



Family and Friends Care Policy And Placement of Children in Care with Family, Friends and Connected Persons Procedure

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Contents

Family and Friends Care Policy And Placement of Children in Care with Family, Friends and Connected Persons Procedure.....	1
1. Policy.....	3
2. Legal Framework.....	3
3. Definition	3
4. Principles of Family and Friends Care	4
5. Family Group Meetings.....	4
6. Alternatives to Placements with Family and Friends Carers	5
7. Placements of Children with Family and Friends Carers.....	5
7.1 Regulation 24 Immediate Placement with Connected Person.....	5
7.2 Criteria for making a Regulation 24 Immediate Placement	6
8. Procedure for making a Regulation 24 Placement - Responsibilities of Children's Social Work Teams.	6
8.1 Pre-placement Assessment.....	6
8.2 Written Agreement with the Carer.....	8
8.3 Obtaining Approval for the Placement	8
8.4 Notification of the Placement	8
8.5 Referral for Full Assessment	9
8.6 Financial Support to the Placement	9
9. Responsibilities of the Fostering Service	9
9.1 Assessment of Family and Friends Carers	10
9.2 After the placement is approved	10
10. Visits to the Placement - Statutory Responsibilities	10
11. Support Services to Family and Friends Carers	10
12. Long-Term Legal Options	11
13. Role of the Fostering Panel.....	12
14. Role of Permanence Panel	12

1. Policy

The preferred option for every child who cannot live with their parents is to grow up in the care of their family or with an adult with whom they have an existing significant relationship.

Where birth parents cannot look after their children, most families will find a solution from within their family network. They may need temporary or short term help from Children's Social Care and this can be provided under section 17 of the 1989 Children Act. Effective implementation of the Local Authority's duty under section 17 of the 1989 Children Act will ensure that wherever possible children's needs are met through the best use of resources designed to safeguard and promote their welfare. This will help ensure that children do not become children in care, unless to do so is the most appropriate way to ensure that their welfare is safeguarded and promoted.

Some families will set up private fostering arrangements to solve their difficulties and these should be notified to the local authority under the private fostering regulations - see Private Fostering Procedure.

"Family and friends carer" means a relative, friend or other person with a prior connection with somebody else's child who is caring for that child full time. An individual who is a "connected person" to a looked after child may also be a family and friends carer. A child who is cared for by a family and friends carer may or may not be looked after by the local authority

A connected person is someone who would not fit the term 'relative or friend', but who has a pre-existing relationship with the child. It could be someone who knows the child in a more professional capacity such as (for example) a child-minder, a teacher or a youth worker."

Relative is defined as "a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent."

2. Legal Framework

A child in care can only be placed with an approved foster carer, but Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010, allows a child to be placed with a Family and Friends Carer for up to 16 (sixteen) weeks while the carer is being assessed as an approved foster carer.

3. Definition

A placement with a Family and Friends Carer can be defined as being an arrangement where:

- A child cannot live with their parents* and is living away from the parental home with a relative or friend
- and
- the placement has in some way been assisted or initiated and/or is supported by Children's Social Care
- and
- the child would otherwise be with foster carers, in residential care, independent living or adopted.

* *Definition of parent*

A mother automatically has [parental responsibility](#) for her child from birth.

A father usually has parental responsibility if he's:

- married to the child's mother
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)

You can [apply for parental responsibility](#) if you don't automatically have it.

Births registered in England and Wales

If the parents of a child are married when the child is born, or if they've jointly adopted a child, both have parental responsibility.

They both keep parental responsibility if they later divorce.

