

Brighton & Hove City Council  
Families, Children and Learning

**PRIVATE FOSTERING**  
**Statement of Purpose**  
**2020-2021**

Version: Final May 2020

*This document replaces the Private Fostering Statement of Purpose 2019-20.*

## **1 Introduction**

- 1.1 This statement of purpose sets out how the duties and functions in relation to private fostering are carried out in Brighton & Hove. It is a requirement of the national Minimum Standards (NMS) for Private Fostering, Standard 1 issued in 2005 which states that there is a clear description and guide to the service for the public, professionals, council members and external organisations.
- 1.1 The Front Door for Families will act as the front door for enquiries and notifications about private fostering: [FrontDoorforFamilies@brighton-hove.gcsx.gov.uk](mailto:FrontDoorforFamilies@brighton-hove.gcsx.gov.uk) or 01273 290400.
- 1.2 The appointed Monitoring Officer in relation to private fostering services is:
- 1.3 Tina James  
Quality Assurance Manager  
Performance and Safeguarding  
Families, Children and Learning  
Brighton & Hove City Council
- [tina.james@brighton-hove.gov.uk](mailto:tina.james@brighton-hove.gov.uk)
- 1.5 For Children's Social Work, this statement should be read in conjunction with the Brighton & Hove Children's Services Manual (May 2020), Section 3.1.9.

## **2 The legal definition of a privately fostered child**

- 2.1 A private fostering arrangement is essentially one that is made privately (that is to say without the involvement of a local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more.
- 2.2 A person who is a relative under the Children Act 1989 i.e. a parent; a grandparent, brother, sister, uncle or aunt or step-parent will **not** be a private foster carer.
- 2.3 A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child's family who is willing to privately foster a child. Private foster carers may be from the extended family such as a cousin or great aunt.

## **3 Examples of private fostering**

- 3.1 Examples of where a child might be privately fostered are as follows (this list is not exclusive):
- An adolescent is living with friends as a result of family breakdown
  - Younger children are placed with friends of the family on a long-term basis following family breakdown or parental ill-health
  - Children of West African background placed with white carers from a very young age with little or no contact from birth parents.

- Children whose parents work unsociable hours making it difficult for them to use mainstream day care.
- English language students who are living with a carer for over 28 days.
- Children in boarding schools who reside with another family during school holidays.
- Unaccompanied asylum seeking and refugee children
- Back-door pre adoption arrangements.

#### **4. Brighton & Hove's duties and functions**

- 4.1 The local authority has a duty to be notified about private fostering arrangements in its geographical area and to satisfy themselves that the welfare of children who are being 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)).
- 4.2 Detailed procedures set out how Brighton and Hove will carry out its duties and functions. The Procedures Manual explain the statutory requirements and advise workers of the scheme of delegation and appropriate actions to take to safeguard and promote the welfare of all privately fostered children in their area.
- 4.3 The authority has agreed protocols and proformas for receiving and dealing with notifications from the public and other agencies and of acknowledging these with the referrer. It has agreed the allocation of private fostering work and the recording and data collection of private fostering cases as required. All private fostering cases known to the authority will be allocated.
- 4.4 The Front Door for Families will act as the front door for enquiries and notifications about private fostering: [FrontDoorforFamilies@brighton-hove.gov.uk](mailto:FrontDoorforFamilies@brighton-hove.gov.uk) or 01273 290400.
- 4.5 On receipt of a referral or notification to Front Door for Families (FDFE), initial screening will be undertaken. The FDFE Managers will oversee the initial screening event; decide whether checks are required and agree the outcome prior to the case being allocated to a social worker. From February 2020 all Private Fostering cases are held by the FDFE social workers.
- 4.6 A social worker will undertake a Strengthening Families Assessment and begin the process of completing appropriate checks on the carer (and members of the household). Once the case has been identified as a private fostering arrangement and the appropriate assessments and checks have been completed, the Social Worker will carry out statutory visits and provide support to the child, parent and private foster carer.

#### **5 How relevant staff will be trained to ensure that they have appropriate understanding and expertise in relation to private fostering.**

- 5.1 Brighton & Hove Families, Children and Learning will ensure that all newly qualified social workers have a clear and defined understanding of private fostering.

