

LONDON BOROUGH OF CROYDON

Private Fostering Statement of Purpose

2019



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Introduction

This Statement of Purpose is a description of private fostering arrangements within the London Borough of Croydon. The National Minimum Standards for Private Fostering, Standard 1, requires that there is a clear description of and guide to the service for professionals, the public, council members and external organisations.

This document defines what constitutes a private fostering arrangement; the requirement that the Local Authority is notified of all private fostering arrangements; the assessment process and the support and advice offered to parents, private foster carers and privately fostered children within Croydon.

The London Borough of Croydon Children's Service is committed to supporting the upbringing of children within and by their families of origin wherever possible, with the minimum of intrusion from the Local Authority. While children's services takes its responsibilities in relation to private fostering very seriously, it will seek to exercise those responsibilities in ways that are seen as supportive by children, parents and carers. It is not our intention to make judgments about or interfere in the arrangements that parents make for the care of their children, except where this is necessary to ensure that the welfare of the child is being adequately safeguarded.

It is our intention to work in partnership with children, carers and parents to ensure that:

- Safeguarding children and their best interests at all times are of paramount importance
- Children are provided with high quality child care that meets their needs
- We work together to safeguard and promote children's physical, emotional, health, educational, social and cultural needs.
- Private foster carers are provided with advice, support and training which helps them to provide such care
- Birth parents feel able to seek the help and guidance of the Local Authority

Our aim is to ensure that we create a culture in Croydon where birth parents, individuals with parental responsibility and carers, feel comfortable in notifying the Local Authority of private fostering arrangements and that they are aware of the benefits to them and the children in their care of them doing so.

The service works to ensure that equal opportunities are integrated into all aspects of our service delivery. The welfare of the child will remain paramount at all times and in every circumstance.

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.

- A close relative of his/hers - i.e. a close relative **is** an aunt/uncle/stepparent (if married) grandparent/sibling but **not** a cousin, great-aunt/uncle or great-grandparent.
- She/he has been cared for and accommodated by that person for 28 days or more.

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 than 28 days.

A child who is 'Looked After' by a Local Authority or placed in any residential home, hospital or school is excluded from the definition. There is a wide variety of reasons why parents seek private foster care for their children. These may include:

- Children living apart from their families due to parental or family problems.
- Teenagers living with a friend or friend's parent/carer, where relationships at home have broken down.
- Children whose parents are working abroad or in another part of the country or serving in the armed forces.
- Children whose parents come into the country to study or work and find it difficult to care for their own children.
- Children sent to the UK for educational purposes, including those attending language schools, foreign exchanges or sport academies that stay with host families.
- Children attending residential schools who stay with a teacher or friend's parents during the long school holidays.
- Unaccompanied minors who are living with friends, relatives or strangers.

The Local Authority's Duties and Functions under the Children Act 1989 and Children (Private Arrangements for Fostering) Regulations 2005

The duties of the Local Authorities in relation to private fostering are set out in the Children Act 1989, the Children (Private Arrangement for Fostering) Regulations 2005 and, amendments are contained within the Children Act 2004. The National Minimum Standards for Private Fostering 2005 set out a number of standards to be met by all Local Authorities in discharging their duties which cover the following areas:

- Statement of Purpose
- Notification
- Safeguarding and promoting welfare
- Advice and support
- Monitoring and compliance

Local Authorities have a duty 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) and Section 44 the Children Act 2004). The Local Authority needs to ensure the following duties and functions are carried out:

Where the Local Authority has received notification under Regulation 3: The Children (Private Arrangements for Fostering) Regulations 2005, they must arrange for an officer of the Authority within **seven** working days to:

- Visit the premises where it is proposed that the child will be cared for and accommodated.
- Visit and speak to the proposed private foster carer and to all members of the household.
- Visit and speak to the privately fostered child alone unless the officer considers it inappropriate.
- Speak to and if it is practicable to do so, visit every parent or person with parental responsibility for the child.
- Establish such matters listed in Schedule 2 (2005 Regulations as above) as appear to the officer to be relevant

Where notification is received about a child who is already being privately fostered the duties of the officer remain the same as in section 67(1) of The 1989 Act.

The assessment should include:

- The wishes and feelings of the child or young person about the arrangement.
- The suitability of the private foster carer's household and their capacity to care for the child or young person.
- Arrangements being in place to meet the child's health and educational needs.
- Adequate and clear arrangements being in place between the private foster carer and the birth parents covering such areas as contact, financial support, decision making, health care etc.

