



FAMILY AND FRIENDS POLICY

Guidance and Procedure

Updated August 2019

Introduction

The Statutory Guidance for Local Authorities, Family and Friends Care published in 2011 makes it a requirement for each Local Authority with responsibility for children's services to publish, in collaboration with local partners, a policy setting out its approach towards promoting and supporting the needs of children living with Family and Friends Carers, whether or not they are looked after children.

Bury Council recognises that whilst most children are brought up by one or both of their parents, a number of children are cared for full time by a relative, friend or other person connected with the child.

Family and Friends Carers have said that they are often uncertain as to what help is available and how to access services. This policy will help Family and Friends Carers and anyone in contact with them to understand the type of arrangements they are undertaking, the duties and responsibilities involved in these care arrangements, the types of services available and where to go for further information.

Purpose of the Policy

The purpose of the policy is to provide guidance and information on how Bury in collaboration with its partners and local services will support the placement of children with their family (relatives) and friends. These arrangements can be made informally by parents, family and friends or, more formally by parents, family and friends with Bury children who are looked after. The aim of the policy is to ensure that Family and Friends Carers receive the support they require to meet the needs of the children they are caring for.

Scope of the Policy

When there is a crisis in the family, family and friends often rally round to make sure the children are well looked after, and often make arrangements between themselves to look after children until the crisis has passed. Mothers, and most Fathers, have parental responsibility which gives them the authority to make appropriate private arrangements. Bury Council only becomes involved if there are welfare or safeguarding issues with which the family needs support or intervention; if the arrangement falls within the definition of private fostering; or if the child is or becomes looked after.

The policy comprises two parts which cover:

1. Informal/private arrangements for children in need – the placement of children by parents with their family/relatives and friends when these arrangements are for children in need.

2. Public arrangements for children who are looked after – the placement of children who are looked after with their family/relatives and friends.

Context

Family and friends play a unique role in enabling children and young people to remain with people who they know and trust if they cannot, for whatever reason, live with their parents. Many children who live in family and friends care do well in life, but others are vulnerable and are failing to achieve good outcomes.

Many Family and Friends Carers both want and need support to enable them to meet the needs of the children they care for. Each case will bring different challenges but research evidence tells us that family and friends care can bring stability to children and enhance their behavioural development and emotional wellbeing.

Statement of values, principles and objectives

Bury Council recognises the vital contribution family members and friends make in providing care for children. The great majority of children living with families and friends do well and prosper without the intervention of the local authority. There are occasions and in some circumstances where assistance may be requested or is required to support family and friends who care for children who are unable to live with their parents. This policy clarifies how that support, if any is assessed as needed, will be arranged and provided.

This policy is based on principles which are described below:

- The child's welfare and safety is paramount
- Children are best looked after within their families, with their parents playing a full part in their lives, unless compulsory intervention in family life is necessary
- Children and young people will become looked after only where this improves their life chances and no child or young person will become looked after by Bury or be on care orders unnecessarily
- The aim should always be to assist families in resolving their problems which would enable them to be reunited or be found permanent stable placements with family, friends or alternative families close to home
- Parents should be expected and enabled to retain their responsibilities and to remain as closely involved as is consistent with the child's welfare, even if that child cannot live at home either temporarily or permanently
- If children have to live apart from their family, both they, their parents and carers will be given adequate information and support to enable them to make an informed choice about the most appropriate form of care

- Continuity of relationships is important and attachments should be respected, sustained and developed
- All children need to develop their own identity, including self-confidence and a sense of self-worth

The over-riding duty of the Local Authority is to safeguard the child.

Bury is guided by the principle that support is based on the needs of the child, rather than merely their legal status and aims to ensure that Family and Friends Carers access the appropriate support. This is to ensure that children do not become, or remain, accommodated under Section 20 of the 1989 Children Act, any longer than is needed.

No child should become looked after purely to receive support.

Children will only become looked after if this improves their life chances.

Many children who are in care are able to return to their birth family, where changes have been made to the concerns which caused them to come into care. Where this is not possible, family and friends can often provide permanence by an alternative route such as a Child Arrangement Order or Special Guardianship Order.

Bury wants the best outcomes for children so that they can become confident, able adults and develop their full potential. In order to achieve this, it is crucial that children have the opportunity to form attachments with adults who will help them.

