

**ROYAL BOROUGH OF  
WINDSOR AND MAIDENHEAD  
CHILDREN'S SERVICES DIRECTORATE**

**FAMILY AND FRIENDS AS FOSTER CARERS**



## Document Control Sheet

<b>1 Document Purpose</b>	This document details the policy and procedures that must be applied when considering and assessing family and friends as carers for children who cannot be cared for by their immediate family.
<b>Document type</b>	This document is policy and guidance.
<b>Key words</b>	Family; friends; family; children; carer; kinship; looked after; in care; foster care.
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<b>Publication Date</b>	Agreed by SSMT
<b>Target Audience</b>	All Safeguarding and Specialist Services Managers and Staff.
<b>Description</b>	This document details the policy and procedures that must be applied when considering and assessing family and friends as carers for children who cannot be cared for by their immediate family.
<b>References</b>	Children Act 1989 Fostering Services National Minimum Standards and the Fostering Services Regulations 2011 Care Planning, Placement and Case Review (England) Regulations 2010.
<b>Action required</b>	Children's Services managers implement and monitor in their teams.
<b>Timing</b>	Immediate implementation.
<b>Distribution</b>	Post onto Hyperwave.
<b>Performance Management</b>	Staff Supervision. File Audits and IRO quarterly reports.
<b>Reporting arrangements</b>	Case File Performance Management Report to SSMT
<b>Contact Details</b>	Hilary Hall – Service Leader – Strategic Commissioning and Practice Improvement
<b>Last updated</b>	July 2013
<b>Document review</b>	July 2016 Safeguarding Services Development Officer.

## **Policy on the use of Family and Friends as Foster Carers**

### **1. Introduction**

The Children Act 1989 Section 23 (6) requires a local authority to make arrangements for a child it is looking after to live with a member of his family unless to do so would be impractical or inconsistent with the child's welfare.

Further emphasis on the importance of family links is found in the requirements that a child be accommodated near his family home (Section 23 (7) (a) and that siblings be accommodated together as long as this is practicable and consistent with each child's welfare (Section 23 (7)(b) ).

This paper has been produced to outline to children, parents, family and friend foster carers, social workers and Panel members, Windsor and Maidenhead's policy on the use of family and friends as foster carers.

### **Non Statutory Arrangements**

In the great majority of cases families and friends will be able to make suitable arrangements without any intervention by Windsor and Maidenhead.

Family and friends care can be defined in a number of ways. Two types of family and friends care are detailed in this policy;

- Family and Friends Foster Care - (carers who are planned to be or have been assessed and approved by Windsor and Maidenhead for 'Children in Care')
- Family and friends arrangements - whereby the family and friends have not been approved by the Windsor and Maidenhead Fostering Panel and the council has not placed the child with the family and friends (such arrangements may be supported under Section 17 Children Act 1989 )

In circumstances where parents or those with parental responsibility make arrangements for their child to live with family or friends, the arrangement will have

been made between the proposed family and friends and the child's parents or a person with parental responsibility.

Children subject to a family and friends arrangement, or for whom family and friends carers have a Special Guardianship Order (S.G.O.) or Residence Order (R.O.) are not in care of the local authority and are not 'Children in Care', although they may have previously been children in care or had 'Looked After' status.

Additionally, consideration should be given to whether this might be a private fostering arrangement. A Private Fostering Arrangement means an arrangement where a child who is under 16 (or 18 if disabled) and who has not been provided with accommodation by the local council, is cared for and accommodated by someone who does not have parental responsibility for him and is not a close relative, and the arrangement continues for a period of 28 days or more or is intended to do so. (A close relative is defined as an uncle or aunt, grandparent or sibling of the child.)

### **Statutory Framework**

The activities of both foster carers and fostering services are governed by the Fostering Services National Minimum Standards and the Fostering Services (England) Regulations 2011.

### **Family and Friends Foster Care**

This applies when a child is already a child in the care of Windsor and Maidenhead and is placed with a foster carer or is in residential care. Windsor and Maidenhead will consider whether it is in the child's best interests to be placed with family, friends or another "**connected person**" –who is defined as a relative, friend, or other person connected with a 'Looked After Child' (Fostering Regulation 24).

Windsor and Maidenhead may ask the parents whether there is anyone who would be willing to care for the child in the event that the parent cannot resume care or a Family Group Conference or Family Meeting may be convened, to identify potential carers.

If a family member, friend or other connected person who is willing to offer support is identified, the child's social worker will undertake a viability assessment to establish whether that person is likely to be able to meet the child's identified needs, both now and in the foreseeable future.

Where it is assessed that the family member, friend or other connected person is likely to meet the needs of the child, Windsor and Maidenhead will also consider whether it is in the child's best interests to remain a child in care.

If a family and friends carer acquires parental responsibility either via a special guardianship or residence order the child will cease being a child in care when the order is made.

There are circumstances where it may be in the child's best interests to remain in care of Windsor and Maidenhead. This may occur when an assessment has been completed under an interim care order, which identifies that the child's welfare will be at risk unless action is taken by the council to obtain accommodation and care. In this case, a child may remain in care with a care order to the council but be placed within their wider family, with friends or with another connected person.

