

Friends and Family Care Policy

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1) Introduction

The Statutory Guidance for Local Authorities, Family and Friends Care published 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, regardless of whether they are Looked After.

This family and friends care policy provides information for family and friends carers and those in contact with them, to understand the duties and responsibilities involved, the types of services available, where to go for further information and the support that carers are entitled to.

When children and young people are unable, for whatever reason, to live with their parents, family and friends carers can play a unique role in caring for them and enabling them to remain with people who they know and trust.

2) Values and principles

The welfare and best interests of the child concerned are paramount in all aspects covered by this procedure. All decisions taken must seek to promote a child's welfare and it is an underlying principle that the preferred option for children who are unable to live with their parents is for them to grow up in the care of their family or with an adult with whom they have an existing significant relationship, providing that this is consistent with their welfare.

We work to enable children to remain in their own families and facilitate services to support such arrangements, wherever this is consistent with the child's safety and wellbeing. This applies to all children in need, including those who are looked after by the local authority. Where a child cannot live within their immediate family and the local authority is considering the need to look after the child, we will strive to identify potential carers within the child's network of family and friends who are willing, and able to care for the child,

Support is provided on the assessed needs of the child and all services seek to ensure that family and friends carers are provided with the relevant support to ensure that children do not become or remain looked after for longer than is necessary.

Services follow the principles of the Children Act 1989:

- the welfare of the child is paramount
- children should be looked after within their families
- birth parents should, wherever possible be involved in all planning and decision making affecting their children
- legal proceedings should be avoided where possible
- the welfare of the child should be promoted by a partnership between the family and the Local Authority
- children should not be removed from their families and contact should not be ended unless it is absolutely necessary to do so for their well being
- children and young people's views will be sought in ways appropriate to their age and understanding
- children's views will always be considered and their participation in the planning process will be fully supported.

3) Legal framework

All local authorities have a general duty to safeguard and promote the welfare of Children 'In Need' living within their area and to promote the upbringing of such children by their families. The way they fulfill this duty is by providing a range and level of services appropriate to those children's assessed needs (Section 17 Children Act 1989).

A child in need is defined in section 17 (10) of the Children Act 1989, as a child; who is disabled or who is unlikely to achieve or maintain a reasonable standard of health or development without the provision of services by the Local Authority.

Children in need may live with members of their family or friends in a variety of different legal arrangements, formally and informally. Arrangements can be formalised under different court orders.

When a child is 'looked after' they are by definition a child in need, regardless of whether they are accommodated under section 20 of the Children Act 1989 (with parental consent) or are subject to a court order when the local authority shares parental responsibility for the child.

4) Situations whereby children may be living with family and friends carers

4.1 Informal care arrangements

The preferred option for children who are unable to live with their parents is, where possible, for them to grow up in the care of their family or with an adult with whom they have an existing significant relationship. Many families find solutions within their family networks and the local authority does not have a duty to assess any such informal family and friends care arrangements, unless it appears to the authority that services may be necessary to safeguard or promote the welfare of a Child in Need. In such cases, the authority has a responsibility under Section 17 of the Children Act 1989 to assess the child's needs and provide services to meet any assessed needs of the child. Following this assessment a Child in Need Plan will be drawn up and a package of support identified. This can include financial, practical or other support.

4.2 Private fostering

Private fostering refers to arrangements between the person with parental responsibility and an adult who is not a parent or close relative, for the child to be cared for outside of the home for 28 days or more. A close relative is defined as 'a grandparent, brother, sister, uncle or aunt (whether of by full blood, half blood, by marriage or civil partnership) or step parent. The person with parental responsibility or the private foster carer has a duty to inform the Local Authority of arrangements for the child when the placement lasts for more than 28 days

Financial arrangements for the care of the child are made between the person with parental responsibility for the child and the carers.

The duties of the local authority to assess and monitor the welfare of privately fostered children are set out in the Children (Private Arrangements for Fostering) Regulations 2005 and the National Minimum Standards for Private Fostering. If a child in private fostering comes within the definition of a Child in Need the local

authority has a responsibility to provide services to meet the assessed needs of the child under Section 17 of the Children Act 1989.

Private fostering does not include looked after children.

4.3. Residence Order

A relative or friend who is considering offering to care for a child, or a Family and friends carer or Family and friends foster carer already caring for a child, may wish to apply to the Court to make an application for a Residence Order in respect of that child.

