



Walsall Council



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Private Fostering

Annual Report 2021/2022

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BACKGROUND

This is the Annual Private Fostering Report covering 2021 and 2022.

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 20015 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.

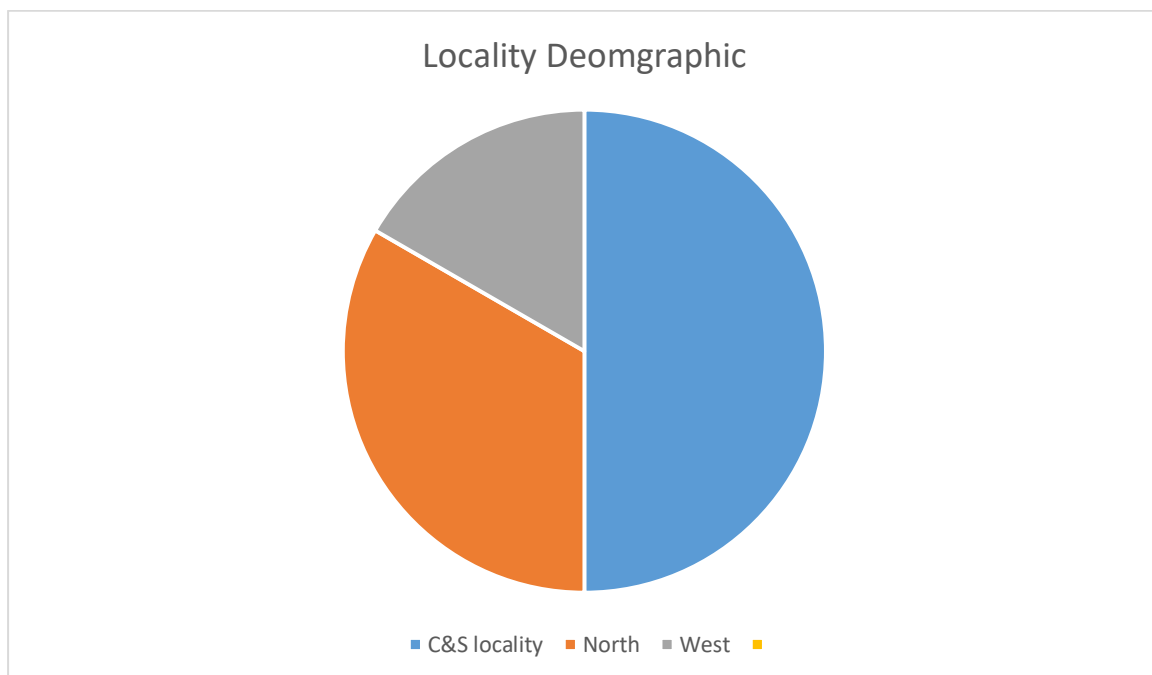
PERFORMANCE

Between November 2021 and January 2022 there have been eight private fostering referrals identified in the borough, of this number six children have been authorised and classified as a private fostering arrangement. In respect of the remaining two referrals, the children were no longer in a private fostering arrangement and returned home.

Referral rates are historically low and as has been stated in previous years it is highly unlikely given the demographics of the borough that this number of referrals is a true reflection of the situation and it is likely that the local authority will not have been notified of most private fostering arrangements. Whilst private fostering referrals have remained the same from seven in 2020/2021 this remains lower than

