

Walsall Council

# Private Fostering

Annual Report 2023/2024

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## **BACKGROUND**

This is the Annual Private Fostering Report covering November 2023 until October 2024.

This report details how Walsall Safeguarding Partnership has delivered its duties and functions in relation to private fostering and how the welfare of privately fostered children has been safeguarded and promoted during the last 12 months period. This report also outlines the activities which have been undertaken to promote awareness of the notification requirements regarding children who are privately fostered.

## **LEGISLATION AND GUIDANCE**

The Children (Private Arrangements for Fostering) Regulations 2005, the National Minimum Standards for Private Fostering (2005) and the Replacement Children Act 1989 Guidance on Private Fostering (2005):

The local authority is required to:

- Promote awareness of the notification requirements for private fostering
- Publish a written statement on private fostering
- Safeguard and promote the welfare of the privately fostered children
- Provide advice and support to privately placed children, young people, parents, and carers.
- To consider the implications of these new regulations, national minimum standards, and guidance.

## **BACKGROUND INFORMATION**

The Children Act 1989 defines private fostering as occurring 'when a child under 16 (or under 18 if disabled) is placed for more than 28 days in the care of someone who is not a close relative, guardian or someone with parental responsibility'.

Private fostering is not the same as mainstream fostering services, which is delivered by the public, private or voluntary sector. Private fostering is an arrangement between a parent/s and someone who they nominate to care for their child or children.

The Children's Act 2004 introduced a tighter framework for private fostering, and the Children (Private Arrangements for Fostering) Regulations 2015, and the amended S67 of the Children Act 1989, strengthens the duties upon local authorities in relation to private fostering. This includes a duty for parents and private foster carers to notify the local authority about their proposed or current private fostering arrangement.

### **DEFINITION OF PRIVATE FOSTERING**

A private fostering arrangement is essentially an arrangement between families/households, without the involvement of a local authority, one that is made privately, 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 that it should last for 28 days or more. Private Foster Carers may be from the extended family, such as a cousin or great aunt, or they may be a friend of the family or other non-relative, such as the parents of the child's friend. A person who is a close relative of the child, as defined by the Children Act 1989 – a grandparent, brother, sister, uncle or aunt (whether by full or half blood or by marriage, civil partnership or step-parent) – will not be a Private Foster Carer.

Examples of private fostering arrangements are:

- Children sent from abroad to stay with another family, usually to improve their English or for educational opportunities.
- Asylum seeking and refugee children.
- Teenagers who, having broken ties with their parents, are staying in short term arrangements with friends or other non-relatives.
- Children living with host families, arranged by language schools or other organisations.

- Children of prisoners placed with distant relatives.
- Children living with members of the extended family, e.g. great aunt.
- Children attending a football academy and residing with extended family/friend

The primary responsibility of the local authority is to safeguard and promote the welfare of these children and young people by:

- Meeting the duty to promote public awareness of the requirement to notify the local authority of private fostering arrangements and, therefore, to reduce the number of 'unknown' private fostering arrangements.
- Responding to notifications and assessing the private fostering arrangements; and meeting the duty to support private fostering arrangements. This responsibility is underpinned by the Replacement Children Act 1989 Guidance on Private Fostering; Children Act 2004 (Section 44 amends Section 67 in the 1989 Act); the Children (Private Arrangements for Fostering) Regulations 2005 and the National Minimum Standards for Private Fostering 2005.

## **PERFORMANCE**

To show the improving performance of PF awareness I shall set this out over the past three years.

