



Private Fostering Statement of Purpose 2021-22

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1. Introduction

This Statement of Purpose meets the requirement under Standard 1, of the National Minimum Standards for Private Fostering, which states that the Local Authority has a written statement or plan, which sets out its duties and functions in relation to private fostering and the ways in which they will be carried out.

Brent Children and Young People's Service takes its responsibilities in relation to private fostering very seriously but seeks to exercise those responsibilities in ways that are viewed as supportive by children, parents and carers. Brent are 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. It is not the Local Authority's intention to make judgements about, or interfere in, the arrangements that parents make for the care of their children, except where it is necessary to ensure that the welfare of the child is being adequately safeguarded.

The aim of this document is to ensure that all prospective or current private foster carers, relevant staff, other professionals, the public, council members and external organisations understand private fostering, their role in relation to the arrangements, and the information and support available to privately fostered children.

This document is updated on an annual basis.

2. Definition of a privately fostered child

Private fostering is an arrangement whereby a child under the age of 16 (or 18 if the child has a disability) (**Section 66 Children Act 1989**) is placed for 28 days or more in the care of someone who is not the child's parent(s) or a 'connected person'.

A connected person is defined as a 'relative, friend or other person connected with a child'. The latter is likely to include person(s) who have a pre-existing relationship with the child, for example, a teacher who knows the child in a professional capacity.

Private foster carers can be from the extended family, e.g. a cousin or a great aunt, **but cannot be a relative** as defined under the **Children Act 1989, section 105**: *'A relative under the Children Act 1989 is defined as a 'grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent'.*

As such, a child is not privately fostered if cared for by a brother, sister, aunt, uncle, grandparent or stepparent, but can be classed as being privately fostered by any other relative, such as a cousin or great aunt.

The child is not defined as privately fostered:

- unless the carer has accommodated the child for 28 days or more, **or**
- if the carer has accommodated the child for less than 28 days and does not intend to do so for a longer period than 28 days.

This 28-day period is intended to ensure that families are able to make arrangements for a child to stay with their extended family or friends without interference from the Local Authority.

Examples of private fostering arrangements are varied and may include:

- Children with parents overseas;
- Children/young people living with host families for a variety of reasons i.e. attending language schools, undergoing medical treatment;
- Unaccompanied asylum seeking and refugee children who are living with other families;
- Children staying with family friends as a result of parental separation or a prison or hospital stay etc.;
- Local children living apart from their parents: i.e. adolescents estranged from their families.

3. Legislation and Statutory Guidance underpinning this document

- Children Act 1989
- Local Authority Social Services Act 1970 (Section 7)
- Children Act 2004 (Section 44)
- National Minimum Standards for Private Fostering 2005
- Children (Private Arrangements for Fostering) Regulations 2005

Measures introduced by the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 are intended to strengthen the existing private fostering notification scheme.

These, along with the National Minimum Standards, focus the attention on private fostering and require local authorities to take a more proactive approach in identifying arrangements in their area. Local Authorities are expected to improve notification rates and compliance with the existing legislative framework for private fostering. These additional measures will improve the arrangements for safeguarding children in private fostering arrangements.

4. The Local Authority's Duties and Functions under the Children Act 1989 and Regulations

The duties of the Local Authority, 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 the standards to be met by all local authorities in discharging their duties; covering the following areas:

- Notifications
- Safeguarding and promoting welfare
- Providing advice and support
- Monitoring and compliance

The regulations state that it is imperative that the Local Authority is notified if a child is living with someone who is not their parent or a 'connected person' for longer than 28 days. The Local Authority need to be satisfied that the placement is suitable and the child is safe. To be defined as 'private fostering', the child must be living with that person for longer than 28 days and this should be continuous however, can include occasional short breaks.

A person who proposes to foster a child must notify the appropriate Local Authority at least six weeks before the arrangement is to begin. The Local Authority must be notified immediately if the arrangement is to begin within six weeks. If the parent or other person with Parental Responsibility is arranging for the child to be privately fostered, or is aware of the situation, they are under an obligation to notify the Local Authority as soon as possible.

If a private foster carer was not aware of the need to inform the Local Authority, they should do so as soon as they become aware of the situation. In order to understand the child and to care for him or her it is advisable for the private foster carer to be given as much information as possible about the child and this information should be passed on to the Local Authority when giving notification.

The private foster carer must also notify the appropriate Local Authority of any change of their circumstances regarding the above. The Local Authority should also be notified if the child has a new private foster carer.

