

Permanency planning and decision making process for children in long term fostering arrangements

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1. Introduction

This protocol sets out the legislation and the local pathways when a child or young person is placed in long term fostering which as part of their agreed permanency plan.

2. Changes in legislation

The Care Planning and Fostering (Miscellaneous Amendments) Regulations 2015 amend the Care Planning, Placement and Case Review Regulations 2010 with respect to:

- the arrangements for making, supervising and reviewing long-term foster care placements.

3. Main points in relation to permanence through long term foster placements

Amendments are made to the Children Act 1989 Guidance: Care Planning, Placement and Case Review (Volume 2) in order that:

- foster carers and residential child care workers are appropriately consulted and involved in decision making for children;
- where the plan for permanence is long-term foster care there is an appropriate planning process which considers the needs of the child and the capacity of the carer to meet these needs;
- where a long-term foster placement is agreed this is recorded in a child's placement plan; and that appropriate and flexible visiting and case review arrangements are made;
- the authority consults appropriately with the child, their parents and others to ensure that the proposed arrangements are in the child's best interests and will safeguard and promote their welfare; and
- the authority has robust arrangements in place to scrutinise decisions to cease to look after a child.

4. Permanence

Permanence is the long term plan for the child's upbringing and provides an underpinning framework for all social work with children and their families, from family support through to adoption. The objective of planning for permanence is therefore to ensure that children have a secure, stable and loving family to support them through childhood and beyond and to give them a sense of security, continuity, commitment, identity and belonging. One of the key functions of the care plan is to ensure that each child has a plan for permanence by the time of the second Looked after Children's review, as set out in the statutory guidance to the 2002 Act. Achieving permanence for a child will be a key consideration from the day the child becomes looked-after. The permanence planning process, informed by multi-agency contributions, will identify which permanence option is most likely to meet the needs of the individual child, taking account of his/her wishes and feelings.

5. Long term foster placement

Where it is the case that the most appropriate route to permanence is long-term foster care, the 2010 Regulations (as amended) set out the arrangements for making such a placement [regulation 2(1)]. These include:

- that foster care is the ‘plan for permanence’ and is recorded in the child’s care plan [regulation 5(a)];
- that the foster carer has agreed to act as the child’s foster carer until the child ceases to be looked-after; and
- that the responsible authority has confirmed the arrangement with the foster carer(s), the birth parents and the child.

The assessment and planning process for long-term foster care should address the child’s current needs and likely future needs, and the capacity of the foster carer to meet these needs now and in the future. The length of placement will vary according to the child’s age and the long-term plan for the child, including the transition to adulthood.

These factors must all be taken into account in planning for support and services where long-term foster care has been identified as the plan for permanence for a child.

Before deciding to place a child in a long-term foster placement, (whether or not this means moving to a new carer) the responsible authority should assess the ability of the identified long-term foster carer to care for the child. It is expected that the responsible authority will have a process in place to consider the capacity of the carer to meet the needs of the child now and in the future, and to identify the likely support and services that will be needed to ensure that the placement is stable, secure and meets the child’s needs. This should take account of the carer’s previous fostering or other childcare experience, family configuration (including placement of other children under fostering arrangements), existing relationship (if any) with the child, knowledge and skills and capacity to care for the child long term under a fostering arrangement.

It is imperative that the foster carer fully understands and explicitly agrees to the long term commitment they are making to the child [regulation 22B (2)(f)]. The responsible authority should record this discussion and the outcome as part of the assessment process.

The decision to place a child in a long-term foster placement with a particular foster carer should be discussed and recorded as part of the review process. This decision should then be recorded in the placement plan [schedule 2, paragraph 3, 1ZA] and agreed and signed by the foster carer [regulation 9(3)].

Where it is agreed that the child will be placed in a long-term foster placement, this should be communicated clearly to the foster carer, the child’s parents or any other person who is not a parent but has parental responsibility and the child [regulation 2(1)].

Where the decision has been taken that the plan for permanence is long-term foster care and the child is in an existing foster care placement, it may be that the carer and (where appropriate) the child want the existing foster placement to be the long-term foster placement. The responsible authority should consider this in a reasonable timescale taking into account the existing relationship between the child and the foster carer, the length of

time in placement, the child's relationships with the foster carer's wider family and community. Consideration should also be given to the progress the child has made in the placement, recorded through the case review process.

There may be circumstances where the responsible authority would not consider it appropriate to assess the ability of the current foster carer as the long-term carer for the child. In these instances, the responsible authority should clearly set out the reasons for this decision in writing to the foster carer. The responsible authority should also communicate this decision to the child, where it is appropriate to their age and understanding.