Bury's aim in supporting families who care for relatives or friends who are included in this policy in the following way:-

1. The Senior Manager who has overall responsibility for the family and friends policy is Karen Dolton, Executive Director of Children, Young People & Culture, 3 Knowsley Place, Duke Street, Bury, BL9 0EJ, 0161 253 5585
2. The Senior Manager will ensure that the following information is collated, updated and made available to partner agencies in Bury – The number of family and friends foster carers and the number of families receiving special guardianship or adoption support services
3. She will ensure that the family and friends policy is publicised within Bury so that anyone who is considering becoming a family and friends carer can read it and know how to contact the relevant services in Bury, including the local authority
4. She will lead on the on-going work needed to provide a coordinated and appropriate multi agency response to family and friends caring for children
5. She will also allocate resources so that staff in Social Care who are responsible for implementing the family and friends policy receive training so that they understand the issues faced by Family and Friends Carers; also that they are competent and have

knowledge and skills in fulfilling their obligations, powers and responsibilities in this area of work. The training should include the Independent Reviewing Officers

6. She will also be responsible for leaflets and information being made available which signpost carers and potential carers to relevant services and support

Thresholds for support to family and friends carers of children in need to prevent becoming looked after include:

- The child lives with the local authority
- The child is a child in need as defined by The Children Act 1989
- If friends and family carers were not available or were not able to provide care, the child could be at risk of being looked after by the local authority
- The child's parents or the person with parental responsibility are prevented from providing suitable accommodation or care within the meaning of Section 20 of The Children Act 1989
- The child is not a privately fostered child (if they are, the relevant fostering procedures must be followed)
- The child is either living with a close family member, wider family member or friend or plans are in place to make this arrangement
- The relevant social work manager agrees with the assessment and findings.

Part 1

Private/Informal Arrangements for Children in Need

Purpose

Where a child cannot be cared for within his/her immediate family, the family may make their own arrangements to care for a child within their family and friends network.

To provide guidance as to the role of the Local Authority in relation to the placement of children with their relatives and friends, when these arrangements are informal/private. These children are not in care.

Our aim is to ensure that Family and Friends Carers receive the support they need to meet the needs of the children they are caring for.

Definition/Scope

The definition of a child in need in section 17(10) is broad. A child in need is a child whose vulnerability is such that they are unlikely to reach or maintain a reasonable level of health, or development or their health or development would be significantly impaired, without the provision of services by the local authority, or they are disabled.

The policy covers arrangements made by the birth parent(s) for the full time care of their children to live separately with family or friends (legally known as a Connected Person) in order to ensure their needs are met and they are protected from harm.

Private/informal family and friends care arrangements are defined as arrangements made by birth parents for the full time care, nurture and protection of their children, living apart from them with their family or friends (now also known as Connected Persons in the revised care planning regulations). With few exceptions, parental responsibility will remain with the birth parents but with day to day parenting tasks and decisions delegated to the carers. A number of these informal arrangements work well and will not come to the attention of the Council.

The local authority will however, become involved in the arrangements if they come under the category of private fostering arrangements or if the children became children in need and intervention/support is required in order to safeguard the child, promote the child's welfare, or to prevent the child coming into care.

Young people, once having reached the age of 16, can elect to live with relatives, with or without their parent's consent.

Legal Framework

The relevant legal framework which covers the statutory duties and powers of the local authority in informal/private arrangements are:-

- Children and young Persons Act 2008
- Children Act 1989 guidance and Regulations Volume 2: Care Planning, Placement and Case Review

Children Cared for under these arrangements are NOT Children in Care or Looked After by the local authority.

The different arrangements in this category are as follows:-

- a) Children placed with close relatives by their parents at the parents own initiative, under the 1989 Children Act, the definition of close relatives is a grandparent, brother, sister, uncle or aunt (whether of full blood, half blood or by marriage) or a step parent
- b) Children placed with friends or more distant relatives for a period of less than 28 days. These are relatives other than those defined as close relatives under the 1989 Children Act. The local authority does not need to be involved.
- c) Young people aged 16 plus who are living with a close relative by their own choice, (under 18 if disabled)
- d) Children placed by their parents with friends or relatives who are not defined as close relatives under the 1989 Children Act, for a period of more than 28 days. This arrangement comes under the

Private Fostering regulations. The local authority is involved but does not make the arrangement. Please refer to the private fostering policy and note that Bury council must be notified about all private fostering arrangements in Bury and has a duty to ensure the welfare of the relevant children.

- e) Children placed with close relatives as defined by the Children Act 1989, with the local authority supporting and helping the arrangements due to safeguarding or welfare issues for the child/ren e.g. as an agreed safeguarding measure.

Early identification and support

The majority of private/informal arrangements work well and meet the needs of the child with the support of universal agencies such as Health and Education services. It is important, however, that any difficulties are responded to early. Partner agencies have a key role to play in identifying and supporting children who are living with Family and Friends Carers. Services need to be aware of and sensitive to the needs of these children and their families.

To enable family and friends to offer appropriate care for children and young people who cannot live with their parents, access to a range of high quality universal and targeted services will be needed. Support services should not be withheld because a child is living with a carer in a private/informal arrangement. Early intervention will help prevent difficulties escalating to the point where specialist services are required.

