



Private FOSTERING

a cause for concern

Private fostering is a cause for concern for all professionals working with children.

Studies show that local councils are often not notified when, by private arrangement, a child is being looked after by someone other than a relative.

Also, local councils are often not enforcing the required level of monitoring and supervision of private foster placements.

This means that social services departments may not be in a position to protect privately fostered children who are at risk of abuse or neglect.

Professionals in the education, health and social care fields therefore have a shared responsibility to notify the local social services department of private fostering arrangements. It is only by working together that we will be able to make sure that all privately fostered children get the quality of care they deserve.

PRIVATE FOSTERING

What is private fostering?

Private fostering is very different from the care of children provided by local councils through approved foster carers. It occurs when a child under 16 (if disabled, under 18) is cared for for more than 28 days by an adult who is not a relative, by private arrangement between parent and carer. The child would not be one that is looked after by the local council under the Children Act.

Usually a birth parent chooses and arranges private foster placements, which could take many forms. These include children coming from abroad to access the education and health systems, children living with a friend's family after separation, divorce or arguments at home, teenagers living with the family of a boyfriend or girlfriend, or people who come to this country to study or work, but antisocial hours make it difficult for them to care for their own children.

It is estimated that about 10,000 children in England are privately fostered.

What are the rules governing private fostering?

Privately fostered children are protected by the Children Act 1989 (Part IX) and associated regulations.

What the private foster carer must do:

- advise their local council of their intention to foster a child at least 6 weeks in advance or, where an emergency placement is made, within 48 hours of the child's arrival
- notify their local council when a child leaves their care, stating why and giving the name and address of the person into whose care the child has been moved.



What birth parents must do:

- retain parental responsibility; initiating and participating in all the decision making processes in the placement
- provide the prospective carer with as much information about the child as possible, including health records, dietary preferences, school records, hobbies, religion and ethnicity
- if the prospective carer has not already done so, advise the local council of the private fostering arrangement.

What the local council must do:

- check on the suitability of private foster carers
- make regular visits to the child
- ensure that advice is made available when needed
- observe the overall standard of care.

A child can be removed from a private foster placement if there is reasonable cause to suspect that the child is suffering, or is likely to suffer, significant harm.

Although the primary responsibility for safeguarding and promoting the welfare of the child rests with the parent, the regulations are intended to help protect vulnerable children who are likely to be cared for longer term in households other than their own.

What is the problem?

Studies show that local councils are often not being notified about private fostering arrangements, despite this being an offence under the Children Act 1989. When they are, it is nearly always after the fostering has started. It is likely that more than 50% of private foster placements are not notified to local councils. This is a cause for concern, as privately

fostered children, without the protection provided through the regulations, are a particularly vulnerable group.

At the same time, there is evidence that local councils consider private fostering to be a low priority and are not devoting sufficient effort to identifying and inspecting private foster placements in line with regulations.

This needs to change.

What should professionals do?

Professionals in the education, health and social care fields need to be more aware of private fostering and be more proactive in identifying and notifying local councils of private fostering arrangements.

Private foster carers are legally required to notify their council but many do not (or do not know that they have to). This means that social services departments are unable to check whether the child is being properly cared for.

It is vital that social services departments are aware of such arrangements so that they can safeguard the welfare of potentially vulnerable children. Ideally, notification should come from the carer or parent, but education, health and social care professionals can also play an important role in identifying these arrangements and in getting key messages across to carers and parents who may be unaware of their responsibilities.

If you know that a child is being privately fostered, and you think that the local council is unaware, please notify the local social services department or encourage the carer or parent of the child to do so. You will not be breaching confidentiality, and may help to secure the welfare of the child(ren) concerned.



The responsibilities of local councils

Local councils have clear responsibilities towards privately fostered children. These responsibilities are discharged through a series of home visits and a Link Worker may be appointed to oversee the arrangement.

The purpose of home visits is to ensure that the children are well cared for in a safe and suitable environment. There may also be help and support available, through the local council and other agencies, to assist the carer(s).

If, however, the local council thinks that a placement is unsuitable, and the child could not be returned to the parents, then the council would have to decide what action to take to safeguard the child's welfare. This may include providing support to the carer, but may also, in some circumstances, mean taking the child into care.

How private foster carers can get support

Private foster carers may approach their local council for help and support with looking after the child(ren) in their care.

- There may, in certain cases, be financial help available through 'Section 17' assistance for children deemed to be 'in need.' (Section 17 refers to the part of the Children Act which provides for such assistance, which may include a range of support services or, exceptionally, cash.)
- There may be local support networks for carers.
- Carers may be able to claim social security benefits such as Child Benefit and possibly Income Support or Job Seekers Allowance if in receipt of Child Benefit. Enquiries should be made to the carers' local Benefits Agency Office.

Further sources of information and advice

Publications:

- Children Act Guidance and Regulations, vol. 8 (Private fostering and miscellaneous) – Department of Health, 1991
- Signposts: Findings from a National Inspection of Private Fostering – Department of Health (Social Services Inspectorate), 1995
- Private Fostering: Development of Policy and Practice in Three English Local Authorities – Save The Children Fund, 1997

Organisations:

- Department of Health, Social Care Group, Room 126, Wellington House, 133-155 Waterloo Road, London SE1 8UG (telephone 020 7972 2000)
- National Foster Care Association (NFCA), 87 Blackfriars Road, London SE1 8HA (telephone 020 7620 6400)
- British Agencies for Adoption and Fostering (BAAF), Skyline House, 200 Union Street, London SE1 0LX (telephone 020 7593 2000)



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