

# Upperwood School - essential facts about private fostering

The Children (Private Arrangements for Fostering) Regulations 2005 has reinforced the requirement laid down in the Children Act 1989 for people who are privately fostering to notify the local authority.

The Victoria Climbié inquiry highlighted concerns about the arrangements for children who are in private foster care and subsequent guidance has emphasised the duty of the local authority to safeguard and promote the welfare of children who are privately fostered

## What is private fostering?

This is a situation where a private arrangement is made to look after a child under 16 years of age or 18 years if disabled, for more than 27 days, where the main carer is someone other than the child's parent, step-parent, legal guardian, sibling, grandparent, aunt or uncle. It is not an arrangement made by the local authority where a child is placed with an approved foster carer.

There are a number of circumstances and reasons why parents make arrangements for their children to be looked after by someone else. Examples could be:

- teenagers who move in with their friend's family when they do not get on with their own family
- children staying with a cousin or neighbour while a parent is in hospital
- children who have been sent from overseas for education or health needs
- children living elsewhere due to parents working unsociable hours
- children living with extended family, friends or neighbours while parents are having difficulties
- children on holiday exchanges

## Notification

Both the child's parents and the private foster carers have a duty to notify the local authority of the intention to place the child in private foster care no less than six weeks before the arrangement is intended to start. If the arrangements are made in an emergency, the notification should be no more than 48 hours after the child has been placed with private foster carers.

Failure to notify the local authority on the part of the carers or parents may be deemed to be an offence.

Any other person who discovers a private fostering arrangement or knows of a private fostering arrangement should inform the Children Young People and Families Service – Fostering Team. Professionals working with children and families are likely to come across private foster care arrangements and, unless they are confident that such an

arrangement has been notified to the local authority, should inform the Children, Young People and Families Service themselves.

## Why is it important to notify the authority?

The 1989 Children Act states: 'It shall be the duty of every local authority to satisfy themselves that the welfare of children who are privately fostered in their area is being satisfactorily safeguarded and promoted and to ensure that such advice is given to those caring for them as appears to the authority to be needed'.

There has been increasing concern, highlighted by Lord Laming's report into the death of Victoria Climbié, that instances of private fostering are not being reported to local authorities.

A duty has been placed on the local authority to raise the awareness of the public and professionals of the need to notify such arrangements.

Children who are privately fostered can be particularly vulnerable as they can be placed at considerable distance from their parents who may only be able to visit infrequently. Such arrangements can be of indefinite duration and give a child little sense of security and identity.

Children's Services will ensure that children in such circumstances are safeguarded and that their needs are met. They will also ensure that they work in partnership with both parents and carers. It is important for children and families to have as little intrusion from the local authority as necessary, respecting that most responsible parents will have made good arrangements for the care of their children in this way.

## What Children's Services will do

The Children, Young People and Families Service will notify other agencies of the arrangement, assess the child's needs and assess whether the private foster care arrangement is the best arrangement to meet the child's needs.

This will involve an assessment of the child, their needs and of the carers to determine their suitability to meet the child's needs.

These assessments will require consultation with other agencies involved with the child and their carers. The social worker will provide assistance to draw an agreement between parents and private foster carers about the best arrangements for the child. The social worker will visit regularly to see the child and the private foster carer to ensure that the child is safe and that their well being is promoted. They will keep in contact with the child's parent, and offer advice and support to the child, parent and private foster carer.

Assistance will also be provided to obtain services from other agencies where necessary to meet all of the child's needs.

If you become aware that a child is privately fostered, you should check whether the Children, Young People and Families Service – Fostering Team has been notified. If not, you should discuss this with the carers and parents and satisfy yourself that they will notify the local authority. If you are not confident that they will do this, or if you become aware that they have not done so, you should contact the Fostering Team on 01226 775876 to pass on relevant information about the private fostering arrangement.

If you would like further information about any issue related to private fostering, please contact one of the social workers in the Fostering Team on the above number.

The information on this page can be downloaded in a PDF format by clicking on 'Essential facts about private fostering'.

## Where to go for more information

Duty Social Worker - Fostering

The service is based at Wellington House, 36, Wellington Street, Barnsley S70 1WA. Our postal address is PO Box 679, Barnsley S70 9JE.

Opening hours are 8.30am to 5pm Monday to Thursday and 8.30am to 4.30pm Friday.

Telephone: 01226 775876

Email: [fostering@barnsley.gov.uk](mailto:fostering@barnsley.gov.uk)