



# Private Fostering Policy

Adapted from Non-Statutory Derbyshire County Council Model Policy

Adapted: Oct 2022

DCC review: July 2024

**Approved by:**

Local Governing Board

**Date:** 19<sup>th</sup> October 2022

**Last reviewed on:**

**Next review due by:**

October 2024

## **1. Introduction and Context**

Most children spend some time away from their home staying with relatives and friends. In cases where children may stay for a longer period of time special procedures may apply. Private Fostering is an arrangement made by a parent with a carer who has agreed to look after the child on their behalf. They are not arranged by the local authority. In some circumstances the parents may not have agreed, or the circumstances of their living arrangements raises health, welfare and safety concerns for the child/young person.

Private fostering arrangements can be a positive response from within the community to difficulties experienced by families. Privately fostered children remain a diverse and potentially vulnerable group.

## **2. Definition**

A privately fostered child is a child under 16 (or 18 if Disabled) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent (including civil partnerships), sister or brother, and may be a family friend, or neighbour and where the child is to be cared for in that person's home for 28 days or more. The definition does not include a step-grandparent or great grandparent.

This arrangement does not have to be continuous; if a child/young person is staying with an extended family member, who is not a parent, grandparent, aunt, uncle, step-parent (including civil partnerships), or a family friend or neighbour for example, that adds up to 28 days or longer in any period of time this may then be seen as Private Fostering.

A child who is Looked After or placed in any residential home, hospital or school (where they are receiving full-time education) is excluded from the definition. In a private fostering arrangement, the parent retains Parental Responsibility.

Children under 16 who spend more than 2 weeks in residence during holiday time in a school, become privately fostered children for the purposes of the legislation during that holiday period.

### **2.1 Our responsibilities**

Peak School fully recognises its responsibilities regarding Private Fostering, ensuring staff are fully aware on how to identify a child/young person and the circumstances around Private Fostering. This includes a duty to report any possible arrangement to the Local Authority if it is believed the child is possibly living in such an arrangement.

This policy should be read in conjunction with “How to Identify a Privately Fostered Child” Appendix A, found at the end of this policy and more local information/guidance can be found on the Derbyshire Safeguarding Children Board website. Also refer to the website for information to give to any parent/carers where it is believed the child is in a private fostering arrangement.

## 2.2 Our Duties

Under the Children Act, 1989, the Local Authority has a duty to make sure a Private Fostering arrangement that the child/young person is in provides for their needs and safeguards his/her welfare.

We will ensure all Staff, Governors and Volunteers in the school are aware of this duty. If a member of Staff, Governor or Volunteer becomes aware that a child may be living in a Private Foster arrangement it is the responsibility of that person to report the details to the School's Designated Safeguarding Lead (DSL) who will then make further enquiries to try and establish the circumstances.

The Designated Safeguarding Lead should seek advice from Children's Social Care as to whether the child is in a Privately Fostered arrangement under the regulations.

If upon taking advice, it is confirmed this may be a private fostering arrangement in Derbyshire, a referral will be made by the Designated Safeguarding Lead into Derbyshire Children's Advice and Support Service. If there are immediate concerns for the child's welfare and safety, we will treat this as a child protection concern and respond appropriately.

Essential information for making a referral includes: -

- Full names and dates of birth for the child
- Address and daytime phone numbers for the current carer including mobiles
- Relationship to the child e.g.- neighbour, friend, extended family member (by definition of a private fostering arrangement)
- The child's address and phone number.
- Whereabouts of the child (and siblings).
- Child and family's ethnic origin.
- Child and family's main language.
- Actions taken and people contacted.
- Special needs of the child, including need for an accredited interpreter, accredited sign language interpreter or other language support.
- A clear indication of the family's knowledge of the referral and whether they have consented to the sharing of confidential information.
- The details of the person making the referral.

Additionally, the referrer should include:

- Address and daytime phone number of the parent or other parental responsibility holder and any known previous addresses
- Address and phone numbers of any other family members linked to the child in this arrangement and particularly if under 16
- Any details of anyone else involved in making this arrangement
- Any known addresses of the child previous to this current arrangement
- Any other helpful information e.g. a chronology to assist an understanding of why this child is not living with the parental responsibility holder.
- Details of any concerns if relevant to making this referral

We understand that the private foster carer becomes responsible for providing the day to

day care of the child in a way which will promote and safeguard his welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility.