Brent has a duty to assess the suitability of all potential or actual private fostering arrangements that come to the attention of the Children and Young People's Service. The Local Authority's responsibilities in relation to identifying, assessing and monitoring private fostering arrangements are as follows:

- The Local Authority on receipt of notification of a **proposal** to foster a child privately must, within 7 days, send an officer (Social Worker) to visit the premises

where it is proposed that the child will be cared for and accommodated. During this visit, the Social Worker must speak to the proposed private foster carer and to all members of his/her household, the child, and each parent with Parental Responsibility (if practicable); compiling a report to record the information received.

- The Local Authority on receipt of notification about a child **being** fostered privately must, within 7 days, follow the same procedure as for the proposed placement above.
- The Local Authority must arrange for an officer (Social Worker) to visit every child who is being privately fostered in their area:
 - in the first year of the arrangement, at intervals of not more than six weeks; and
 - in any second or subsequent year, at intervals of not more than 12 weeks.

5. How is Private Fostering activity organised in Brent?

- Awareness-raising of private fostering is shared between Brent's Family Front Door (BFFD) and the Kinship Care Team who are based within the Looked After Children and Permanency Service (LACP).
- Notifications are processed by BFFD and sent to the Localities service, who meet
- The Private fostering assessments are completed by the Localities service, in consultation with the Kinship Care Team. A Private Fostering Assessment will be undertaken to determine whether the arrangements for a child / young person fall under the regulations for private fostering.
- If the assessment concludes that the placement is a suitable private fostering arrangement, the ongoing monitoring of confirmed private fostering arrangements is the responsibility of the Kinship Care Team. A Social Worker within the team is allocated the monitoring role, who will continue to provide support to the child, carers and parents whilst the arrangement is in place, with oversight provided by the Team Manager. The Social Worker will continue to visit the placement in line with Brent's requirements (once every four weeks in the first year of the arrangement, then once every ten weeks in subsequent years).
- Service Managers (one from Localities and one from LACP) work closely together to track any cases that are confirmed private fostering arrangements.

- Brent's Marketing and Recruitment Officer (MRO) for fostering supports awareness-raising, updating publications and developing Brent's social media presence: <https://www.brent.gov.uk/privatefostering>.

6. Promotion of Public and Professional Awareness

The Children Act 2004 includes a new paragraph (7A) into Schedule 8 of the Children Act 1989, which places a duty on Local Authorities to promote public awareness of notification requirements.

Public and Professional Awareness

Brent aims to ensure that professionals, who may come into contact with privately fostered children, understand their role to notify and to encourage notification to the Local Authority.

Awareness-raising in all forums for private fostering remains the shared responsibility of the BFFD Service Manager, MASH Team Leader and LACP Service Manager for Kinship, Fostering and Contact. Brent is keen to continually enhance and sustain its private fostering public and professional awareness-raising strategies and aims to achieve this by a continuing concerted effort to enhance the rolling programme of activities. In the last year, the following was undertaken (primarily virtual, given the pandemic):

- general outreach in the community, via 29 fostering recruitment activities. Private fostering information was shared at every fostering outreach event;
- updated advertising in the quarterly 'Brent Magazine', circulated to all Brent residents;
- the design of the private fostering booklet was updated to match the fostering brand and was widely distributed amongst the local Safeguarding Partnership;
- the Designated Doctor for Safeguarding Children in Brent ensured wide circulation of this literature amongst GPs;
- the LACP Service Manager attended the School Admissions Team meeting, the West London Medical Advisors forum and Brent Safeguarding Partnership, to present updated information regarding private fostering and advice on how to identify such cases and how to refer them for assessment and support;
- the fostering Marketing and Recruitment Officer (MRO) presented to the Multi-Faith Forum;
- The MRO made further presentations to other service areas within the CYP department, specifically the Localities staff forum and a number of other meetings with Localities teams, to ensure everyone has the latest information;
- the MRO has added the new private fostering leaflets to Brent's website and ensured the same messaging is visible on the Brent Safeguarding Partnership's webpage;

- the MRO attended one of the school Designated Safeguarding Lead meetings;
- the MRO attended a Willesden Residents' Association meeting to share information;
- the BFFD Service Manager remains in contact with the Central London Community Healthcare Trust to progress awareness-raising with health visitors in Brent; and
- the BFFD Team Leader remains in contact with the annual GPs forum, colleagues from the housing department, the Designated Teacher and the School Admissions forums to maintain a level of awareness about private fostering.

Awareness-raising for families in private fostering arrangements

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

- children are provided with high quality care that meets their needs;
- private foster carers are provided with the support and training needed to help them provide such care; and
- birth parents feel able to seek the support and guidance of the Local Authority.