### **2021-2022-**

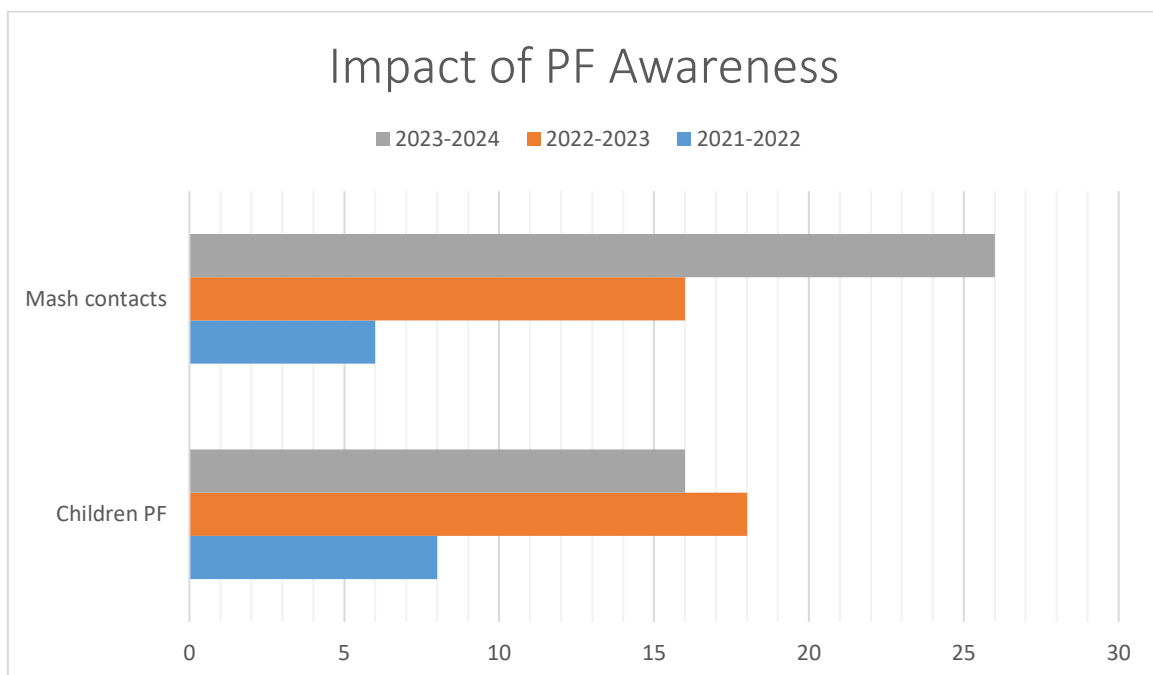
- We received 8 private fostering contacts received into MASH and 6 children privately fostered across the year.

### **2022-2023-**

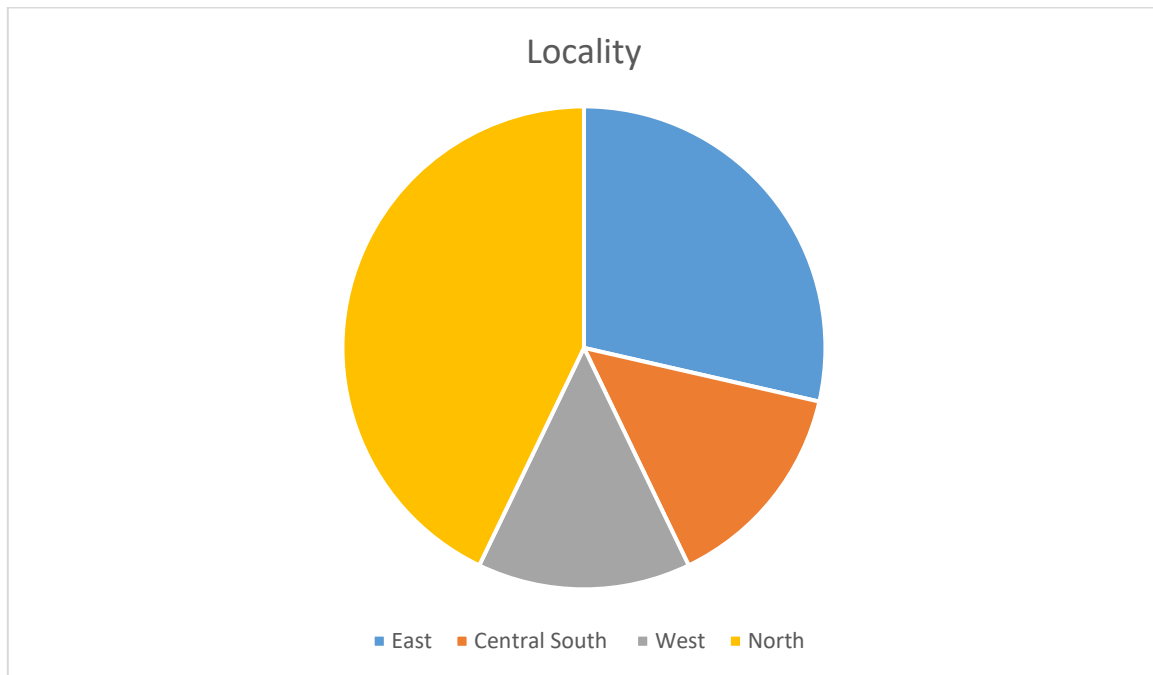
- Between October 2022 and October 2023 there had been 18 children that had been identified as living in a private fostering arrangement. This was an increase of 200% compared to previous reporting year. Furthermore, in total we received 14 MASH contacts whereby children were identified as potentially living within a private fostering arrangement and this was an increase of 75%.

