

# Protecting Children – Supporting Foster Carers

Dealing with an allegation



# About this booklet

*Protecting Children – Supporting Foster Carers, Dealing with an Allegation* aims to provide foster carers and their families with information about what happens if an allegation of abuse or neglect is made against them, or about other situations where there is serious concern about their practice or standards of care.

It will also be helpful to childcare workers involved in investigations of foster carers, looked after young people, their advocates and birth families.



## Allegations against foster carers

Foster carers and their families make an enormous commitment to the children and young people they care for. They share their lives and their homes with children who may have undergone difficult or traumatic experiences.

Foster carers, like other childcare workers, can find themselves facing allegations about the quality of their care.

It is always important that such allegations are taken seriously and investigated properly as experience has shown that, on rare occasions, children are ill-treated by the very people who are supposed to care for them.

Becoming the subject of an allegation is always stressful for the individual concerned and their family. It is likely to be particularly stressful for foster carers, whose work and home life are so closely linked. The challenge for everyone involved is to ensure that children are safeguarded and that their welfare is promoted, while at the same time treating foster families fairly.

Foster families should be provided with support during an investigation and investigations need to be completed as quickly as possible.

# What happens when an allegation is made?

When an allegation is made foster carers are likely to feel stressed and may also feel aggrieved. A number of agencies – the local authority which placed the children in the foster family, the local child protection service, the fostering service and, on occasions, the police – will all have to make decisions about what kind of actions need to be taken, both to safeguard children and to enquire into the allegation.

*Working Together to Safeguard Children*<sup>1</sup> gives detailed guidance to all agencies about the procedures to be followed when there are concerns about the welfare of a child. It also sets out how allegations against people who work with children, including foster carers, should be managed, together with the timescales within which this should happen.

Local authority children's services have the power to remove fostered children without first consulting with the foster carers, but should only do so in exceptional circumstances, in order to fulfil their responsibility to safeguard and promote the welfare of children.

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1. *Working Together to Safeguard Children* is the Government's statutory guidance that provides the framework within which agencies work together to safeguard and promote the welfare of children.

## What form does an enquiry take?

Three related, but separate, sets of enquiries may need to take place. Each differs from the others in terms of focus, and can have different outcomes. It is important for foster carers to understand which types of enquiries are being carried out.

### The types of enquiries are:

- A police investigation into a possible criminal offence.
- Enquiries and assessment by local authority children's services as to whether a child is in need of protection or other services (usually known as child protection enquiries or 'section 47 enquiries', as they are carried out under section 47 of the Children Act 1989).
- An investigation by the fostering service into the foster family's suitability to continue as foster carers.

Fostering services should inform foster carers about the existence of any allegation as soon as possible after they receive it. However, they may not be able to do this until after they have consulted with other agencies and reached agreement with them on the way in which the subject of the allegation should be informed.

# Strategy discussions

Local authority children's services may hold a strategy discussion to inform their decision about what type of enquiries need to take place and what is required to safeguard the children involved.

It is unlikely that foster carers will be involved in the strategy discussion, although the local authority or independent fostering services provider will usually be involved. However, it is important that foster carers' views are obtained at as early a stage as possible and that they are informed promptly about any outcomes or decisions.

## Keeping foster carers informed

Foster carers should be kept informed by the local authority dealing with the allegations about the type of enquiries that are being carried out and the expected timescales.

*Working Together to Safeguard Children* sets clear timescales for child protection conferences, which are expected to take place within 15 working days of the strategy discussion (or of the last strategy discussion, if more than one has taken place).

### **Treating foster families fairly during an investigation**

**Foster families who are the subject of an investigation should always be:**

- Treated fairly and honestly.
- Informed in writing as soon as possible about the nature of the allegation or concerns.
- Given written information about the enquiry procedures that are being followed and scheduled timescales.
- Provided with ongoing support by their supervising social worker.
- Given information about sources of independent advice and support.
- Informed about all decisions as soon as possible, which should also be confirmed in writing.

## What help and support can foster carers and their families expect?

The relationship between the fostering service and foster family should be open and honest, and should address concerns from any source as soon as they arise. Pre-approval and post-approval training should address the issue of how allegations of abuse are managed.

Unless those responsible for undertaking child protection enquiries and/or related police investigations impose restrictions, fostering services should inform foster families as soon as possible about the nature and substance of any allegation or serious concern. This should enable foster carers to consider how they can best respond. Local authority children's services and fostering services have a written procedure that governs how they conduct enquiries. Foster carers can ask for information about these procedures if they do not already have this.