Unmarried parents

An unmarried father can only get legal responsibility for his child in 1 of 3 ways:

- *jointly registering the birth of the child with the mother (from 1 December 2003)*
- *getting a parental responsibility agreement with the mother*
- *getting a parental responsibility order from a court*

4. Principles of Family and Friends Care

- Where a child cannot safely remain in the care of his parents, the local authority is required to intervene to protect the child but must also take any necessary steps to promote family life for the child.
- The Children Act 1989 states that when a child comes into the care system either by agreement with parents or under a court order, the local authority must aim to reunite the child with the family where this is safe to do so.
- A key principle of the Children Act 1989 is that children are best brought up within their families and, for the purposes of the Act, the term 'family' is to be understood broadly. The guidance underpinning the Act defines "family" widely and includes relatives, friends and other significant people in a child's life.
- Keeping children as close as possible to their family and social culture reduces the likelihood of placement breakdown, reduces the anxiety in children of having to live with strangers in an unfamiliar environment and often results in better outcomes for the child.
- Section 23(1) to (6) of the Children Act 1989 places a duty on local authorities to ensure the placement of children with relatives or with people with whom they are familiar or connected, as an alternative to being looked after by strangers, and states: "unless it is not reasonably practicable or consistent with the child's welfare, the child must be placed with family and friends, near home and with any siblings who are also looked after by the local authority".
- The Children Act affirms that family life will vary according to culture, class, religion, and community and asserts the importance of ethnicity, culture and language being significant factors in shaping decisions affecting children.
- Article 8 of the European Convention of Human Rights, which is part of UK Law under the Human Rights Act 1998, requires public authorities to have respect for individuals and family life.
- So far as is reasonably practicable, children, parents, family members and family friends should be involved in decision making and planning about child placements as collaboratively as possible.

5. Family Group Meetings

A Family Group Meeting is a collaborative decision-making forum that brings together informal (family, friends, community) and formal (professional, agency) networks to discuss the plan for a child and make decisions for the child's future.

Family Group Meetings should always be offered to the family before a decision is made about an arrangement involving a Family and Friends Carer.

Family Group Meetings help family members to devise a suitable plan to care for the child from within their own resources. Effective placements with Family and Friends Carers are more likely to emerge from Family Group Meetings as the parents and family are involved in the planning and decision-making for the placement.

6. Alternatives to Placements with Family and Friends Carers

a. The use of Section 17 financial assistance for children who are not in care

Local Authority policy is to promote the upbringing of Children in Need by their families, and to provide financial assistance when considered appropriate.

Parents should be encouraged to contribute to their child's care and should transfer the Child Benefit Allowance to their child's carer.

The financial means of the carer must be taken into account and efforts made to ensure that they are receiving their welfare benefits entitlement.

Where section 17 financial support is provided, it will be subject to continuing review to ensure that the care arrangements are continuing to meet the needs of the child.

b. Private Fostering

Any voluntary placement of a child under 16 (or 18 if a child is disabled) with someone who is not a relative for 28 days or more will be subject to the Private Fostering Regulations 2005. For further details of the relevant procedure, see Private Fostering Procedure.

A relative is defined as "a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent."

7. Placements of Children with Family and Friends Carers

Where a child is placed with a Family and Friends Carer the assessment will start at the time the placement is agreed and the National Minimum Standards for Foster Care will apply.

- A child is deemed to be 'Looked After' when they have been:
- Accommodated (Section 20, Children Act 1989)
- Made the subject of a Care Order or Interim Care Order (Sections 31 and 38, Children Act 1989).
- Placed in Police Protection (Section 46, Children Act 1989)
- Arrested and Detained (Police and Criminal Evidence Act 1984)
- Remanded by the Court (Children and Young Persons Act 1969) and then accommodated under Section 21, Children Act 1989.
- Held in Secure Accommodation (Section 25, Children Act 1989).
- Placed for adoption

In certain situations, it will not be possible to complete the full fostering approval process of the Family and Friends Carer before the placement begins and in these cases, the procedure required for a Regulation 24 placement will need to be followed in order to allow the child's immediate placement with the carer.

7.1 Regulation 24 Immediate Placement with Connected Person

Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010 allows the local authority to make an immediate placement with a Connected Person who is not yet approved as a local authority foster carer whilst an assessment of the child's needs is undertaken and/or the Connected Person is being assessed as a foster carer.

