



# Support for Family and Friends Carers Policy

Management Accountability for implementation of this policy: Director of Children's Social Care

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# Foreword

Our vision in Lancashire is that children, young people and their families are safe, healthy and achieve their full potential. Lancashire County Council believe that in the majority of situations children should live with their parents and our strength based model of practice is enabling this to be achieved as often as possible.

Sometimes, however, children cannot live with their parents due to significant risks, neglect, parental illness or bereavements and they are cared for full time by other members of their family or family friends. Family and friends play a key and unique role in enabling children to be cared for by someone they know which has been shown to improve outcomes for children who cannot be cared for by their parents.

We understand that for our family and friends carers that this can be a time of significant change and want to ensure that they understand our commitment to them as carers and where they are able to access support.

This policy sets out our approach to supporting family and friends and how the needs of children who are unable to live with their parents will be met. Lancashire County Council will endeavour to work collaboratively with our partner agencies to ensure that support is provided in a timely way.

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## 1. Introduction

Sometimes children cannot live with their parents due to significant risks, neglect, parental illness or bereavements and they are cared for full time by other members of their family or family friends. It is important that providers of services and settings and schools are aware that any children living in a family and friends care arrangement may have had difficult experiences and might need support that recognises and responds to their particular needs.

There are different types of care arrangements for children who cannot live with their parents. The range of arrangements are set out in section 5 and 6.

This Policy sets out the different arrangements and what kind of support family and friends carers and the children they are caring for can receive Lancashire.

## 2. Background

The ***Family and Friends Care Statutory Guidance for Local Authorities (2011)*** requires Local Authorities to have clear policies in place that set out their approach to promoting and supporting the needs of children living with family and friends carers. The policy must be clearly expressed, kept updated, made freely and widely available and publicised by relevant means such as websites and leaflets.

Information can be found on the Lancashire County Council website <https://www.lancashire.gov.uk/fostering/> and the following leaflets are available:

- Guide for children and young people who are cared for by family and friends
- Guide for family and friends carers

Lancashire County Council will work with family and friends carers and the children and young people we are caring for as well as our partner agencies and the Children's Safeguarding Assurance Partnership Board to keep this policy under review and ensure that family and friends carers who need assistance know where and how to get help and advice.

## 3. Our vision and principles

Our vision for Education and Children's Services in Lancashire:

*'Children, young people and their families are safe, healthy and achieve their full potential'*

Lancashire County Council will:

- Always keep the welfare of the child at the centre
- Try and place a child with family and friends carers when this is in the child's best interests, rather than with a foster carer who is unknown to the child
- Take the wishes and views of the child and family and friend carers into account and involve them in the decision-making regarding care arrangements

- Tailor the support to the individual needs of the child and family and friends carers, and not based on whether the child is looked after by the Council
- Support family and friends carers to understand the legal options available to them should a more permanent home be needed
- Only place children in care if the Council believes it is necessary for the safety and welfare of the child, and only for as long as necessary
- Offer a Family Group Conference to all families considering family and friends care arrangements for a child as a means of preventing the child coming into care.
- Make sure that Lancashire Council services and key partners understand the Council's duties in relation to family and friends care, are sensitive to families' needs and can signpost families to where they can get help and support.

#### **4. Why family and friends care?**

We want all of our children to have the best possible start in life. Lancashire County Council believes that where a child is unable to live with their parents, it is best that they can be cared for by another family member or a family friend who they know and trust. This is called a family and friends carer arrangement.

Family and friends care can often enable a child to stay in their local area, continue to attend the same setting or school and maintain contact with their friends and other family members. This can help reduce the impact on the child of being separated from their parents.

Family and friends carers are also more likely than other types of carers to have the same ethnicity, culture, language and religion as the child, which can help the child to feel that they fit in. Family and friends carers can often enable sibling groups to remain living together.

Caring for a child in these circumstances may have a significant impact on the carer's lifestyles, and there may be some practical issues to address.

#### **5. The different arrangements for children being cared for away from their parents and the support available**

##### **5.1 Private or informal family and friends care arrangements**

- These are arrangements made between the parent and a family member (close or extended) or friend to look after a child while the parent is unable to do so. Close relative is defined as 'a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent.
- Birth parents could also consider their child being cared for with extended family or non-related friends for up to 28 days but any longer than this would be considered Private Fostering and subject to Local Authority involvement: See Section 5.3.