The supervising social worker should continue to have responsibility for providing the link between the fostering service and the foster family throughout any child protection enquiries, police investigation or fostering service investigation, even when the foster family has independent support.

## What is independent support?

**Independent support can be of great help and benefit to foster carers in the course of an investigation. Independent supporters should be able to offer:**

- Information and advice about the process of enquiries and the rights and responsibilities of all parties.
- Emotional support for foster carers and their families.
- Mediation – the process of an investigation can put enormous strain on the relationship between foster carers and their fostering service.
- Advocacy – some foster carers may wish their independent supporter to advocate on their behalf, for example in meetings.

## Financial support if children are removed

When fostered children are removed from their foster carers and/or the foster carers are suspended from taking new placements, the payments and allowances which foster carers receive may be affected.

Fostering services should confirm in writing details of the financial support available to foster carers who have children removed or who are suspended from taking further placements during the course of enquiries into allegations.

## Good practice in dealing with allegations

**Being under investigation is always very stressful. Agencies involved in the investigation can help by:**

**Minimising delay:** a delay can have very damaging effects on foster carers and their families, and on the fostered children and young people affected by the allegation.

**Providing full written information:** the importance of written information that spells out the nature of the allegation or concerns, the enquiry process and the rights and responsibilities of those involved cannot be underestimated.

**Being open:** agencies should share the information they hold, and also information about their procedures and activities, at the earliest time possible, provided that the enquiries are not compromised.

**Ensuring access to independent support:** fostering services should arrange this for foster carers who are the subject of enquiries into allegations.

# Enquiries into allegations by the fostering service

Even if the local authority children's services decide not to undertake an enquiry, in accordance with their duties under section 47 of the Children Act 1989, the fostering service may decide to carry out their own investigation. Generally speaking, this is likely to take place only after the completion of any section 47 enquiries or police investigations. In such circumstances, the fostering service should make clear, including in writing, the reasons for this further investigation.

The investigation may result in a review of a foster carer's approval. *Working Together to Safeguard Children* recognises that the time this takes will depend on a variety of factors, but that fostering services should aim to have this review completed within 27 working days (10 days for the investigating officer to provide a report and two days for the fostering service to decide if a panel hearing is required). A panel should then be held within 15 days.

## Making a complaint

If a foster carer is unhappy about the way in which they have been treated, or in the way the police investigation, the child protection enquiry or the fostering service's investigation have been conducted, they may wish to make a complaint or representation.

**Advice on how to make a complaint can be found in the foster carer's handbook, and can also be obtained from:**

- The supervising social worker.
- The local authority complaints officer.
- The Independent Police Complaints Commission.
- The local foster care association.
- Fosterline™.

## Information and support

### Fosterline™

Is a national advice service funded by the Department for Children, Schools and Families and run by the Fostering Network, which provides confidential, independent and impartial advice to foster carers between 9am–5pm, Monday to Friday (except bank holidays) and until 8pm Wednesdays.

**Fosterline™ welcomes enquiries by telephone, email or letter**

Address: PO Box 51566, London SE1 8WJ

Freephone: 0800 040 7675

Email: **[fosterline@fostering.net](mailto:fosterline@fostering.net)**

Textphone: dial 18001 before 0800 040 7675  
(for Typetalk service).

## Sources of further information

### The Fostering Network

Publishes a wide range of information for foster carers and fostering services.

Telephone: 020 7620 6400

Website: **[www.fostering.net](http://www.fostering.net)**

### Working together to Safeguard Children

A copy of the Government's statutory guidance that provides the framework for agencies to work together to safeguard and promote the welfare of children, can be obtained from the Department for Children, Schools and Families website at **[www.dcsf.gov.uk](http://www.dcsf.gov.uk)**

### Independent Police Complaints Commission

Telephone: 08453 002002

Email: **[enquiries@ipcc.gsi.gov.uk](mailto:enquiries@ipcc.gsi.gov.uk)**

Website: **[www.ipcc.gov.uk](http://www.ipcc.gov.uk)**

### The British Association for Adoption and Fostering

Publishes a range of material for foster carers, fostering service providers and other social care professionals.

Telephone: 020 7421 2600

Website: **[www.baaf.org.uk](http://www.baaf.org.uk)**



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