

Title of meeting: Report to PSCB

Subject: Private Fostering Annual Report

Report by Kate Freeman, Head Looked After Children Service.

1. Purpose

The purpose of this report is to highlight the responsibilities of Portsmouth City Council concerning Private Fostering; the current numbers of children and young people in a private fostering arrangement; and issues relevant to the LSCB.

1.2 The LSCB;

- Endorses the action taken to comply with the regulations.
- Agrees to receive a report annually highlighting numbers of privately fostered children.
- Notes the actions being taken to improve performance.
- Receives feedback and recommendations for best practice.

2. Monitoring

- 2.1 Regulation 12 of the Children (Private Arrangements for Fostering) Regulations 2005 provides that Portsmouth City Council must monitor the discharge of all its functions in relation to private fostering with reference to Procedure Number 20/07/CF.
- 2.2 The National Minimum Standards for Private Fostering (2005) provides the local authority with best possible practice guidance pertaining to Private Fostering, thereby leading to improvements in service delivery and statutory duties.
- 2.3 Children's Social Care (CSC) submits an annual report to the Local Safeguarding Children Board (PSCB) on how the welfare of privately fostered children in Portsmouth is satisfactorily safeguarded and promoted, and also on how it is working in co-operation with other agencies.
- 2.4 Records and files concerning private foster carers and those children and young people who have been/are privately fostered are audited and reviewed by a manager twice yearly.
- 2.5 There is a designated senior manager for private fostering services; this being the Head for Looked After Children Services.

3. Background and Regulations

- 3.1 Measures introduced nationally are expected to address longstanding problems of:
- low notification rates
 - late notifications and
 - actual commitment of local authorities in meeting the needs of privately fostered children
- 3.2 Should the new measures not prove as effective as anticipated, s45 of the Children Act 2004 gives the Secretary of State power to establish through s47, a registration scheme for private foster carers. This power has not been enacted as yet.
- 3.3 Portsmouth City Council is expected to allocate sufficient resources to identify, assess, and monitor private fostering arrangements.

4. Definition

- 4.1 A privately fostered child is defined as ‘a child who is under the age of 16 (18 if disabled*) and who is cared for, and provided with accommodation, by someone other than:
- the parent
 - a person who is not the parent but who has parental responsibility, or
 - a close relative defined in this context as a brother, sister, aunt, uncle, grandparent or step-parent.

A child who is looked after in their own home by an adult is not considered to be privately fostered.

5. Requirement - Promoting Awareness

- 5.1 Portsmouth have invested in a full time lead Private Fostering Social Worker to coordinate activity and ensure the service delivery is meeting regulatory requirements.
- 5.2 In May 2014 information leaflets pertaining to private fostering were updated. For the first time separate leaflets were designed for distribution to professionals and for the general public. These leaflets are now light on quantity and as detailed in the Marketing Plan attached, will be reprinted to provide sufficient resource.
- 5.3 There is currently a marketing plan which has been developed by the Marketing and Communications Lead Officer and PF worker. Appendix 1.
- 5.4 Quarterly meetings at the Coram British Association of Adoption and Fostering (BAAF) headquarters in London provides an opportunity to share information pertaining to current trends and practice associated with private fostering. It also serves as a platform for networking specific to this area.

- 5.5 There is a facility for regular and/or on demand question and answer exchange through emails between all LA'S that are members of the Coram BAAF special interest group regarding Private Fostering. This assists with interpreting the Regulations and exploring the challenges that Local Authority's experience in relation to private fostering.
- 5.6 All LA's have a different approach to where they see the needs of PF best being met. Currently Portsmouth has the private fostering social worker placed in the Fostering Recruitment Team while the child's Social Worker is within the new locality teams as all young people in a Private Fostering arrangement are regarded as children in need.
- 5.7 Previously not all cases of PF were considered as children in need when the child did not present issues of vulnerability. However, the Senior Management Team have decided that all children in Private Foster Care should be deemed as Children In Need and as such should have their own social worker for the duration of the time that they are privately fostered. In addition the Private Foster Carer will have their own allocated Private Fostering social worker who is based in the Recruitment and Assessment Team.
- 5.8 Regular information about PF is placed in the Children's Services Bulletin, Head Teachers Bulletin and the Diocese of Portsmouth Bulletin, while School Governors have been alerted to raise their awareness about Private Fostering. Leaflets have been sent to language schools, inter faith/bme community groups while the PF social worker has attended various social care team meetings to issue leaflets on Private Fostering and to inform of the legal requirements regarding notification.