Our aim is:

- to ensure that Brent create a culture whereby birth parents, individuals with parental responsibility, potential and current private foster carers, are aware of the need to notify the Local Authority of any proposed or actual private fostering arrangement, and feel comfortable in doing so; and
- that the awareness-raising activities outlined above reach these individuals and the structure of the leaflets and online resources support this aim.

7. Advice and Information for Carers, Parents and Children

BFFD or the Kinship Care Team provide initial information to anyone seeking information or advice about private fostering.

Advice and information will also be provided to the proposed or current private foster carer, parents, individuals with parental responsibility for the child, or any other person concerned with the child, during the assessment process or as required.

The allocated Social Worker within the Kinship Care Team will ensure that all involved in the arrangement are aware of the range of support and services available to them from:

- the voluntary sector and community groups;
- universal services such as health and education; and

- Brent's own resources.

- **Advice and information for privately fostered children**

The allocated Kinship Care Team Social Worker will ensure that privately fostered children:

- are provided with information, in formats appropriate to the child's age and level of understanding, about their privately fostered status and what it means, their right to be safeguarded and the responsibilities of the adults who care for them;
- have the contact details of the named social worker who will be visiting them while they are privately fostered;
- are given information about advocacy services, if s/he is a child in need; and
- are provided with information in appropriate formats about Brent's arrangements for providing advice and assistance to privately fostered children who would be "qualifying" children as defined by Section 24(2)(e) of the Children Act 1989.

- **Advice and information for private foster carers**

The allocated Kinship Care Team Social Worker will ensure that private foster carers:

- are provided with any necessary advice and support which will assist them to safeguard and promote the welfare of the privately fostered child;
- are provided with information, in different languages and formats as appropriate, on the support that is available from other agencies, including health, schools/education, Housing Services, voluntary organisations and community groups;
- are given, where appropriate, advice about the child's needs arising from their religious identify, racial origin and cultural and linguistic background; and
- are given, where appropriate, advice to enhance her/his ability to care effectively for the child, including in relation to gender, age and disability, and the opportunity to utilise any training or support services that may be available, including appropriate training and development opportunities that are available to Local Authority and kinship foster carers.

- **Advice and information for birth parents or those with parental responsibility**

The allocated Kinship Care Team Social Worker will ensure that birth parents, or those individuals with parental responsibility:

- are encouraged to maintain regular contact with their child and the private foster carer;
- are provided with advice and support to make alternative arrangements for the care of their child, where a private fostering arrangement has been prohibited; and
- consider in each case whether any support or referral to another agency would reduce the necessity for the child to be privately fostered and, where feasible and in the child's best interests, provide that support or make that referral.

8. The Role of other Agencies in Safeguarding and Promoting the Welfare of Privately Fostered Children

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. Brent has produced a written guide for staff working in these and other relevant agencies that explains how to recognise a potential private fostering arrangement and how staff working in other agencies should respond. The guide outlines how staff must ensure that they notify Brent of any private fostering arrangement that comes to their attention where they are not satisfied that the Local Authority has already been notified. This approach has been agreed by all partner agencies who are members of Brent's Safeguarding Partnership.

9. Staff Training

Brent Children and Young People's Service are committed to ensuring that all professionals have a clear and defined understanding of private fostering. All work relating to private fostering in Brent is carried out by professionally qualified and trained social work staff.

All staff working within Brent's Children and Young People's Service are offered training as part of a rolling programme on:

- how to identify private fostering arrangements;
- how to respond to notifications of private fostering;
- the actions to be taken on receipt of notification;
- assessing private fostering arrangements;
- the monitoring arrangements of private fostering arrangements; and
- safeguarding and promoting the welfare of children in private fostering arrangements.

Private fostering presentations / training will continue to be provided to all staff members within the council as required – either in a formal training session or by presentation at team meetings and/or staff forums. This information is also available on the intranet.

10. Key contacts

The BFFD Service Manager, Kinship Care Team Manager and LACP Service Manager for Kinship, Fostering and Contact are the Private Fostering Leads in Brent, who maintain expertise in private fostering and are available to social workers to provide consultation and advice in accordance with Standard 1.1, National Minimum Standards for Private Fostering 2005.

The Head of Service, Looked After Children and Permanency is responsible for monitoring the way in which Brent discharges their functions under Part 9 of the Children Act 1989, as required by Regulation 12 of the Children (Private Arrangements for Fostering) Regulations 2005.

BFFD Service Manager –	Mawuli Beckley-Kartey
LACP Service Manager –	Róisín Hegarty-Tait
Kinship Team Manager –	Divya Jolly
Head of Service, LAC and Permanency –	Onder Beter