6. Process in Achieving for Children for children with a care plan of long term fostering

All children who are looked after by Achieving for Children either through an Interim Care Order, a full Care Order or a S20 voluntary accommodation will have their permanency planning reviewed through regular Permanency Planning Meetings. The first meeting should be convened before the child's second statutory review and subsequent meetings should be held every 6 weeks until the child's plan for permanence is achieved.

N.B. Decision making for all children under 16 years in long term fostering arrangements will take place by cases being presented to either the Adoption or Fostering Panels for their recommendation and the final decision being made by the Agency Decision Maker after they have considered Panel's recommendations.

When the permanency care plan is long term fostering the following will apply:

6.1 For children aged 11 years and under

In Richmond and Kingston these children will be presented to the **Adoption Panel** which takes place monthly until the creation of the Regional Adoption Agency. The panel can be quorate with 5 voting members provided the following are present:

- Adoption Panel Chair (or one of the vice chairs);
- Agency medical advisor
- At least three members of the central list

The child's care plan is to be agreed by the Independent reviewing Officer at the looked after review. Required papers must then be sent to the Adoption team for quality assurance who will then send to the Administrator 10 days in advance of the panel.

N.B. These papers will then be taken to the Adoption Panel (until July 2019) for recommendations before going to the Agency Decision Maker. Once the Regional Adoption Agency is in place (after July 2019) children aged 11 years and under in Richmond and Kingston will need to be presented to the Fostering Panel as there will no longer be an Adoption panel.

In Windsor and Maidenhead children aged 11 years and under will be presented to the **Fostering Panel** for recommendations before going to the Agency Decision Maker .

The required papers in both instances are:

- A Full and Complete Child Permanence Report- by the allocated Child's Social Worker
- Matching Report- by the Child's Social Worker & foster carers Supervising Social Worker
- A contribution from the child/young person- by the allocated Social Worker
- Form F - by the Supervising Social Worker / most recent Annual Foster carer review & most recent panel minutes from when carers were presented. – Supervising Social Worker
- Care plan for child. – Children's Social Worker
- Safe care policy– Supervising Social Worker
- Home safety report – Supervising Social Worker
- Carers report child / Young person – Children's Social Worker

If the child or young person is placed in an Independent Fostering Agency (IFA) it will be the Agency who is responsible for providing the papers. It is the responsibility of the Administrator to ensure the minutes of the panel are uploaded onto the child's electronic file and the child's case summary updated.

6.2 For children aged 12 – 15 years

In Richmond and Kingston these children will be presented for recommendations to the **Fostering Panel** before being endorsed by the Agency Decision Maker. The membership is:

- A Panel can be quorate with five voting members providing that the following are present:
 - The independent chair (or one of the vice chairs);
 - One social worker with at least three years relevant post-qualifying experience;
 - Three other members.

In Windsor and Maidenhead children aged between 12 and 15 years will be presented to the Fostering Panel for recommendations before being going to the Agency Decision Maker.

In both areas the child's care plan for long term fostering is to be sanctioned by the Independent Reviewing Officer at the looked after review, before long term fostering matching is presented to the Fostering Panel. The papers must be sent to the Fostering team 4 weeks prior to panel for quality assurance who will then send to the Administrator 2 weeks in advance of the panel.

The required papers are:

- if child is not in placement with proposed carer then CPR sections 1 – 6 to be completed – Child's Social Worker
- **If child is in placement no CPR is required.**
- Matching Report- by the Child's Social Worker & Foster carers Supervising Social Worker
- Full chronology
- A contribution from the child/young person expressing wishes and feelings in regards to proposed long term fostering match- to be obtained by the allocated Social Worker
- Paperwork Form F, (if recent) last panel minutes, otherwise most recent annual foster carer review and most recent panel minutes - Supervising Social Worker
- Care plan for child. – Children's Social Worker
- Safe care policy - Supervising Social Worker
- Health and Safety Home Assessment Report – Supervising Social Worker
- Carers report child / Young person – Children's Social Worker

It is the responsibility of the Administrator to ensure the minutes of the panel are uploaded onto the child's electronic file and the child's case summary updated.

6.3 For children aged 16 and over

In both areas whilst permanency planning meetings may be held for children aged 16 and over in fostering arrangements they do not need to be formally matched long term with carers. There is no requirement to bring these older children to fostering panel or the Agency Decision Maker as the pathway planning process should be working towards semi-independence or independence.

7. Role of Panel Adviser

In both areas the Panel Adviser will retain oversight of all children needing to come to Fostering Panel for recommendations. They will track and monitor the process to avoid drift and support the Panel members and Agency Decision Maker.