### **Immediate Temporary Approval of Foster Carers**

In certain circumstances an immediate placement of the child with a family member, friend or other connected person may be approved by Windsor and Maidenhead if it is judged that the placement is the most suitable means to safeguard and promote the child's welfare and that the placement cannot wait until the full approval process can be completed.

This placement will be for a maximum of 16 weeks which allows sufficient time for all checks and a full fostering assessment to be carried out.

The fostering assessment is very comprehensive, and the checks will include any family and household members' criminal convictions and may include a Disclosure

and Barring Service check (previously known as CRB check), medical examination and interviews with personal referees.

Immediate temporary approval is only intended to be granted in exceptional circumstances. The temporary approval may be extended for a further six weeks only if the full assessment cannot be completed with the 16 weeks timescale. In these circumstances, before making such a decision, the local authority must first:

- a. consider whether placement with the connected person is still the most appropriate placement available,
- b. seek the views of the fostering panel established by the fostering service provider in accordance with the 2002 Regulations, and
- c. inform the Independent Reviewing Officer.

A decision to grant and extend temporary approval must be approved by a **nominated officer**.

Where the assessment has been completed but approval not made and a review of the decision is being sought under the Independent Review of Determinations (Adoptions and Fostering) Regulations 2009, the temporary approval may be extended until the outcome of the review is known.

[\[Care Planning, Placement and Case Review \(England\) Regulations 2010\]](#)

For Family and Friends Foster Care placements a Care Plan, including a Placement Plan is required in accordance with the relevant regulations governing foster care.

A person temporarily approved as a Family and Friends Foster Carer will be entitled to the same supports and services that are available to unrelated Foster Carers, including relevant fostering allowances and any fees for which they meet the criteria set by the Fostering Service. Temporarily approved Foster Carers will receive the training and support they need to provide an appropriate level of care to the child. As the placement will have been made without the benefit of a full Fostering Assessment the visiting requirements to the placement by Social Workers are higher than for other foster placements.

During the immediate placement, the child must be visited at least weekly until the first child in care review.

### **General principles on the use of Family and Friend as Carers**

These powers are intended to be used in exceptional circumstances and not for an admission to care for which contingency plans could have been made. Where such planning has not been possible the powers may be used, where it would be clearly advantageous to a child to be placed with or to remain in the care of a familiar figure in reassuring surroundings.

Whenever the need for care or accommodation is being considered by Windsor and Maidenhead, either planned or unplanned, the possibility of a placement with a relative and friend will be explored before the use of other resources such as local authority foster carers or residential care.

While there is recognition of the particular relationship and position of family and friends as carers, Windsor and Maidenhead will always seek to apply the same standards as apply to other carers.

In practice this means:

- The support and training needs as family and friend carers will be assessed and met in the same way as for any other carers
- Family and friend carers approved for the placement of a named child, will receive the same relevant payments as any other carers.
- The relevant requirements of the Fostering Services National Minimum Standards and the Fostering Services Regulations 2011 will be applied.

Windsor and Maidenhead will make the fullest enquiries possible in the circumstances, including checks with the Police, to satisfy themselves that nothing is known which suggests that the relative or friend is not a suitable person to be

entrusted with the child. Where possible, the parents' views or those of other relatives will be sought.

### **Responsibility of Carers**

When considering the use of relatives or friends as foster carers it is essential that early in discussion the full implications of fostering should be explained.

This includes the process of assessing and approving them as foster carers, the role of the local authority in supervising the placement, the planning/decision making and statutory review processes in relation to children, the arrangements for review of their approval as foster carers and the authority's power to remove the child.

When relatives and friends become foster carers they become part of a network of those responsible for the child. This is a new dimension to their lives and calls for many adjustments, not least the discussion of their family affairs with outside professionals.

### **Assessment**

The level of detail required in the assessment of a relative or friend placement will differ from one situation to another dependent upon the proposed type of assessment, whether viability, immediate temporary approval, or full fostering assessment, and the proposed length of placement or the particular circumstances involved.

Whilst some use of discretion is appropriate in these cases in relation to the normal physical expectations of a foster home (e.g. less bedroom space) the assessment of the suitability of the placement should otherwise be as thorough as in other situations.

The questions asked will be just as searching. There is a need for particular care to be taken where the child is being placed because of sexual or other abuse within the family of origin. The same standards as for other carers should therefore be applied in relation to the safety competencies.

## **2 Approval**

Prospective carers who are known to a child as family or friends, are subject to the approval of foster carers' procedure. If immediate temporary approval has been given the full fostering assessment will need to be presented to the RBWM Fostering Panel, for approval by the agency, within sixteen weeks of placement.

### **Post Approval**

On approval family friends foster carers will have the same status as other foster carers although they are approved for a specific child or children. They will need to meet the same expectations regarding supervision and training.

They must sign a Foster Carer Agreement, will be joined as members of the Fostering Network and will be provided with a copy of the Foster Carer Handbook and any other literature normally received by other carers.

A supervising social worker will be allocated to provide supervision, advice and support, and to identify training needs.