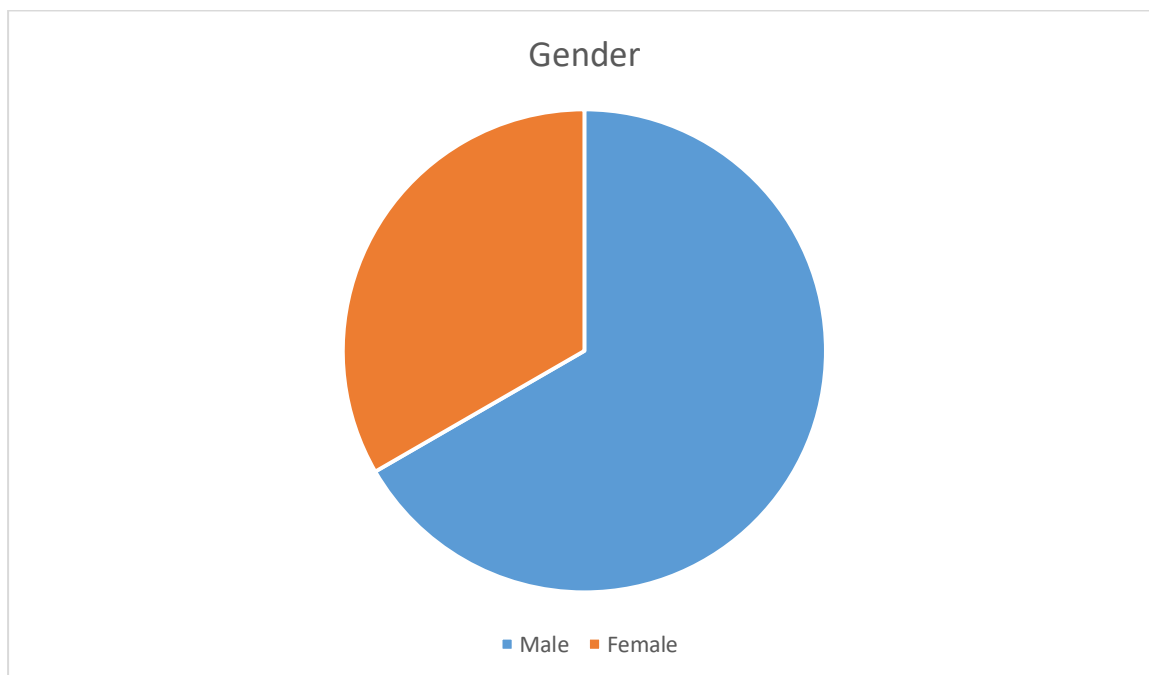
expected, however we are confident that understanding of private fostering is increasing amongst the local authority, partners and the wider public.

Three of the children identified in as being privately fostered live in the Central and South locality, two live in the North locality and one in the West Locality.

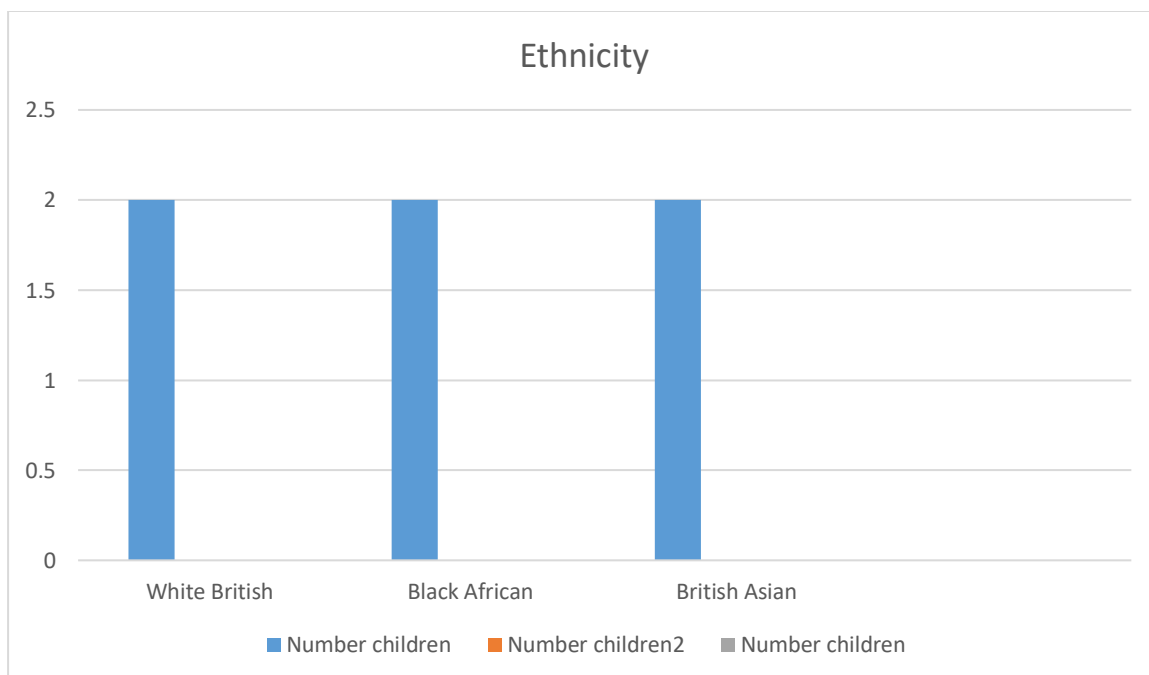


The children range in age from 10-15. There is only one child who has been in a private fostering arrangement for a year.

Two of the children are female and four of the children male.



Two of the children are white British, two of the children are black African and two of the children are British Asian.





