

## **Private Fostering Frequently Asked Questions with Answers**

**Q What is private fostering?**

**A** Children cared for on a full-time basis by people who are not their parents or a close relative may be in private foster care. Private foster care occurs when a child under 16 (or under 18 if disabled) is cared for and provided with accommodation by an adult who is not a close relative, for 28 days or more, by private arrangement between parent and carer or child and carer.

**Q What is a close relative?**

**A** A close relative is defined in the Children Act 1989 as parents, step-parents, siblings, uncle or aunt (whether full blood or by marriage), and grandparents. A co-habitee of the mother or father would not qualify as a close relative neither would extended family such as great aunt/uncle or parent's cousin.

**Q How is private fostering different to informal kinship care?**

**A** Informal kinship care or 'family and friend's care' refers to situations where children need to be cared for away from home, but can be placed with friends and family carers informally outside the care system. Informal placements with family and friends are those that have been initiated, facilitated or supported by Bristol City Council, Children and Young People's Services, whereas private fostering arrangements are made by parents or young people without the direct involvement of CYPs.

**Q How is private fostering different to formal kinship care?**

**A** Children who are in care, accommodated by the local authority or are the subject of an order can not be cared for in informal kinship placements. If a child is already or needs to come into care, their carers will need to be assessed as family and friends or kinship foster carers.

**Q Does the child or young person's parent have to give consent for them to live with someone else?**

**A** No.

**Q How soon should a parent or private carer inform the council?**

**A** Parents or private carers need to inform the council within six weeks before private fostering starts, within 48 hours if arrangements are made in an emergency or as soon as they become aware they are private foster carers.

**Q What support do locality teams provide to young people in private foster care and to private foster carers?**

**A** They assess the private foster carer's suitability to care for a child. The team can provide advice and guidance on issues that arise and on the delegation of parental responsibility. Social workers must visit the child or young person every six weeks in the first year and then every three months.

If the child's parents or those with parental responsibility are failing to exercise their responsibilities e.g. failing to pay maintenance or to keep in touch, the social worker will try to locate them to find out if there is a problem, give advice and take appropriate action as necessary.

**Q What support do Family Placement Team provide?**

This is limited to phone advice to social workers on assessments. The Family Placement Team have prepared an information pack for children, parents and carers outlining their responsibilities and the issues that they need to consider when agreeing to look after a child privately. This is on the intranet.

**Q What should a professional do if a young woman goes to live with her boyfriend's family?**

**A** If they plan at the start that the arrangement will last for 28 days or longer, then it is private fostering and the Private Fostering Policy and Procedures must be followed. A professional should advise the young person, parents and the boyfriend's family that this is a private fostering arrangement and that the law says that Children and Young People's Services must be informed, and follow the Policy.

**Q Who can claim benefits for the child or young person?**

**A** The private foster carers may be able to, not the child's parents.

**Q Where are the relevant Policy and Procedures?**

**A** They are on the internet at [www.bristol-cyps.org.uk/socialcare/procedures/privatefostering](http://www.bristol-cyps.org.uk/socialcare/procedures/privatefostering)

**Q What leaflets are there for further information? Where can you get them?**

**A** Three DfES leaflets are available on the internet as above:

- 'Is someone else looking after your child?' for parents.
- 'Do you look after someone else's child?' for private foster carers.
- 'What is your role?' for professionals in the education, health and social care fields.

**Q Who is responsible for educational issues, including attendance?**

**A** Parent(s), who retain parental responsibility for the child, and private foster carers, who have day to day responsibility, are legally responsible for ensuring children attend school unless absences are authorised by the school. The Education Welfare Service and/or the child's school would work with parents and carers as appropriate to support attendance, assess the situation and ensure they had all the facts before taking any action. Legal sanctions, either a Penalty Notice or prosecution in magistrates court could be the outcome for either or both the parents and carers as appropriate.