



# PRIVATE FOSTERING POLICY

SHINE Multi Academy Trust

## Management log

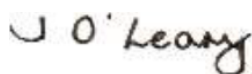
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Signed



Chair of the board

Signed



CEO

## Related Policies

- Child Protection and Safeguarding
- Attendance

*All above policies are available through our academies local servers, directly through SHINE or through the Trust website [www.shine-mat.com](http://www.shine-mat.com)*

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## Introduction and context

Most children and young people spend some time away from their home staying with relatives and friends. In cases where children/young people may stay for a longer period of time special procedures may apply.

Private Fostering is an arrangement made by a parent with a carer who has agreed to look after the child/young person on their behalf. They are not arranged by the local authority. In some circumstances the parents may not have agreed, or the circumstances of their living arrangements raises health, welfare and safety concerns for the child/young person.

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

## Definition

A privately fostered child is a child under 16 (or 18 if Disabled) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent (including civil partnerships), sister or brother, and may be a family friend, or neighbour and where the child is to be cared for in that person's home for 28 days or more. The definition does not include a step-grandparent or great grandparent.

This arrangement does not have to be continuous; if a child/young person is staying with an extended family member, who is not a parent, grandparent, aunt, uncle, step-parent (including civil partnerships), or a family friend or neighbour for example, that adds up to 28 days or longer in any period of time this may then be seen as Private Fostering.

A child who is Looked After or placed in any residential home, hospital or school (where they are receiving full-time education) is excluded from the definition. In a private fostering arrangement, the parent retains Parental Responsibility.

Children under 16 who spend more than two weeks in residence during holiday time in a school, become privately fostered children for the purposes of the legislation during that holiday period.

## Our responsibilities

SHINE and its academies fully recognise their responsibilities regarding Private Fostering, ensuring staff are fully aware on how to identify a child/young person and the circumstances around Private Fostering. This includes **a duty to report any possible arrangement to the Local Authority** if it is believed that the child is living in such circumstances.

This policy should be read in conjunction with "How to Identify a Privately Fostered Child" Appendix A, found at the end of this policy and on the [Government website](#). More local information/guidance can be found on the relevant local authority websites.

Furthermore, we will follow the procedures as set out by the relevant local authority.

Information will be provided to any parent/carers where it is believed the child is in a private fostering arrangement from the relevant Local Authority. (see appendix B)

## **Our duties**

Under the Children Act, 1989, the Local Authority has a duty to make sure a Private Fostering arrangement that the child/young person is in provides for their needs and safeguards his/her welfare.

We will ensure all Staff, Governors and Volunteers in the school are aware of this duty.

If a member of Staff, Governor or Volunteer becomes aware that a child/young person may be living in a Private Foster arrangement it is the responsibility of that person to report the details to the School's Designated Safeguarding Lead (DSL) who will then make further enquiries to try and establish the circumstances. If this is confirmed upon taking this advice a referral will be made by the DSL to Children's Social Care.

Essential information for making a referral includes: -

- Full names and dates of birth for the child
- Address and daytime phone numbers for the current carer including mobiles
- Relationship to the child e.g.- neighbour, friend, extended family member (by definition of a private fostering arrangement)
- The child's address and phone number.
- Whereabouts of the child (and siblings).
- Child and family's ethnic origin.
- Child and family's main language.
- Actions taken and people contacted.
- Special needs of the child, including need for an accredited interpreter, accredited sign language interpreter or other language support.
- A clear indication of the family's knowledge of the referral and whether they have consented to the sharing of confidential information.
- The details of the person making the referral.

Additionally, the referrer should include:

- Address and daytime phone number of the parent or other parental responsibility holder and any known previous addresses
- Address and phone numbers of any other family members linked to the child in this arrangement and particularly if under 16
- Any details of anyone else involved in making this arrangement
- Any known addresses of the child previous to this current arrangement

- Any other helpful information e.g. a chronology to assist an understanding of why this child/young person is not living with the parental responsibility holder.
- Details of any concerns if relevant to making this referral

We understand that the private foster carer becomes responsible for providing the day-to-day care of the child in a way which will promote and safeguard their welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility.

Local authorities do not formally register private foster carers, but they do have a statutory responsibility to assess whether the arrangement is suitable for the child. It is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted. It is the Local Authority in whose area the privately fostered child resides which has legal duties in respect of that child.

We will work together with the Local Authority to help safeguard and promote the child/young person's safety and welfare.

