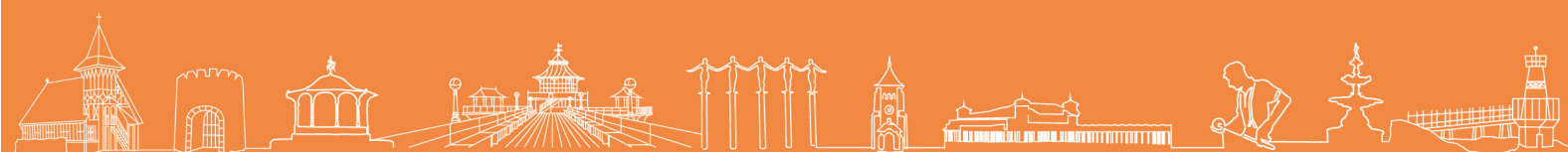


North Somerset Council

# Private Fostering Statement of Purpose 2022 – 2024



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## Introduction

North Somerset Council holds statutory powers and responsibilities as a local authority in relation to Private Fostering arrangements. The North Somerset Safeguarding Children Partnership is currently responsible for monitoring the way in which the Council discharges its duties and functions in relation to Private Fostering. A report is provided annually to the Director of Children's Services and the North Somerset Safeguarding Children Partnership, detailing how the welfare of privately fostered children in its area are satisfactorily safeguarded and promoted, including how it co-operates with other agencies in this connection.

This Statement provides a description of Private Fostering Arrangements within North Somerset, as required by the National Minimum Standards for Private Fostering. It is a guide for the public, professionals, council members and external and partner agencies.

This document describes the local authority's duty and function in relation to private fostering and the ways in which they will be carried out.

North Somerset Private Fostering services are regulated by Ofsted, whose contact details are:

Ofsted National Business Unit,  
Piccadilly Gate, Store Street,  
Manchester,  
M1 2WD

Telephone: 0300 123 1231  
Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Any comments or enquiries regarding this Statement of Purpose should be passed to the current Lead Officer for Private Fostering:

Natasha Newton  
Fostering Team Manager

Telephone: 01934 421900  
Email: [natasha.newton@n-somerset.gov.uk](mailto:natasha.newton@n-somerset.gov.uk)

North Somerset Council is committed to safeguarding and promoting the welfare of all children, including those in private fostering arrangements.

North Somerset Children, Young People, and Family Services work to ensure that equal opportunities are incorporated into all aspects of the service delivery and all prospective private foster carers are assessed and supported on the basis of the needs of the individual private foster child/young person regardless of race, religion, class, marital status, sexual orientation or disability.

## 1. Policy

North Somerset Council is committed to maintaining high standards in relation to children who are private fostered and will review this Statement of Purpose every 2 years to ensure that it continues to meet the needs of privately fostered children

## 2. Aims and Objectives

At North Somerset Council we have a passion to make North Somerset a truly great place for children and young people to thrive; where all have the best possible life and opportunities, including those who are vulnerable, disadvantaged and/or have special educational or additional needs.

We have developed a set of outcomes to ensure that our passion is embedded into practice:

- Healthy, happy, resilient children living with families
- Families able to make positive and sustainable change
- Children able to attend, learn and achieve at school/college
- Young people ready for and contributing to adult life, society and the world of work
- Children and young people safe from harm
- Delivering best value for money on the things that get the best sustainable outcomes for children and families in North Somerset

To ensure that all children living in North Somerset who are privately fostered can achieve these positive outcomes we have developed a set of practise standards:

- Children will be listened to and we will act on what they tell us
- Children will have people important to them involved in helping to meet their needs
- Children will have their needs clearly understood
- Children will have a plan which will tell those that need to know how to meet their needs, build on their strengths and keep them safe
- Children will only have help for as long as they need it – so that they can get on with their own lives
- Children will be able to understand the things written about them
- Children will have help from workers who get the advice and support they need to do a good job

## 3. Values and Principles

The Council has agreed with its partners a vision for children and young people and this is incorporated in the North Somerset Children and Young People's Strategic Plan. The framework and procedures for the Council's services to privately fostered children and young people incorporate the values and principals of the Children and Young People's Plan.