These services are key to the identification of those children who have a higher level of need e.g. those who are in private fostering arrangements where statutory intervention and the provision of specialist services are required.

Bury has a wide range of agencies which provide support to families and recognises that it is important that all agencies are sensitive to the particular needs of children living with their friends and relatives. Bury recognises the importance of multi-agency support to these families to ensure that they have access to a range of high quality support services including those which are available to all children in Bury and in addition specialist services, as appropriate. Bury strives to ensure continued good communication between all agencies.

The early identification of any support needs is crucial. The aim is that the relevant support services will be well publicised and also targeted to carers of all ages and abilities, in recognition of the differing needs and age range of relatives and friends who are caring for children.

Consideration can also be given to the setting up of a family meeting/family group meeting to look at a solution within the family.

The Approach

Bury recognises that most private/informal arrangements work well to meet the needs of the child and that with the provision of support at the earliest opportunity; there will be no requirement of council intervention.

Arrangements supported by the Local Authority

There will be occasions when social workers are involved in supporting arrangements for children to move to relatives/friends in order to prevent the child/ren from becoming looked after.

Bury will only assess informal/private family and friends care arrangements when it is necessary to safeguard and promote the welfare of the child, or where the council is obliged to meet the requirements of private fostering regulations.

Bury supports the view that no child should have to become a looked after child in order to access support when cared for by family or a friend. After an assessment, where it is safe to do so, arrangements made by the parents for a child to live with, or continue to live with, a relative or friend on a private/informal basis as a child in need will be rigorously explored and supported, before consideration is given to taking a child into public care.

Where, in the child's best interests, a private arrangement by the parents, is facilitated by the council, as a safe alternative to public care, the child will be subject to a child in need plan, or, where appropriate, a child protection plan. This will ensure the co-ordinated provision of support to meet the child's needs, that the arrangements are still in the best interests of the child, and that the child's needs for permanence is being met.

Following assessment, the department may make payments under Section 17 to support a child's placement with relatives or friends to promote their best interests and prevent the child becoming looked after. These payments will be monitored and reviewed and parents and carers advised to seek advice about entitlement to benefits.

In all cases, it is essential that the parents and the family/friends carers have a clear understanding of the status of the arrangements i.e. this is a private arrangement made by the parents supported by Bury and that the child is not a looked after child. Parents and carers, the child, the social worker and other services will need to be clear about the level of support that will be provided.

The Legal Framework

The following statutory powers and duties provide the legal basis for departmental involvement in private/informal friends and family care

arrangements:

- The Children Act 1989
- The Children and Young Person Act 2008
- The Children Act 1989 Guidance and Regulations Volume 2: Care Planning, Placement and Case Review (revised June 2015)
- Family and Friends Care: Statutory Guidance for Local Authorities (2011)
- The Children (Private Arrangements for Fostering) Regulations 2005

Accountability

Arrangements where there is no Bury Council involvement:-

- Parental responsibility remains with the birth parents but with day to day parenting tasks and decisions delegated to the carers.

Arrangements where there is involvement by Bury:-

- It is essential that all parties have a clear understanding of the status of the arrangements.

Parents and carers and staff involved in facilitating private/informal arrangements need to be clear about the child's legal status i.e. the child is a child in need not a looked after child, and the role of the parents and carers in making and adhering to these arrangements.

The parents retain and will continue to exercise parental responsibility with agreement reached as to the day to day parenting tasks delegated to the carers and the decisions they can take.

The suitability of the arrangements to meet the child's needs and the range of support, including any financial support to meet the child's needs, will be reviewed via the child in need or child protection procedures.

If the support provided means that the council assumes a level of responsibility for the placement that is akin to the level of responsibility that it would have if the child were looked after, consideration needs to be given as to whether the child needs to be looked after and the carer assessed under fostering regulations.

In cases where the child/ren would have had to become Looked After if the relative or friend had not taken over the caring role, the Local Authority may provide support as if the child/ren were looked after.

Assessment and support

In accordance with the Framework for Assessment of Children in Need and their Families, Bury will assess private/informal family and friends care

arrangements when it appears to the council that it is necessary to do so in order to safeguard and promote the welfare of the child or it constitutes private fostering arrangements.

In determining the status of the placement and the duties of the local authority towards a child being cared for by a relative or friend, the local authority must assess the child's needs and consider whether or not there is a duty to provide the child/young person with accommodation under S.20 of the Children Act 1989.

Usually private/family arrangements come about as a result of discussions between the proposed carer and the child's parents or a person with parental responsibility. Where a child needs to live away from home and if consistent with their best interests, the local authority will support families in making their own arrangements for children to be cared for by family or friends without the need for the child to enter the care system. This may be in response to a crisis in the parental home which makes it unsafe for the child to remain with his/her parents in the short term e.g. during a section 47 enquiry. The suitability of these arrangements will need to be agreed by the Social Worker's Team Manager following appropriate assessment.