It is important to remember that Regulation 24 placements last for only 16 weeks (sixteen) beginning from the date the child is placed with the carer. At the end of the 16 weeks period the child should either return home to his or her parents (if this is appropriate and in the child's best interests) or longer-term placement options for the child's care should be ready for implementation. If it is not, the allocated social worker must be able to demonstrate to fostering panel the progress of the Care Plan and the reasons for the delay.

In exceptional circumstances, this temporary approval can be extended following a recommendation from fostering panel for a further period of up to 8 weeks (if it is likely to expire before the assessment is completed) or until the outcome of the Independent Review (if the outcome of the assessment is that the Family and Friends Carer is not approved and seeks a review of the decision).

Before deciding whether to extend the approval, the Local Authority must consider if the placement is still the most appropriate placement available, and it must be considered by the Fostering Panel before the above approval is given.

7.2 Criteria for making a Regulation 24 Immediate Placement

The following criteria should be considered when making a Regulation 24 immediate placement:

- An immediate/emergency placement is required.
- The identified placement is deemed to be in the best interests of the child.
- The placement may last for only 16 weeks however the Local Authority can be extended in certain circumstances if approval of the Family and Friends Carer is imminent.
- The suitability of the arrangements must be assessed and ensuring all requirements in Schedule 4 are complied with
- A written agreement has been signed by the carer who agrees:
 - a. To care for the child as if s/he were a member of the family.
 - b. To sign agreements for checks from Police, Health, Local Authority and Education references on all persons over 18 years who live in or have regular and substantive contact with the household.
 - c. To allow a local authority officer to visit at any time.
 - d. To keep information confidential.
 - e. To comply with Court Orders and/or the Local Authority's requirements about contact.
 - f. To permit the child to be removed at any time if the local authority decides it is no longer a suitable placement.

8. Procedure for making a Regulation 24 Placement - Responsibilities of Children's Social Work Teams

(We are pending a fostering service review and as part of the review it will be the fostering service workers who undertake this work not the children's social worker)

8.1 Pre-placement Assessment

Before any placement with a Family and Friends Carer can be approved by the named responsible person, the child's social worker must assess its suitability, including the level of support likely to be required and the effect of the proposed placement upon the child's contact with parents, siblings and other relatives and friends who are significant to the child. In making such an assessment of suitability:

- The proposed carer must be interviewed
- The accommodation must be inspected and
- Information must be obtained about other persons in the household.
- The proposed carer and all members of the household aged 18 and above must be checked with the Police Child Abuse Vetting and Barring Team, the family's GP and Children's Social Care records.

Matters to be taken into account when assessing the suitability of a Family and Friends Carer to care for the child are:

- a. The nature and quality of any existing relationship with the child
- b. Their capacity to care for children and, in particular in relation to the child (or children) concerned, to provide for his/her physical needs and appropriate medical and dental care; to protect the child adequately from harm or danger including from any person who presents a risk of harm to the child; to ensure that the accommodation and home environment is suitable; in relation to the child's age and developmental stage, to promote his/her learning and development; to provide a stable family environment which will promote secure attachments for the child, including promoting positive contact with parents and other connected persons, unless this is not consistent with the child's welfare.
- c. State of health (physical, emotional and mental), and medical history including current or past issues of domestic violence, substance misuse or mental health problems
- d. Family relationships and the composition of the household, including particulars of all other members of the household, their age and the nature of any relationship with the Family and Friends Carer and each other including any sexual relationship; any relationship with the parents; any relationship between the child and other members of the household; other adults (not members of the household) likely to have regular contact with the child; any current or previous domestic violence between members of the household, including the connected person
- e. Their family history, including their childhood and upbringing, and the strengths and difficulties of their parents or others who cared for them; their relationship with parents and siblings and each other; educational achievement and any learning difficulty/disability; chronology of significant life events; particulars of other relatives and their relationships with the child and the connected person
- f. Any criminal offences of which they have been convicted or in respect of which they have been cautioned
- g. Past and present employment and other sources of income
- h. Nature of the neighbourhood and resources available in the community to support the child and the Family and Friends Carer.

