

Private Fostering Services

Statement of Purpose

To be read in conjunction
with the London Borough of
Tower Hamlets' Protocol
on Private Fostering
Arrangements.

Updated April 2009



Introduction

This document is a description of private fostering arrangements within the London Borough of Tower Hamlets and is separate from Fostering Services' Statement of Purpose 2008. This Statement of Purpose is designed to meet the needs of the National Minimum Standards for Private Fostering, Standard 1, and to provide a clear guide of the service for professionals, the public, council members and external organisations. This document is a revised version of the Statement of Purpose April 2006 and will be updated annually.

This document will describe private fostering arrangements, the assessment processes and the support and advice offered to private foster carers, privately fostered children and their parents within the London Borough of Tower Hamlets.

Any comments or enquiries regarding this Statement of Purpose should be passed to the Service Manager, Family Support and Protection, Sukriti Sen on 020 7364 2092 or by email to sukriti.sen@towerhamlets.gov.uk

Regulation

Tower Hamlets private fostering service is regulated by Ofsted. Their contact details are:

Ofsted

NBU
3rd Floor, Royal Exchange Buildings
St Ann's Square
MANCHESTER M2 7LA
Tel: 08456 4040 45

London Borough of Tower Hamlets' private fostering service is based at Mulberry Place, 5 Clove Crescent, London E14 2BG. Children's Social Care is committed to maintaining high standards in relation to private fostering service provision and to reviewing this on a continual basis.

London Borough of Tower Hamlets holds statutory powers and responsibilities as a local authority in relation to private fostering arrangements.

The service works to ensure that equal opportunities are incorporated into all aspects of service delivery and all prospective private foster carers are assessed and supported on the basis of the needs of the individual privately fostered child/young person regardless of race, religion, class, marital status, sexual orientation or disability.

Private fostering services are located within Children's Social Care, a division of Children's Services headed by the Corporate Director of Children's Services. The private fostering service is managed by the Service Manager, Family Support and Protection, and consists of five private fostering social workers. Private fostering development work is also undertaken by two workers within the Child Protection and Reviewing Service. The five private fostering social workers are managed by the Team Manager for Private Fostering and the Development Workers are managed within the Child Protection and Reviewing Service.

In the absence of the Private Fostering Team Manager, day to day issues can be advised on by the Service Manager, Family Support and Protection.

1. Legal definition of a privately fostered child

In the definition provided by The Children Act 1989, a privately fostered child means:

A child, under the age of 16 (under 18 if disabled) who is cared for, or proposed to be cared for, and provided with accommodation by someone other than:

- A parent of his/hers;
- A person who is not a parent of his/hers but who has parental responsibility for him/her;
- A close relative of his/hers, i.e. a close relative **is** an aunt/uncle/step-parent/grandparent/sibling but **not** a cousin or great-aunt/uncle
- And she/he has been cared for and accommodated by that person; for 28 days or more; or
- The period of actual private fostering is less than 28 days but the private foster carer intends to privately foster him/her for a period of 28 days or more.

In the case of a child with a disability the upper age limit is 18 years.

A child is **not** privately fostered if the person caring for him/her:

- Had done so for a period of less than 28 days;
- Does not intend to do so for any longer than 28 days.

For the purposes of the Act, parent includes unmarried or putative father. Relative means as above stated, whether by full, half-blood or by affinity or step-parent. Affinity refers to the relationship resulting from marriage, between the husband and the blood relations of the wife and also between the wife and the blood relations of the husband.

An arrangement is deemed as private fostering if it meets the criteria above whether for reward (monetary or otherwise) or not.

Some common examples of private fostering arrangements include: children/young people with families overseas; black and ethnic community children/young people with parents working or studying in the UK; trafficked children/young people and asylum seekers and refugees; children/young people living with host families for a variety of reasons, i.e. attending language schools, undergoing medical treatment etc.