All privately fostered children will have an assessment completed following notification of the private fostering arrangement in order to assess their needs and to ascertain whether they require the provision of any additional services. The children social work team will carry out the initial assessment in partnership with the private fostering worker within seven days of receiving the notification

The fostering social worker will assess the suitability of the private foster carer and their household within 42 days of notification. They will also be responsible, with the child's social worker for seeing and meeting with the child, monitoring the arrangement and for providing the necessary support.

If a person is deemed unsuitable then it may be necessary to take legal advice and possibly remove the child. The 2004 Act amended the 1989 Act to ensure that responsibilities of the Local Authority extend not only to those children who are privately fostered but also for those who are proposed to be privately fostered.

Local Authorities have the power to impose requirements on private fostering arrangements or to prohibit them altogether.

Social workers will visit the placement in line with Regulation 8 of the 2005 Regulations. The private fostering social worker will also continue to make routine visits at intervals of not more than every 6 weeks in the first year of their placement and at least 12 weekly thereafter, (subject to agreement by the monitoring meeting).

The child's social worker and/or fostering social worker will make additional visits to a privately fostered child when reasonably requested by the child, the private foster carer, the child's parents or any other person with parental responsibility for the child. The social workers will ensure that privately fostered children are seen alone at each visit; the exception being if an interpreter who is independent of the child's parents and of the private foster carer is used where the child's preferred language is not English.

Information, advice and services may be provided by the Local Authority or other agencies as necessary. Any services provided will be reviewed in line with appropriate procedures. Privately fostered children's health and development will be monitored through regular visits undertaken to the child. Where there are any concerns that they may not be achieving a satisfactory level of health or development, this assessment will be reviewed. Where it is necessary a further assessment will be undertaken.

The Local Authority has a duty to monitor compliance with the duties regarding services and support to private fostering arrangements. The monitoring meeting will take the lead on this.

Ensuring the welfare of privately fostered children is safeguarded and promoted

*It shall be the duty of every local authority to satisfy themselves that the welfare of children who are privately fostered within 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. **Section 67 (1) Children Act 1989***

In considering the welfare of the children privately fostered within Croydon, regard has been given to Section 1 (3) a-f Children Act 1989 and the following values and principles have been devised to inform good practice:

- The welfare of the child is considered as paramount.
- Parents and guardians' primary responsibility for their child is recognised and respected.
- Children have a right to be treated with dignity and respect.
- Children should be valued as individuals with regard to race, culture, language, religion, gender and disability.
- Children have a right for their physical and emotional needs to be met.
- Children have a right to a safe, child-centered environment.
- Children need opportunities for independence and exploration within safe boundaries.
- Children have a right to continuous and consistent care.
- Due consideration should be given to the wishes and feelings of children and parents/guardians.
- Partnerships between parents/guardians, care givers and Local Authority are valued.

The private foster carer is responsible for providing the day-to-day care of the child in a way which will promote and safeguard their welfare. Responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility.

However, it is the duty of Local Authorities to satisfy themselves that the welfare of children who are or will be privately fostered within their area is being satisfactorily safeguarded and promoted.

The Regulating and Monitoring Meeting

The Regulating and monitoring meeting is held on a monthly basis and is chaired by the Head of Service for Social Work with Children Looked After and Care Leavers and deputised by the service manager for Social Work with Families, Central 2. As well as providing managerial oversight and decision making on assessments, requirements, disqualifications and prohibitions, the members of this meeting have an important compliance and quality assurance role.

The members of this meeting include the Connected Persons/SGO Assessment Team Manager, Fostering Team Manager, representative from children's social work services and the Advanced Practitioner for private fostering

The meeting will decide on the suitability of a private foster carer.

Where the arrangement is not deemed as suitable, the meeting will recommend appropriate action to the appropriate social work manager.

Other functions of the monthly monitoring meeting include:

- Tracking the progress and outcome for every privately fostered child the Local Authority has been notified of.
- Checking what other action, if any, is taken to ensure that the welfare of a privately fostered child is being satisfactorily safeguarded or promoted (e.g. child protection measures)
- Evaluating action taken to raise staff, partner agencies and public awareness and the effectiveness of those campaigns and activities.
- Reviewing how the service responds to notifications received.

Actions and recommendations resulting from the reviews and scrutiny by the monitoring meeting are incorporated into the plan of work on Private Fostering and other services as appropriate. This is to ensure that the service continues to develop, that there is robust monitoring of the impact of awareness raising activity, early identification of gaps within the service and so that examples of improved performance are captured and built upon.

Additional Duties under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005

Under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 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 the Local Authority when there is a proposal to privately foster a child or when a child is already being privately fostered. This will enable the Local Authority to make such enquiries, to determine whether the welfare of privately fostered children is being satisfactorily safeguarded and promoted. This is achieved through assessment and monitoring of arrangements within statutory timescales.

