Children’s Services

Information

Private Fostering

What is private fostering?

Most children spend some time staying with friends and relatives. However, in some situations the arrangements can become more long term.

If a child aged under 16 years (or under 18 years if they are disabled) goes to stay with people who are not related to them for 28 days or more, this is known as ‘private fostering’, and special rules apply.

If you are looking after a child and think you could be a private foster carer, or you are the parent of a child in this situation, you must tell Social Services. If you tell us about a private fostering arrangement you will be asked to give us basic information. You can use form, PF1, to give us this information.

Private Fostering is the term used to describe an arrangement for child care made privately between the child's parents and a carer of their choice.

A child is considered to be in private foster care if he or she is completely cared for someone who is not directly related, or is not a legal guardian, for a total of 4 weeks (28 days) or more.

The period of 28 days does not have to be continuous. Fostering differs from child minding in that the child in foster care lives with the carer. Childminders can only offer daily care and occasional overnight stays.

The Children Act 1989 defines a child as privately fostered under the age of 16. If a child is disabled, or has special educational needs, this age limit is extended to 18 with social services having responsibility for aftercare until 21 years of age.

Private fostering arrangements are used by some parents to meet the needs of their children. Such agreements are acceptable providing specific guidelines are followed for the protection of the child, the parents and the carers.

Some teenagers choose to live with another family. This should be agreed by the young person, their parents and carers by following the same guidelines.
How can social services help parents?

We realise that asking someone else to look after your child is a difficult decision but social services may be able to offer help and support. This may include exploring other options to enable your child to remain with you, or advice on how to choose a suitable carer. Whilst basic checks and an assessment are made on private foster carers these do not extend to registration or approval.

How can social services help the private foster carer?

If you are thinking about caring for someone else’s child, social services can offer advice on how to comply with the requirements of the Children Act 1989. They can tell you about your rights and responsibilities and advise you on how to help the child adapt to his or her new surroundings.

How can social services help support the child?

It is the duty of the local authority to establish that the welfare of children who are privately fostered is safeguarded and promoted, whilst respecting the parent’s right to make such private arrangements. While in the foster home, the child will be visited regularly by someone from social services and both parents and carers can ask social services for advice at any time.

The legal position

The child's interests must always be the first consideration. Private fostering arrangements may be appropriate for short periods of time but the law says that the local authority must be told about all private fostering arrangements. If you are caring for someone else's child but were unaware of this requirement, please contact us for advice.

What do parents need to know about private fostering?

If you are thinking about placing your child with a private foster carer, the first thing you need to do is contact social services. We will offer advice and help you make the best possible arrangements for your child. Social services need to be told before you intend to have your child fostered.

You should tell us not more than 13 weeks and not less than 6 weeks before the proposed arrangement is to start. If you make an arrangement in an emergency we must be told within 48 hours. You will need to complete form PF1 to give us all the details (see attached).

The prospective private foster carers will need as much information as possible about your child. This information should be written. In order to safeguard your child's welfare and make the change in their home life as smooth as possible you need to include details about your family routines, language, culture, diet, health information and long-term plans.

Parental responsibility for the child remains with you. You must make sure that both the carer and social services know how to contact you. Parents are
responsible for the financial maintenance of their child throughout the period of care.

You will need to give written permission to the carer which will allow them to sign a medical consent form for the child in case of emergency.

The time span of the care arrangement should be clearly defined. It is rarely in the child's best interests to be away from their family for more than a short period of time. A carer who looks after someone else's child for more than 3 years could apply for a legal responsibility for the child. This would affect your rights as a parent.

Both parents and carers are strongly encouraged to draw up and sign a written agreement which safeguards the child's welfare and protects parents and carers. This will ensure that there can be no misunderstandings about the arrangements. We can help you to do this.

**What will happen when you contact social services**

To make sure that the proposed arrangement will provide for the child's needs and protect his or her welfare, social services have to follow the regulations set out in the Children Act 1989.

These include:

- Assessing the carers' suitability for the role and ensuring that all the necessary requirements are met.
- Discussing with the parents, both the child's needs and the possibilities for alternative arrangements
- Discussing the suitability of arrangements and the length of the care required.

**What do private foster carers need to know?**

If you are thinking of looking after someone else's child by private arrangement, you should contact social services before the child is due to arrive. We can give you advice and support for planning the child's stay.

You should tell us not more than 13 weeks and not less than 6 weeks before the proposed arrangement is to start. If the arrangement is made in an emergency we must be told within 48 hours. You will need to complete form PF1 to give us all the details.

The law requires social services to protect children and make sure that all plans made for them are in their best interests.

This involves:

- a full assessment, including police and health checks, of your suitability as a foster carer
• similar checks for all other members of your household who are aged 16 or over
• safety checks at the home where the child will live
• making sure you have all the information you need to care for the child
• making sure that the overall plan for the child’s stay is for a limited time.

Once the child is in your care:

• social services will visit you and the child regularly to make certain that the arrangement is working well
• you should make sure that the child is happy, healthy and that all his or her needs, including any cultural and religious needs, are met
• you should receive a reasonable allowance to care for the child adequately – this is the responsibility of the child’s parents.

You do not have parental responsibility for the child. This remains with the parents who should be consulted about all aspects of care.

What are social services required to do?

Social services must decide if the proposed arrangements are in the best interests of the child. We may set requirements for the placement, for example, to ensure that parental contact is maintained or that cultural needs are met. Carers can appeal to the magistrates court if they disagree with such requirements.

If social services feel that a proposed, or actual, arrangement in a foster home is unsuitable, they can take action to stop the placement.

Once an arrangement has been agreed by social services and the child is living with the private foster carer, we will visit the child in the home from time to time.

The responsibilities of organisations for private fostering

Private fostering does NOT include:
• Children at boarding schools
• Children in hospital.

Private fostering DOES include:

Arrangements for children to stay with a non-related family if the child is:
• Under 16 (or 18 if disabled) and
• The arrangement is for more than a total of 28 days in a year.

This includes arrangements made by organisations, for example family placements made by a private school in the school holidays or by language schools.

Organisations involved in making private fostering arrangements should tell us not more than 13 weeks and not less than 6 weeks before the proposed arrangement is to start. If the arrangement is made in an emergency we must be
told within 48 hours. You will need to complete form PF1 to give us basic details. In addition we will need to be given details of the organisation involved in making the arrangement, including a named contact.

Partner organisations that become aware of a private fostering arrangement should tell us as soon as possible. This is initially subject to the children in need information sharing protocol - the family should be consulted before we are informed unless there appears to be an immediate risk of significant harm and consulting the family would increase the risk. Once the family have been consulted, we must be informed about the arrangement whether there is consent to this or not.

**Contact:**

To inform us about specific private fostering arrangement:

If the arrangement includes a disabled child:

**Disabled Children’s Team, Forbes Fraser Unit, Royal United Hospital, Combe Park, Bath, BA1 3NG**
Tel. 01225 825307
Fax 01225 460610

All other children and young people:

**Children and Families Assessment and Intervention Team, PO Box 25, Riverside, Temple St, Keynsham, BS31 1DN**
Tel: 01225 396312 / 396313
Fax: 01225 395416

This information can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats or if you need translation or interpretation, or someone to sign in BSL for you this can also be arranged. Please contact the above teams for details.