6. Notification and Requirements

6.1 Notification of a private fostering arrangement

A person who proposes to foster a child privately must notify Children's Social Care:

- at least six weeks before the arrangement is to begin, or
- where the arrangement is to begin within six weeks, immediately.

The notification must be given in writing and where possible on the appropriate form and signed.

6.2 Already fostering a child privately:

A person doing so (e.g. in an emergency which has become a private fostering arrangement) must notify Children's Social Care immediately.

6.3 Child's arrival:

A person who made the proposal notification must, within forty-eight hours of commencement, notify Children's Social Care that the arrangement has begun, as must the parent or any other person with parental responsibility (PR).

7. Action following notification

- 7.1 A social worker must, within seven days:
- speak with the private foster carer and all household members
 - speak with the child alone, unless the social worker considers it inappropriate
 - speak with, and if practicable to do so, visit, every parent/person with PR
 - establish such matters as appear to be relevant to the arrangement.
- 7.2 It is agreed within Portsmouth City Council that the child's allocated case holder from within the appropriate locality team will complete a Single Assessment with the child within seven working days of the notification being received. Portsmouth have been jointly visiting to complete a full assessment which allows for more understanding of the home situation, whereby the Private Fostering Social Worker accompanies the child's allocated case holder on the initial visit. The Private Fostering Social Worker completes a Private Fostering Initial Assessment which will determine whether this progresses to the full Capacity to Care Assessment of the carer.
- 7.3 The Service Leader of the Fostering Recruitment team receives the Private Fostering Initial assessment and makes a decision about whether the arrangement is a private fostering arrangement or not. This has to be validated on the electronic recording system.
- 7.4 If agreed that this is a private fostering arrangement the Team Manager requests that the private fostering social worker undertakes a Capacity to Care assessment which must be completed within forty-two working days of the recorded legal date of when the placement commenced.
- 7.5 The child's allocated social worker must complete a Single Assessment on the child.
- 7.6 If the arrangement is satisfactory but enhanced DBS checks have not been returned to Children's Social Care within the forty two day time frame, the arrangement can be agreed 'subject to satisfactory DBS checks' by the agency decision maker.
- 7.7 While Private Fostering regulations stipulate the visiting frequency to the young person, they do not stipulate frequency of reviews. Portsmouth has adopted the practice of carrying out 6 monthly reviews and an Independent Reviewing Officer from Portsmouth City Council has been allocated to this task. The Reviews have been very positive with the private foster carers stressing that they feel well supported and that the young people are regularly visited by their own social workers.

8. Determination

- 8.1 Based on the Capacity to Care assessment the agency decision maker will determine whether the proposal or arrangement is:
- appropriate or,
 - requires further enquiries to be undertaken or,
 - requirements need to be imposed or,
 - in extreme cases, to consider prohibition, disqualification and removal of a child.
- 8.2 The agency decision maker will confirm any decision made in writing, within seven working days.

9. Visiting

- 9.1 The child's social worker must visit her/him within seven days of notification and then at intervals of not more than six weeks for the first twelve months following notification, and not more than twelve week intervals in the second and subsequent years. In addition the Private Fostering Social Worker for the carer adopts the same arrangement.
- 9.2 The child's social worker must also visit if the child, parent or private foster carer requests a visit.
- 9.3 It is good practice for occasional visits to be unannounced, and Portsmouth City Council does this.
- 9.4 The worker sees the child alone unless it is considered inappropriate.
- 9.5 The worker completes a report on the client record system and action to the team manager after every visit.
- 9.6 The worker and supervisor consider after every visit whether:
- the arrangement continues to be satisfactory
 - there may be a need to 'impose requirements' or,
 - 'prohibition' is justified.
- 9.7 If either of the two latter points applies, the private fostering social worker and the agency decision maker must be informed and appropriate action taken. If immediate action is required to safeguard the child then this will be in accordance with local safeguarding procedures.
- 9.8 It is an offence for a private foster carer to refuse to allow a child to be visited, or to obstruct a worker discharging their duties towards a child. In such cases an application for a warrant to support power of entry may be required.