These measures, along with the National Minimum Standards for Private Fostering 2005, focus Local Authorities' attention on private fostering and require them to take a more proactive approach with partnership agencies and other professionals in identifying arrangements in their area. Local Authorities are expected to improve notification rates and compliance with the existing legislative framework for private fostering. It is intended that these additional measures will improve the arrangements for safeguarding children and young people in private fostering arrangements.

Training of Staff

Training on private fostering will be provided to internal and external stakeholders, with the Croydon Safeguarding Children Partnership acting as a conduit for several key partner agencies. In addition awareness sessions will be undertaken with community, voluntary sector and faith groups.

Training of Private Foster Carers

Private foster carers will be given access to all relevant training to support their role.

How awareness of private fostering and the notification requirements will be promoted

The Children Act 2004, Schedule 8 of the Children Act 1989, places a duty on Local Authorities to promote public awareness in their area of the notification requirements.

The Local Authority is taking action at regular intervals to raise and maintain public awareness of the need for private fostering arrangements to be formally notified to the Authority. These efforts are aimed at raising the awareness of parents, prospective and actual private foster carers, professionals within Croydon, all relevant partner agencies and members of the public. The Local Authority will continue to raise awareness as follows:

- An annual report presented to the CSCP. This has a two-fold purpose.
 - Raising awareness of private fostering with partner agencies
 - Providing the partnership with data about numbers and demographic information of children living in private fostering arrangements.
- Publicity materials will contain information about the legal definition of privately fostered children/young people, the procedure for notifying the Local Authority, the benefits of notification and consequences of non-notification.

- Information published on Croydon Children Safeguarding Partnership's website (<https://croydonlcsb.org.uk/parents-carers/private-fostering/>) which includes information on private fostering, notification process and Croydon's Statement of Purpose. Information will also be published on Croydon Council's website. Close links will ensure users of either website are directed to the same up to date information and guidance.
- Information posters and publicity materials will be distributed at key access points, e.g. schools, libraries, GP Surgeries, Hospitals, Children Centre's , voluntary/community sector organisations, faith groups and council offices.
- Information leaflets may be made available in different languages if requested or if a particular need is identified by partners or by the Local Authority.
- Private fostering awareness-raising opportunities are routinely provided to partner agencies

Assessment of the suitability of private foster carers and their household

The London Borough of Croydon has a duty to assess the suitability of all potential or actual private fostering arrangements that come to the Local Authority's attention or that they have been notified of.

The Local Authority will undertake such checks and enquiries to ensure that the carers identified by the parents as private foster carers are able to discharge the responsibilities of private foster carers to a satisfactory standard.

Where the Local Authority is notified of a private fostering arrangement, an assessment will be undertaken within 42 days which will include:

- Visiting the premises where it is proposed that the child will be cared for and accommodated.
- Visiting and speaking to the proposed private foster carer/s and to all members of their household.
- Visiting and speaking to the child.
- Speaking to and if practicable, visiting every parent of or person with parental responsibility for the child.

The assessment will ascertain whether the private foster carer/s and their household and premises provide an environment in which the child's welfare will be safeguarded and promoted and to determine:

- The carer's capacity to look after the child/ren and the suitability of the household.
- The suitability of the premises in which the child will be or is being privately fostered.
- Whether it would be prejudicial to the welfare of the child to be or continue to be accommodated by the carer in those premises.
- That the arrangements or proposed arrangements are likely to provide a safe and stable environment for the child.

On completion of the private fostering assessment this must be presented to the Regulating and Monitoring meeting. The aim of this meeting is to ensure the provision of a high quality service that safeguards and promotes the welfare of privately fostered children. The meeting ensures compliance with the National Minimum Standards for Private Fostering that private fostering arrangements are safe and suitable for children and that children in such arrangements are protected from abuse, neglect, and exploitation. The monitoring meeting scrutinizes the assessment and makes one of the following recommendations:

1. Agreement that the arrangement is suitable (subject to DBS checks)
2. Defer
3. Impose Requirements or conditions
4. Prohibit the arrangement
5. Disqualification

A continuous part of safeguarding and promoting the welfare of children who are private fostered is routine monitoring by the social work staff to be satisfied that the private fostering arrangement continues to meet the child/ren's needs and that they are safeguarded and protected.

Croydon, in carrying out all its duties and responsibilities in relation to privately fostered children, will seek and have regard to the wishes and feelings of the child. Written reports will be completed following these visits and placed on the electronic care record system. In accordance with the Regulations, written records will include conclusions drawn on the arrangement, whether the arrangement continues to be suitable, whether the child/young person was seen alone (if not, why not), his/her wishes and feelings about the arrangement, any concerns raised and any relevant advice given.

