

From: Roger Gough, Cabinet Member for Children, Young People and Education
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To: Children's, Young People and Education Cabinet Committee – 1 October 2019

Subject: Private Fostering Arrangements

Classification: Unrestricted

Electoral Division: All

Summary: Private Fostering is a distinct and separate activity from other fostering arrangements in Kent. It is managed within the Children's Social Work Service with no direct connection to the Fostering Service. By definition, a private fostering arrangement is one 'made privately (that is to say without the involvement of a Local Authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention it should last for 28 days or more'. However, regardless of the 'private' status of the arrangement, the Local Authority maintains a duty under s44 of the Children Act 2004 (amendment to s67(1) Children Act 1989) to satisfy themselves the welfare of privately fostered children in their area is being satisfactorily safeguarded and promoted.

Recommendation: The Children's, Young People and Education Cabinet Committee is asked to **NOTE** the contents of the report.

1. Background

- 1.1 The role of the social worker includes undertaking an assessment of the proposed private foster carer (and their family) and to gather information from other agencies, personal referees, etc., to support their decision making around the suitability of the placement. The social worker needs to work with the carer and child's parent whilst keeping the child's welfare central to the considerations. Collaboration with language school staff for those children staying in the UK is also necessary, and at times conflictual, given these businesses make their living accommodating children. Social workers need to remain curious about the quality of care the children are receiving and challenge any placements not meeting the expected standards. During the placement, the social worker will visit the child and carer regularly within their home and see the child alone in order to ensure they are safe and well.
- 1.2 In the year 2018-19, there were 87 new private fostering notifications in Kent. This represents a reduction of just under 10% (9 notifications) on the previous year. It is a positive sign of appropriate notification that 86 of the 87 potential referrals made to Kent within the year proceeded to formal arrangements once initial enquiries were completed. As a likely result of the increased placement of language students (with host families), mostly arriving at the end of August

and start of the Autumn term, there were a significant peak of arrangements beginning in September (at 30 which accounts for some 35% of the annual total). 52% of Kent's Privately Fostered children originate from countries outside of the UK, which highlights vulnerabilities for this group centring around areas such as language, culture, faith, food, contact with birth family, isolation, risk of trafficking etc. It is therefore essential social workers undertake their work with these children and their families in a culture and ethnic sensitive manner, ensuring rigorous attention to the child's experience and welfare needs.

- 1.3 Conversely, it is perhaps significant that 29 (27%) of the native children placed in a private fostering arrangement were subject at some time (either during or before the report period) to a formal Child in Need plan. Of these 29 CIN children, 17 (19% of the total arrangements) were also, at some stage either previously or within the same report year, subject of a child protection plan due to concerns about significant harm. In total, 36 children (42%) living within Private Fostering arrangements, at some stage during the year, were either subject to CIN and/or CP Planning. Children would not generally be placed in Private Fostering arrangements as part of a social work-led safety plan (if the LA has 'brokered' an arrangement as a requirement towards safety and to avoid foster care, this would be considered likely to constitute a Connected Persons arrangement). However, some families will choose to place children with friends and extended family for other reasons whilst they are defined as Children in Need when the LA is supportive of the children remaining with their parents. Either way, the figures highlight considerable additional vulnerabilities and traumas that were part of these children's lives and the huge importance of ensuring the children are given appropriate priority and support.
- 1.4 During the report period, 92 Private Fostering arrangements in Kent came to an end (several which would have started prior to April 2018). Of these, 27 children (29% of the ended placements) returned home to their parents and 25 children (27%) reached the age of 16, placing them above the legal age-band for private fostering. Several children in these two groups will have been language students. In total, 17 arrangements (18% of those ended within the report period) were terminated as a result of a problem either for the child or the carers that meant the placement was no longer suitable or safe.
- 1.5 It is positive to note that 4 of the children's arrangements ended as a result of their carers gaining a legal order providing them with legal parental responsibility for the children they cared for. It is an expectation that social work oversight and support considers permanency planning for children placed with private foster carers on an extended basis and this should be considered as part of the arrangement's annual review. For children who find themselves privately fostered long term, the gaining of an order takes away any ambiguity of the status of the placement or care provided. An order supports enduring security in situations where parents are unable to provide on-going care but were responsible in identifying an appropriate alternative. Additionally, it observes the child's right to a family life and seeks to limit the role of a social worker in those families where it is no longer necessary.

Recommendation:

The Children's, Young People and Education Cabinet Committee is asked to **NOTE** the contents of the report.

Background Documents:

None.

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