## **2023-2024**

- Between 1<sup>st</sup> November 2023 and October 2024 we received 26 contacts to MASH. This is an increase of 85% compared to previous reporting year.
- There have been 16 children that have been living in a private fostering arrangement. Whilst this is a slight decrease in last year's reporting it should be acknowledged that last year we had seen a 200% increase in the numbers of children being privately fostered therefore arguably this is still a consistent increase of children privately fostering since we commenced increased private fostering awareness across the partnership. Some of these arrangements have now ended for differing reasons that will outline later in the report. We currently have 8 children that are known to be living within a private fostering arrangement.



This data shows a significant increase in the number of contacts received which is an indication that private fostering awareness is becoming better recognised amongst the local authority, partners and the wider public.

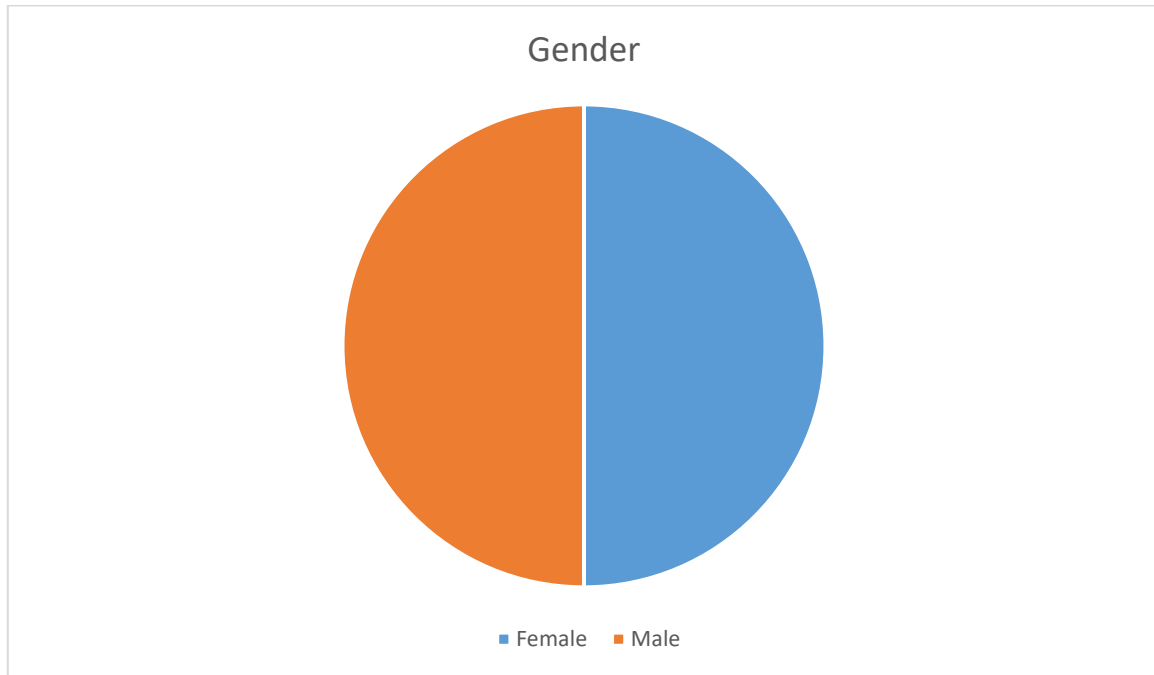


Above is a pie chart representing the identification of children whom are currently privately fostered :