Carers and parents will also have the contact details of a named social worker who they can contact should they require support, information, advice or have any concerns, worries or questions.

Carers will be provided with the support, information and advice necessary to enable them to be able to take appropriate care of the child they are fostering.

Parents will be provided with support, information and advice to enable them to be able to take care of their own children. Where this is not an option for a period of time, parents will be provided with guidance and support on how to make sure that the private fostering arrangement meets the needs of their child and keeps them safe and protected. Support and services will also be made available for parents with regards to contact as the Local Authority has a duty to promote contact where children are living away from their parents or family of origin. The Local Authority will provide support around reunification if required.

Where the care of a privately fostered child is unsatisfactory and this cannot be addressed satisfactorily, Croydon will, unless they consider that it would not be in the best interests of the child, take such steps as are reasonably practicable to secure that the care and accommodation of the child is undertaken by:

- a parent
- a person who has parental responsibility
- a relative

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

It is important that all those who might come into contact with a privately fostered child are aware of the need for such arrangements to be notified to the Local Authority. In particular professionals working in the universal services of health and education have a pivotal role as they will often be the first to become aware of such arrangements.

Such agencies share the Local Authority's responsibility for safeguarding and promoting the welfare of privately fostered children. Other agencies need to be aware that failure by a private foster carer or parent to notify a Local Authority of a private fostering arrangement is an offence and if Local Authorities are not aware of such arrangements they cannot carry out their duty to satisfy themselves that the welfare of the children concerned is being satisfactorily safeguarded and promoted.

Guidance for professionals which explains how to recognize a potential private fostering arrangement and how staff working in other agencies should respond is available in the Croydon Safeguarding Children Partnership's website (<https://croydonlcsb.org.uk/parents-carers/private-fostering/>).

Education, health and other professionals should notify the Local Authority of a private fostering arrangement that comes to their attention, where they are not satisfied that the Local Authority have been or will be notified of the arrangement, so that the Local Authority can then discharge its duty to satisfy itself that the welfare of the privately fostered child concerned is satisfactorily safeguarded and promoted.

Advice/support and information available to private foster carers (including prospective carers) to parents or those with parental responsibility

Croydon's on-going contact with children and young people in private fostering arrangements will also include a responsibility to provide appropriate advice and guidance and to identify any individual support requirements with the private foster carer.

Croydon has produced literature which is available to parents and carers including information leaflets and briefings on:

- Notification process
- Private fostering arrangements; legal information, assessment process, support and services including arrangements for children in need
- Support and advice on benefits for private foster carers
- Support, Information and advice to parents on private fostering arrangements
- Complaints procedure

Information and support that will be available to privately fostered children.

A guide to private fostering for children is also available.

Privately fostered children will also be provided with information, using methods or formats appropriate to their age and level of understanding, including:

- About their private foster care and the carer's responsibilities.
- The meaning of their privately fostered arrangement, and their right to be safeguarded.
- Their right to speak openly about their experience and to inform the social worker where they are unhappy about any aspect of the care they receive and how that information will be treated.
- What support is available to them and how to access that support when needed.
- Advocacy services.
- Complaints procedure.
- Their entitlement to advice and signposting from Leaving Care services as a 'former relevant looked after child' in accordance with Leaving Care Act.

In addition, privately fostered children will be given the contact details of the Social Worker who will be visiting them while they are privately fostered.

If a child is assessed as being a 'child in need' by the Local Authority, then additional services and support will be put in place.

Monitoring the discharge of functions and compliance with part 9 of The Children Act 1989

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

The Local Authority monitors compliance and evaluates effectiveness in improving practice in relation to private fostering through its monthly monitoring meeting and reporting to the CSCP Executive.

Complaints

Croydon children's services recognize the importance of feedback and welcomes complaints, compliments and comments as a valuable form of feedback about its services and performance. Complaints leaflets are provided to private foster carers, to privately fostered children and young people and to their parents. Adults and children are encouraged to discuss any concerns about the service with their social worker and/or the team manager.

Privately fostered children and young people will also have access to an advocate if required and will be given the contact details of advocacy services.

To make a complaint on-line or find out how to complain in writing or in person there is information on the Council's website: [children's complaints](#)

The Head of Service responsible for Private Fostering in Croydon is the Head of Social Work with Children Looked After and Care Leaving Services (Vanessa Strang). The lead for Private Fostering in Croydon is the Team Manager for Fostering (Phil Bradley)

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