

Private Fostering Policy and Procedure

2025



Title	
Version number	0.6
Document author(s) name and role title	Catherine Gill, Gareth Winstanley, Sarah Jones
Document owner name and role title	As above
Document approver name and role title	Catherine Gill, Gareth Winstanley

Contents

1. Introduction
2. Principles of Private Fostering
3. Definition
4. Why are children Privately Fostered?
5. Child's Voice
6. Policy, Procedures and Guidance
7. Appendices
 - i) Private Fostering Referral Screening Document
 - ii) Private Fostering Flowchart
 - iii) Private Fostering Statutory Visit Document
 - iv) Private Fostering Referral Screening Document
 - v) Private Fostering Information- Professionals
 - vi) Private Fostering Information- Children and Young People
 - vii) Private Fostering Information- Parents
 - viii) Private Fostering Information- Carers
 - ix) Template Document- Suitability Letter- Birth Parents
 - x) Template Document- Suitability Letter- Carers
 - xi) Private Fostering Powerpoint Presentation

1. Introduction

In some circumstances, there are situations where a child or young person may need to live with someone other than their parents. In all cases, parents retain their parental responsibility.

Private Fostering refers to an arrangement where a child under the age of 16 (or under 18 if they are disabled) is cared for by someone who is not their parents or a close relative for 28 days or more. This arrangement is made privately, without the involvement of the Local Authority.

Private Fostering arrangements came as a direct response to the death of Victoria Climbié who came to the UK to live with her Aunt through a Private Fostering Arrangement. Following an inquiry into her death, the duty on local authorities was strengthened to safeguard privately fostered children and young people and to improve the awareness and notification process.

The statutory responsibility for Private Fostering lies with the Fostering Service (Mainstream Assessment Team).

Key Legislation

- i. Children Act 1989: This Act provides the primary legal framework for Private Fostering in England and Wales. It outlines the duties of local authorities to safeguard and promote the welfare of privately fostered children and young people. [Children Act 1989: private fostering - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- ii. Children (Private Fostering Arrangements for Fostering) Regulations 2005- These regulations specify the requirements for notification, assessment and monitoring of Private Fostering Arrangements. [The Children \(Private Arrangements for Fostering\) Regulations 2005 \(legislation.gov.uk\)](http://legislation.gov.uk)
- iii. National Minimum Standards for Private Fostering- [6091-DfES-ChildrensActFostering \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

2. Principles of Private Fostering

The legislation requires that local authorities must be proactive in investigating all Private Fostering Arrangements and there are specific procedures in place that must be adhered to by the Authority.

- i) **Notification:** Parents and private foster carers must notify the Authority of the arrangement at least 6 weeks before it begins, or immediately if the arrangement is made in an emergency.
- ii) **Assessment:** The Authority must assess the suitability of the private foster carer and their household, considering factors such as the carer's ability to meet the child's needs and the safety of the home environment.

- iii) **Monitoring:** Regular visits by social workers to the private foster home are required to ensure the child's welfare is being safeguarded and promoted. The frequency of visits is typically every 6 weeks during the first year and every 12 weeks thereafter.
- iv) **Support and Advice:** The Authority must provide support and advice to private foster carers, parents and the children involved in the arrangement.
- v) **Safeguarding:** Ensuring that privately fostered children are protected from harm and that their welfare is promoted is paramount. This includes ensuring that the child's health, education and emotional needs are met.

3. Definition

A privately fostered child is a child under 16 (or 18 if disabled) who is cared for full-time by an adult. That adult cannot be any of the following;

- Parent of the child
- Someone who has parental responsibility for the child
- A close relative of the child.

*A **close relative**, under the Children Act 1989, is defined as a grandparent, brother, sister, uncle or aunt (whether full blood or half blood or with a family connection), or a step- parent (a married step- parent including civil partnership). This excludes unmarried couples but in practice, all unmarried fathers will be included in all decision- making arrangements.