- 5.2 The Brighton and Hove Safeguarding Children Partnership (BHSCP) will provide multi agency awareness for all voluntary and statutory agencies working with children and young people.
- 5.3 The Monitoring Officer will review and update the practice guidance and undertake briefing sessions with staff and maintain awareness of Private Fostering.
- 6. Managers with the authority to sign off decisions about the overall suitability of an arrangement.**
- 6.1 The assessment of the child, the carer and the accommodation will be undertaken under the Framework for the Assessment of Children in Need and their Families with accompanying DBS and other statutory checks and additional questions, taken from BAAF Form F2, to verify the suitability of the carer and their household.
- 6.2 The Service Manager with responsibility for the oversight of assessment and review of private fostering arrangements has delegated responsibility to come to a professional decision about the suitability of a private fostering arrangement, taking into account the statutory requirements of the Minimum Standards for Private Fostering, the Private Fostering Regulations 2005 and the Children Act 1989. Any concerns over the suitability of the arrangement or carer will be taken up the management line to the Head of Service (Children's Social Work).
- 7. How awareness of the notification requirements will be promoted with other agencies and within the wider local community.**
- 7.1 The local authority has a duty to promote awareness of the requirement to notify private fostering arrangements with other agencies and within the wider local community.
- 7.2 A range of initiatives will be used to highlight the notification arrangements to staff within Brighton & Hove City Council, their partners and with the public.

This will include the following:

- Information on the [Brighton and Hove City Council Internet](#)
- Information on the [Brighton and Hove Safeguarding Children Partnership Website](#) and social media
- [General Public Leaflet](#)
- [Information for Children and Young People](#)
- Private Fostering Briefing on the FCL Intranet
- [Poster](#) and [Flyer](#)
- Targeted promotional campaigns including the Private Fostering Awareness Week (2020).
- Information for elected members (about private fostering and local authority responsibilities).
- Information for parents about Private Fostering will be included in the [Secondary School Admissions 2020-21](#) and [Primary School Admissions 2020-21](#)
- Awareness raising with Language Schools & Colleges.

- 8. Determining the suitability of all aspects of a private fostering arrangement in accordance with the regulations**
- 8.1 The local authority's Procedures Manual details the response that will be required when notifications are received.
- 8.2 On receipt of a referral or notification to the Front Door for Families, initial screening will be undertaken. A visit to the child, the proposed carer and the accommodation will be made within seven working days of the notification or within six weeks (and not more than 13 weeks) if notification is given in advance.
- 8.3 If the parent is contactable, efforts will be made to meet them within this timescale. In all cases the local authority will consider whether the direct provision of services or a referral to another agency would remove the necessity for the parent to have the child privately fostered. Where feasible, with the parent's consent and providing it is in the child's best interest social care will make such a referral or enquiry.
- 8.4 Where the child is to remain in private foster care or move to such an arrangement, the Social Worker will undertake the Strengthening Families Assessment as prescribed under the *Framework for the Assessment of Children in Need and their Families* ('the framework'). This assessment will begin the process of undertaking appropriate checks on the carer i.e.
- A DBS check (and include checks on all those over 16 years in the household);
  - Child protection checks;
  - Enquiries as to whether any member of the household has been disqualified from caring for children (completion of Annex B form) and
  - A medical assessment of the carer.
  - Two independent references of the carer and their family, one of which will be visited.
- 8.5 The assessment will also gather as much information as possible as required under the regulations, including the duration of the private fostering arrangement and the arrangements in place to safeguard the child. Where possible, the child will be seen alone and their wishes and feelings ascertained. The assessment will include a brief assessment of the child's needs and the carer's ability to provide care, under the three dimensions of the framework (see below).
- 8.6 Once the case has been identified as private fostering it will remain with the social worker who will complete a Private Fostering Arrangement Record and any outstanding checks. The suitability of all aspects of the private fostering arrangement will be evaluated under the three dimensions of the framework. Specifically, the suitability of the carer will be assessed within the 'parenting capacity' dimension and will include additional checks relevant to the arrangement taken from the BAAF form F2 (see below).
- 8.7 The suitability of the accommodation and other members of the household will be assessed under the 'family and environmental factors' dimension and include consideration of whether there are any members of the household whose behaviour or other difficulties would prejudice the welfare of the child in question.

The child's needs will be addressed under the 'child's developmental needs' dimension and will include an assessment under Section 17 of the Children Act 1989.

