



# Private Fostering

## A guide for parents

This guide contains information about your responsibilities and legal duties if your child/children live with, and are cared for by, someone who is not a close relative



WestBerkshire  
COUNCIL

## Private Fostering - A guide for parents

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## Introduction

There have been a number of high profile cases in recent years of children who have been cared for outside of their family homes who have been neglected or harmed in some way.

These have resulted in the introduction of new legislation and regulations that place a legal duty on local authorities to ensure that all children who are, or who will be, privately fostered are well cared for and living in a safe environment.

In West Berkshire, West Berkshire Council's, Children's Services are responsible for this.

## What is a private fostering arrangement?

Private fostering occurs when a parent (or someone with parental responsibility) makes an arrangement for their child or children to be cared for by someone else and:

- the care of the child(ren) has already been for 28 consecutive days or longer
- the care of the child(ren) is planned to be for 28 consecutive days or longer
- the child or young person is younger than 16 (or 18 in the case of a child with disabilities)
- the person who will care for the child(ren) is not the child(ren)'s parent, grandparent, brother, sister, aunt, uncle, step-parent or an approved carer.

The person looking after the child(ren) is known as the private foster carer.

## Why might a child be privately fostered?

Children and young people may have to live with other families for a number of different reasons. These might include:

- a child living with a friend of his/her family because of separation, divorce or arguments at home
- a teenager living with the family of a boyfriend or girlfriend, or with a school friend's family because of family breakdown
- a child needing to be cared for because of his/her parent having a long-term illness and being unable to look after the child
- a child being sent to this country by his/her parent(s) who are living overseas, for education or healthcare reasons
- a child needing to be cared for because his/her parent(s) work away from home or work particularly long or unsociable hours.

## Is private fostering the same as regular fostering?

No.

Regular foster carers are people who have been formally assessed and approved by the Council and who work with the Council to look after other people's children.

Private foster carers are people who have been chosen by the parent(s) of a child (or another person with parental responsibility for the child) to look after the child on his or her behalf. The Council is not involved in making the arrangements and the child's parent(s) or legal guardian(s) still have full parental responsibility for the child.

## Is private fostering legal?

Yes.

However anyone who is involved in the setting up of a private fostering arrangement must let the local Council know the details of the arrangement.

## What do you need to do?

If your child lives with a private foster carer, or if you are planning to send your child to live with a private foster carer, you have a legal duty to inform the local authority in whose area the child is or will be living about the arrangement.

If the person who is, or who will be, looking after your child lives in the West Berkshire area you must tell the Referral and Assessment Team about the arrangement.

If you live in West Berkshire or your family home is in West Berkshire, but your child is living with, or you are planning to send your child to live with, a private foster carer who lives outside of the West Berkshire area then it will be the local authority where your child is living, or is going to live, that you need to notify.

As a parent you should notify the appropriate local authority that you are planning to place your child in the care of a private foster carer at least six weeks before the arrangement is due to begin.

If you are planning to place your child in the care of a private foster carer in less than six weeks time, or if your child is already living with a private foster carer, you must inform the appropriate local authority of the arrangement immediately if you have not already done so.

If you have informed the appropriate local authority that you are planning to place your child with a private foster carer in advance of the child moving to live with the carer, you must also notify the appropriate local authority that the arrangement has begun, within 48 hours of your child being placed.

If your child is living with, or is going to be placed with, a private foster carer, but you have not been involved in making the arrangement, you must notify the appropriate local authority (the authority in whose area your child is living or is to be placed) as soon as you become aware of the arrangement.

A form is included with this leaflet which will enable you to provide the information that the local authority needs about your child and about his/her planned or current placement.

### **If the private fostering arrangement changes**

If your child is living with a private foster carer and the arrangement ends, you must tell the responsible local authority within 48 hours of the placement ending and give the name and address of the person who is now caring for your child.

You must also let the responsible local authority know about any other significant changes to your private fostering arrangements.

**It is an offence not to tell the responsible local authority about any private fostering arrangements that you, as a parent, are involved with. If in doubt please contact West Berkshire Council's Referral and Assessment Team for advice.**

### **Who should you notify?**

If your child is placed, or is to be placed, with a private foster carer living in the West Berkshire area, the contact details for the Referral and Assessment Team are:

**Address:** Referral and Assessment Team  
West Street House, West Street  
Newbury, Berkshire RG14 1BZ

**Telephone:** 01635 503090

**Email:** [child@westberks.gov.uk](mailto:child@westberks.gov.uk)

If you and the child are, or will be, living outside of the West Berkshire area you should notify the social services office local to where you and the child are, or will be, living.