Private Fostering is where the child is to be cared for in that person's home for 28 days or more.

A child who is looked after or placed in any residential home, hospital or school (where they are receiving full- time education) is excluded from the definition. In a Private Fostering Arrangement, the parent retains parental responsibility.

However, children under 16 who spend more than 2 weeks in residence during holiday time in a school, become privately fostered children for the purposes of the legislation during that holiday period.

The Authority may prohibit any person from Private Fostering, giving written notice either for a specified period or indefinitely. This exemption may be revoked in writing at any time.

4. Why are children Privately Fostered?

There are various reasons why parents might need to make plans for a Private Fostering Arrangement:

- Parental ill health;
- Children or young people whose parents live abroad (i.e. Homes for Ukraine);

- Children or young people who are sent to this county for education or healthcare by birth parents from abroad;
- Children or young people who are living with a friend/ boyfriend/ girlfriend's family as a result of parental separation, divorce, arguments at home or family crisis;
- Children and young people whose parents are going to be admitted to hospital for a long period of time or who are in prison;
- Children or young people whose parents work or study long or antisocial hours;
- Children or young people on school holiday exchanges that last for more than 28 days;
- Children or young people who are on sports or music scholarships living away from their families.
- Children in boarding schools who do not return home during the holidays.

Children and young people in a Private Fostering Arrangement are not Looked After Children.

5. Child and Young Person's Voice

We know that children and young people want to be listened to and heard to ensure we understand their views, wishes and feelings. Lancashire is committed to children and young people being empowered and able to influence decisions that are being made about them.

At Lancashire, our Participation Strategy sets out our commitment to participation [Children and Young People's Participation Strategy](#) and Children's Services are required to work collaboratively with children and young people to ensure that children and young people can have meaningful involvement in all aspects of decision- making.

Children and young people can share their thoughts, views and feelings through a digital platform called Mind of my Own to ensure they can participate in developing/ reviewing care and support plans and influence service provision. <https://one.mindofmyown.org.uk/>

Advocacy

Children and young people who are living in Private Fostering Arrangements who are not supported through Child in Need or Child Protection can access additional support through an Advocate. Advocates can support children and young people who feel they their voice isn't being heard or may need additional support to ensure their views are fairly represented. For more information, please see [Advocacy and Independent Visitors](#).

The National Youth Advocacy Service can provide swift and accessible support, following a referral. The service can be accessed through direct referrals from across Children's Services or directly by individual children and young people. For more information, please see their website. [The National Youth Advocacy Service | NYAS](#)

Key Contacts for Private Fostering

Fostering Mainstream Assessment Team

For more information, visit the Department for Education website [Looking after someone else's child - GOV.UK \(www.gov.uk\)](https://www.gov.uk/looking-after-someone-else-s-child)

Action	Criteria
Notification received by Customer Access Team/ MASH/ CSSW of the proposed arrangement by parent/Private Foster Carer	- Child looked after by someone other than a close relative for more than 28 days. - Private Foster Carer who is proposing to look after someone else's child who is not a close relative. - A written notification should be made to the Authority at least 6 weeks before the arrangement is due to begin.
Notification to the Customer Access Team/ MASH/ CSSW of existing arrangement or emergency arrangement	- Child looked after by someone other than a close relative for more than 28 days. - Private Foster Carer who is looking after someone else's child who is not a close relative. - The parents/Private Foster Carer should notify MASH within 48 hours of learning an arrangement is currently taking place.
Notification to the Customer Access Team/ MASH/ CSSW by professionals	- Professionals should encourage the child's parent and/or private foster carers to notify the Children and Families Service about planned or existing arrangements. - Professionals who come into contact with children for example, CFW, teachers, health teams must inform the Mainstream Assessment Team- Fostering about all Private Fostering Arrangements they are made aware of. - Professionals should notify the parent and/or private foster carer of their actions in notifying Local Authority.
Private Fostering and Residential Settings/ Providers (including Boarding Schools/ sports academies)	- If a child is intending to remain in a residential setting, for example, a boarding school/ sports academy, outside of term time for more than 14 days, this becomes a Private Fostering Arrangement. - Providers must notify the Children and Families Service not less than 2 weeks before arrangements begin when it is known that a child will remain resident outside of term time for more than 14 days.