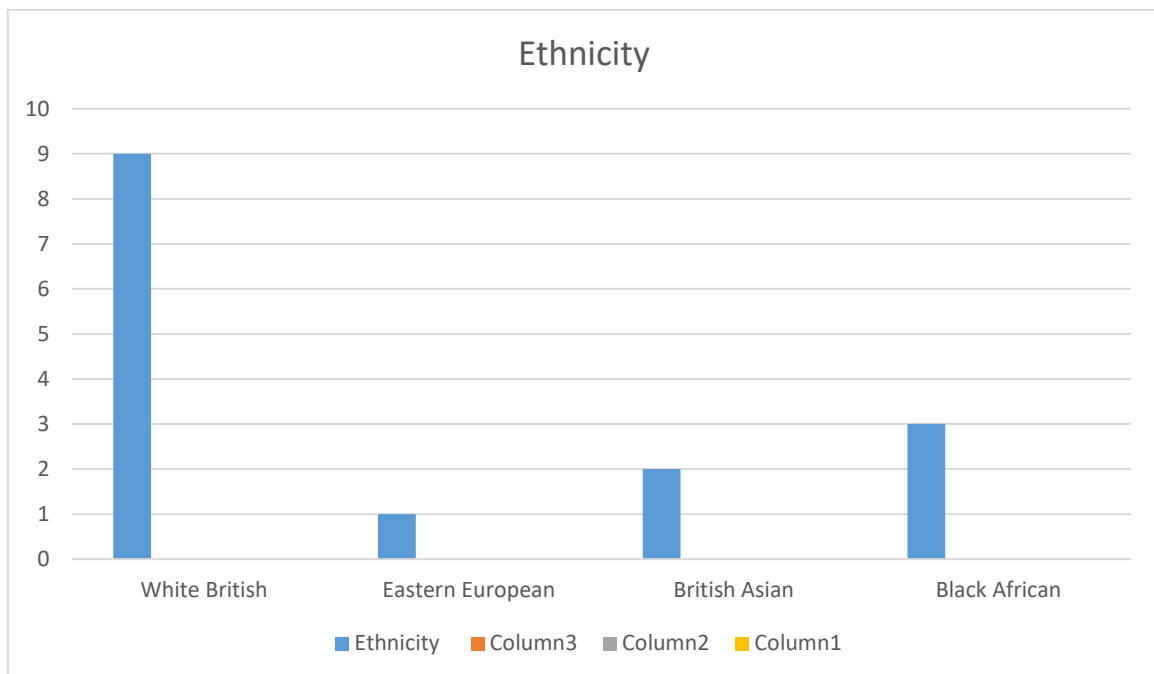
- **East locality:** Two siblings aged 7 and 8
- **Central and South:** One female aged 10
- **West locality:** One male child aged 12
- **North Locality-** One sibling group of three children

We do not currently have any children that have been privately fostered for more than 12 months.

Of the children in Walsall whom have been privately fostering across the year the following has been identified :



Eight of the children identify as female and eight identify as male.



White British children continue to be the highest reported number of children whom are living in privately fostered arrangements.

Reasons for a child living in private fostering arrangements:

- Living with great Aunt as father has criminal convictions that preclude him from caring for children
- Four children have experienced a family breakdown and living with family friends
- Young person is aged 15 is an expectant father with his 15 year old girlfriend and wants to live with the same household
- Parental poor health
- Parent deceased, a will was completed which consented for the child to live with their cousin
- Moved to live in the UK with elder boyfriend and his parents.

**Notifications / Referral source**

Of the 16 children that were identified as being privately fostered across the year the following table outlines how we became aware of the arrangement:

Allocated Social Worker	4
Education	1
Early Help Practitioner	1
Health	1
Another Local Authority	1
Parent / Carer	8

Of the 26 MASH contacts received:

Education	5
Home Office	6
Health	2
West Bromwich Albion Football Club	1
Private Foster Carer	7
Another Local Authority	1



Across the 12 months we can see that the identification of the number of children in private fostering arrangements has increased. We can also see that there is a varied source from across the partnership which would support the view that the awareness raising and training offer is having a positive impact. We recognise that the number of children does remain low and there is further work to do so that this is progress to be maintained and built upon.

Reasons identified for eight children no longer being identified as private fostered:

Young Person turned 16 years old	3
Returned to parent's care	3
Moved to live with alternative carer	2

### **Staffing**

There are revised protocols in place to ensure that private fostering arrangements are appropriately assessed. The assessment is undertaken jointly by the locality social worker and the fostering social worker. This assessment should be completed within 42 days. There has been a review and amendment of the private fostering mosaic workflow procedure. The impact of the changes is significant as it means when a child is recognised as being privately fostered, the fostering team will also be notified and the Private Fostering Assessment on the adult is opened and subsequently allocated. Prior to the commencement of the Private Fostering Assessment a meeting will take place between the locality social worker and the fostering social worker to plan out the assessment and ensure there is clarity around roles and responsibilities. The Group Manager for Provider Services continues to give authorisation for the suitability of this arrangement and should a child be living within an privately fostered arrangement for more than 12 months the Group Manager for provider Services would also review the annual review report and provide management overview and direction should this be necessary.