- 8.8 A decision on the suitability of the arrangement will be made within 42 working days of the notification or as soon as the outcome from the DBS check is known, whichever is the sooner.
- 8.9 Separate case files and records will be maintained on the private foster carer and the child, although the two will be partied on the electronic system so that links can be affected if general enquiries are made. Children in the same arrangement will not be partied together, and to avoid any breach of confidentiality, records on one child's file will not be copied into another.
- 8.10 In every case the authority will encourage all parties to enter into a written agreement to confirm the arrangements as described above. This written agreement will be reviewed at least annually and sooner if required.
- 8.11 In assessing the suitability of the private foster carer, reference will be made to the standards of care required of mainstream foster carers (as identified in BAAF Form F) and the care standards required of child minders and day care providers. However, it is recognised that due to the nature of the arrangement not all private foster carers will meet these standards, albeit the child is assessed as 'safe' and well placed. In these cases, every effort will be made by Children's Services to encourage the carer to improve the conditions within the arrangement and to promote the developmental and other needs of the child. This will include addressing such areas as hygiene, lifestyle and discipline. Additional training will be considered for the carer if this is appropriate. If the child is in need, assistance under Section 17 of the Children Act 1989 will be considered.
- 8.12 In cases of doubt or uncertainty about the standards of care the case will be referred to the Service Manager with responsibility for private fostering and subsequently to the Head of Service.
- 8.13 In cases where the suitability of the carer, members of the household or the accommodation is unsatisfactory the authority will consider returning the child to the parents or suitable relative so long as it is in the interests of the child to do so; or the authority will consider exercising any other functions under the Children Act 1989 as required. This may include an assessment and provision of support under S.17 or removal to alternative accommodation under S.20 of the Children Act 1989. The authority is also aware of the provisions under the acts to impose requirements or prohibitions as necessary.
- 8.14 In accordance with the regulations, the authority will undertake statutory visits as required and continue to assess the needs of the child in relation to his/ her care. The duties and functions as described above will be adhered to and the outcome of each visit, recorded on the CareFirst and file systems.
- 8.15 Where the authority is made aware of a private arrangement, but the relevant notifications have not been received, it will make every effort to encourage the respective carer and parent(s) or those with parental responsibility to inform the

authority as required and seek to work in partnership with all parties. In cases where the officer of the authority is obstructed in their duties, consideration will be made as to whether an offence has been committed and whether to apply for a warrant to inspect the premises and see the child. The authority may also wish to consider prosecution of the carer within six months if they continue to fail to notify Children's Services and, in these cases, legal advice will be sought.

**9. The procedures in place to ensure the Local Authority is satisfied that the welfare of privately fostered children is satisfactorily safeguarded and promoted.**

- 9.1 As stated above, on receipt of a referral the duty social worker will begin enquiries to ascertain whether the child is to be or is already privately fostered. A visit to the child, the proposed carer and the accommodation will be made within seven working days of notification or within six weeks before arrangement, if notification is given in advance.
- 9.2 The local authority will assess the needs of the child under the Framework for the Assessment of Children in Need and their Families using the Strengthening Families Assessment which will be completed within 42 working days of the notification date.
- 9.3 The authority will seek to engage the child's parents in a dialogue, which will ensure that they, or any other person exercising parental authority, are fully aware of the implications of placing their child in private foster care. This will include agreeing the duration of the arrangement and putting into place financial agreements; consents to health treatment; school trips etc and other arrangements to maintain the care of their child throughout the arrangement. The authority will also seek to secure adequate contact arrangements so that the parents can keep in touch and monitor their child's progress and participate in decisions relating to the arrangement.
- 9.4 Providing the child is assessed as safe and protected within the arrangement and that private fostering is seen to be the best alternative form of care, visits to the child will be as a minimum at the intervals specified in the regulations. The child will be seen alone unless it is considered inappropriate. During these visits the child's wishes and feelings will be sought and noted.
- 9.5 Each child will be given a unique identification number and a separate case file/electronic record. A report will be made after each visit and where the visit is in accordance with the statutory requirements, it should address the areas specifically stated in the regulations, namely that:
- The child has been seen alone and their wishes and views recorded
  - The contact arrangements between the child and their parents or other significant persons are satisfactory
  - The child's religious, racial, cultural and linguistic needs are being met
  - The child's physical, intellectual, emotional, social and behavioural needs are being met.

- The child is receiving appropriate health care and any health conditions are addressed; he/she is up to date with their immunisations; consent has been obtained for any treatment necessary. etc.
- The child is receiving appropriate education according to their age and that any difficulties the child encounters in school/college are being addressed.

The report should include the conclusions drawn, whether the child was seen alone and, where appropriate, the reasons why the officer considered it inappropriate to see the child alone.