Referral to EHM	• A referral can be made via LCS or the online referral form to the Hub. • If referring for Early Help support/ CFW- Email to CYP Referrals with Child NAME/ DOB/ SU in subject and reason request in the main body of the email from Team Manager.
Safeguarding Arrangements	• Where there are concerns about the child's welfare, the parents should be advised that a referral will be made to MASH.
Assessment of Arrangements	• Professionals from the Duty and Assessment Team and Private Fostering will undertake a joint Child and Family Assessment within 7 working days to meet: - The child (alone and see their bedroom and own bed) Note- if a child does not have their own bed, the Private Fostering Arrangement will not be assessed. - The child's parents (if possible) - The private foster carers - Other members of the private foster carer's household • The child's welfare must be checked to ensure they understand the arrangements and what Private Fostering means. Assessment will be made about the suitability of the arrangements within 42 working days. Consent from all relevant parties will be agreed. Considerations at the assessment, facilitated by the Private Fostering Social Worker will include; • Decision- making agreement between parent/ carers • Family time arrangements • Financial arrangements • Consent- including for medical intervention and holidays. The agreement must reflect the decisions and views of the parent and carer.

There will be a checkpoint at **10 days** to determine what stage the assessment is up to with an additional checkpoint at 20 days for case tracking and progress.

DBS checks on all members of the household aged 16 or over. **If the Private Fostering Arrangement is confirmed, DBS checks must be repeated every three years.**

PC4 does not need to be repeated. This must be completed prior to DBS on application of Private Fostering Arrangements.

Following referral screening, if any Privately Fostered child is found to be at CiN or above, CSSW can complete statutory visit for both elements- Section 47 and Private Fostering.



Private Fostering
Flowchart_Updated St

In cases where the young person will turn 16 whilst in the Private Fostering Arrangement and is subject to Child in Need or Child Protection Plan, the allocated worker should complete an updated Child and Family Assessment 3 months prior to the child's 16th birthday.

In cases where the young person will turn 16 whilst in the Private Fostering Arrangement and not open to Children's Social Care, 3 months prior to the child's 16th birthday the Private Fostering Team Manager and Private Fostering Social worker will review our Working Well with Children and Families in Lancashire and in collaboration with the child, their carers and parents will~~te~~ ascertain the level of support needed by the child when they reach 16.

The outcomes for the child at the conclusion of the Private Fostering Arrangement when the child reaches 16 years old could be;

- No support is needed
- Signposting to other universal services
- A referral to Child Family Well**b**-Being Service
- A MASH referral will be made for CiN or CP support provided by Family Safeguarding or Empower. A decision about which of these services should support the child will be determined by the child's needs identified in the C&F

	The Heads of Service will resolve any disagreements between Empower and Family Safeguarding regarding allocation to the appropriate service. Consideration must be given to whether there are any duties owing to the young person under the Leaving Care Act 2000, specifically whether they are persons qualifying for “advice and assistance”.
Private Fostering Arrangement deemed Suitable	A Fostering Social Worker is allocated to support the Private Fostering Carers and will maintain a case record. If the Private Fostering Arrangement is deemed to be suitable, a letter will be issued to the parent/s and Private Foster Carers within 7 working days by the Fostering Service. The allocated Social Worker will visit the child every 6 weeks during the first year and then every 12 weeks thereafter. Initially, this will be undertaken by the allocated Social Worker and the Private Fostering Social Worker to undertake statutory visits. If the Private Fostering Social Worker is the allocated Social Worker, then they will undertake all statutory visits. The allocated Social Worker will provide an update through supervision to their Team Manager to ensure there is management oversight of arrangements in place. The Social Worker’s role is to: - Promote the welfare of the child; - To check that the arrangements are still suitable. The Social Worker should see the child alone on each visit and will write a record of each visit. A written agreement, following assessment should be agreed which must include the priorities listed above. The Social Worker should make sure the child’s racial, cultural, linguistic and religious needs are being met.  Template_PF Suitability Letter_PF C