A Residence Order gives shared parental responsibility with day to day responsibility for the child being held by the holder of the residency order. The Residence Order states the arrangements for where the child should live. A Residence Order for a child replaces any Looked After Child legal arrangements or family and friends care arrangements as it automatically discharges any Care Order.

Family and Friends Carers may be assisted with the costs of applying for a residency order by Rochdale MBC.

A Residence Order is a way of providing long term security for a child as the day to day parental responsibilities that the carers take on for the child would be legally protected and defined in the order.

Eligibility to apply for a Residence order is detailed in the Children Act 1989 and includes a relative of the child, anyone who has the consent of the local authority or anyone who has cared for the child for at least a year previously.

4.4 Special Guardianship Order

Special Guardianship Orders were brought in under the Adoption and Children Act 2002. This is another option for children needing permanent care outside of their birth family, offering security without losing contact or depriving birth parents of their full legal responsibility. Special Guardians hold a greater share of parental responsibility than carers do under a residence order.

Children must be under the age of 18 for a special guardianship order to be made and the criteria set out in legislation as to who can apply must be met. Courts can make a special Guardianship Order in any family proceedings concerning the welfare of the child.

Applicants must give the Authority 3 months notice before they decide to apply for a special guardianship order. On receipt of the application a Social Work report must be completed which includes an assessment of the support services the proposed placement is likely to require. The local authority must make arrangements to support special guardianship arrangements. This support could include: financial support, mediation, training, respite care, support groups and advice.

If the Local Authority are in proceedings and the agreed care plan is Special Guardianship Order, the Local Authority can support the carer by concluding the proceedings with the Special Guardianship Order

4.5 Family and friends foster care (including regulation 24 of the care planning and placement regulations 2010)

Where it is identified that a child is not able to live with their birth family and that the best place for a child to be placed is with a family or friend, if it has been necessary for the child concerned to be accommodated by the local authority, the placement made is a foster placement and the carers become foster carers from that point.

Under Regulation 24 of the Care Planning, Placement and Case Review Regulations 2010 a child may be placed with someone who is considered as a connected person before they have been fully assessed and approved as a foster carer, providing a Regulation 24 assessment has been completed and it is deemed likely that a full fostering assessment will be completed. If temporary approval as family and friends foster carer is granted under Regulation 24, the full assessment must be completed within 16 weeks. Only in exceptional circumstances can applications for an extension of a further 8 weeks be put forward (Regulation 25 of the care Planning, Placement and Case Review Regulations 2010). This is subject to approval by the nominated officer (who is also the Agency Decision Maker in Rochdale) following the child's Independent Reviewing Officer being notified and the views of fostering panel being sought).

The completed family and friends assessment is presented to fostering panel by the assessing social worker and the child care social worker. The applicants are also invited to attend panel to share any additional information and answer any questions which panel may have.

Assessments of family and friends foster carers must cover all aspects of a family or friends ability to care for a named child(ren) and detail how they will be able to do this. Statutory checks, CRB's and medicals are undertaken on applicants and CRBS are completed for anyone in the household over the age of 18. Health and safety checks and safer caring policies must be completed which consider the suitability of accommodation, house rules and how the child will be cared for in a safe way.

Family and Friends Foster carers may also be assessed and approved (where they meet the Fostering Service Regulations and Standards) before a child is placed with them.

Once approved (either temporary or following full assessment) they are entitled to the same level of support, supervision, training and financial support as general foster care. This includes membership to the Fostering Network.

All foster carers must sign a written agreement (the Fostering Agreement) setting out the expectations they will need to meet and the support they will receive. All Foster carers are subject to at annual reviews (or more frequently if required) and must be visited announced and unannounced. All Foster carers are allocated a Supervising Social Worker from the fostering team and any children placed receive support from a Child Care Social Worker

4.6 Adoption Order

Adoption is the process by which all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by a court. The child legally becomes part of the adoptive family. Within public care proceedings an adoption order may be

deemed to be an appropriate outcome, subject to an assessment of how suitable this is.

Local Authority adoption services must make arrangements for the provision of a range of adoption support services. The support required is set out in an adoption support plan and may include financial support.