- Children's Services will not be involved in making any of the arrangements unless there are concerns about the child's welfare.
- Parents are expected to provide financial support for their child and transfer any benefits such as child benefit to the carer. Information on benefits can be found at <https://www.gov.uk/browse/benefits>
- In some circumstances, depending on the needs identified within the request for support, Lancashire will complete an Early Help Assessment or C and F to ascertain whether services or support are required to help meet the specific needs of the child or the family and friends carer.
- On some occasions Lancashire County Council may provide emergency payments to alleviate hardship if a family and friend placement is made at short notice. This could be while waiting for other benefits to be transferred or at beginning of arrangement to help with purchasing essentials such as bedding or to meet extra costs related to the child's specific needs, such as medical conditions. These discretionary payments will require Team Manager approval.
- Ongoing payments may be made on rare occasions where there is significant financial hardship and payments would enable the placement to be sustained for the longer term. In these instances, carers are expected to have applied for all benefits / tax credits to which they are entitled and a care planning meeting should be held to consider all available options.

## **5.2 Children who are 'looked after' by a family and friends foster carer**

- Prior to a child becoming looked after, early permanence planning including a Family Group Conference should be held to identify and family members or friends who can care for the child or young person. For this option to be regulated the law requires the carer to be formally assessed and approved as a foster carer by the Assessment with Family and Friends team.
- This means that the carer will need to meet certain requirements and standards expected. Assessment with Family and Friends team service will provide training and support to enable the family and friend carer to achieve this, and ongoing training and support that takes into account the specific circumstances.
- If the placement has been made in an emergency, subject to the completion of assessment checks the family and friends carer may be approved as a foster care for up to 16 weeks while the full approval process is completed. This is known as a placement under regulation 24 of the fostering regulations 2011.
- On occasion the court may approve a child being cared for by a family member or friend under S38.6 of the Children Act 1989. This allows the child to be cared for by the named person whilst an assessment is being undertaken
- In all of the above arrangements, the child is deemed as 'looked after' by Lancashire County Council, and the Council is responsible

for providing full financial support to the family and friends carer. They will receive fostering allowances.

- For more information see [Placements with Connected Persons \(proceduresonline.com\)](http://proceduresonline.com)
- An allowance will be paid to the carer where the child has been placed in an emergency whilst the assessment is being completed under Regulation 24 of the Care Planning, Placement and Review Regulation (2010).

### 5.3 Private fostering arrangements

- Private fostering is where a child up to 16 years of age (or 18 if the child has a disability) is looked after full-time for 28 days or more by someone who is **not**:
  - A parent or step parent;
  - Grandparent;
  - Aunt or uncle (either by blood relation or marriage);
  - Sibling (including half sibling or step sibling)
  - Anyone who holds a court order in relation to the child, for example a Child Arrangement Order.
- These are private arrangements between the child's parents and the carer to look after the child for a time while the parent is unable to.
- The parent and carer are legally required to inform the Local Authority of a private fostering arrangement. They can do this by contacting 0300 123 6701
- The Local Authority has a legal duty to visit the privately fostered child and assess and monitor the care arrangements to make sure that the child is safe and well cared for.
- Children's Services may also become involved with a child in a private fostering arrangement where the child comes under the definition of a 'child in need'. The Council then has a duty to provide the services identified to meet the assessed needs of the child. These will be set out in a 'Child in Need Plan'.

## 6. What are the options if the arrangements need to be longer term?

For most children, living with a family and friend carer will be a short-term arrangement, and the plan will be for them to return to their parents' care as soon as is possible.

If this is not possible, and they need to remain with their family and friend carer, there are a number of legal options available that will be considered either throughout care planning meetings or as part of care proceedings.

It is important for children's sense of belonging and emotional welfare that they know where they will live and who will look after them in the longer term.

The legal process will help carers to gain 'parental responsibility' for the child. This means that they will have all of the rights and responsibilities that a

parent would have which will allow them to take decisions on the child's day to day care and make plans for their future.

The Local Authority can provide general advice to family and friends carers on their options, but family and friends carers will need to also seek legal advice through a solicitor who deals with children's law.

The options are set out below.