2. The local authority's duties and functions under the Children Act 1989 and the Children (Private Arrangements for Fostering) Regulations 2005

Local authorities have a duty to be notified about private fostering arrangements in their area and to satisfy themselves that the welfare of children who are privately fostered in their area is safeguarded and promoted and to ensure that such advice is given to those caring for them as appears to the authority to be needed (The Children Act 1989 Section 67(1)). Broadly the duties fall into three types of activity:

- Giving and receiving notifications
- Ascertaining the suitability of private foster carers and their households

- Monitoring arrangements through visits and written records of visits

3. New duties under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005

The new measures in the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 are intended to strengthen and enhance the existing private fostering notification scheme. Local Authorities are required to raise public awareness in their area of the requirements regarding notification of private fostering arrangements. Notifications must now be given to Local Authorities when a child/young person is proposed to be privately fostered as well as being privately fostered. This will enable local authorities to ensure that the welfare of privately fostered children/young people is being satisfactorily safeguarded and promoted by ongoing assessments and monitoring of arrangements within statutory timescales.

These new measures, along with the National Minimum Standards for Private Fostering, July 2005, focus all local authorities' attention on private fostering and require them to take a more proactive approach with partnership agencies and other professionals in identifying arrangements in their area. They are expected to improve notification rates and compliance within the existing legislative framework for private fostering and, therefore, to address the key problems identified with the former scheme. It is intended that these additional measures will improve the mechanisms for safeguarding children/young people in private fostering arrangements.

4. Training for relevant staff

Training on private fostering will be provided within the Local Safeguarding Children's Board training programme and staff induction programme. There will also be specific briefings to targeted groups. Training will include information on the notification requirements, the assessment processes of the suitability of private fostering arrangements and will be based on the premise that the child/young person's best interests and welfare are paramount.

Training will be at different levels for different professionals and will cover different cultural child care practices and parenting styles. Relevant staff will further gain understanding and expertise in relation to private fostering through briefings at fieldwork away-days, managers' forums and conferences on private fostering.

5. How awareness of the notification requirements will be promoted

Awareness of the notification requirements will be promoted via information and advertising in newspapers and radio stations, as well as information published on the London Borough of Tower Hamlets' website (www.towerhamlets.gov.uk) and the Tower Hamlets' Fostering and Adoption site (www.towerhamlets.gov.uk/data/caring-for-you/data/fostering/). Information sessions with key professionals, partnership agencies and members of the public, faith and community organisations and schools will routinely be undertaken. Publicity materials will contain information about the legal definition of privately fostered children/young people, the procedure for notifying the local authority, the benefits of notification and consequences of non-notification.

Publicity materials will be distributed to key access points, e.g. schools, libraries, one-stop shops, voluntary/community sector organisations and council offices. The information leaflets

will contain the contact numbers of the private fostering social work team for privately fostered children, their parents, private foster carers and professionals to access. Publicity will be in the different languages of the local community. Outreach work will be undertaken with all organisations that are in contact with children and young people. This work will be under continuous review and will be responsive to the issues that may arise within the community.

Promotion of the notification requirements will be evaluated in terms of objectives set on a regular basis.

6. Assessment of the suitability of private foster carers and their household

All privately fostered children/young people within the London Borough of Tower Hamlets will undergo a Private Fostering Core Assessment, which is inclusive of the domains and dimensions of the Framework for the Assessment of Children in Need and their Families (2000) and Appendix 3 of LBTH Protocol on Private Fostering Arrangements. These Private Fostering Core Assessments will be completed and signed off, managerially, within 35 working days. All aspects of private foster carers' suitability including the suitability of their households will be assessed including CRB checks on all adult members of their household.

7. Advice/support and information available to private foster carers, parents/those with parental responsibility and privately fostered children

A private fostering social worker will be allocated to each privately fostered child/young person and his/her contact details will be made available. The social worker will be responsible for working with and supporting each private foster carer/parent/others concerned and privately fostered children/young people. Information on the following will be provided: London Borough of Tower Hamlets' Protocol on Private Fostering, Welcome Information Packs, 16+ Information and Resource Packs and a three monthly Newsletter for privately fostered children/young people. Private Fostering Children's Activity Days, Private Foster Carers' Support Groups and Conferences on Private Fostering will be routinely held. Publicity materials and information in different languages will be made available to private foster carers, parents and privately fostered children.

Private foster carers will be invited to a consultation day regarding their training/support needs. Following this, there will be three workshops per year for private foster carers offering them information and skills training on themes identified by them. All written information and Private Fostering leaflets in different languages are provided to the private foster carers, privately fostered children and their parents. This will be augmented by privately fostered children and their carers being given respective Welcome Information Packs and where a privately fostered young person reaches the age of 16 years, they will be presented with a 16 Plus Information and Resource Pack. In addition to the above, three activity days per year will be organised for privately fostered children/young people to partake in.

