at the new address to determine if other duties under the Children Act 1989 are required before closing the case. If the child moves to another local authority the Social Worker will, wherever possible visit the child and shall notify the local authority where the child is living of the child's past circumstances and new address.

#### **11. The role of other agencies in safeguarding and promoting the welfare of privately fostered children, including encouraging notification**

Lincolnshire County Council Children's Services will continue working to ensure that partner agencies are given information on their responsibilities regarding notification under the Children (Private Arrangements for Fostering) Regulations 2005. This includes discussion at relevant meetings such as the Lincolnshire Children's Safeguarding Partnership Operational Delivery Group.

Information materials will continue to be distributed to all relevant agencies.

The Fostering Service will notify private foster carers of any training events that are relevant to looking after children on behalf of parents.

**12. How relevant staff will have an understanding of the Directorate's duties and functions in relation to private fostering**

Children's Services own staff will have access to this Statement of Purpose, information materials and training on private fostering including the associated procedures. Other directorates within Lincolnshire County Council and outside agencies will also have these documents, printed information and relevant training as part of corporate multi-agency training. The Team Manager who is the lead officer for leading and developing the service, will in conjunction with the Head of Regulated Services, continue to inform other Directorates within Lincolnshire County Council and partnership agencies of any new guidance, safeguards and standards.

**13. How the Directorate will ensure that its duties and functions regarding private fostering are included in an induction and other training programmes and these are reviewed and evaluated annually in line with changes in legislation and guidance**

Children's Services will ensure that its duties and functions in relation to private fostering are included in the annual training plan and will be reviewed in light of any changes in legislation, guidance and best practice developments.

Evaluation via feedback from workers and private foster carers will be collated to see if the training meets the needs of participants of the local authority's duties and functions regarding private fostering. In addition to this, individual workers' training needs in relation to private fostering will be assessed as part of their personal development plan

The content of training will be reviewed and evaluated following any comments made by privately fostered children, their parents or private foster carers.

**14. Monitoring the discharge of functions and compliance with part 9 of the Children Act 1989**

Under Regulation 12, the lead officer for private fostering, currently the Head of Regulated Services, will monitor the way the Directorate complies with and discharges its statutory duties and functions in relation to private fostering. This officer will monitor compliance with the following duties and functions:

- The promotion of awareness regarding notification requirements
- How the Directorate responds to notifications received, and if these are within timescales
- How the Directorate manages disqualifications, prohibitions, requirements and appeals against these, and refusals to consent to disqualified persons being private foster carers
- How the Directorate exercises its functions under Section 67(5), Children Act 1989
- How the Directorate processes decisions regarding offences committed, bearing in mind the best interests of the child / young person
- How the Directorate assesses the parenting capacity of prospective or actual private foster carers, members of their households and the suitability of their accommodation
- That statutory visits are within timescales and decisions about the suitability of arrangements are also within timescales and approved at managerial level
- That additional visits are made when requested by the child / young person, private foster carer, parents or those with parental responsibility
- That written reports are made in accordance with the Regulations, i.e. conclusions drawn on the arrangement, the child / young person seen alone, wishes and feelings of child / young person, any concerns raised etc.
- That advice and support is provided to private foster carers, parents, those with parental responsibility or any person concerned with the child / young person and recorded.
- That information and support is provided to privately fostered children / young people
- That independent interpreters are used as appropriate
- That a sample of individual child / young person and private foster carer records are regularly reviewed to check that compliance is being fulfilled
- That any concerns raised by privately fostered children / young people are investigated
- That a system for recording the number and nature of enquiries received in relation to private fostering, the responses given, and action taken, is effective

The monitoring reports of private fostering activity notifications, arrangement assessments and visits under Regulation 8 are completed monthly; the reports are presented to the performance information group and are sent to the Director of Children's Services.

Lincolnshire will aim to create open channels for communication and participation to allow privately foster children, their parents, carers, the front line professionals and

partners to give feed-back on the service and raise any concerns. All recommendations and opinions will be given due consideration and changes of the service will be implemented to ensure continuous improvement.

The Head of Regulated Services provides the Director of Children's Services with an annual report detailing overall performance and related plans for improvement and monitoring.

### **15. Reviewing the policy statement**

This policy statement will be reviewed annually in line with any changes in legislation or guidance, and will be regularly evaluated by the senior management of Children's Services to ensure that the Council's duties and functions in relation to private fostering are effectively discharged.

#### **Advice on private fostering**

Advice on private fostering can be obtained from the lead officer.

John Harris  
Head of Regulated Services  
Email [John.Harris@Lincolnshire.gov.uk](mailto:John.Harris@Lincolnshire.gov.uk)  
Telephone 01522 554109

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