10. Requirements

- 10.1 The Local Authority may impose requirements upon a Private Foster Carer. In order to enhance the requirement the Local Authority may link the requirement with a prohibition to come into effect if the Private Foster Carer fails to comply with the requirement in the time allowed.

11. Prohibition

- 11.1 Children's Social Care has the power to impose a prohibition on a person applying to be a private foster carer as well as on a person currently doing so.
- 11.2 The assessing social worker will make recommendation(s) in a report to the agency decision maker, who will seek legal advice to determine whether prohibition is required. There has to be significant safeguarding issues for this to be considered.
- 11.3 Any prohibition must be conveyed in writing to the Private Foster Carer by the agency decision maker stating the reasons, appeal process and time limit for doing so.
- 11.4 An appeal may be made to the Family Proceedings Court within fourteen days of the decision being notified.
- 11.5 If immediate action is needed, the agency decision maker should decide after legal opinion, if prohibition is justified.
- 11.6 If a child is already being privately fostered, the parent(s) should be advised to remove her/him. If this is refused, consideration should be given as to whether Children's Social Care should apply for an order to remove the child.
- 11.7 The agency decision maker, following legal advice, can cancel a prohibition if they are satisfied that it is no longer justified.
- 11.8 Where a prohibition has been imposed, the person is disqualified from:
- private fostering,
 - working in a children's home,
 - working within voluntary organisations,
 - or providing day care or a child minding service.

12. Disqualification

- 12.1 Children's Social Care must make enquiries to determine whether a proposed or actual private foster carer, or household member, is disqualified.
- 12.2 In exceptional circumstances, it may be considered appropriate for a child to be placed, or to remain, with someone who is disqualified. Such a decision must be ratified by the Deputy Director Children's Social Care with written consent including reasons for this decision.

13. Appeals

13.1 Appeals can be made to the Family Proceedings Court within fourteen days of notification of the decision against:

- requirements,
- prohibitions,
- refusal to allow a disqualified person to care for a child, and
- refusal to exempt a person from the fostering limit of three children.

14. Other LA Duties and Responsibilities

14.1 Children in Need

Children's Social Care staff are required to complete a Single Assessment which results in a 'child in need' plan which is reviewed regularly with attendance by the Private Fostering Social Worker.

14.2 Children with disabilities

Where a disabled child is privately fostered, her/his parent(s) or a person with parental responsibility (or the child if they have sufficient understanding), must be invited to have the child's name placed on the Register of Children with Disabilities. This may assist in accessing services and equipment to facilitate the wellbeing and development of the child. Private foster carers should be given details of relevant organisations, including advice lines.

14.3 After Care

A private fostering arrangement ends at a young person's sixteenth birthday (unless the young person is disabled and in this case it would be 18)and therefore, after care only applies to young people who have a disability or those young people who may still be seeking asylum status and are deemed 'a child in need'. However Portsmouth City Council will support young people after the age of 16 if their care plan evidences such support is required.

15. Other Forms of Care

15.1 Independent Schools:

Some children attending independent schools require care from host families during school holiday periods. If the arrangement is to last longer than twenty-eight days it will constitute a 'private fostering' situation and those making such arrangements are obliged to inform Children's Social Care and comply with requirements outlined in this report.

15.2 Language Schools:

When children come to the United Kingdom to attend a language school they usually board with a host family and arrangements apply as above. The Private Fostering social worker sent out leaflets explaining Private Fostering to all of the local language schools and some have taken up the offer of a meeting to discuss in more detail.

15.3 Holiday Schemes:
If a child boards with a host family then arrangements apply as above.

15.4 Child-minding:
Registered child-minders must inform Children's Social Care if they propose to foster privately. During the assessment period the worker must give consideration to the wellbeing and safety of daily minded children as well as any proposed privately fostered child.