Statutory Visit	• The Private Fostering Statutory Visit template must be completed. • Where issues with consent or case complexities arise, a referral must be made to Case Consultation with Children's Social Care. Private Fostering Statutory Visit_v1_R 8
Annual Review of Private Fostering Arrangements	• The Annual Review information must be inputted onto LCS as a case note through the individual child's records • The allocated Social Worker, Team Manager and legal representative (if required) must be invited to the Annual Review Meeting. If any issues arise around consent, please seek guidance from Case Consultation.
Changes in Circumstances	The Private Foster Carer or parent (person with parental responsibility) should notify the Children and Families Service immediately about any change in circumstances, including: • If the child changes address; • Someone living in the household is convicted of an offence; • Someone joins or leaves the household. The Social Worker needs to make sure that the child continues to be looked after properly private foster carers can be disqualified from privately fostering a child if: • They have been convicted of any offence involving a child; • They have had a child removed from their care by a court or Local Authority; • They have had their registration as a child- minder refused or cancelled; • They have been prohibited from privately fostering a child; • They have been disqualified from acting as a foster carer.

Private Fostering Arrangements are deemed Unsuitable	Children's Services, led by the Fostering Assessment Team are able to take action in addition to their existing powers, to take action to safeguard and promote the child's welfare. Action may need to be taken to secure the care and accommodation of the child. Actions can include: • Stopping someone from privately fostering children; • Setting limits to how private foster carers care for children. Some people are not allowed to become private foster carers. Reasons include; • Having convictions for certain offences • Having their own child who is subject to a Care Order or a Supervision Order • Where a Carer's rights and powers over a child have been removed at any time • Where a Carer has been refused registration as a childminder • Where a Carer lives in a household with someone else who has been disqualified. This is not an exhaustive list. In relation to certain offences, any offence relating to sexual offences or offences against a person, including injury and threat of injury, irrespective of when this took place means that a potential Carer may not be deemed as suitable. For more information, please refer to Private Fostering on Tri X. Upon screening, these reasons will be outlined in the Suitability Letter shared with private foster carer applicants. Following assessment, the Authority may be required to consider accommodating the child with a family member or friend or be accommodated in Local Authority Fostering or Residential services.
Impose Requirements or Limitations	• The Mainstream Assessment- Fostering Service can impose requirements on private foster carers including limiting the number of children who can be privately fostered (this should normally be no more than 3) and the standard of accommodation.

	- Where a person is privately fostering, or proposes to foster privately, more than three children who are not siblings at any one time, then that person needs an exemption from the Local Authority. - If a private foster carer exceeds the usual fostering limit or, where exempted, privately fosters a child not named in the exemption and in so doing, exceeds the usual fostering limit, they shall be treated as a children's home.
Prohibition of Arrangements	The Mainstream Assessment- Fostering Team have statutory powers to prohibit a person from privately fostering where: - A child is at risk - That person is not suitable - The accommodation is not suitable - The child's welfare would be harmed - Someone has been convicted for offences against children - The care of the child is unsatisfactory. Any prohibition must be made in writing, at the earliest opportunity, specifying the reasons and contain information about the person's right of appeal and time in which to do so. The Local Authority may cancel a prohibition if they are satisfied that it is no longer justified. This enables the Local Authority to respond appropriately to matters raised during the process of conducting enquiries into: - The capacity of the proposed or actual - private foster carer to look after the child - The suitability of their household and premises; - To changes notified by that person.
Right of Appeal	The private foster carer does have the right of appeal to the Family Proceedings Court within 14 days .
Death of a child who is privately fostered	Where a person ceases to privately foster a child because of the death of the child, they must notify the Local Authority within 48 hours .