Professional judgement is required to assess a child's safeguarding needs. The child may need to be looked after if some or all of the following circumstances apply. This list is not exhaustive and other factors may be relevant. Each case must be assessed on its own facts.

- Birth parents may not agree, or may be inconsistent as to their agreement for child being cared for by Family and Friends Carers
- There is concern that the child's placement with family or friends carers may be seriously disrupted by a birth parent, whose behaviour may have been assessed as being potentially dangerous, or as posing a significant risk
- Court orders are in place which makes managing contact difficult
- A birth parent may be untraceable, or incapable of giving agreement to the child being cared for by family/friends carers
- If the council assesses that it needs to share parental responsibility with the birth parent/s in order to promote and safeguard the child's welfare and secure the placement.

Professional judgement is required to assess a child's safeguarding needs. However, the child may need to become a looked after child if some or all of the following circumstances apply:-

- Birth parent does not give permission for a suitable arrangement or does not work appropriately with the arrangement, which means the safeguarding of the child is not secured
- Relevant court orders already in place mean that appropriate contact arrangements cannot be continued
- Birth parents' whereabouts are unknown to give the appropriate agreement to the informal care by a family/friend
- Decision by the local authority that shared parental

responsibility is needed to promote the child's welfare and ensure the safeguarding of the child

If the judgement is that the child may need to become looked after, legal advice may be appropriate to assist with the decision, including whether it should be a voluntary arrangement under Section 20 or whether care proceedings should be commenced. If the arrangement for the child to live with family or friends is facilitated by the local authority as an alternative to public law proceedings then it is far more likely that this will be accommodation under S.20 of the Children Act 1989.

Before they are asked to make or when they make a commitment to a child, carers should be provided with clear information about the level of support they will receive and for how long. It is acknowledged that private arrangements may be made in an emergency, with little or no planning of the placement involved, so it is vital that appropriate/timely assessments and plans are made.

When Bury supports private/informal arrangements made by parents, the child will be treated as a child in need and appropriate assessments will be made under the Framework for Assessment for Children in Need and their Families to inform a Child in Need plan or Child Protection Plan if required.

The assessment will explore whether care for the child can be safely provided by a relative or friend, the suitability of these arrangements and if this is the most appropriate legal status for these arrangements.

The Child In Need plan will agree the practical and other support, including any financial support, to be provided for the child, to the child's carer and the role and responsibility of the child's parents. This is particularly important as neither the carer nor Bury has parental responsibility for the child in these circumstances, since no court orders have been made conferring it.

The carer may do what is reasonable to safeguard and promote the child's welfare (S.3 (5) Children Act 1989) but should be supported to refer back to the parent or other person with parental responsibility about significant decisions.

It is acknowledged that many of these arrangements will be temporary and short term but, if the arrangement continues, plans need to be made to secure permanence for the child and prevent drift. Carers may be given advice and guidance on applying for Child Arrangement Orders or Special Guardianship Orders under Private Law. After assessment, consideration may be given to funding a one-off legal consultation.

Consideration should always be given to the child's need for permanence and to their legal status.

Special Guardianship orders and adoption

Special Guardianship (SGO)

In the case of a child who is looked after, there is a further option of applying for a special guardianship order which is for children needing permanent care outside of their birth family. This order can offer greater security without absolute severance from the birth family as in adoption.

Special guardianship orders may be made in private family proceedings and the local authority may not be party to any such arrangements. However, a SGO in favour of a relative or foster carer who is a connected person with whom a child is living, may be an appropriate outcome as part of a permanence plan for a child in need or a child in care looked after by the local authority.

For more information, please go to the bury.gov.uk website.

Adoption order

Adoption is the process where all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by court. An adoption order does not end when the child turns 18, the child/adult remains a legal member of his/her new family permanently.

Birth parents will always remain the child's biological parents and their history will be important to the child growing up. An adoption order can only be made with either consent of the child's birth parents or if the court has dispensed with the birth parents' consent by making a placement order.

Supporting Contact

Schedule 2 paragraph 10 of the Children Act 1989 requires Bury to promote contact between a child who is not looked after but is a child in need who is living away from home and their parents and family, where it is necessary to do so in order to safeguard and promote the child's welfare.

Contact arrangements will need to meet the needs of the child. It is acknowledged that management of contact can be a source of considerable anxiety and sometimes conflict for Family and Friends Carers.

Contact arrangements will need to be explicit. If necessary, information will be made available to Family and Friends Carers about local contact centres and how to make use of them. Contact will need to be monitored to ensure it does not become unsettling or harmful to the child.

Financial Support

Parents will always be expected to make appropriate financial arrangements with the carer to enable them to care for the child.