16. Local Perspective

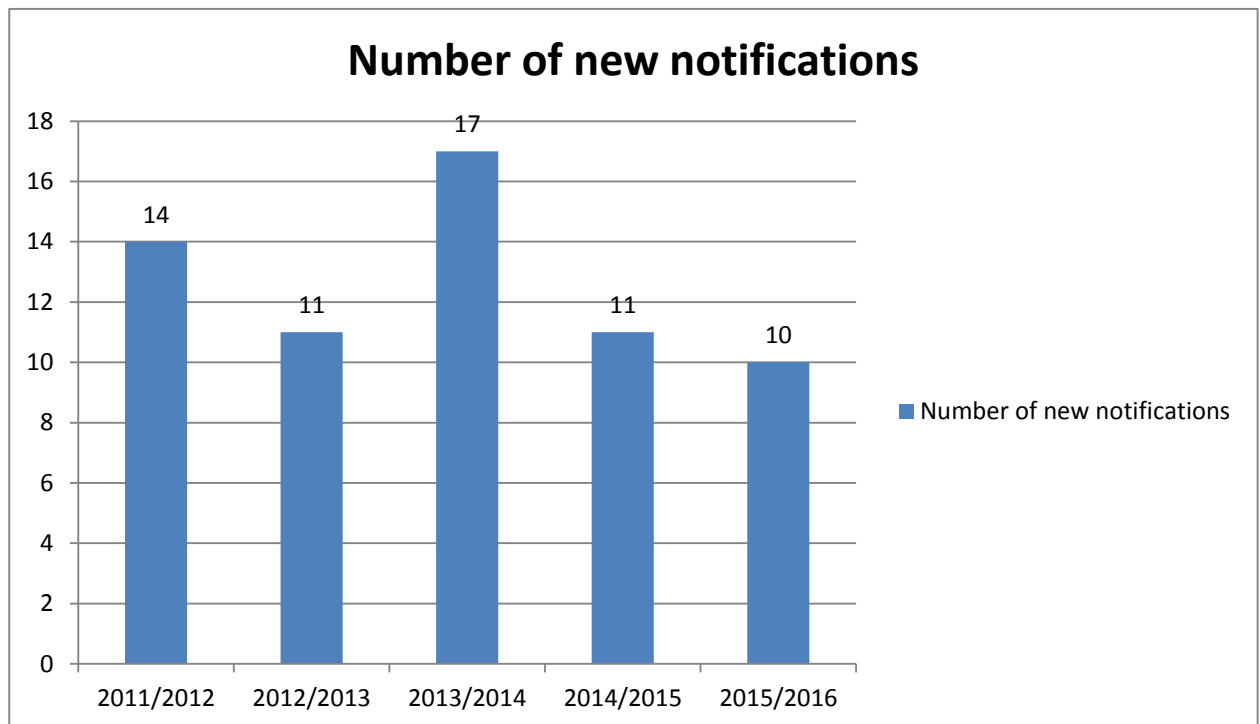
16.1 Information collected to some extent mirrors the national situation in relation to low notifications and reports rarely coming from parents.

16.2 Most of the Private Fostering placements we see are young people who are estranged from parents for reasons of domestic violence/ poor relationships and they often find their own placement, usually this is with a friend's family. On occasions they move from one family to another.

16.3 Of the Private Fostering Arrangements during the past year, only one person with parental responsibility made a financial contribution to the placement. An increasing number of Private Foster Carers are making applications for Section 17 funding to assist them with the cost of caring for the child in the Private Fostering Arrangement.

17. Profile of privately fostered children

17.1 There have been 11 young people subject to private fostering arrangements between 1st April 2015 and 31st March 2016. 5 of these were new notifications with 2 being male and 3 female.



Of the 5 new notifications, 1 was referred by a Language School, and the remaining 4 were referred by social work professionals as they were open cases to them. It is of note that none of the new notifications were referred by the person with parental responsibility for the young person.

In addition, another 5 new notifications were received which did not proceed to a Private Fostering arrangement. 3 of these notifications were received from Portsmouth Court as single carer mothers were assessed as likely to receive custodial sentences and the Court requested an assessment of the likely alternative care arrangements prior to sentencing. This resulted in Capacity to Care Assessments being completed although in all 3 cases, the mothers did not receive a custodial sentence and therefore retained parental control.

The other 2 notifications did not proceed to assessments as the young people returned home to live with their mothers within 1 week of notification.

18. Duration of arrangement

- 18.1 Only 1 of the 5 new notifications are on-going, with the other 4 arrangements having ended. 2 of these ended due to the young people reaching the age of 16 while the other 2 ended as they were siblings and moved to attend boarding school while spending school holidays with their parent.
- 18.2 Only 1 of the other 6 arrangements are on going, with 2 ending due to the young people reaching the age of 16, 2 ended due to the young people returning home, while 1 was placed in foster care requiring permanence as he was only 2 years old having moved into a Private Fostering arrangement with a family member following the breakdown of his Special Guardianship Order with his grandparents.
- 18.3 At the end of March 2016, there were 2 open private fostering cases.