	The Local Authority will ensure that the parent is notified as soon as possible of the death of the child. The Local Authority may need to assist the private foster carer with the formalities and in any event will need to consider the implications of what has happened. The Local Authority must follow the Child Death procedures outlined within the Children's Safeguarding Assurance Partnership Tri X / sudden death.pdf (proceduresonline.com)
Notification of the End of a Private Fostering Arrangement	Any person who ceases to privately foster a child must notify the appropriate Local Authority within 48 hours. Notification must include: • The name and address of the person into whose care the child was received; • That person's relationship with the child. The requirement to notify the Local Authority of the cessation of the arrangement does not apply where the private foster carer intends to resume the Private Fostering Arrangement after an interval of not more than 27 days unless; • They subsequently abandon their intention; • The interval expires without them having given effect to their intention. In these circumstances, the private foster carer must notify the Local Authority within 48 hours of abandoning their intention to continue the arrangement, or the expiry of the interval. If there is a breakdown to the Private Fostering Arrangement, an immediate referral must be made to Duty and Assessment. If the Private Fostering Arrangement ends due to reunification with the family, a referral must be made to Duty and Assessment. If the child/ young person will be requiring support from Adult Services once they turn 18, the Transitions Team must be notified when the young person is 17 ½.

	These referrals must be made with consent and agreed that the child/ young person is a Child in Need.
Change in circumstance from a Private Fostering Arrangement to a Child Arrangement Order/ Special Guardianship Order	If a Private Fostering Arrangement ceases in order for an alternative care arrangement to be implemented, for example, a Child Arrangement Order or Special Guardianship Order, a referral to Legal Services and Children's Social Care must take place. These referrals must be made with consent and agreed that the child/ young person is a Child in Need.
Information sharing guidance	The Fostering Assessment Team should provide information to children, young people, parents and carers to explain Private Fostering Arrangements.  8266 PF for children and young people A5  8266 PF for Parents A5 .pdf  8266 PF for Professionals A5 .pdf  8266 PF for Carers A5 2.pdf If parents/ carers require additional information, advice and guidance, they should contact the Private Fostering Team or speak to the allocated Social Worker. Where possible, all meetings should include the parents/ carers to ensure the needs of the child/ young person are met and should be in the best interests of the child. Support for Private Foster Carers Advice will be provided to carers by the Fostering Service. This could include information relating to topics such as behaviour management, bullying, physical intervention or sanctions. Overall, private foster carers will be fully supported by the allocated Social Worker to ensure that the arrangement remains safe and suitable and in the best interest of the child.

Procedures

i. Private Fostering Powerpoint Presentation



PF Presentation April
2024.pptx v1.pptx

ii. Private Fostering Referral Screening Document



PF Screen
Template.docx

i. Private Fostering Flowchart-



Private Fostering
Flowchart_Updated S

ii. Private Fostering Statutory Visit Document



Private Fostering
Statutory Visit R&A Tr

iii. Private Fostering Referral Screening Document



PF Screen
Template.docx

iv. Private Fostering Information- Professionals



8266 PF for
Professionals A5 .pdf

v. Private Fostering Information- Children and Young People



8266 PF for children
and young people A5

vi. Private Fostering Information- Parents



8266 PF for Parents
A5 .pdf

vii. Private Fostering Information- Carers



8266 PF for Carers
A5 2.pdf

viii. Template Document- Suitability Letter- Birth Parents



Template_PF
Suitability Letter_PF B

ix. Template Document- Suitability Letter- Carers



Template_PF
Suitability Letter_PF C