



# Private fostering

Information and advice for professionals

## What is private fostering?

Private fostering is when a child or young person under the age of 16 (under 18 if they have a disability) is cared for and provided with accommodation, for more than 28 days, by an adult who is not their parent, a person with parental responsibility, or a relative. According to the legislation a relative means a grandparent, a sibling, an uncle or aunt (whether of the full blood or half blood or by marriage) or step-parent.

This means that partners of the mother or father of a child, and other extended family members such as great aunts and uncles or parent's cousins, do not qualify as a relative.

Usually a birth parent chooses and arranges a private foster placement. A privately fostered child is not looked after by the local council under the Children Act 1989.

## What are the rules governing private fostering?

Privately fostered children are safeguarded by legislation set out in Part 9 of the Children Act 1989; the Children (Privately Arrangements for Fostering) Regulations 2005; Section 44 of the Children Act 2004 effective 1 July 2005. Standards of care and management for private fostering arrangements are set out in the National Minimum Standards for Private Fostering (2005). Further guidance can be found in the Replacement Children Act 1989 Guidance on Private Fostering (2005).

## Responsibilities

### The private foster carer:

- advise their local council of their intention to foster a child at least six weeks in advance or, where a child is received in an emergency, not more than 48 hours thereafter
- allow a social worker to visit the household and see the child or young person

- allow the social worker to inspect their home and make reasonable recommendations
- report any changes in the household
- comply with any legal requirement. For example, ensuring Disclosure and Barring Service (DBS) checks are undertaken on all those in the household over the age of 16
- promote the child or young person's welfare in the home
- notify the Children and Families team within 48 hours when a privately fostered child or young person leaves their care, advising why and providing the name and address of the person into whose care the child or young person has been moved.

## **The birth parents:**

- advise the local council of the private fostering arrangement at least six weeks in advance or, where an arrangement is made in an emergency, within 48 hours, and at the end of such an arrangement.
- participate in all decisions about their child as they retain parental responsibility
- provide the prospective carer with as much information about the child as possible, including their health, dietary preferences, school, hobbies, religion and ethnicity
- it is the parents' responsibility to ensure that the proposed private fostering placement is suitable for their child.

## **Lambeth Children's Social Care:**

- assess the suitability of private foster carers
- make regular visits to the child and monitor the overall standard of care provided
- ensure the child or young person is well cared for in a safe environment
- ensure that advice and support to carers is made available when needed.

## Responsibilities of professionals:

Private fostering arrangements can be a positive response from within the community to difficulties experienced by families. Nonetheless, privately fostered children remain a diverse and potentially vulnerable group.

Parents and private foster carers are legally required to notify their council about private fostering arrangements but many do not, often because they do not know that they have to. This means that Lambeth Children Social Care is unable to check whether the child is being properly cared for.

Professionals who come into contact with children and young people play an important role in ensuring that parents and carers of privately fostered children are aware of their responsibilities and the children are well cared for and are safeguarded from harm.

**It is essential that Lambeth Children's Services is made aware of private fostering arrangements. Ideally notification of a private fostering arrangement should come from the carer or parent. Professionals should encourage the carer or parent of the child to notify the local council.**

**When a professional is aware of a private fostering arrangement they should notify Lambeth Children's Services themselves if they are not satisfied this has already been done.**

**This is a matter of good practice and means the local authority can then discharge its duty to satisfy itself that the welfare of the privately fostered child concerned is safeguarded and promoted.**

To notify Lambeth Children's Social Care about a Private Fostering arrangement please contact the Integrated Referral Hub.

**Professionals Line: 020 7926 3100**

Please also follow up your referral in writing by filling in the Multi-agency referral form (available at the Lambeth website) and send it to **helpandprotection@lambeth.gov.uk** (or **help.protection@lambeth.cjism.net** for secure email – please note, if the email account you are sending from is not secure the form will not be accepted by the Lambeth secure mailbox)

**Public Line: 020 7926 5555**

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