We will assist the Local Authority in their assessments and work as a partner to offer advice and support to the child and carers involved in the arrangement.

We acknowledge that the Local Authority on receipt of a referral has a duty to make further enquiries as to the arrangement. If it is defined to be private fostering the child/ren will require an assessment of their needs and welfare and this will be undertaken by a Social Worker.

The National Private Fostering Guidance encourages written agreements to be used by carers and parents around the care arrangements, medical consent and any financial arrangements to contribute to the care of the child. Some parents are not able to contribute financially or decline to offer payments. This specific guidance, however, cannot be enforced by Local Authorities.

### **Safeguarding Roles and Responsibilities**

**All Staff (anyone who has contact with a child or young person) including, Volunteers and Governors have responsibility for the following:**

- To ask parents/carers questions about their relationship with any pupil if the relationship is unclear, confusing, or concerning.
- To follow up any discussion with any pupil about their living arrangement when it is unclear, confusing, or concerning.
- All SHINE academies will commit to reviewing on a regular basis their emergency contacts and details of who has parental responsibility on school records. We will pursue any anomalies with that parent or carer and may then ask questions of any pupil about the nature of their relationship to that adult.

- We will have robust consent/trips/outings letters which clearly define the child's relationship to the adult giving consent and identify their status to that pupil including any legal order.

If a child is living in a Private Fostering arrangement:

- To work with, monitor & report to the Local Authority ensuring the child/young person's needs, safety & welfare are being met whilst in a Private Fostering arrangement.
- To assist with advising and supporting the carer(s) to undertake their duties whilst the child is living with them in a Privately Fostered arrangement.

## **Training**

The Designated Safeguarding Lead/s will endeavour to read and cascade information on Private Fostering from the relevant Local Authority to school staff on a regular basis and as part of annual training/updates.

Further information, if required, can be requested from the relevant Local Authority.

Having a knowledge of the [National Private Fostering guidance](#) is encouraged and the Designated Lead may refer to this and use it to help raise awareness in this school.

## **Management of the Policy**

The Designated Safeguarding Lead/s will ensure they are familiar with this policy regularly updating all Staff, Governors and Volunteers regarding the legal requirements, and duties.

The Headteacher will ensure that Private Fostering awareness forms part of Staff Safeguarding Induction and is included in the annual Safeguarding Training for teaching and non-teaching staff

The Headteacher will report on any private fostering arrangement in their school and any issues or impact on the school in relation to Private Fostering to the Local Governing Body.

**Appendix A: How to identify a Privately Fostered Child**

It constitutes private fostering if:

- The adult is not a close relative (close relative is defined as sibling, aunt, uncle, grandparent and stepparent).
- The child has left home and has moved in with someone that the PR holder is happy for them to live with.
- The child is unaccompanied, under 16, seeking asylum and intends to live with someone within their extended family and friend network.
- The arrangement is expected to last continuously for over 28 days.
- The child is from another country and staying with a host family for 28 days or more.

It does not constitute private fostering if:

- The adult is a close relative.
- The arrangement lasts less than 28 days.

The law says:

- Parents must tell the local authority in writing, six weeks before it is due to start and 48 hours after it has begun

School and agency duties e.g. school, and health:

- Refer any possible private fostering arrangement into the local authority.
- Be aware of any possibility of trafficking.
- Clarify whether there is a genuine link to the carer and child.

The local authority must:

- Carry out written assessments, visits, and reviews, similar to that of a looked after child.
- Contact and tell the parents if there are concerns about the arrangement before and during.

**Quick Checklist**

Is the child aged under 16 years (18 with disability)	YES NO If NO, the child cannot be privately fostered
Is s/he living with a parent/person with Parental Responsibility or a close relative – aunt, uncle, step-parent, grandparent, sibling but not a cousin or great-aunt/uncle	YES NO If YES, the child cannot be privately fostered
Is s/he adopted or in care, subject to special Guardianship or a residence order	YES NO If YES, the child cannot be privately fostered
Has the child been living with a person providing accommodation for 28 days or longer, or is the child planning to, or is likely to, be living with the person providing accommodation for 28 days or longer – either as a single stay or cumulatively	YES NO If YES, the child is/may be privately fostered.



## **Appendix B: Information**

Information for parent/carer/pupil can be accessed here: ([Derbyshire](#)) ([Nottinghamshire / Nottingham City](#)) ([Young person guidance](#))