5. Supporting contact with family

The Local Authority has a duty to promote contact for all children looked after 'where it is necessary to do so in order to safeguard and promote their welfare'

Friends and family carers are expected to promote contact between children and their families where appropriate (i.e. unless there are serious safeguarding issues)

6. Financial support

Where a child or young person is not looked after by the local authority and there is family and friends care of a child (e.g. private fostering) there may be entitlement to state benefits and allowances e.g. child benefit, child tax credit

Further information and advice can be found through the local benefits agency.

7. Support with accommodation

The Local Authority work with social housing to ensure, whenever possible, that family and friends carers of children living in social housing are given appropriate priority to move to more suitable accommodation if required.

8. Family group conferences/ meetings

Family group meetings are an effective way of identifying and enabling family members to come forward as potential carers.

A family group meeting brings all family members, including children and young people, together to discuss concerns about a child's safety or welfare. Parents, relatives and friends develop a plan for the child's care, following significant earlier preparation by an independent co-ordinator, who explores the issues with each person attending the meeting. These plans are often about who may be able to care for a child who is no longer able to live at home, and can be useful in determining who is the most appropriate person to be assessed as a potential carer if more than one person wishes to put themselves forward to be assessed."

9. Complaints procedure

We are committed to providing services of the highest quality to the people of Rochdale. If you are unhappy with the quality of service you received we have a complaints procedure in place to make sure your complaints are heard.

First step is to complain informally if possible with the person responsible for the service to see whether it can be resolved quickly and easily. This may be with the person themselves or the manager of the service.

If you don't feel able to do this, don't feel it is appropriate or are not satisfied with the response you have had, you can proceed to the second step and contact the corporate complaints team.

You can contact the corporate complaints team by:

Email: feedback.council@rochdale.gov.uk

Telephone: 01706 923537

Write to: Corporate Complaints Team, Floor 6, Telegraph House, Baillie Street, Rochdale, OL16 1JA

Useful numbers

<u>Service name</u>	<u>Contact</u>	<u>Details</u>
British Association for Adoption and Fostering (BAAF)	Saffron House, 6-10 Kirby Street, London EC1N 8TS (map) Tel 020 7421 2600 email mail@baaf.org.uk http://baaf.org.uk/	
Family Rights Group (FRG)	Second Floor The Print House 18 Ashwin Street London E8 3DL Tel: 020 7923 2628 Advice line: 0808 801 0366 e-mail: advice@frg.org.uk	Provides advice to parents and family and friends carers whose children are involved or require children's social care services because of welfare needs or concerns. Publishes resources, helps develop support groups and runs a discussion board.
Fostering Network	The Fostering Network 87 Blackfriars Road, London SE1 8BR Telephone: 020 7620 6400	The Fostering Network is a charity working throughout the UK to promote and improve quality of the foster carers. Publishes resources and runs "Fosterline" a confidential advice line for foster carers.
Frank	Tel: 0800 7766 00 www.talktofrank.com	Drugs Helpline.
Grandparents' Association (The)	Moot House The Stow Harlow Essex	Supports grandparents and their families especially those who have lost family

	<p>Tel: 01279 428040</p> <p>Helpline: 0845 434 9585</p> <p>Welfare benefits and advice information: 0844 357 1033</p> <p>e-mail: info@grandparents-association.org.uk</p>	<p>problems, those caring for their grandchildren on a full-time basis and those with child care responsibilities for their grandchildren.</p>
Grandparents Plus	<p>18 Victoria Park Square Bethnal Green London E2 9PF</p> <p>Tel: 020 8981 8001</p> <p>e-mail: info@grandparentsplus.org.uk</p>	
NSPCC – Child Protection Helpline	<p>0800 800 5000 (freephone)</p> <p>www.nspcc.org.uk</p>	
NHS Direct	<p>0845 4647</p>	
Voice	<p>Tel: 0800 800 5792 (freephone)</p>	<p>Helpline for children and young people in care.</p>
Who Cares Trust	<p>Who Cares Trust Kemp House 152 – 160 City Road London EC1V 2NP</p> <p>Tel: 020 7251 3117</p> <p>e-mail: mailbox@thewhocarestrust.org.uk</p>	<p>A “voice” for children and young people in care and information for foster carers. Publishes a Magazine “Who Cares”? leaflets, DVD-roms. Also a web-site for foster carers, children and young people.</p>