### **6.1 Child Arrangement Order (used to be known as a Residence Order)**

A child arrangement order can be applied for by family and friend carers who have been looking after a child for more than 1 year, or sooner when this is an agreed outcome of care proceedings that will allow a child or young person to achieve permanence within their birth family.

Where the family and friends carer has a Child Arrangement Order, the child is able to live with them, they will be responsible for their day-to-day care, and they will share parental responsibility with the parent.

The order lasts until the child is 18.

The Council may pay an allowance to support family and friends carers who choose a child arrangement order in the following instances:

- The child was previously looked after by Lancashire County Council before the Child Arrangement Order was made and the arrangement is permanent;
- The arrangement is being supported by Lancashire County Council so that the child does not become 'looked after'.

The allowance is means tested and reviewed annually.

### **6.2 Special Guardianship Order**

Special Guardianship Orders can be applied for by family and friend carers who have been looking after the child for more than 1 year as an outcome of care proceedings.

When a family and friend carer is granted a Special Guardianship Order and becomes the child's special guardian, they will share parental responsibility for the child with their parents, but they will have exclusive rights to exercise parental responsibility for the child in terms of their day-to-day care and future care.

A Special Guardianship Order provides carers with more powers regarding the child's care and is a good option for children who are being cared for by family and friend carers but still have links with their birth parents.

Lancashire County Council can agree financial support based on an assessment as part of the Special Guardianship Order in order to:

- Provide help for the special guardian to care for the child;
- Meet extra costs if the child has special needs, for example medical needs;
- Provide basic equipment needed that enables the child to live with the carer;



- Support contact arrangements between the child and their birth family and other people who are important to the child.

Where the special guardian was previously the child's foster carer, a fostering fee may continue to be paid for up to 2 years after making the order.

All payments are subject to certain conditions, are means tested, and detailed in the Special Guardianship Support Plan which will be reviewed annually.

More information on financial assistance can be found here - [Applications for Special Guardianship Orders \(proceduresonline.com\)](http://proceduresonline.com)

### **6.3 Adoption Order**

An adoption order transfers all legal rights and responsibilities for a child from their birth parents to the adoptive parents and the child legally becomes part of the adoptive parent's family.

A family and friends carer can apply for an adoption order for a child who they care for if the child has lived with them for 3 out of 5 years in a private arrangement, or after 1 year if the child was looked after through a foster carer who is not related. This is known as non-agency adoption which is the name given to adoption application which involve a child who has not been placed with the prospective adopter by an adoption agency.

The principal categories of non-agency adoption are:

- Step-parent adoption (application by the partner of the parent of a child)
- Applications by local authority foster carers
- Application by relatives of the child

It is only in rare and exceptional circumstances that Lancashire County Council would support a Family and Friends carer applying for an adoption order.

## **7. Social Worker Support**

A child who is looked after or has been identified as needing support from Lancashire Services through a Child In Need Plan will have an identified social worker to support them.

Family and friends carers who are caring for a looked after child and are being or have been assessed as a Lancashire Foster Carer will have an allocated social worker from the Fostering Service who will provide them with support.

## **8. Support with accommodation**

Where a family and friends carer are in social housing and need larger accommodation to provide a home for a child or a sibling group, the social worker can advise the family and friend carer what action they can take to secure public

housing or find privately rented accommodation. It is not standard practice for Lancashire County Council to fund a larger property for a family and friends carer.

## **9. Useful services and contact details**

### **Children's Social Care hub**

0300 123 6720

#### **Advice line (out of hours)**

- 0300 123 6724

Monday to Friday 6pm to 11pm  
Weekends and bank holidays 8am to 11pm

The advice line does not replace the Emergency Duty Team who provide a service to cover all the periods when the office is closed, rather it is complementary to it.

You can ring the advice line to discuss any concerns you have and a Fostering Team worker will suggest appropriate actions. The social worker will not visit but may advise you to contact the Emergency Duty Team if the matter is sufficiently serious and further action is necessary outside normal office hours.

#### **Emergency Duty Team**

- 0300 123 6722

You should contact the Emergency Duty Team when you have any concerns or emergencies relating to a child in your care, or if a child is missing. The service is available outside of normal office hours.

#### **Other support**

Lancashire County Council contains useful links for additional support to approved Foster Carers which can be found [here](#).