The home must be visited by the social worker as part of the assessment of the suitability of arrangements.

The child's wishes and feelings (subject to age and understanding) must be ascertained and recorded and wherever possible, an opportunity must be provided for the child to visit the home before the decision.

The views of parents/ those with Parental Responsibility must also be obtained.

The proposed carer should be given information about the assessment process which will follow if the placement is to last longer than 16 weeks, including the need for DBS checks and other agency enquiries on all members of the household aged 18 and over, as well as interviews with referees, adult children and ex-partners, which will form part of any such fostering assessment.

The social worker must arrange for the carers to complete applications for Disclosure and Barring Service

checks then send the completed applications as soon as practicable to the Fostering Service for checks to be made as part of the assessment of the carers. The check should be addressed to the Manager of the Fostering Team - see Section 9.1, Assessment of Family and Friends Carers.

The child's placement with a Family and Friends carer must be part of the Care Plan, which should be drawn up before the placement begins or, in exceptional circumstances, within a maximum of ten days of the placement starting.

8.2 Written Agreement with the Carer

Prior to the placement, a written agreement must be completed by the child's social worker for signature by the carer. In the agreement, the carer must agree:

- a. To care for the child as if s/he were a member of the family.
- b. To sign agreements for checks from Police, Health, Local Authority and Education references on all persons over 18 years who live in or have regular and substantive contact with the household.
- c. To allow a local authority officer to visit at any time.
- d. To keep information confidential.
- e. To comply with Court Orders and/or the local authority's requirements about contact.
- f. To permit the child to be removed at any time if the local authority decides it is no longer a suitable placement.

8.3 Obtaining Approval for the Placement

The child's social worker must obtain approval for the immediate placement and the proposed financial arrangements to support the placement from the nominated person. In St. Helens this is the Agency Decision Maker

All Regulation 24 carers are allocated to a social worker from the Fostering service.

8.4 Notification of the Placement

The child's social worker must provide details of the placement to all those consulted and involved in the decision-making process.

In order to ensure the appropriate arrangements to pay carers are in place (see paragraph 8.6), a change of circumstances form must be completed and distributed within 24 hours of the placement commencing. The child's electronic record must also be updated to reflect the changes.

The change of circumstances form must also be sent to:

1. Safeguarding Unit. This notification will trigger, if necessary, the appointment of an Independent Reviewing Officer, who will contact the social worker to make arrangements for a Case Review.
2. The appropriate health trust, local education service and Children's Services Authority for the area where the child is placed. These notifications must be made in writing advising of the placement decision and the name and address of the home where the child is to be placed. The responsibility for this sits in the Safeguarding Unit. It will be necessary for the social worker to ensure that the child is registered with a GP, Dentist and Optician, either retaining practices known to them or in the area where they are to be placed.
3. If this is the first time the child is placed in care it will also be necessary for the social worker to arrange an initial health assessment. The social worker must also complete a Personal Education Plan (see

Education of children in care Procedure).

8.5 Referral for Full Assessment

Once the decision is taken to assess relatives or friends as carers, the allocated social worker must complete a referral and email this to the duty service of the Fostering Team. The Fostering Service will commence a full assessment which should be completed within 16 weeks of the placement start date and will book the case into the Fostering Panel. The completed assessment will be submitted to the Fostering Panel by the social worker and the assessor.

The social worker will ensure that the core assessment and care plan are available for the Fostering Panel with a recommendation as to whether or not to recommend approval of the Family and Friends Carer.

The fostering panel will receive the reports and give their recommendation which may warrant further consideration.

8.6 Financial Support to the Placement

Financial support to Regulation 24 carers is arranged by the children's social worker the rate paid will be the fostering allowance only for the 16 week assessment period.

If the assessment of need identifies that the child has specific needs that require additional financial support, approval must be sought by the social worker from the relevant service manager.