Notifications / Referral source

- 1 x Carer.
- 1 x A and E (Walsall Manor)
- 2 x Another LA notification that children moved to Walsall.
- 1 x Community Neighbourhood coach
- 1 x SW identified due to change in care arrangement

The number of identified private fostering arrangements in Walsall remains low and it is believed that this is due to non-identification rather than non-existence of such arrangements. Whilst children in Private Fostering arrangements may be being safely cared for by Private Foster Carer's, there is the need to be alert to children who are 'hidden' from the gaze of statutory services.

It is recognised that the six children in a PF arrangement were not at risk of harm.

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.



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 by the local authority to secure the child's safety should be considered and legal advice sought as necessary.

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 Designated Manager (Private Fostering). 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 and 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 whom are privately fostered. The toolkit has a number of documents to support 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 PF, 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 Designated 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 2021, the following activities were undertaken:

- Input and awareness raising to healthcare trust employees as part of their standard safeguarding training.
- Launch of Private Fostering Toolkit within Children Services



- Private Fostering is included within any induction programme for a new starter in Children Services
- A Private Fostering scenario has been included within the Right Help Right Time multiagency training
- BAFF awareness training video “somebody else’s child : a film about private fostering” was published on safeguarding website for partners to access

To support this wider awareness raising a media and communication strategy is in the process of being developed.

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 one of the local authority Agency Decision Makers. 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.

We have identified that our approach to seeking consent to, progressing and obtaining DBS checks for Private Foster Carers has not been consistent. Like all other assessments for prospective Foster Carers, permission to seek a DBS and request other statutory checks are triggered on completion and submission of the WSS302 (internal document) by the child’s Social Worker.



In order to assist social worker understand the process better, a private fostering took kit was developed to assist in understanding the processes and contained the forms that are required to be completed at each stage of the PF process.

In addition to this, any PF referral that is made to Walsall Children Services will be subject to full MASH screenings on all adults- this will include police checks to be undertaken.

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 re-establish a relationship with an estranged member of their birth family.



Where possible all parents are seen and spoken to during the course of the private fostering assessment. One child's parent is living abroad and there is regular communication taking place.

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

Private fostering arrangement assessments should be updated after 12 months and each year thereafter for the duration of the arrangement. One child has been subject to a PF review.

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. Throughout the year of 2021 concerns have been raised about DBS delays and practitioners confusion regarding the procedure that needs to be undertaken. Changes to the mosaic workflows and the launch of the PLO toolkit have supported in practice improving in this area.

During 2021 an Audit tool has been developed and going forward private fostering arrangements will be audited quarterly by lead Group Manager.

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 emerging understanding of process around private fostering assessments and the roles and responsibilities of the children's social worker and the fostering social worker however this is not consistent. Given the small numbers of children privately fostered this is not routine for many social worker.



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

The number of identified private fostering arrangements in Walsall remains extremely low and it is believed that this is due to non-identification rather than non-existence of such arrangements. Given COVID many children will not have been as routinely seen as prior to COVID which may result in children being hidden from the sight of statutory services.

To increase awareness and understanding of private fostering, and to increase the number of referrals, many promotional activities are required and a communication strategy is in the process of being developed which has explored the following recommendations:

Targeted communications through professionals:

- 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.
- Each quarter to include information on the weekly brief for all staff reminding them of their responsibility to report cases of private fostering arrangements to the MASH.
- Twice yearly, include information on Walsall Safeguarding Partnership website/newsletter reminding practitioners of their responsibility to report cases of private fostering arrangements to the MASH. Repeat this during the year.



- 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 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.
- Revisit training to GP's
- Engage the wider sector voluntary agencies and faith organisations. Current pathways to utilise are Walsall together, HAF and resilient communities

Communication to members of the public:

- Posters to be redistributed to GP's surgeries, Dentist surgeries, Libraries, Community Hubs, Children's Centres, Housing Association Offices, NHS walk in centres, Schools, Nurseries, playgroups, childminders, mother and toddler groups, Scout and Girl Guide groups, Churches and other religious buildings, Refugee and Migrant Centre, and Wolves Community Trust/Academy.
- Private Fostering webpage to be updated.

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.
- Work with Head Teachers and Safeguarding Officers to identify children whose next of kin details are not the parent or close family member.
- For Independent Schools who do not manage their admissions process through the council, request that the school supplies details of students whose next of kin does not appear to be the parent or contacts them directly and makes them aware of their legal responsibility to inform us about private fostering arrangements.
- 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:

- Undertake a Facebook and Twitter advertising campaign to raise awareness of private fostering and the need to make referrals to MASH.

Private fostering continues to be a priority for 2022 and is an identified area for improvement following the recent 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.