If, at any stage of the assessment of the private foster carers, information is obtained, which suggests that a child already placed with the private foster carer may be a Child in Need, the manager may authorise services under a Child in Need Plan and/or a Child and Family Assessment is to be carried out alongside the assessment of the private foster carer. The Child and Family Assessment is undertaken by the child's locality social worker.

In the event of a refusal of any person to cooperate with the making of the necessary checks, the social worker should advise the private foster carers that they cannot be recommended as suitable and advise the parents of the reason why alternative arrangements will have to be made for the child. Any action required to secure the child's safety would be considered and legal advice sought as necessary. This is evidenced in previous years as public law orders have been applied for.

If any information comes to light during the course of the private foster carer assessment, for example as a result of the Disclosure and Barring Service checks, which may preclude the person from fostering a child, the social worker should prepare a report to the Group Manager for consideration. Immediate consideration should also be given to the arrangements for the child and if necessary child protection procedures should be followed.

### **3. Procedures**

**National Minimum Standard 1: The local authority has a written statement or plan which sets out its duties and functions in relation to Private Fostering and the ways in which they will be carried out.**

Private Fostering arrangements in Walsall are set out in the Statement of Purpose. These were updated in October 2021 to reflect the changes in responsibilities in Children's Services. This is available on the Children's Services website.

The Statement of Purpose meets the requirements of Standard 1 and provides guidance for professionals, members of the public and other agencies on the policy and procedural requirements relating to Private Fostering.

A private fostering toolkit has also been developed with the aim was to assist in identifying and assessing children who are privately fostered. The toolkit supports the assessment and clearly outline the responsibilities of Walsall Local Authority when a child is privately fostered. The documents and resources include power point presentation- briefing for all professionals on private fostering, Private Fostering - Visits and Assessments – Practice Guidance, Coram BAAF Guidance - Completing good private fostering assessment and private fostering leaflets for children and carers.

## **National Minimum Standard 2:**

### **2.1 The local authority:**

**2.1.1 Promotes awareness of the notification requirements and ensures that those professionals who may come into contact with privately fostered children understand their role in notification;**

**2.1.2 Responds effectively to notifications; and**

**2.1.3 Deals with situations where an arrangement comes to their attention, which has not been notified.**

The Children Act 2004 places a duty on local authorities to promote public awareness in their area of the statutory notification requirements regarding Private Fostering. The Group Manager for Private Fostering is responsible for developing a strategy with the support of the Safeguarding Partnership to raise public and professional awareness about private fostering.

The Children (Private Arrangements for Fostering) Regulations 2005 outlines the requirement for anyone involved in making a private fostering arrangement must notify the relevant local authority.

Parents and carers often fail to notify the local authority because they are unaware of these requirements and believe this is a private family arrangement.

As soon as a local authority becomes aware of a proposed arrangement to privately foster a child or young person within their area, or where a child or young person is being privately fostered within their area, the local authority must assess the suitability of the arrangement.

Whilst local authorities do not formally approve or register private foster carers, they have a duty to satisfy themselves that the welfare of a privately fostered child or young person within their area is being safeguarded and promoted.

Parents making such an arrangement should inform the local authority of their intention before the start of any private fostering arrangement. In reality, across the country, most parents do not do this.

Therefore, the Walsall Safeguarding Partnership must be able to rely on GP's, teachers, primary health, faith organisations and other staff working with children to make a referral to the local authority's children's social care if:

- They become aware of a private fostering arrangement which is not likely to be notified to the local authority
- They have doubts about whether a child's carers are actually their parents, and there is any evidence to support these doubts

Throughout the year of 2023-2024, the following activities were undertaken:

- PF leaflets for children, parents and carers are available on Walsall Partnerships website
- PF leaflets and posters are visible in all family hubs across the locality and have been distributed to a number of agencies that are linked to the local community and through HAF.
- A PF awareness raising video is available on the partnership website
- A PF 7 minute briefing has been developed and is available on the partnership website

