

Advisory Note; Friends and Family Placements

Clarification as to the correct practice in deciding the status of arrangements.

This additional guidance is being provided to assist Team Managers and Social Workers in the management of Local Authority's responsibilities and duties when faced with situations where children and young people are, for various reasons, not residing in the home environment. This note is in support of the Department's procedures and national statutory guidance, is expected to be adhered to and facilitate confidence in managing situations appropriately.

Context

The Friends and Family Statutory Guidance is supplemental to, but to be read, in conjunction with, [Care Planning Statutory Guidance](#), as well as, [Fostering Regulations: National Minimum Standards](#). In addition since the introduction of the above guidance there has been further case law that has contributed to the defining of Local Authority's responsibilities more clearly.

What the guidance recognises is that often decisions have to be made when a family is in the midst of a family in crisis or going through substantial difficulties. What is also recognised is that practitioners supporting a family often face difficult decisions about what arrangements to support. The fundamental basis of the decisions to be made, has to be based on a balance of the following factors.

- The assessed needs of the child and young person
- The safety of the child and young person
- The wishes and feelings of the child or young person
- Whether the environment and parenting meets the above identified needs.

How families are supported to manage and in what way, is the key challenge.

There is a clear statement issued in the guidance that in deciding how to ensure the wellbeing of a child or young person, practitioners should support by giving ' a clear preference to a placement with family and friends.'

Can a child or young person live with family and friends as an arrangement by the family ?

It is clear and encompassed in the guidance that parents can make arrangements for a child or young person to live with family members or friends without a child requiring to be looked after. This can happen independently or whilst a Local Authority practitioner is involved.

Where this arrangement is known the practitioner does have responsibilities in ensuring that the child or young person is placed in a safe environment and would be discussing with the adults with parental responsibility what concerns if any there are.

Should the placement last longer than 28 days with friends or not with a close relative then the matter becomes a Private Foster Placement and should be addressed accordingly, following appropriate procedures.

However, if the arrangement can be managed within the context of the, in place, Child in Need Plan or Child Protection Plan, whereby the parents are not precluded from assuming care of their child or young person at any time, then the placement is by the family's choice and can be supported by revising the plan in place, to ensure the support for the child or young person matches their circumstances. Support should be provided both through the multi agency network and if required by S.17 money.

As with all family work the support network both within Child in Need and Child Protection should be drawing upon the extended family as part of the support network and therefore there should be some understanding of both the strengths and weaknesses of the extended family network and their capacity to support. This should include a more in depth discussion as part of **contingency planning** where parental capacity to adequately care for a child is likely to be compromised. Having a contingency plan that will support the family in safe decision making based on what is viable and establish a common understanding of what the family is agreeing to.

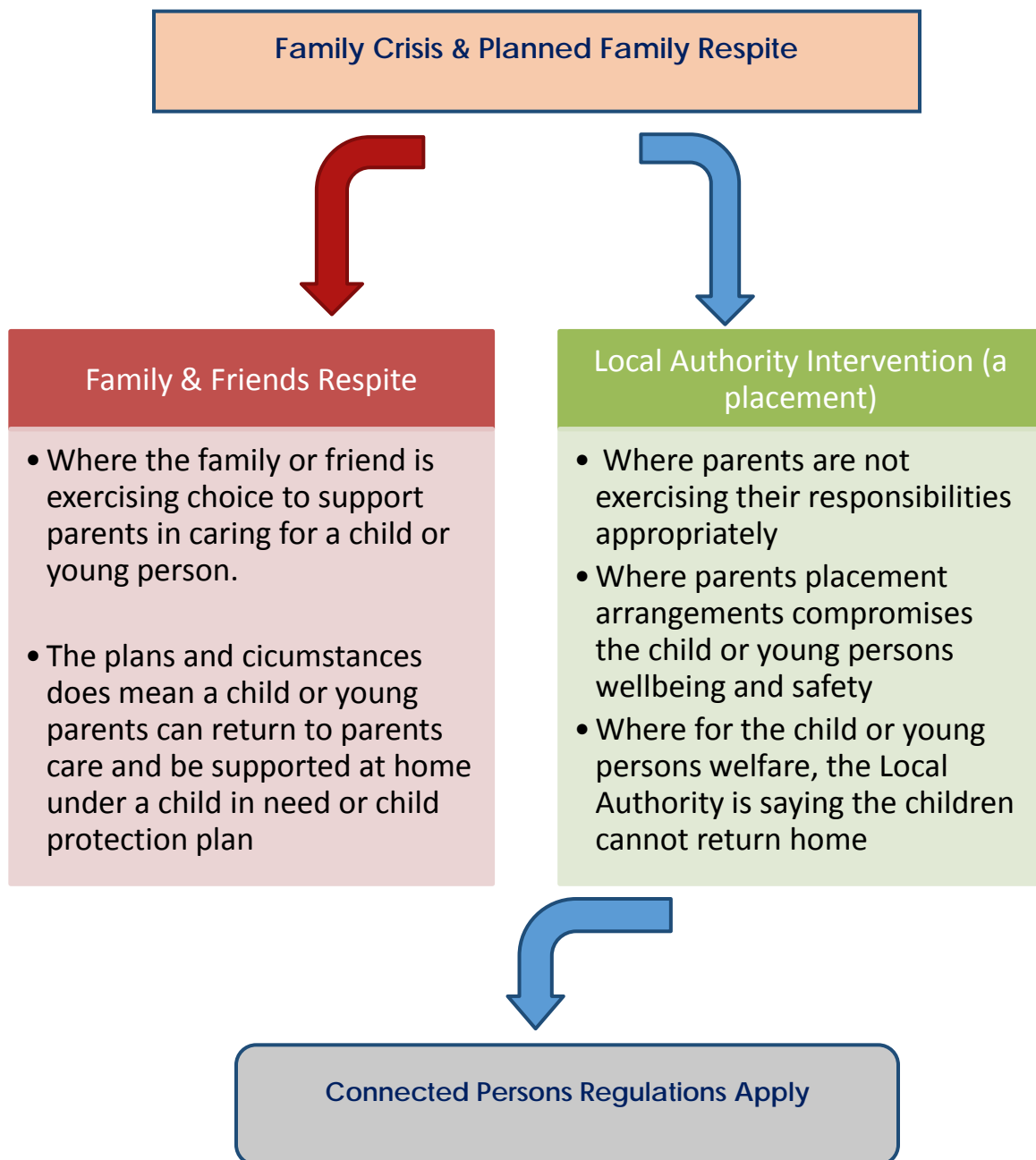
When a placement has to be a Connected Persons Foster Placement.