Family and Friends care arrangements made without Bury

involvement

Parents can elect to place their children with relatives for as long as they choose or with friends for a limited period without the involvement of the department. Young people similarly may elect to go to live with relatives, with or without their parents' consent once they have reached the aged of 16. The responsibility for funding these placements rests entirely with the parent(s) and or others with parental responsibility. Under these circumstances, unless there are other reasons, Bury need not become involved or alternatively could choose to withdraw.

Private/informal family and friends arrangements made by parents supported by Bury and with payments from Section 17

Before they are asked to make, or when they make a commitment to a child, carers should be provided with clear information about the level of support, including any financial assistance that they will be offered. This will include how finances have been or will be calculated and how long this support will last. Carers, who may, for example, have to give up their job to care for the child/ren will then be able to make an informed choice about whether the placement is feasible for them to enter into.

Parents will always be expected to make appropriate financial arrangements with the carer to enable the carer to care for the child. However, if a child's needs cannot be met by a family member or friend without financial support in the short term, Bury may and, with the agreement of the parents, provide financial support to the placement under Section 17 (Children Act 1989) rather than accommodate the child under Section 20 so long as this is consistent with the child's welfare.

Under these circumstances, financial support under Section 17 could range from a one off payment to the provision of a regular, agreed level of financial support which will be monitored and reviewed.

In the process of making decisions about the funding of arrangements under Section 17 the department may offer:

- One-off payments under Section 17 – one-off payments made in respect of costs arising during the course of a child's private placement with family/relatives and friends.
- Provision of funding for child maintenance costs subject to monitoring and review – payment for the child maintenance costs may be made, at the department's discretion, under Section 17, where an assessment has concluded that:

- Financial assistance is required to meet the child or young person's needs and to promote and safeguard his/her welfare

And

- Bury Council would have to accommodate the child/young person under Section 20 of the Children Act if no financial assistance was provided and there is clear evidence that the child's needs are likely to be best met without the provision of

accommodation under this Section.

- A financial assessment indicates that no person/s with parental authority is able to fund the placement and the placement cannot be funded by recourse to the national benefits system.

Parents and carers will be informed in writing of any arrangements for financial support and will be advised that these will be monitored and reviewed with the expectation that parents will fund the arrangements.

The considerations for financial support outlined above will apply to private fostering arrangements.

Private Fostering Arrangements

There will be circumstances when private/informal arrangements made by parents constitute private fostering arrangements.

Bury holds statutory powers and responsibilities as a Local Authority in relation to private fostering arrangements. Privately fostered children and young people are a diverse group and come from a large variety of backgrounds and circumstances. All professionals should take into account the specific needs of each privately fostered child/young person including that of race, ethnicity, culture, religion, sexual orientation, class, disability and marital status. The Council is committed to ensuring services are provided in a manner which does not discriminate at organisational, family or individual levels.

Legal Definition of a Privately Fostered Child

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
- A person who is not a parent but has Parental Responsibility
- A close relative, i.e. aunt/uncle/step-parent/grand-parent/sibling but not a cousin or great aunt/uncle

And is:

- 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 more than 28 days
- The arrangement is seen as private fostering if it meets the criteria above whether for reward (monetary or otherwise) or not
- A child is not privately fostered if the person caring for him/her had done so for a period of less than 28 days and does not intend to do so for any longer period.

Parents, carers and partner agencies have a duty to notify Bury Council

about private fostering arrangements and Bury Council has a duty to satisfy itself that the welfare of privately fostered children in its area is being safeguarded and promoted. It will assess the suitability of the placement and visit the child in a private foster home in line with regulations to ensure the child is safe and well. Parents and carers involved in the arrangement will be given information and offered professional advice and support.

Local Support Services

Research has identified that Family and Friends Carers can enhance the behavioural development, mental health and placement stability of children but that attention must be paid to increasing levels of support.

In implementing this policy Bury aims to narrow the gap in outcomes between children placed in family and friends care from disadvantaged backgrounds and those of their peers by the provision of effective inter-agency support and working with our local partners in Health, Housing and Education. Bury Council has a corporate responsibility to ensure that local services are effective and accessible. Family and Friends Carers will be sign posted to local services and the Family Service Directory. When children and family and friend carers are supported by the Common Assessment Framework or Child in Need planning process, local resources will be identified and accessed.

Accommodation

Family and Friends Carers may need support and accommodation as their home may not be of sufficient capacity to suddenly take on the care of a child or a sibling group.

Bury Council will work in partnership with the Housing Authority and providers to ensure that family and friend carers who come forward can access suitable accommodation.

Family and Friends Carers living in social housing will be given appropriate priority to move to suitable accommodation if this will prevent the need for a child to become looked after.

