



# Private Fostering Policy

<b>Reviewed by Governors</b>	<b>Autumn 2024</b>	<b>Signed:</b> 
<b>Next review date</b>	<b>Autumn 2027</b>	

## Introduction and Context

A private fostering arrangement (PFA) is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 18, if disabled) by someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more.

A close family relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and step parents; it does not include great-aunts or uncles, great grandparents or cousins.

Parents and private foster carers both have a legal duty to inform the relevant local authority at least six weeks before the arrangement is due to start; not to do so is a criminal offence.

Whilst most privately fostered children are appropriately supported and looked after, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases privately fostered children are affected by abuse and neglect, or be involved in trafficking, child sexual exploitation or modern day slavery.

## Our Responsibility

Schools have a mandatory duty to report to the local authority where they are aware or suspect that a child is subject to a private fostering arrangement. Although schools have a duty to inform the local authority, there is no duty for anyone, including the private foster carer or social workers to inform the school. However, it should be clear to the school who has parental responsibility (see Appendix 1).

School staff should notify the designated safeguarding lead when they become aware of private fostering arrangements. The designated safeguarding lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. The school itself has a duty to inform the local authority of the private fostering arrangements.

Refer to appendix 2 to see the flow chart that helps determine a PFA, refer also to LSCB procedures for further information and guidance.

On admission to the school, we will take steps to verify the relationship of the adults to the child who is being registered.

### **Our Policy**

Under the Children Act 1989, the local authority has a duty to make sure the arrangement that the child or young person is in will provide for the child's or young person's needs and safeguard his or her welfare.

Holy Family Catholic Primary School 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 or young person may be living in a Private Foster arrangement it is the responsibility of that person to report this to the safeguarding designated lead and this person may need to make further enquiries to try and establish this.

The Safeguarding Designated lead should seek advice from Children's Social Care as to whether the child or young person is a privately fostered child under the regulations. If so, a referral must be made 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
- 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 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.

Other information that may be essential in a referral about a Privately Fostered child or young person:

- Address and daytime phone numbers of the parent/parental responsibility holder
- Address and phone numbers of any other family members
- Any other helpful information about the parent/parental responsibility to assist an understanding of why this child or young person is not living with them.

Holy Family Catholic Primary School will work together with the Local Authority to help safeguard and promote the child's or young person's safety and welfare.

### **Safeguarding Roles and Responsibilities**

All staff have responsibility for the following:

- To ask a parent/carer questions around their relationship with the child or young person if this is unclear, confusing or concerning
- To follow up any discussion with a child or young person about their living arrangements which is unclear, confusing or concerning
- To have robust consent/trips/outings letter which clearly define the child's relationship to the adult giving consent

If a child or young person is living in a Private Fostering arrangement:

- To work with the Local Authority to ensure the child's or young person's needs are being met, to monitor and report to ensure the safety and welfare of that child or young person whilst being fostered.
- To assist with advising and supporting the carer to undertake their duties whilst the child or young person is living in such an arrangement.

## **Appendix 1**

### **Parental Responsibility**

Parental responsibility means all the duties, powers, responsibilities and authority which a parent has by law in relation to a child. Parental responsibility diminishes as the child acquires sufficient understanding to make his or her own decisions.

A child's mother always holds Parental Responsibility, as does the father if married to the mother.

Unmarried fathers who are registered on the child's birth certificate as the child's father on or after 1 December 2003 also automatically acquire Parental Responsibility. Otherwise, they can acquire Parental Responsibility through a formal agreement with the child's mother or through obtaining a Parental Responsibility Order under Section 4 of the Children Act 1989.

Parental responsibility can be acquired by any person through a Court Order, for example a Residence Order or Special Guardianship Order. As well as an unmarried father, a step parent or

a parent's civil partner can apply for a Parental Responsibility Order under section 4 of the Children Act 1989.

The local authority acquired Parental Responsibility through an Emergency Protection Order, an Interim Care Order and Care Order. In these circumstances the local authority shared Parental Responsibility with the parents and those with Parental Responsibility, including special guardians. Parents do not lose their Parental Responsibility unless an Adoption Order is made.

Where a child is placed with prospective adopters, the prospective adopters acquire Parental Responsibility as soon as the placement is made. This will be shared with the birth parents and with the adoption agency making the placement.

The Adoption Panel may give advice on the exercise of Parental responsibility and the Adoption Placement Plan should set out how the exercise of Parental Responsibility by the birth parents and prospective adopters may be restricted.