This means that for our children and young people:

- We will work to give families the Right Help at the Right Time
- We will work with families only for as long as is necessary
- We will work openly, honestly and respectfully
- We will work to build strong relationships with all those we work with
- We will work in a trauma informed, strength-based way with the whole family and their network to bring about sustainable positive change

To achieve this all staff will work in partnership with parents and children, carers and their families, other professionals, and other agencies to ensure the most appropriate services are identified based on assessed need.

## **4. Legislative Framework**

North Somerset Council will work to the following legislative framework and Standards:

- The Children Act 1989
- The Children Act 2004
- The Children (Private Arrangements for Fostering Regulations 2005)
- National Minimum Standards for Private Fostering 2005
- The Replacement Children Act 1989 Guidance on Private Fostering 2005
- North Somerset's Procedures for Private Fostering.

## **5. Local Authority Duties and Functions**

The duties of the Council in respect of Private Fostering arrangements are set out in Part 9 of the Children Act 1989 (as amended by section 44 of the Children Act 2004) and the Children (Private Arrangements for Fostering) Regulations 2005.

The changes resulting from the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 are intended to strengthen and enhance Private Fostering services, by focusing local authorities' attention on Private Fostering and requiring them to be more proactive in identifying arrangements in their area.

The changes include:

- Amendments to the requirement to notify the local authority about proposed and existing Private Fostering arrangements and for the local authority take action if not notified of an arrangement or the end of an arrangement.
- Local authorities are required to promote awareness in their area of requirements as to requirements about the notification of Private Fostering arrangements.
- Local authorities are required to monitor the way in which the authority discharges their functions in respect of Private Fostering and to appoint an officer for that purpose

Local authorities have a duty to be notified about Private Fostering arrangements in their area and to satisfy themselves that the welfare of children who are privately fostered in their area is safeguarded and promoted; and to ensure that those caring for privately fostered

children are given such advice that appears to the authority to be needed (The Children Act 1989 Section 67(1)).

Broadly the duties fall into three types of activity:

- Giving and receiving notifications
- Ascertaining the suitability of private foster carers and their households
- Monitoring arrangements through visits and written records of visits

The Council has a duty to be satisfied that the welfare of children who are proposed to be, and are being, privately fostered within North Somerset are being safeguarded and promoted.

## 6. Definition of Private Fostering

A Private Fostering situation differs from a foster placement in public care because it is not paid for or arranged by the local authority.

A privately fostered child is defined in Section 66 of the Children Act 1989 as one who, being under the age of 16 (or under 18 if disabled), is cared for and provided accommodated by someone who is not:

- a parent
- someone who has parental responsibility for the child;
- a close relative such as a grandparent, brother, sister, aunt and uncle whether by full, half-blood by affinity (through marriage, or civil partnership),
- a step-parent.

Private foster carers may be adults from the extended family such as a cousin or great aunt/uncle. They may also be a friend of the family or other connected person.

A child is not privately fostered if the person caring for them has done so for fewer than 28 consecutive days and does not intend to do so for longer than that.

If the child visits their parent from the Private Fostering arrangement including an occasional overnight stay, this will not break the period of the Private Fostering arrangement, if the intention is for the child to return to the same Private Fostering arrangement. An arrangement is deemed as Private Fostering if it meets the criteria above whether for reward (monetary or otherwise) or not.

## 7. Common Private Fostering situations

Children are placed in a Private Fostering arrangement for a variety of reasons, some of which are listed below:

- children/young people from overseas staying with their extended families;
  - children/young people with parents working or studying in the UK and living away from their child/young person's home area;
  - trafficked children/young people, asylum seekers and refugees;
-



- children/young people living with host families when attending language schools or undergoing medical treatment;
- children unable to live with their birth parents through family breakdowns, ill health, or inability/unwillingness to parent the child;
- adolescents temporarily estranged from their parents; children/young people where a parent is serving a custodial sentence.

## **8. Raising awareness of the notification requirements**

Awareness about the requirements to notify the local authority about Private Fostering arrangements is promoted via information leaflets and advertising in community locations such as local authority offices, libraries, leisure centres and GP surgeries. Information is also published on the North Somerset Council website ([www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)) and the North Somerset Safeguarding Children Partnership website ([www.nsscp.co.uk](http://www.nsscp.co.uk)) and in the North Somerset Life Magazine. The leaflets available contain information about the requirement for notification, the legal definition of privately fostered children/young people, the procedure for notifying, and the telephone number for advice on Private Fostering and to give notice of a Private Fostering arrangement. The leaflet will be made available on request in a range of different languages to reflect the needs of the local community.