Education and Health

Family and Friends Carers may take on a caring role in an emergency or at a stage in their lives when they are not aware of local support services for children and families. They will be given information to assist them in their caring role and about what resources are available in their local area such as early years' provision, day care, out of school services, colleges, health services, leisure and youth support services. They will also be advised of specialist services for children with additional needs.

Arrangements for children who are Looked After

This section covers the arrangements for the placement of children with their relatives, friends or connected person when the child is a Looked After Child.

Bury aims to ensure that Family and Friends Foster carers receive appropriate support to enable them to meet the needs of the children they are caring for.

Scope

When a child needs to be looked after, Bury Council will ensure that preference is given to the consideration of the child's family, friends or a connected person. The following circumstances may apply:-

- The local authority has instigated care proceedings and the child requires a placement as he/she is the subject of an interim or full care order
- In agreement with the birth parent/s the child becomes a looked after child and lives with family, friend/connected person
- The child is already in placement with approved foster carers or residential placement and the care plan is to assess family/friends as carers – short or long term for a planned move
- Where a looked after child/young person (usually older) decides to live with a connected person and stay there.

Policy

Family and friends foster carers – (connected person)

Where a child is looked after by the local authority, we have a responsibility wherever possible to make arrangements for the child to live with a member of the family or connected person who is approved as a foster carer (section 22C, Children Act 1989).

A connected person is defined as a relative, a friend or other person connected with the child. A connected person would have a pre-existing relationship with the child but not necessarily be a relative or friend. It could be someone who knows the child such as a child minder, teacher or neighbour.

When the child needs placing immediately with a friend/family member or connected person, the temporary approval of connected persons procedures under Reg 24 of the Care Planning, Placement and Case Review Regulations 2010 (amended July 2013) will apply, where the placement is deemed suitable (please see section on temporary approval).

It has to be acknowledged that no individual has the right to become a foster carer in line with Standard 13 of the National Minimum Standards 2011 but all potential applicants in Bury will be treated fairly, without prejudice, openly and with respect.

When a potential carer is identified information will be gathered with the

potential carer and relevant professionals to ascertain if an assessment as a foster carer will be undertaken.

Wishes and Feelings of the child

The wishes and feelings of all children will be taken into account when an assessment of a connected person is being considered or undertaken.

Temporary approval of a connected person as a foster carer

A child can be placed in an emergency placement with a connected person or family member only after a viability assessment has been completed and approved. Under Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010.

These regulations state that the authority must be satisfied that the placement is the most suitable means to safeguard and promote the child's welfare and that the placement cannot wait until the full approval process can be completed. The connected person, friend or relative would then become a foster carer and a full fostering assessment must therefore be completed in 16 weeks. Only in exceptional circumstances this can be extended for a further 8 weeks (Reg 25). The National Minimum Standards (NMS) for Fostering Services apply and standard 30 relates specifically to family and friends foster carers.

Foster carers, whilst approved on a temporary basis, will receive a fostering allowance which will cover the costs of caring for a child. This allowance is age related. Temporarily approved foster carers will receive the same training and support services as are available to unrelated foster carers.

The child will also have a placement plan which sets out specific arrangements surrounding the child and the carers and any expectations, to enable the carer to fulfil their role and responsibilities towards the child.

The local authority must be satisfied that this is the most suitable means to safeguard and promote the child's welfare and that the placement cannot wait until the full assessment and approval of the adult is completed. The connected person will usually have a pre-existing relationship with the child.

Please refer to the policy "Temporary approval of a connected person as a foster carer" for full details, criteria and the process in Bury.

In summary, the Agency Decision Maker (ADM) is the nominated officer in Bury who has the authority to grant the temporary approval of a foster carer. The ADM will make the decision on the receipt of the specific written report, prior to placement.

The person is temporarily approved for a period of 16 weeks (or exceptionally 24 weeks under Reg 25) and is in all respects a local

authority foster carer. Regulation 25 of the 2010 Regulations set out the exceptional circumstances when the 16 weeks can be extended to 24 weeks by agreement of the nominated officer.

If the local authority wants to remove a child from placement due to concerns about the suitability to foster, or recognises they have to move the child because the carers' temporary approval has expired and cannot be further extended, may find that the Court considering care proceedings in relation to the child will make an order (usually s38(6)) directing that the child remains living with the friends and family carer whilst further assessments are completed.

The Planned Assessment Process

Wherever possible, the practice in Bury is that placements should be planned in order to ensure that a thorough assessment of the applicant is completed under the 2011 Fostering Service Regulations.

The proposed carer(s) must satisfy the requirements of the DBS checks, statutory references before approval can be recommended.

All members of the household over 18 years satisfy the requirement of DBS checks.

It may be necessary at times and especially if there are a number of potential relatives, for a brief viability assessment to be completed in order to inform the appropriateness of a full fostering assessment.