19. Ages of children

- 19.1 The ages of the children range from 1 child aged 2, and the other children between 12 years and 16 years.

All of the children / young people, who were privately fostered during the year, had been living with either parents or relatives prior to the private fostering arrangement.

- 19.2 The main reason given for the need for private fostering was "family dispute" with 1 as a result of attending a local language school and 1 as a result of a Special Guardianship Order breakdown.

20. Health Issues

- 20.1 There is no statutory requirement for carers to have a full medical but there is a requirement that background information is sought. The private fostering social worker sends a questionnaire to each private foster carer's GP requesting information on current health issues, any prescribed medication, any prognosis of treatment being received, and any health issues which could affect the carers' capacity to care either now or in the future.

- 20.2 The 'Private Fostering Agreement between Private Foster Carers and Parent(s)/ person with parental responsibility' gives permission for the carers to sign for medical treatment. Health consent cards, as used for children who are looked after, could be amended to show that the child is privately fostered and appropriate signatures would be sought for consent to various treatments. This card would then be held by the private foster carer and again, while it is not a statutory requirement it is felt that this would be good practice and should be adopted by Portsmouth City Council and is therefore a development for the coming year.

21. Ethnicity Issues

- 21.1 Notification forms include questions about the ethnic origin, country of birth, and religion of the child to be privately fostered.
- 21.2 Current notifications show that all of the children/young people are white British children of no specific faith with white British carers apart from a teenage male who came from Hungary to attend Portsmouth Language School.

22. Financial Issues

- 22.1 The majority of private foster carers claim Child Benefit (CB) and Child Tax Credit (CTC), if eligible. Finances are a major issue for the Private Foster family with many of them struggling to manage to give the children opportunities that would/could be

considered important to childhood development. Only 2 of our Private Fostering families were financially supported by the person with PR during the past year and these were the Language School placement where the parents actually travelled over from Hungary prior to the placement commencing to meet with the potential carers and when a young person left the care of his mother and the father continued to pay "maintenance" to the carer at the rate he had previously given to the child's mother.

23. Resources

- 23.1 Portsmouth City Council is expected to allocate sufficient resources to identify, advise upon, and monitor private fostering arrangements. Currently the allocated social work hours for this purpose are 37 per week. The current post holder went off on maternity leave on 29th February 2016 and will be replaced on 18th May by a temporary social worker for 18.5 hours per week for the duration of the maternity leave.

24. Areas of development identified during the last annual review

- 24.1 To continue to promote awareness of private fostering to the general public and multi professionals via several modes of advertising and by undertaking presentations to identified audiences, including Portsmouth City Council staff.
Action Taken; Publications made in Flagship, Children's Services Bulletin, Diocese of Portsmouth Bulletin, written communications to Interfaith/BME Community Groups, Posters and Flyers to Language schools, and presentations made to various social work team meetings
- 24.2 To evaluate the impact of the new single assessment.
Action Taken: Single Assessment now routinely completed.
- 24.3 To build upon links made with the regional group, share promotional material and ideas from neighbouring authorities with the group. Consider being the host local authority for these meetings.
Action Taken; Several changes in personnel in the various neighbouring local authorities and the increasing time constraints has restricted the possibility of convening such meetings.
- 24.4 Dedicated training to be offered to private foster carers.
Actions Taken; Private Fostering Carers have been constantly made aware of training opportunities but low take up to date.

- 24.5 New member of staff to be appointed as current worker leaving at end of June 2016.
Actions Taken; New member of staff was appointed but now off on maternity leave.

25. Action Plan for Current Year.

- 25.1 To continue to promote awareness of private fostering to the general public and multi professionals via several modes of advertising and by undertaking presentations to identified audiences, including Portsmouth City Council staff.
- 25.2 To continue to attend the Coram BAAF Private Fostering Group to share promotional material and ideas in best practice from the various authorities attending.
- 25.3 Set up a dedicated Support Group for Private Fostering Carers with the intention of making training available.
- 25.4 Adapt Health Consent Cards used for looked after children to allow private foster carers to ensure immediate medical treatment for children living with them.
- 25.5 New temporary member of staff to commence on 18th May as current worker is off on maternity leave.
- 25.6 Recommendation to Portsmouth Safeguarding Children's Board regarding promoting private fostering more widely through the constituted members ,ensuring it is included on team meetings,and leaflets are displayed in public areas.