## Your responsibilities as a parent

Although your child's private foster carer will provide a home and day-to-day care for your child, you will still have parental responsibility for him/her and you should continue to be involved in all of the important decisions that will affect your child. It is up to you to make sure that the private fostering arrangements are suitable for your child and that they continue to be so.

It is important that you give the private foster carer as much information as possible about your child's family history, his/her previous life experiences and his/her previous health/medical history and that you agree arrangements for your child's care including:

- his/her education
- his/her hobbies and interests
- his/her health needs and any ongoing or anticipated medical treatment
- what methods of discipline and sanctions are and are not acceptable to you
- how the religious and/or cultural needs of your child will be met
- what contact the child will have with you and with other members of your family (It is very important that you stay in frequent contact with your child while he/she is living away from you)
- when and how the carer will update you on your child's progress.

This will help your child's carer to understand your child and to take good care of him/her.

You should also agree the financial arrangements for your child's care and maintenance.

Ideally the arrangements for the placement that you agree with your child's carer should be written down so that you both have a copy of exactly what you have agreed and can therefore expect.

(We can provide you with a format for this agreement if this would be helpful).

If your child is old enough to understand his/her situation it is also very important that you talk to him/her so that he/she knows what is happening, particularly how long he/she will be living apart from you and how he/she will be able to maintain contact with you and with other relatives or friends who are important to him/her.

## What will happen if you notify the local authority of a Private Fostering arrangement involving your child?

A social worker will be allocated to check out that the arrangements for the care of your child do constitute a private fostering arrangement and where this proves to be the case an assessment of the suitability of the placement for your child will be completed.

This will involve a social worker interviewing the private foster carer and where possible yourself as the child's parent and any other person who has parental responsibility for the child and who is or was involved in making the arrangement.

Your child will be seen and, depending on his/her age, he/she may be interviewed.

All other members of the private foster carer's household will be seen and the accommodation will be inspected.

The authority will take up references and make other enquiries as to the suitability of the private foster carer to look after someone else's child.

Other agencies already involved with your child (e.g. school, or health visitor) will be contacted to ascertain their views as to whether your child's needs are being or are likely to be appropriately met within the placement.

If your child is not a British Citizen enquiries will be made of the Home Office— Border and Immigration Agency — to check that he/she is able to enter or remain in the UK throughout the intended duration of the private fostering arrangement.

When full information is available a decision will be made as to whether the proposed or actual private fostering arrangement is acceptable.

If we are concerned about the suitability of the placement for your child we will let you know our concerns. Sometimes it may be possible for the private foster carer to take action to address any concerns that we have, however if this is not the case we will discuss with you whether your child can return to live with you or with one of your relatives, or whether you can identify a different, more suitable, private foster carer with whom your child can live.

If you are unable to identify another more suitable care arrangement for your child, we will discuss with you whether the local authority should provide a foster home for him/her.

### **The Local Authority has the power to legally prohibit a private fostering arrangement if it is found to be unsuitable to the needs of the child concerned**

Generally the private fostering arrangements that parents make for their children are appropriate to their children's needs and children are safe and well cared for whilst living away from home.

Where placements are appropriate we still remain involved, monitoring each arrangement and providing support to the private foster carer to ensure that he/she is able to continue to meet the child's needs until he/she is able to return to live at home or is old enough to live independently.

While your child is living with a private foster carer, you should feel able to contact the social worker who is monitoring the placement at any time if you want to discuss, or to seek advice about, any issue relating to the private fostering arrangement.

### **What should you do if you are unhappy with your child's care?**

If your child's private foster carer does not give you enough information about your child, or if you are unhappy with the care that your child receives, you should contact the appropriate local authority (covering the area where your child is placed). If your child is living with private foster carers within the Wokingham area please contact our Referral and Assessment Team. We will do everything possible to help you, and to ensure that your child is safe and well cared for.

## **For Further Advice and Information**

If you require more general advice or information about private fostering please contact the Family Placement Team and we will endeavour to help you.

### **Family Placement Team**

West Street House  
West Street  
Newbury  
Berkshire  
RG14 1BZ

Telephone: **01635 503155**

Email: **[familyplacementduty@westberks.gov.uk](mailto:familyplacementduty@westberks.gov.uk)**

Alternatively visit our website at:

**[www.westberks.gov.uk](http://www.westberks.gov.uk)**

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