As set out in the Standards, prospective family and friends foster carers will be considered in terms of their capacity and ability to look after a specific child(ren) in a safe and responsible way that meets their developmental needs.

The assessment process should be set out clearly for the applicants. Potential Family and Friends Carers will be provided with information about the assessment process, so that they know what is expected of them, how they will be assessed, including the criteria used and how particular issues for Family and Friends Carers will be addressed and the details of any individual support which will be offered during the assessment process.

When completing the assessment and making the recommendation the assessors will take into account the likely length of the placement, the age of the child and the capacity of the wider family to share the child's long term care. The assessment will focus on the experience and strengths the applicants bring and the support they will need to provide safe care for the specific looked after child. Details of the support needs and how these will be met and reviewed, will be included in the report.

The assessment will need to balance the strengths of the carers arising from their position within the family network against any aspect which makes them less suitable. The needs of the child will be kept central to the assessment process and the recommendation.

Specific considerations for a Family and Friends Assessment

Assessment

Areas that need to be considered when assessing potential applicants include:

- Do you have additional commitments, for example, work or caring for another person?
- Does that child have an established relationship to you?
- Do you have enough support?
- Are there any financial constraints/debts?
- Does the prospective carer have good knowledge of the child?
- Smoking is not usually acceptable for a child under 5
- Is there sufficient space in your home for the child and their belongings?
- Your overall competency will be considered carefully along with your wellbeing to care for a child.

Family Relationships and Safeguarding

- i. Family and Friends will have previous knowledge of the child/ren, and will often have established a positive trusting relationship; however they may need to adjust the relationship since parenting requires a different role.
- ii. The relationship between Family and Friends Carers and birth parents can be more complex – see below for contact.
- iii. Assessment and balancing of needs as in some families the tensions within the family can sometimes outweigh the benefits of a placement within family networks. The age of the child should be taken into consideration.

Timing of Assessment, motivation and impact on family

A Family and Friends carer often makes the decision to care for the child in an emergency or in response to the need of the child and will need help/support and time to think through the implications for all concerned and to take on board what it means to be a foster carer. Other members of the household will need the same opportunity.

Carer's own feelings

Particular sensitivity may be needed for the potential carers who have experienced trauma within the family which has resulted in the child/ren needing to be in care.

Accommodation

In approving the carer, the fostering service will need to be satisfied that there is adequate space to a suitable standard for the child – as stated in standard 16 of the National Minimum Standards. If this is not met, it will need to be satisfied as to how it will be met in the future. The views of the child will be an important part in informing the decision and there may well be more flexibility for a child who is willing to share with a well-known relative. A bedroom sharing risk assessment must be undertaken.

In seeking to support family and friends foster carers the fostering service will work closely with the Housing Department in order to mitigate any limitations to the carer's capacity to care for a foster child.

Location

A balanced decision will need to be taken as to whether it is appropriate to place a child with relatives who live at a distance from the child's community.

Familiar surrounding may be less important than the ability to reinforce family ties.

Arrangements for supervision of the placement must be made.

All relevant factors must be taken into account including the wishes and feelings of the child and parents.

For placements abroad please refer to Family and Friends Statutory Guidance.

Health

A medical will be undertaken on all applicants and the advice of the medical adviser taken. Where there is a particular concern, the assessor will seek the views and responses of the wider family to ascertain if they will offer support or be prepared to take over the caring role should the carer become unable to care for the child.

Parenting Capacity

This is core to the assessment of a potential family and friends carers capacity to meet the individual child's assessed needs and work to the care plan.

The assessor should assess the carer's past experiences of parenting and if they have experiences of parenting and if they have experienced particular issues their ability to reflect and learn from this experience.

Criminal Convictions

The Fostering Service may consider the approval of a foster carer for a particular child even though they would otherwise have been debarred by the 2011 Fostering Regulations, if they or a member of their household are related to the child, providing the service is satisfied that the child's welfare requires it.

The decision should only be made when the Agency Decision maker is satisfied that approving the applicant is the most appropriate way to safeguard and promote the welfare of the child. The reasons need to be explained and recorded.

Contact

The local authority has a responsibility to promote contact for Looked After Children with their parents, relatives and other significant individuals, unless to do so is not practicable, reasonable or in their best interests. During the assessment, the views of the child and the potential Family and Friends Carers will be taken into account and this will inform the plan for contact with significant family members. The overriding criteria will always be that the welfare of the child is promoted.

Bury recognises that there are possible difficulties and areas of conflict with contact and will have already taken the views of the carers, parents and young person into account before the start of the placement. The Social Worker will therefore ensure that contact for Looked After Children with birth family is carefully managed, monitored and supported. Details of support for those involved will be provided and reviewed.

