



Swindon Borough Council

Private Fostering

Looking after someone else's child?

Find out if you are a private foster carer and what it means for you and the child.



SWINDON
BOROUGH COUNCIL



Introduction

Private foster carers are people who are looking after someone else's child (under the age of 16, or under 18 if the child is disabled) for 28 consecutive days or more. This leaflet aims to provide a better understanding of the law on private fostering and the role of Children's Services in Swindon.

About private fostering

Private fostering is an arrangement made by parents (or those with parental responsibility for a child) for someone to care for their child because they are unable to do so. Sometimes a young person has chosen to live elsewhere. If they are under 16 (18 if disabled) and living with someone who is not a close relative for 28 days or more, this is also called private fostering.

There are many reasons for a child being privately fostered. It may be because:

- a parent is ill
- a parent is in prison
- a parent is going abroad
- the relationship between the parent and young person has broken down
- family crisis or bereavement
- parents might be studying or working long hours
- a child has come from another country to study English privately or at a language or sports school (see separate leaflet)
- a child has come to England as a refugee

Private foster carers can be:

- extended family members such as great-aunts, great-uncles, cousins
- someone who is called 'aunt' or 'uncle' but is not actually related to the child's parents
- a friend of the family who has offered to help someone
- someone who is not married to the child's mother or father but is a partner or ex-partner

If you are a close relative of the child, that is a grandparent, aunt, uncle, step-parent (by marriage or civil partnership), sister or brother, then you cannot be their private foster carer. Not everyone who looks after someone else's children is a private foster carer. If the local authority/council has formally asked you to care for the child then this is not a private fostering arrangement and you will not be considered a private foster carer.

What should I do next?

The law requires anybody who is privately fostering a child, or who is intending to do so, to notify Children's Services. If you are already caring for a child under a private fostering arrangement, you must notify Children's Services immediately.

If you are planning to foster a child privately, you must give Children's Services at least six weeks' written notice. When the child comes to live with you, you must notify Children's Services within 48 hours. In every case, you must give Children's Services information about yourself, the child or children you are proposing to foster, when the arrangement is due to start and how long it will last for.

Why do Children's Services have to be involved?

Children's Services have a legal duty to make sure that the welfare of all privately fostered children is safeguarded and promoted and that they are living in safe and suitable surroundings. Children's Services give advice to parents, private foster carers and any child who is being privately fostered.

In a private fostering arrangement, the parent retains parental responsibility. This means that the parent still has to make all the important decisions such as where the child is educated, what medical treatment the child can have, and whether the child can travel abroad with you. A private foster carer cannot change the child's name. Children's Services will allocate a social worker who can advise you about all this and other issues such as access to benefits, and other services available to help with the care of the child.



What happens next?

Once Children's Services have been told of the proposed arrangement, a social worker will visit you, the child and where possible, the child's parents to discuss the plan.

They will need to check:

- your suitability as a private foster carer – including anyone else in the household who is over 16
- suitability of the premises where the child will be living
- duration of the arrangement
- the child's wishes and feelings about the arrangement
- arrangements made for the child's health and educational needs
- arrangements made for contact between the child and their parents
- financial arrangements that are in place or proposed

The social worker will ask you to sign forms that allow Children's Services to carry out reference checks with the Disclosure and Barring Service, Probation service, local council, and GP and education authority to make sure that suitable adults will look after the child. Everyone living in your household who is 16 or over will need to be checked against Disclosure and Barring Service records.

If you or others in your household do not agree to this, then we will not be able to check whether you are suitable to be a private foster carer and this may prevent us from agreeing the arrangement.

The social worker will write a report (assessment) about the arrangement and will include the information you have given. Children's Services will make a decision about your suitability to be a private foster carer and send you a letter telling you what the decision is.

What happens if the placement is not agreed?

Children's Services can prevent you from being a private foster carer if it is considered that you or your accommodation is not suitable, or if it would be prejudicial to the welfare of the child. If so, we will tell you in writing. If you wish to appeal against this decision, you should do so within 14 days of being notified. In the first instance, you should contact Children's Services to attempt to resolve the disagreement. If you cannot resolve this with Children's Services you may appeal to the Family Proceedings Court within 14 days of being notified of our decision. We may also decide that there should be a limit on the number of children that you should be allowed to foster privately, or we could impose requirements about the accommodation or the care provided. You will also be notified in writing and you will have the same right to appeal against this decision as above.

If the placement is not agreed, parents will be told to make alternative arrangements for the child.

What happens when the private fostering arrangement is agreed?

If the private fostering arrangement is agreed, a social worker will visit you and the child regularly and keep in touch with the child's parents for as long as the arrangement lasts, or until the child reaches 16 (18 if disabled). If the placement ends and you later decide to foster another child privately, you must give fresh notice to Children's Services.



Making the private fostering arrangement work

It is important to work with the child's parents and the social worker to make sure things go smoothly. Keeping a child's routines, having their own possessions and having some structure helps them to settle into their new surroundings.

The child's parents must give you and the social worker an address and telephone number where they can be contacted at all times.

It would be helpful for you to ask the parents about any routines the child may have at home; these will help them settle and feel more secure with you in their new home. If the child has a different cultural, religious or ethnic background from you, it will be important to give this careful consideration for instance how you will provide for the child's particular needs, help them to understand their cultural/religious/ethnic history and develop a positive sense of identity. You can ask the social worker for advice and sources of information. As well as getting information about the child, you should also ask for any personal items such as toys or photographs that might help the child settle into their new home.

A written agreement should be drawn up between you and the parents so that it is clear who is responsible for what. Your social worker will be able to help you with this and will provide a written agreement for this purpose. Using the form will ensure that everyone is clear about how long the arrangement will last and what the financial and contact arrangements will be between the child and their parents/family.

Financial arrangements

This should be agreed between you and the child's parents. Children's Services will not provide financial support for routine care of the child in a private fostering placement. If there are difficulties, a further assessment may be carried out. Any financial support would be provided for a specific purpose under s.17 of the Children Act 1989, and would likely be a one-off payment.

This information should be included in the written agreement so that everyone is clear about what has been agreed.

If you are claiming any benefit, including Child Benefit, you will need to inform the Department for Work Pensions (DWP) that you are privately fostering a child. You should also let the DWP know about any money you are receiving for private fostering.



What if there are changes to the private fostering arrangement?

The social worker will explain which changes have to be notified to Children's Services.

Next steps

Contact Children's Services on **01793 466903** and ask to speak to someone about a private fostering arrangement if you need to:

- advise about a proposed private fostering arrangement
- advise that you already have a child living with you in a private fostering arrangement
- get advice on private fostering
- advise on a change of circumstances that might affect your agreement

If you would like this leaflet in another language or format please make contact on the number above or via email at:

privatefostering@swindon.gov.uk

Further information regarding private fostering is available at:

www.privatefostering.org.uk

Department for Work and Pensions – **www.gov.uk**

Children's Services

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