If the placement is not working or unsafe then the discussion will be with parents about resuming care of their child.

Where a child or young person is compromised or in an unsafe situation and the parents are not acting reasonably and leaving a child or young person in an unsafe environment, the usual duties as defined in the Children Act will apply. In such

circumstances the sharing of Parental Responsibility will be the principal decision to be made.

If the decision is that the child or young person cannot go home or cannot remain at home for their own safety and wellbeing, then the Local Authority is making the decision to accommodate S.20 or initiating proceedings in order to share parental responsibility. **Any** stipulation even when a child has already been placed with family as a family placement that the child should not go home, does mean that the child or young person is then considered accommodated by the Local Authority. Permissions for accommodation under S.20 or legal proceedings will therefore apply.



What are the requirements of a connected persons placement ?

As stated we should always give preference to the potential of a placement with family or friends. However, in considering the appropriateness of the placement the practitioner must evaluate the potential of placement to work not just in the short term but also within the context of possibly being the long term. Key Points to know ; -

- **Any** placement by the Local Authority with family and friends will automatically be a foster placement.
- As a foster placement it will have to meet the foster carers minimum standards
- There is **no** basis in the regulations not to consider the arrangement as a foster placement, even if the family intend to seek and be assessed for a Child Arrangement Order or Special Guardianship Order.

As such the placement needs to be assessed and considered, the evaluation of the preliminary assessment **must** be prepared and presented to Senior Managers for approval **Prior** to a placement.

Temporary Place of Safety.

However, it is acknowledged that an immediate placement with family or friends can be sourced in an emergency situation. This does not require a full assessment other than preliminary checks **only** on the basis that it provides a place of safety to hold pending further arrangements. This can only be until the next working day where the child and young person will be required to be collected.

Preliminary Evaluation regarding potential placement.

Whether in an emergency or planned and agreed, the Social Worker will have to assess the viability of a placement and be prepared either to verbally present findings as part of the decision making in a crisis and later complete in writing the viability assessment or present as a written viability to Edge of Care or Head of Service. The Viability will require the following elements.

1. Proposed family or friends identified as a potential placement agree to being assessed as a foster placement and meet the standards in conduct and behavior expected of a foster placement. They understand that none approval will lead to the child moving. Also, what are the reasons for coming forward for the placement.

2. That all adults and children living in the home are identified and listed. What is the quality and nature of their relationship and their view about the proposed placement.
3. That all checks that can be completed regarding persons in the household are made, including local authority previous knowledge of the family, permission from all adults are sought. (DBS are not required in an emergency but must be agreed to and are immediately completed.)
4. The home must be visited. The home conditions must be assessed fully and sleeping arrangements explored. Conditions must be to a standard you would expect of a foster placement and sleeping arrangements must be to an acceptable standard.
5. Their knowledge of the child, current relationship and the views of the child and young person about the placement. Also the quality of any existing relationship between the child and the proposed carer.
6. The family's capacity to understand and comply with Local Authorities requirements to support the child or young person and ensure they remain safe, therefore manage complexities with the birth parents.
7. Whether there is sufficient confidence in the placement that it would be sustainable long term both in living arrangements and commitment. In addition the capacity of the proposed carer to meet the child's needs for the duration of the placement.
8. How will placement affect and ensure education and health is maintained for the child or young person.
9. If there are any deficits or supports required, what would be recommended to support the child or young persons needs.
10. Views of the child's parents regarding any placement

This will allow the Senior Manager in agreeing to the placement, to consider if the placement can go ahead or a full assessment be made before placement. The

guidance acknowledges where there is doubt a placement with approved foster carers would be more appropriate and place in a planned way.

Process

For a placement there is a dual agreement required. Agreement that the child or young person must be looked after has to be by Head of Service in an emergency within core hours or by the Service Manager on call by EDT. If in a planned way the discussion should occur within the Edge of Care Panel.

From the agreement and start of accommodation within 24 hours a referral should be made to the Fostering and Adoption Service for a Connected Persons Assessment under regulation 24 to support the assessment be completed within the required 16 weeks.

The support package or actions required in respect of Education and Health requirements (If out of County, please refer to Out of Town Placements Procedures) should be defined and presented at the 72hr Placement Plan Meeting and reviewed at the 20 Looked After Child Review.