In addition to statutory visits, other visits when requested by privately fostered children/young people, their parents, and private foster carers will be undertaken. Interpreters who are independent of parents and private foster carers will be used where it is the request of the child/young person or where the preferred language is not English.

Private foster carers (including prospective private foster carers) will have access to advice on benefit entitlement, parenting strategies and techniques and other appropriate support as identified/requested.

Parents of proposed/current privately fostered children/young people will also be advised, if in the best interests of the child/young person, of other service provision or other agency help available which would remove the necessity for the child/young person to be privately fostered.

8. Ensuring the welfare of privately fostered children is safeguarded and promoted

Children's Services will ensure that privately fostered children/young people's welfare is satisfactorily safeguarded and promoted by staff following the London Borough of Tower Hamlets' Protocol on Private Fostering, adhering to the new regulations on private fostering and by undertaking Private Fostering Core Assessments and completing these within 35 working days. These Core Assessments will subsequently be signed off by the private fostering team manager. Core Assessments will then be presented to the Private Fostering Panel for agreement or not of the arrangements. The chair of the Panel (Service Manager Child Protection and Reviewing Service) will also act as the Agency Decision Maker and will be advised by panel members on agreeing private fostering arrangements or not, imposing requirements, prohibitions and refusal to consent to disqualified persons being private foster carers. The Private Fostering Panel will meet monthly and the Agency Decision Maker will make emergency decisions, as and when required, on any aspect of the private fostering process which is within the remit of Panel.

Private Fostering Core Assessments will include ensuring that the child/young person's physical, intellectual, emotional, social and behavioural development is satisfactory and needs arising from his/her religious persuasion, racial origin and cultural and linguistic background are being met. In addition, the core will include ascertaining the suitability of the accommodation and an evaluation of the parenting capacity of the prospective/current private foster carer.

Private foster carers will be given advice on the child/young person's individual needs, which may include advice on any medical condition or learning disability, in order to enhance their parenting capacity. Support services will be made available to private foster carers as identified by the Private Fostering Core Assessment. Private foster carers will also be encouraged to promote contact between the child/young person and his/her parents, siblings, extended family and significant others.

To further safeguard the welfare of privately fostered children/young people and ensure continuity and stability of care, Panel receives information as follows:

- Alternative Private Fostering Arrangements which the primary private foster carers have made from their extended family and friendship network, in the event of them being ill or temporarily unavailable to provide care due to holiday commitments or other unexpected circumstances etc
- Educational attendance breakdown and academic progress
- Private Fostering Discharge Reports
- Change of Circumstance Reports
- Annual Reviews of existing Private Fostering Arrangements
- Written updates for Panel on specific safeguarding and welfare issues.

The Private Fostering Social Work Team will respond to notifications received and visit privately fostered children/young people within statutory timescales. Written reports will be completed following these visits on Framework I which incorporates the ICS framework. In accordance with the PF Regulations written records will include conclusions drawn on the arrangement, whether the child/young person was seen alone (if not, why not), his/her wishes and feelings about the arrangement, any concerns raised and any relevant advice given.

All private foster carers will have an Enhanced CRB checks undertaken on them. All privately fostered children/young people will have a named private fostering social worker with their contact details and will be given publicity materials in relation to their age and understanding on what private fostering means. In addition to this, all privately fostered children/young people will have a named education link worker and a primary health care worker. Those children/young people who have been deemed as 'children/young people in need' or 'disabled' whilst being privately fostered will be facilitated to undergo an adult community care assessment, as relevant before their 18th birthday.

Privately fostered children's welfare will further be promoted by an ongoing awareness campaign regarding the notification requirements which will be carried out within the Borough. To deliver this, partner agencies, voluntary/community sector, faith groups will all be made aware of the notification requirements and of their responsibility to safeguard and promote the welfare of privately fostered children/young people.

The Department will carry out internal file audits on a regular basis, and will implement a policy for the imposition of requirements, prohibitions, reviewing disqualifications and appeals against these. Decisions regarding private foster carers committing offences, whilst caring for privately fostered children/young people, will be made in consultation with the police. Decisions regarding the latter powers will be made whilst bearing in mind the best interests of the individual child/young person.

Where child protection concerns are identified, a Section 47 investigation will be carried out by following the All London Child Protection Procedures.