As with other fostering placements, the specific role and areas of delegation for the foster carer will form part of the placement plan and be reviewed by the Independent Reviewing Officer at the child's review.

Bury will also monitor the support needs of Family and Friend's carers, and ascertain their views about attendance at support groups along with other carers or whether a special support group is needed for Family and Friends Carers.

Approval

The assessment will be presented to the Bury Fostering Panel. As with other fostering assessments, the applicants will read and comment on the assessment and will be invited to attend the Fostering Panel. Usually, the terms of their approval will be for a specific child/ren. The agency maker decision in making the decision about the approval will take into account the needs, wishes and feelings of the child and the capacity of the carer to meet these.

If applicants are not in agreement with the decision made by the agency

decision maker; the same conditions apply for appeal as for all potential Foster Care applicants.

All Family and Friends foster carers, including those who have temporary approval, must sign the Foster Carer Agreement.

All Family and Friends foster carers are required to meet the many demanding requirements as laid down by the Fostering Regulations and National Minimum Standards. It is important that when first considering the placement, potential carers are made aware of this and are fully in agreement with meeting these requirements on an ongoing basis.

Post Approval Support

The support needs of the carer(s) will be identified in the assessment, and regularly discussed supervision sessions with the allocated supervising social worker from the fostering team; and reviewed at the Foster Carer's Annual Review. Carers may need support with securing appropriate accommodation suitable to their new role, and will be given information about education and health resources available locally. Carers will also be assisted via the support planning process to access specialist support services if necessary to meet the child/young person's needs.

Introductions

Arrangements for introductions to a planned placement will take into account the fact that the child may already know the carer well and that the carer's role in the child's life is now changing. The social worker will work closely with the young person to help him/her to understand and cope with the changes and support will be offered to the foster carer by the social worker and the supervising social worker from the fostering team to deal with the change of role.

Training

Family and Friends foster carers will have access to all the pre and post approval training available to any foster carers in Bury. Following their approval as foster carers, Family and Friends Carers will receive written details of all the training available in Bury and training will be discussed at each supervision meeting with their supervising social worker from the fostering team. They will complete a Personal Development Plan and will be supported in meeting the requirement of completing the TSD standards within timescales which are currently 18 months following the date of approval. The carers will be supported in achieving these, taking any individual needs into account and will be able to complete the specific workbook for Family and Friends foster carers.

Finance

Once an emergency placement is made under Reg 24, or following a full assessment the Family and Friends carer will be paid the appropriate allowance for the age of each child. Specified equipment will be provided if necessary.

Consultation and Feedback

The fostering service welcomes feedback from carers and will use the feedback to inform the need to organise any specific training events for Family and Friends foster carers.

Independent Support to Foster Carers

All approved foster carers in Bury have access to an independent support worker who is employed by the Fostering Network. The independent worker advises and supports any foster carer who has a complaint or allegation made against them. She also welcomes contact with regard to other issues. Further information and contact details are available from the fostering service.

Listening to Children and Young People

Bury will use the information available from consultation with children and young people, both within the local area and nationally. Within Bury there is very positive communication with the Children in Care Council and all young people in care have the opportunity to feedback about their placements and care plans. The overriding principle is that the views of the young people are taken into account and Bury acknowledges the research that most young people would prefer to live with their birth family and if this is not possible with a member of their extended family or networks. Bury is committed to maximising the use of Family and Friends Carers where appropriate but the overriding issue is the safeguarding and welfare of the child.

Care planning and Permanence

At all stages of the assessment process for the carer and also within the care planning process for the young people, consideration will be given to whether it is in the child's best interests to discharge the child from care and support the Family and Friends carer in applying for an alternative legal order which will give them parental responsibility for the child – through a residence order or special guardianship order or adoption

The needs of the child are paramount and the child's care plan will be reviewed regularly through the child's review.

If a decision is made that the child is not to return home the options will be considered. Bury will consider whether the child's needs can best be met with the Family and Friends carer and will look at which order is most appropriate.

Please refer to the Permanence Policy, the Special Guardianship Policy.

Legal Fees

Bury will normally pay the legal fees for the foster carers where the care plan is for a residence order or Special Guardianship Order to that Carer.

Complaints by children and young people

All children and young people will be provided with information about how to make a complaint, contained within the Children's Guide. Advocacy and support is available via the Children's Rights Service.

Complaints by foster carers

Foster carers are encouraged to discuss any issues with their allocated supervising social worker from the fostering team. The team manager may also be involved in order to reach a resolution.

If resolution cannot be achieved, or the applicant/foster carer so wishes, a complaint can be made through the Complaints service. All Family and Friends Carers will be given a copy of the complaints leaflet.

The following link will provide you with our complaints procedure and complaints form - <https://www.bury.gov.uk/index.aspx?articleid=10815>