Information sessions can be provided to professionals who have face to face contact with children and families within the council and partner agencies. Each service will receive an update session as needed. Information sessions will give the legal definition of Private Fostering, the procedures for notifying Private Fostering arrangements and the services available to support privately fostered children, their parents, private foster carers and professionals.

## **9. Private Fostering Responsibilities in North Somerset**

The responsibility for assessing and monitoring Private Fostering arrangements in North Somerset rests with the Council's Children, Young People and Family Services and is undertaken by the Children's Family Support and Safeguarding Teams in the area where the Private Fostering arrangement is taking place.

Notifications of Private Fostering arrangements should be made through the local authority Children's Services Front Door using one of the following methods:

- Telephoning: North Somerset Children, Young People and Families Service Front Door on (01275 888808)
- Or by via email: [childrens.frontdoor@n-somerset.gov.uk](mailto:childrens.frontdoor@n-somerset.gov.uk).

Any queries about what steps to take can be discussed with the North Somerset Children's Front Door on Tel: (01275 888808) or with the Lead Officer on Tel: (01934 421900).

If notifications are not able to be made by telephone, information may be sent in writing to the Lead Officer at the address given on page 2.

A flowchart detailing the processes to be undertaken in respect of Private Fostering notifications can be found in Appendix 1.

## **10. Assessment of the suitability of a Private Fostering situation**

After receiving notification of a Private Fostering arrangement, whether from the parent, carer or other source, the local authority Children's, Young People and Family Services will:

- Assess the suitability of the placement;
- Present the assessment to the Fostering Panel, the Agency Decision Maker will determine if the placement is suitable;
- Ensure the placement is safe and satisfactory;
- Visit the child in line with statutory requirements;
- Monitor the placement through regular multi-agency reviews and updated assessments;
- Ensure that carers are aware of the child's racial, cultural linguistic and religious needs and are helped to meet them;
- Offer advice and support to parents, carers and children involved in Private Fostering arrangements;
- Assess applications for exemptions to usual fostering limits;
- Consider the need for specific requirements and prohibitions.

The child's social worker will undertake a Private Fostering Assessment, which will include elements of the framework for the assessment of children in need under Section 17 of the Children Act 1989. The written assessment will include the following details:

- The date that child was placed or is to be placed;
- The purpose and intended duration of the Private Fostering arrangement;
- The child's physical, intellectual, emotional, social, and behavioural development;
- Whether the child's needs arising from his religious persuasion, racial origin, cultural and linguistic background is being met;
- The financial arrangements for the care and maintenance of the child;  
The standard of care which the child is being given;
- Whether the foster parent is being given any necessary advice;
- Whether the contact between the child and his parents, or any other person with whom contact has been arranged is satisfactory;
- Whether the child's parents or any other person, are exercising parental responsibility for the child and;
- The ascertainable wishes and feelings of the child regarding the fostering arrangements;
- The environmental factors and its influence on the child.



## **11. Ensuring that the welfare of privately fostered children is safeguarded and promoted**

North Somerset Children's, Young People and Family Services will ensure that privately fostered children's welfare is satisfactorily safeguarded and promoted by staff. Children's Family Support and Safeguarding Teams will respond to notifications received in a timely manner and a Private Fostering Assessment will be completed to ensure that the arrangement is satisfactory and can meet a child or young person's physical, intellectual, emotional, social and behavioural developmental needs. Short-term support services will be available to assist with this task if there are areas identified which require additional skills.

All private foster carers and adult members of the household will have an enhanced Disclosure and Barring Service check undertaken in relation to their suitability. Checks will also be undertaken with the Council's Social Care Management System Health, Education and the carer's GP. Written personal references will also be obtained in respect of the carers.

Decisions regarding the suitability of the Private Fostering arrangement will be discussed with the relevant Head of Service, Lead Officer and the Fostering Panel. It will be the Agency Decision Maker who make the final decision regarding the suitability of the arrangement. If it is satisfied that the welfare of the child is being safeguarded and the child's needs met, restrictions may be imposed on the private foster carer regarding the number and age of children that they may privately foster.