- The partnership officers continue to raise awareness with the early help partnership throughout their menu of training opportunities including;  
ACTION training where we raise awareness of Early help  
Supporting families lead professional training – for professionals who want to understand how to support families at level 3 early help  
Outcome star training
- Private fostering has been included in all DSL/refresher training, PF leaflet has been emailed out to all educational establishments and across Early Years.
- Private fostering is included within any induction programme for a new starter in Children Services
- A private fostering scenario is included within the Right Help Right Time multiagency training.
- PF has been added as an agenda item to Early Help, Health, Education Children Services briefings throughout the year.
- PF has also been added to Walsall Safeguarding Partnership Spotlight newsletter on two occasions throughout the year.
- We have celebrated PF awareness day on 8<sup>th</sup> November 2023 by ensuring that we have visibility on the internal Walsall website and are due to celebrate PF awareness day on 6<sup>th</sup> November 2024
- On 15<sup>th</sup> February 2024 Councillor Stacie Elson, Portfolio Holder for Children's Services Walsall Council released a press release- [Are you caring for somebody else's child? Walsall Council is here to help | Walsall Council-](#)
- Attendance at GP training event

Of significance this year we received our first referral from West Bromwich Albion football club notifying us that they had a 15 year old male whom had recently signed a two year scholarship with the team. We learnt that the young person is living with a host family and who care for two other young people. Upon further exploration this was not deemed a privately fostered arrangement as the young people would regularly (within the 28 days) return to parents care for a weekend stay. Through this referral

we were able to establish a connection with the team and were assured that should it such arrangements exceed 28 days or if they had another arrangement then they would refer to children services.

A further example of the impact of awareness raising is that we received a freedom of information request (FOI) in regard to private fostering.

**National Minimum Standard 3: the Local Authority determines effectively the suitability of all aspects of the Private Fostering arrangements in accordance with the regulations**

Following an initial suitability assessment, the assessment of potential private foster carers is undertaken jointly with the child's social worker and a worker from Family Placements.

The decision making and authorisation regarding the ongoing suitability or otherwise of these arrangements is now consistently undertaken by Group Manager for Fostering Services. This can include making a determination that the arrangements and the carer are not suitable for the child.

All children have their own allocated worker who will support and work with the child and their carers during assessment and following agreement regarding the suitability of the placement.

All children identified as living in a private fostering arrangement are tracked and discussed every four weeks by the locality Children's Group Manager during permanency panel. Within this, police checks, references, DBS, medicals, assessment completion is all considered. A tracker is in place which identifies all children privately fostered and those that have ceased to be privately fostered. Assessments are concluded timely and appropriate checks are in place.

**National Minimum Standard 4: the local authority provides such advice and support to Private Foster Carers and prospective Private Foster Carers as appears to the authority to be needed**

As with other families, the allocated social worker will provide advice and guidance in relation to parenting, managing boundaries and any challenging behaviours. They also provide advice and support to private foster carers regarding securing a permanent arrangement for a child by way of a legal order if appropriate. There would also be assistance with practical issues for carers around benefits, housing and immigration status if required. Children Services would ensure that all carers had support in accessing education and health provision for the child or young person. Any training that may be appropriate to private fostering carers is considered on a case by case basis.

**National Minimum Standard 5: the local authority provides advice and support to the parents of children who are Privately Fostered within their area as appears to the authority to be needed.**

The child's social worker will also support the child and birth parents to repair their relationship as far as possible and, on a number of occasions in the last 12 months; they have been instrumental in enabling children to return back to their parent.

Where possible all parents are seen and spoken to during the course of the private fostering assessment.

A leaflet designed for parents, the private foster carers and the placed child is also provided.

**National Minimum Standard 6: children who are privately fostered are able to access information and support when required so that their welfare is**

**safeguarded and promoted. Privately Fostered children are enabled to participate in decisions about their lives.**

The child's social worker must visit a privately fostered child and regularly see the child on their own. Visits take place in the family home and at school, dependent on the age of the child and what is most appropriate for that child. This enables the child's views in relation to the living arrangements to be sought and reflected both in their record and in subsequent discussions with their carers and parents.

At 12 months, should a child remain in a private fostering arrangement, then an annual review is held, and the child is actively encouraged to attend. We currently do not have any young people who have been privately fostering for 12 months.