Local authorities do not formally register private foster carers, but they do have a statutory responsibility to assess whether the arrangement is suitable for the child. It is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted. It is the Local Authority in whose area the privately fostered child resides which has legal duties in respect of that child.

We will work together with the Local Authority to help safeguard and promote the child/young person's safety and welfare. We will assist the Local Authority in their assessments and work as a partner to offer advice and support to the child and carers involved in the arrangement.

We acknowledge that the Local Authority on receipt of a referral has a duty to make further enquiries as to the arrangement. If it is defined to be private fostering the child/ren will require an assessment of their needs and welfare and this will be undertaken by a Social Worker.

The National Private Fostering Guidance encourages written agreements to be used by carers and parents around the care arrangements, medical consent and any financial arrangements to contribute to the care of the child/young person. Some parents are not able to contribute financially or decline to offer payments. This specific guidance, however, cannot be enforced by Local Authorities.

### **3. Safeguarding Roles and Responsibilities**

All Staff (anyone who has contact with a child) including, Volunteers and Governors have responsibility for the following:

- To ask parents/carers questions about their relationship with any pupil if the relationship is unclear, confusing, or concerning.
- To follow up any discussion with any pupil about their living arrangement when it is unclear, confusing, or concerning.
- As a school we will commit to reviewing on a regular basis our emergency contacts and details of who has parental responsibility on our school records. We will pursue any anomalies with that parent or carer and may then ask questions of any pupil about the nature of their relationship to that adult.
- We will have robust consent/trips/outings letters which clearly define the child's relationship to the adult giving consent and identify their status to that pupil including any legal order.

If a child is living in a Private Fostering arrangement:

- To work with, monitor & report to the Local Authority ensuring the child's needs, safety & welfare are being met whilst in a Private Fostering arrangement.
- To assist with advising and supporting the carer(s) to undertake their duties whilst the child is living with them in a Privately Fostered arrangement.

## **4. Training**

The Designated Safeguarding Lead/s will endeavour to read and cascade information on Private Fostering to school staff on a regular basis and as part of annual training/updates. Having a knowledge of the National Private Fostering guidance is encouraged in this school and the Designated Lead may refer to this and use it to help raise awareness in this school.

## **5. Signposting**

National Fostering Group

<https://www.nfa.co.uk/find-our-agencies/>

Derbyshire County Council – Private Fostering

<https://www.derbyshire.gov.uk/social-health/children-and-families/foster/fostering/become-foster-carer/types-fostering/private-fostering/private-fostering.aspx>

Derby and Derbyshire Safeguarding Children Partnership – Private Fostering

<https://www.ddscp.org.uk/staff-and-volunteers/info-and-resources/private-fostering>

## **6. Management of the Policy**

The DSL/s will ensure they are familiar with this policy regularly updating all Staff, Governors and Volunteers regarding the legal requirements, and duties.

The Head Teacher will ensure that Private Fostering awareness forms part of Staff Safeguarding Induction and is included in the annual Safeguarding Training for teaching and non-teaching staff.

The Head Teacher will report on any private fostering arrangement in their school and any issues or impact on the school in relation to Private Fostering to the Governing Body.

The Governing Body will oversee the policy, ensuring its implementation and reviewing its content on an annual basis in line with the S175 School Safeguarding Audit.

## Appendix A: How to identify a Privately Fostered Child

It constitutes private fostering if:

- The adult is not a close relative (close relative is defined as sibling, aunt, uncle, grandparent and stepparent).
- The child has left home and has moved in with someone that the PR holder is happy for them to live with.
- The child is unaccompanied, under 16, seeking asylum and intends to live with someone within their extended family and friend network.
- The arrangement is expected to last continuously for over 28 days.
- The child is from another country and staying with a host family for 28 days or more.
- It does not constitute private fostering if:
  - The adult is a close relative.
  - The arrangement lasts less than 28 days.

The law says:

- Parents must tell the local authority in writing, six weeks before it is due to start and 48 hours after it has begun

School and agency duties e.g. school, and health:

- Refer any possible private fostering arrangement into the local authority.
- Be aware of any possibility of trafficking.
- Clarify whether there is a genuine link to the carer band child.

The local authority must:

- carry out written assessments, visits, and reviews, similar to that of a looked after child.
- Contact and tell the parents if there are concerns about the arrangement before and during.