If a decision is made that the arrangement is not suitable and that the welfare of a child is not being safeguarded and promoted the following action must be taken:

- To take whatever steps are necessary to enable the care of the child to be undertaken by the parent, a person with parental responsibility for the child, or a relative, unless they consider this would not be in the child's best interests.
- To consider whether any action should be taken in respect of the child, in accordance with the provisions of the Children Act 1989. This could include providing services under section 17 of the Act or initiating action under section 47 to protect the child.

Any Requirements, Prohibitions, Disqualifications or Appeals will be dealt with jointly with the Council's Legal department.

## **12. Advice, support and information available to private foster carers, parents, those with parental responsibility and privately fostered children**

The social worker allocated to supervise and support the Private Fostering arrangement has a responsibility to the child, the private foster carer, and the parents of the child. In addition to ensuring that the welfare of the child is safeguarded and promoted, the social worker, with support from the Fostering Service, also has a responsibility to ensure that the private foster carer is receiving all necessary advice and support to assist them to care for the child. This may include linking them with appropriate training if necessary. The allocated social worker

should also keep in regular contact with parents and people with parental responsibility to ensure that they are regularly consulted about the arrangements for the child.

The following points should be considered when visits are made:

- The overall standard of care, and the relationship between the child and the private fostering carers should be noted.
- The child's current state of health and educational progress should be noted.
- What arrangements are in place to promote the child's contact with his/her family.
- The child must be seen at each visit and must be seen alone if this appears to be necessary. Where there are communication difficulties, all necessary means must be employed, including the use of interpreters, to ensure that the child has an opportunity to express his/her views.
- The child's bedroom should be seen.
- Occasionally visits should take place when all members of the household are present.
- It may be appropriate to make an unannounced visit.
- Advice and guidance on matters regarding any significant changes to the Private Fostering arrangement, or if another adult should join the household should be given to the Private fostering carer when appropriate.
- That any requirements or restrictions which have been imposed on the carer are being adhered to.

The social worker should visit the child within the statutory timescale and the child will be seen alone, or with interpreter (if necessary), unless this is felt that it is not appropriate. A written record will be completed on the Child's electronic record following each visit.

The minimum frequency of visits is:

- Within one week of the start of the Private Fostering arrangement
- At intervals of not more than 6 weeks for the first year
- At least, every 12 weeks after the first year

Private foster carers, children and parents should be informed of their right to complain and how to make a complaint. An advocate or interpreter who is independent of parents and private foster carers should be provided when requested by the child or young person, or where their preferred language is not English.

Advice regarding their benefit entitlement should be made available to the private foster carer if required. The parents of proposed or existing privately fostered children should be advised of other service provision or other agency help available that could remove the necessity for the child or young person to be privately fostered, if it is in the best interests of the child or young person.

### **13. The role of other agencies in safeguarding and promoting the welfare of privately fostered children, including encouraging notification**

All settings where children live away from home should provide the same basic safeguards against abuse, promote their general welfare, protect them from harm of all kinds and treat them with dignity and respect. All those who work with children should be able to recognise evidence that a child's welfare or development may be being impaired and know how to act on such evidence. Procedures and guidance regarding where there are concerns about the safety and welfare of a child, including thresholds for intervention, can be found on the North Somerset Safeguarding Children Partnership website ([www.nsscp.org.uk](http://www.nsscp.org.uk)) and includes guidance on Private Fostering.

Partner agencies within North Somerset have been provided with information concerning their responsibilities regarding the notification requirements under the Private Fostering Regulations 2005. Information and materials are also available for schools, housing, health organisations and other partner agencies. It is an expectation that all agencies working with children and young people in North Somerset will alert the local authority of any situation where a notification of a Private Fostering arrangement exists to ensure that the arrangement is assessed and supervised in accordance with statutory requirements.

### **14. Monitoring the discharge of functions and compliance with part 9 of the Children Act 1989**

The Lead Officer for Private Fostering will keep a record of all notifications of Private Fostering arrangements and will monitor the way in which North Somerset Council undertakes its functions and responsibilities.

