

PRIVATE FOSTERING ARRANGEMENTS

How to identify a private fostering arrangement and what to do next

A privately fostered child is one who is:

- Under the age of 16 (18 if disabled)
- Living with someone other than a parent or person with parental responsibility or close relative or step parent
- With the intention that it last for 28 days or longer – either as a single episode or cumulatively

This means:

- The local authority is **not** involved in making the arrangement
- The child is **not** in care

There is a duty under the Children Act to notify the local authority of a private fostering arrangement – this duty applies to:

- Any parent or other person with parental responsibility proposing to place a child in a private fostering arrangement
- Any person proposing to privately foster a child
- Any other person involved in the proposed arrangement
- Education, health and other professionals who become aware of a possible private fostering arrangement where they are not satisfied that the local authority have been, or will be, notified of the arrangement

Universal children's services – such as primary care, health visiting, school nursing, schools and early years, voluntary sector - are especially well placed to identify children who are not living with a parent who **may** be privately fostered. Below is a simple question and answer format for checking whether or not this may be the case.

How to identify a possible private fostering arrangement

Is the child aged under 16 years? (18 if disabled)	YES	If NO , the child cannot be privately fostered
	NO	
Is s/he living with a parent/person with parental responsibility or a close relative - aunt, uncle, step-parent, grandparent sibling but not a cousin or great-aunt/uncle?	YES	If YES , the child cannot be privately fostered
	NO	
Is s/he adopted or in care, subject to special guardianship or a residence order ?	YES	If YES , the child cannot be privately fostered
	NO	
Has the child been living with person providing accommodation for 28 days or longer; or	YES	If YES , the child is/may be privately fostered
Is the child planning to, or is likely to , be living with the person providing accommodation for 28 days or longer - <i>either as a single stay or cumulatively</i>	NO	

Is the child living in a boarding school and has the school made/is proposing to make private arrangements for him/her to be cared during the holidays for longer than 28 days?	YES	If YES , the child is/will be privately fostered
	NO	
Is the child visiting the country and staying/ planning to stay with a Host Family for 28 days or longer?	YES	If YES , the child is/will be privately fostered
	NO	

A child who is not privately fostered may nevertheless still be in need

Schools and other children's services should:

- Ensure that their staff are aware of the regulations and ask questions about children who are not living with a parent;
- Advise parents and private foster carers of their duties to notify the local authority and that failure to do so without reasonable excuse is an offence
- Be alert to young people who have left home or been thrown out and may be staying with a friend or be "sofa-surfing"
- Make the notification themselves if it would otherwise not be made
- Recognise the different requirements of working with, or providing services to, a child who is being cared for by someone who may not have parental responsibility for them – especially with regard to sharing personal data or seeking consent
- Contact Derbyshire County Council for advice as necessary

If Derbyshire County Council is not aware of such arrangements, it cannot carry out its duty to ensure that they are safe and that welfare of the children concerned is being satisfactorily safeguarded and promoted.

Derbyshire County Council will:

- Check to ensure that no other person in the household will pose a threat to the child's wellbeing and confirm that any proposed arrangement can proceed/actual arrangement continue
- Ensure that all parties understand the nature of the arrangements and their respective responsibilities
- Provide practical advice and assistance to make the placement work
- Visit regularly to check that it is working and that it continues to meet the child's needs

Further information:

Call Derbyshire	08456 058 058	callcentre@derbyshire.gov.uk
Sara Bartlett	01629 532169	sara.bartlett@derbyshire.gov.uk
Mick Upsall	01629 532061	michael.upsall@derbyshire.gov.uk

<http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a0068804/private-fostering>

http://derbyshire.gov.uk/social_health/services_for_children/adoption_fostering/fostering/want_to_foster/types_of_fostering/private_fostering/default.asp