- 9.6 The child will be provided with information in a format appropriate to the child's age and understanding about their status and rights. This will include contact details of the named worker who will be visiting them and a contact in case of emergency. The child will be given a copy of a care plan which will be explained to the child and which will identify key people who will support them during their arrangement.
- 9.7 Access to the Youth Advocacy Project (YAP) will be offered where appropriate and where the child is deemed to be in need.
- 9.8 All children living in a private fostering arrangement will be provided with an information pack which includes a feedback questionnaire. The findings from the feedback will be used to further develop the service to children and young people.
- 10. Arrangements for advice and information for private foster carers, (including prospective private foster carers) parents and others with parental responsibility and others concerned with the privately fostered child.**
- 10.1 Ideally, if notification is received in advance, a worker will visit the prospective carer, child and parents before a private arrangement is made. In these cases advice and support will be given to ensure the prospective arrangement is appropriate or whether any support or referral to another agency would reduce the necessity for the child to be privately fostered. In all cases consideration will be given to ensure that arrangement is in the child's best interests.
- 10.2 The social worker will, on each visit thereafter, ensure that the child's needs are being met and that the arrangement is and continues to be satisfactory. This will include giving advice, guidance and support as necessary - to all parties - and which will be provided in different languages and formats as appropriate. If the arrangement proves unsatisfactory the parents will be advised and supported to make alternative arrangements.
- 10.3 Private foster carers and prospective private foster carers will be advised of their entitlement to child and other financial benefits. The worker will seek to ensure that the carer is adequately recompensed for the care of the child and negotiate with the parent or persons with parental responsibility to secure an arrangement whereby the child maintains an appropriate life style according to their needs.
- 10.4 The worker will ensure that the child and carer have access to support from the education services whether this be nursery/school or college; the health service

(including the Health Visitor and GP), housing, youth services and any other organisation connected to the child that is appropriate.

- 10.5 Written agreements will be encouraged so that the sharing of responsibilities are clear, particularly in relation to the child's health and educational needs.
- 10.6 Specific attention will be paid to address the child's religious, racial, cultural and linguistic needs as appropriate. Advice to enable the carer to promote the child's heritage and contact with the birth family and other significant friends and family will be offered and links made, where appropriate to keep the child in touch with organisations and groups within the community, which promote their culture and religious persuasion.
- 10.7 The carer will be encouraged to meet the child's needs in accordance with the child's age, sex, disability, medical condition, any learning disabilities and general development. Where appropriate the carer will be offered training and support to address these issues.
- 10.8 The carer and the parents will be given the contact details of the designated social worker and information about who to contact in an emergency. In turn, the worker will seek to ensure that all agencies connected to the child are aware of the child's legal status on a need to know basis and with the consent of the child and their parent(s).

## **11 Arrangements for information and support to privately fostered children**

- 11.1 Children and young people cared for by private foster carers will be visited frequently to ensure that they are safe and appropriately cared for. The child will be seen alone on each visit unless this is not appropriate having regard to the young age of the child or if the child does not wish to see the worker alone.
- 11.2 Young people with a disability who are approaching 18 years and moving towards independence and adulthood will be offered services and in line with the transition planning (for disabled) young people and in accordance with Section 24(2)(e) of the Children Act 1989 respectively.
- 11.3 Where required, access to the youth advocacy service (YAP) will be made available.

## **12 Training available to private foster carers (including prospective private foster carers).**

- 12.1 Support for Private Foster Carers will be provided on a case by case basis and will depend on the needs that arise from assessment and from the Regulation 8 visits.
- 12.2 All Private Foster Carers will be given the opportunity to attend Triple P training where required.

### **13 The role of other agencies in safeguarding and promoting the welfare of privately fostered children**

- 13.1 Other agencies have a clear role in assisting the local authority to carry out its duty under section 67 (1) of the Children Act 1989, through notifying the authority of an arrangement where they are not satisfied that the local authority have been, or will be, notified of that arrangement.
- 13.2 A dialogue will be established with other agencies through the BHSCP to raise awareness and promote the notification of private fostering cases. Training about private fostering will be delivered annually to agencies through the BHSCP 'Hidden Children & Young People: Working with Invisible Families' training day.
- 13.3 In all cases where a child moves to another local authority or the carer moves with a child known to be privately fostered, the authority will send written notification of that move to the appropriate authority. Where the private foster carer has moved between authorities and this is known, the authority will undertake checks to ensure the carer is not disqualified or prohibited from caring for children or that there are any outstanding requirements on their records.
- 13.4 The Monitoring Officer will report annually on activities undertaken to raise awareness of Notification requirements to the BHSCP and Executive Director of Families, Children and Learning through the preparation and presentation of the Private Fostering Annual report.

### **14 All relevant staff have an appropriate understanding of the local authority's duties and functions in relation to private fostering.**

- 14.1 This written statement will be made available to all staff in Families, Children and Learning and will be reviewed annually with the Director of Families, Children and Learning.
- 14.2 Operational guidance is available in the Procedures Manual and on [One Space](#) (resource for social workers).
- 14.3 Staff are able to contact the manager with responsibility for private fostering and the Private Fostering Monitor for advice about private fostering.
- 18.4 A briefing on the legislation and what constitutes a Private Fostering arrangement is available for the Front Door for Families staff.