**Standard 7: The local authority has in place and effectively implements a system for monitoring the way in which it discharges its duties and functions in relation to private fostering. It improves practice where this is indicated as necessary by the monitoring system:**

All information pertaining to children and young people is placed onto Mosaic. Information stored on this system can be utilised for performance reports. This includes age of the child, place of birth, ethnicity, first language and any disability. As part of the Quality Assurance Framework any private fostering arrangement is subject to an auditing process and the qualitative and quantitative information obtained is reported to the quality assurance subgroup. Changes to the mosaic workflows, establishment of the PF toolkit and development of the PF tracker has greatly supported in improving practice.

An audit tool has been developed and audits have taken place this year. This was undertaken by Group Manager, MASH team manager, duty and assessment team manager, fostering team manager and private foster senior social worker. This is to ensure that there is learning from both elements of the children and fostering service.



The audits have evidenced that progress has been maintained in respect of the identification of a PF arrangement, appropriate checks undertaken and assessments concluding timely.

A main priority is to ensure on-going promotion to maintain awareness around the notification process of private fostering for professionals, carers, and young people.

Advice and support must be provided to private foster carers, parents of privately fostered children and to the children themselves. This may include advice on child development, religious or cultural issues, relevant training opportunities and accessing universal benefits/ finances. All children who are subject to private fostering arrangements remain an open case and are subject to regular monitoring and support services.

## **7. Conclusions**

Private Fostering remains an area of practice that brings challenges in both workforce understanding, awareness across partnerships and the wider Walsall community.

There is an understanding of process around private fostering assessments and the roles and responsibilities of the children's social worker and the fostering social worker is now better understood. Given the small numbers of children privately fostered this is still not routine for many social workers. Although we do have experience of undertaking Private Fostering Assessments across all four localities in Walsall.

It is important that Children's Social Workers understand and are able to recognise a private fostering arrangement. The PF toolkit, awareness raising, training and changes to the mosaic workflow all support the development of this.

There has been a significant increase in the number of private fostering contacts and arrangements over the past three years, indicating improved awareness and reporting.

Revised protocols ensure timely assessments by locality and fostering social workers, with ongoing monitoring via the locality Group manager. Private fostering arrangements are tracked and audited regularly to ensure compliance with regulations and to identify areas for improvement.

Throughout the year various initiatives, including leaflets, videos, training sessions, and newsletters, have been implemented to raise awareness about private fostering among professionals and the public.

**Future Actions:** Plans include targeted communications, regular training, and collaboration with various sectors to continue raising awareness and improving the identification of private fostering arrangements.

- Quarterly safeguarding partnership implementation group meetings
- Twice annually re-distribute electronic version of PF toolkit for professionals who are in regular contact with children and families including details of who to contact to report a case of private fostering.
- Twice yearly, include information on Walsall Safeguarding Partnership website/newsletter reminding practitioners of their responsibility to refer into children services
- Private fostering has been incorporated into the mandatory RHRT safeguarding training for all social workers, early help practitioners and staff through the Walsall Safeguarding Partnership
- Printed and electronic information to continue to be distributed through existing channels for professionals including GP safeguarding bulletins, CCG intranet/website and communications group, school safeguarding contacts, Head teacher forums, NHS Trust e-bulletin, School Health Nurse staff briefings, Schools e-bulletin, Voluntary Sector Council, Religious groups, Refugee and Migrant Centre, Police intranet/e-bulletins, West Midlands Fire Service.
- Each Locality has a Time to Talk Partnership event which occurs bi monthly, PF awareness to be included within this and revisited twice per year.

- Each Locality also has a Lead Early Help Participation Officer whom is able to consistently raise the awareness of PF when meeting with the locality professionals.
- Adding information / leaflet design on the family hub communication TV screens
- Raise awareness of private fostering with the early help volunteers
- Development of private fostering dash board.

### **Schools & childcare settings:**

- PF to be discussed in DSL workshops and Head Teacher forums.
- Work with the School Admissions Team to identify where the adult making the application was not the parent or close family member.
- Revisit information about private fostering on schools e-bulletin with a reminder to school staff that they need to let us know of any private fostering arrangements they become aware of.

### **Online and social media:**

Further press release to be undertaken in time for Private Fostering Awareness day on 6<sup>th</sup> November 2024.

Private fostering continues to be a priority for 2024/2025 and is an identified area for improvement following the last OFSTED inspection in October 2021. Arrangements are in place to evidence how we will continue to raise awareness. It is recognised that understanding private fostering is complex and therefore a collaborative approach is essential in developing relationships across each sector.