The Lead Officer will submit a report annually to be included in the North Somerset Safeguarding Children Partnership. The report will include a summary of the arrangements for Private Fostering in North Somerset, the numbers and demography of children who are or have been privately fostered and whether the authority is discharging its functions and responsibilities appropriately. The Lead Officer may also make recommendations on any actions that are required to comply with statutory and regulatory requirements.

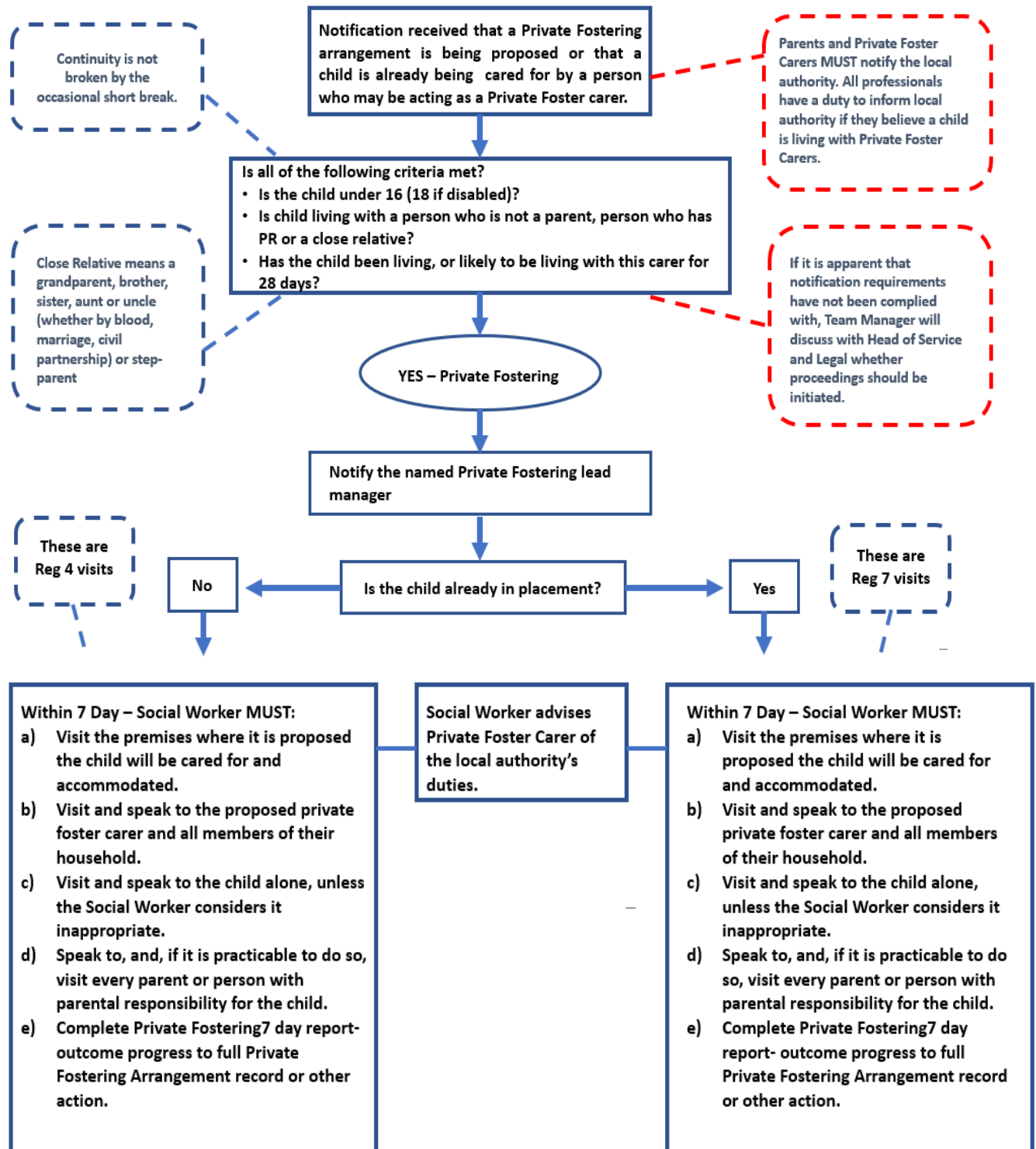
### **15. Advice on Private Fostering**

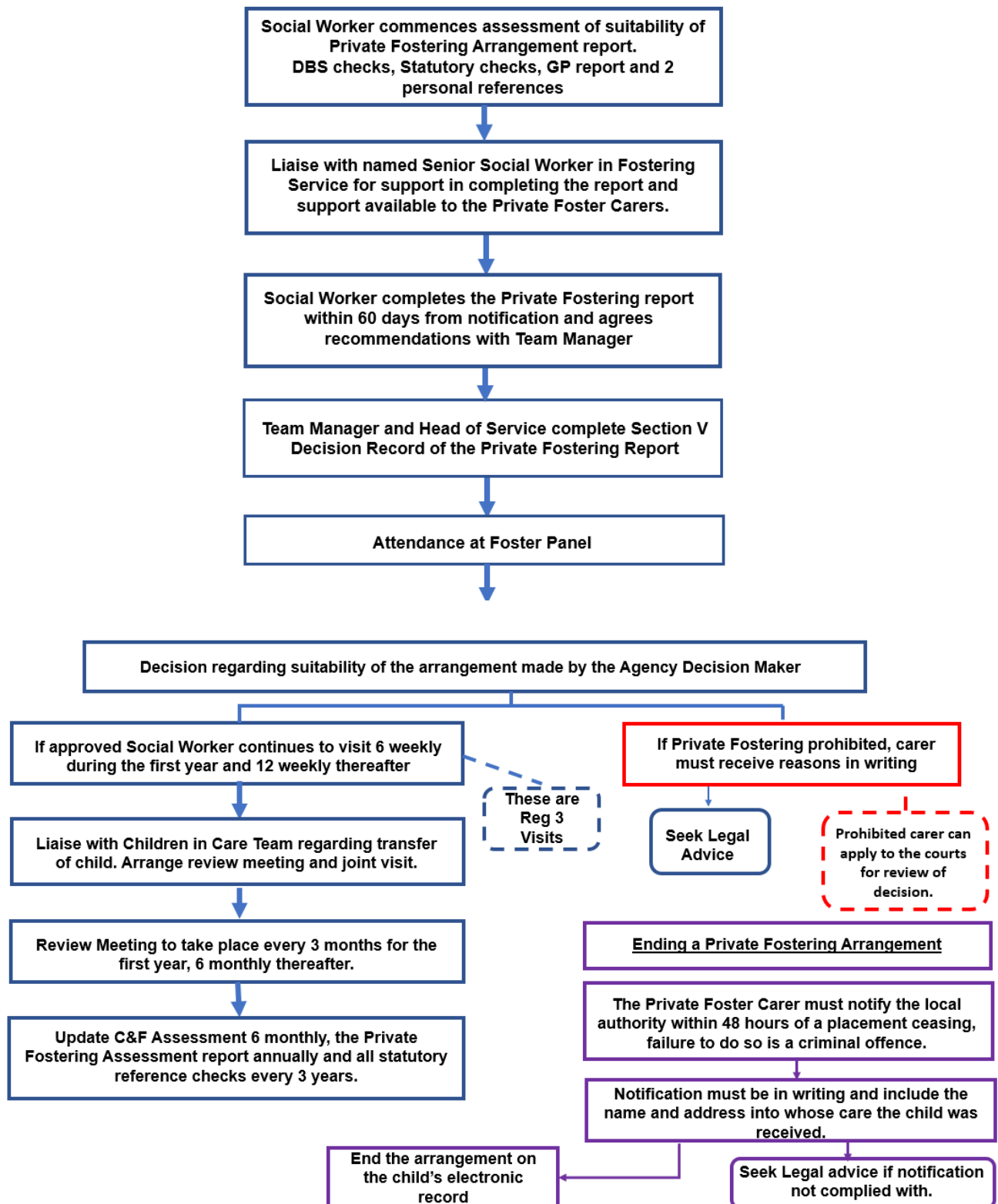
The lead officer who has responsibility for Private Fostering and has the expertise and knowledge to offer advice on Private Fostering is currently located within the North Somerset Corporate Parenting service, they can provide advice or provide callers with information on obtaining any information needed.

This Statement of Purpose will be accessible on both the Council's and the NSSCP's websites and can be provided in other languages on request.

## 16. The Private Fostering Process

### 16.1. Appendix 1: Private Fostering Process





Paul Johnson  
Head of Service Corporate Parenting