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Signed by (Head Looked After Children Service)

Appendices:

APPENDIX 1- PRIVATE FOSTERING MARKETING PLAN APRIL 2016-MARCH 2017.

APPENDIX 1.

Private Fostering Marketing Plan April 2016-March 2017

Main marketing contact:

Phil Rennie, Marketing & Communications Officer

T: 023 9243 4302

E: phil.rennie@portsmouthcc.gov.uk

Purpose	To raise awareness with the general public and front line professionals who work with children of the legal requirement to report private fostering arrangements and how to report it. 91% UK ignorance rate of what Private Fostering is, need to raise the awareness throughout Portsmouth.
Lead officers	Phil Rennie - corporate communication Aimee Dennis– private fostering social worker Donna Egan - private fostering team leader
Context	There is a continual need to ensure people report children and young people who are privately fostered to the local authority.
SMART objectives	To get at least 10 private fostering arrangements reported to us throughout the course of the year.
Key messages	<ul style="list-style-type: none"> • Explaining what private fostering is • The legal reporting requirements of private fostering • Who to report private fostering arrangements to

	<ul style="list-style-type: none"> • Specific messages tailored for professionals who work with children • General messages for the public
Target audiences	<ul style="list-style-type: none"> • Families with children aged up to 16 (and wider family groups and friends) • Forum attendees working with children aged up to 16 e.g. teachers, health professionals, governors, • People working with children aged up to 16 e.g. youth workers, youth clubs, Motiv8, community centre workers, police etc • Interfaith/BME groups • Foreign language schools • Council assets' readers (eg Flagship/Term Times)
Evaluation	Aimee Dennis will keep track of the number of private fostering arrangements that are reported and where possible will log where they found out about the need to report it.

Activity	Timing	Deadline	Lead	Cost
Reprint literature to provide sufficient resource quantities (currently too light on quantity, use what's left and reprint)	July	End of July	PR	Allow £750
Private Fostering promotion (BAAF recognised week but not national week) http://www.privatefostering.org.uk/ Radio Interviews BBC Radio Solent and consider specific radio advert in Heart radio package; That's Solent TV, Press Release; Flagship; Term-Times; social media; website banner, flyer distribution; mailouts (91% ignorance about private fostering, post BAAF week to enable awareness raising from BAAF, press release to include case studies/schools support)	July tbc if it runs	July tbc if it runs	PR	-
Press release (and case study if possible) about need to inform the local authority.	August/September (depending on buy-in)	August/September with schools input/case	PR	-

		studies/su pport		
Head-teachers bulletin and Children's Services Bulletin Email to schools/head teachers reminding them of the need to notify the council about private fostering and offering information for the school / teachers	April (runs continually) September	End March (runs continually) September	PR	-
Posters and flyers to language schools	July-August	July-August	PR	Allow £100
Governor communications/request to go to meetings to raise awareness about private fostering, and the legal requirement to notify the local authority etc.	September	September / ongoing		
Diocese of Portsmouth bulletin Email to local clergy reminding them of the need to notify the council about private fostering and offering to attend groups and provide information; also their wider digital marketing (facebook etc)	July (post private fostering week if it runs)	July (post private fostering week if it runs)	PR	-
Interfaith/BME Community Groups: email and written communications including letters, flyers, with request to visit the groups to deliver a presentation	July (post private fostering week if it runs)	July (Post private fostering week if it runs)	-	-
Partners/other organisations professional forums attendance, and letter with information and offering information talk to employees/committees NHS, Youth Clubs, Motiv8, Police, CAB, language schools, scouting, community centres, voluntary sector and charity groups.	July onwards	June / July onwards	PR	Email sent in march, Letter sent in April
Children's Services Bulletin	Throughout the year	Throughout the year	PR	-
Flagship editorial	Sept issue	August	PR	-
Term Times editorial	November issue	Sept	PR	-
Facebook and Twitter posts (on corporate and fostering sites; both free and potentially paid for advertising)	July post private fostering week if it	July post private fostering week if it	PR	£150



	runs	runs		
Total				£100 0