9 The role of other agencies in safeguarding and promoting the welfare of privately fostered children, including encouraging notification

All partner agencies are provided with information on their responsibilities regarding notification under the new Regulations 2005. Information materials will be sent to schools, faith groups, housing, health organisations, Connexions etc. Private fostering social workers will visit partnership agencies and there will be workshops and training made available to them on their role in promoting the welfare of privately fostered children/young people. Other agencies will also have access to the private fostering social work team members via telephone, email and internet, and the London Borough of Tower Hamlets Protocol on Private Fostering Arrangements will be disseminated to them.

To further promote the safeguarding of privately fostered children/young people, Tower Hamlets has adopted a Panel system to agree arrangements. Panel membership consists of specialist practitioners in the following fields: Health, Education, Legal, Child Protection, Community Partnership and an Independent Member.

In addition to the above, partner agencies will be required to nominate a designated lead officer on private fostering.

10. How relevant staff will have an understanding of the Department's duties and functions in relation to private fostering

Children's Services staff will have access to this Statement of Purpose, and the London Borough of Tower Hamlets' Protocol on Private Fostering Arrangements, information materials and training on private fostering. Other directorates within the London Borough of Tower Hamlets and outside agencies will also have these documents, together with printed information leaflets and relevant training as part of the LSBC training programme. The private fostering social work team will visit other departments within London Borough of Tower Hamlets and partner agencies, as appropriate, to inform them of the new guidance, safeguards and standards.

11. How the Department will ensure that its duties and functions regarding private fostering are included in an induction and other training programmes and these are reviewed and evaluated annually in line with changes in legislation and guidance

The LSCB will ensure that its duties and functions in relation to private fostering are included in the LSCB training plan and will be reviewed annually by the Service Manager, Fieldwork and the LSCB Training Sub-Group in light of any changes in legislation, guidance and best practice developments.

The evaluation of training programmes will be collated to ensure that the training meets the needs of the participants in terms of their duties and functions regarding private fostering.

In addition to this, individual workers' training needs in relation to private fostering will be assessed as part of the Children's Services' Personal Development Assessments.

All partner professionals will undergo induction and ongoing training programmes in relation to their duties and functions concerning private fostering and the LSCB training will include a component on these duties and functions.

12. Monitoring the discharge of functions and compliance with part 9 of the Children Act 1989

Under Regulation 12, the Service Manager, Family Support and Protection, will monitor the way the Department complies with and discharges its statutory duties and functions in relation to private fostering. This officer will monitor compliance with the following duties and functions:

- The promotion of awareness regarding notification requirements.
- How the Department responds to notifications received and if these are within timescales.
- How the Department manages disqualifications, (refusal to consent to disqualified persons being private foster carers), prohibitions, requirements and appeals against these.
- How the Department exercises its functions under section 67(5), Children Act 1989.
- How the Department processes decisions regarding offences committed bearing in mind the best interests of the child/young person.

- How the Department assesses the parenting capacity of prospective or actual private foster carers, members of their households and the suitability of their accommodation.
- That statutory visits are within timescales and decisions about the suitability of arrangements are also within timescale and approved at managerial level.
- That additional visits are made when requested by the child/young person, private foster carers, parents or those with parental responsibility.
- That written reports are made in accordance with the Regulations, i.e. recommendations on the arrangement, the child/young person seen alone, wishes and feelings of child/young person, contact and financial arrangements and any concerns raised.
- That advice and support is provided to private foster carers, parents/those with parental responsibility or any person concerned with the child/young person and recorded.
- That information and support is provided to privately fostered children/young people.
- That independent interpreters are used as appropriate.
- That a sample of child/young person's records are regularly audited to check that compliance with the Regulations is being fulfilled.
- That any concerns raised by privately fostered children/young people are investigated.
- That a system is in place recording the number and nature of enquiries received in relation to private fostering, the responses given and action taken.
- That privately fostered children/young people, carers, parents and others concerned are given a copy of the London Borough of Tower Hamlets' Complaints Procedure and given information on how to access their records.

13. Advice on private fostering

This Statement of Purpose and the Protocol on Private Fostering Arrangements along with advice on private fostering can be obtained from the private fostering social work team on 020 7364 5000 or on London Borough of Tower Hamlets' website www.towerhamlets.gov.uk

Advice and information about Private Fostering can be obtained from the Private Fostering Team Manager on telephone 020 7364 5000.

This Private Fostering Services' Statement of Purpose will be available in languages of the local community.