9. Responsibilities of the Fostering Service

with the review of the fostering service the fostering service will now be responsible for all elements of the friends and family assessments

The Fostering Service holds responsibility for the assessment and approval of all Regulation 24 care arrangements once children have been placed with the connected person.

The service will:

- Undertake the full Assessments of Family and Friends Carers as foster carers.
- Carry out the financial assessments for all Family and Friends carers.
- Complete a support plan (in the form of a written agreement) for all Family and Friends.
- Arrange Case Reviews of children in placements with Family and Friends Carers and Family Group Meetings where a placement with a Family and Friends Carer is being considered.
- Provide on-going support and advice where necessary to individual carers.
- Ensure that Family and Friends Carers who are approved as foster carers receive a review one year after approval and then every other year thereafter.
- Provide information and advice on all aspects of family and friends care to social workers, other agencies and members of the public when requested

The Fostering Service is responsible for undertaking the full assessment of the carers, the carers' home and members of the household aged 18 years and over who are not the proposed carers.

They also hold responsibility for securing from the carers all relevant agreements (detailed below). The following must be addressed on the full assessment.

Medical Record on Proposed Carer

The carers' consent must be sought. If consent is given it must be evidenced by the carer's written signature on the form. The form can then be sent to the carers' GP.

DBS Checks

The carers' consent must first be sought. If consent is given it must be evidenced by the carers' written signature on the DBS check form. This should be sought by the assessing social worker as soon as possible as DBS checks can be delayed. The check should be addressed to the manager of the Fostering Team.

The consents to DBS and medical checks are to be sought as soon as the placement is proposed, with the aim that the completed checks are made available prior to the beginning of the placement.

9.1 Assessment of Family and Friends Carers

Standard assessment processes may disadvantage carers who are Family and Friends Carers because they have a different profile to mainstream foster carers.

Such carers should be approved on their ability to provide care that is in the best interests of the child they are caring for.

Assessments look at the balance between the strengths and limitations of the carers and seek to balance risk and need. Providing the safety and welfare of the child is not compromised, a plan for addressing any concerns identified within the assessment should be put into place through the assessment and presented to fostering panel with the full assessment.

9.2 After the placement is approved

The Fostering Service is responsible for providing support to the carer.

The carers will be invited to attend existing fostering support groups and to take part in the training programme available to foster carers. They should be given the same information as that provided to other St. Helens foster carers, including information on practical issues such as overnight stays and contact as they are sometimes unsure about the legal implications of many situations that arise when caring for a child.

The Fostering Service is responsible for providing any equipment that the carers may need to enable them to meet the specific needs of the child.

After approval by the Agency Decision Maker, if the assessment identifies that the child has specific needs that require additional financial support; this will be calculated by the Fostering worker and agreement sought by the service manager.

10. Visits to the Placement - Statutory Responsibilities

Children in care who are in Regulation 24 placements are subject to the usual children in care requirements.

The child's social worker must visit the child in the placement once every week until the first case review. Thereafter the visits must be every four weeks during the period of the temporary approval.

At each visit the social worker must seek the views of and speak with the child and the carers. The child should be given the opportunity to be seen alone by the social worker and the child's bedroom should be seen at each visit.

The Fostering Social Worker has a duty provide supervision to the foster carer once every six weeks and in addition to undertake unannounced visits at least once per year.

11. Support Services to Family and Friends Carers

Where a Family and Friends Carer is approved as a carer for the child, they will be paid the basic Foster Care Allowance. Once the foster carers have evidenced continued professional development they can

begin to receive the skills related fostering fees.

These rates are paid by the Fostering Team fortnightly direct to a carers bank account once the carer has been fully approved.

Such carers often have a range of practical support needs, which may include issues around housing, finance, transport, education and health.

They are also sometimes in need of emotional support and advice about difficult contact arrangements, strained family relationships and behavioural problems in the children they are caring for. It is the role of the supervising Social Worker to assist the carers with these needs.

Providing support to carers who are a Family and Friends Carer is an important aspect of sustaining a placement. It is essential that Social Workers work collaboratively with all members of the family and other involved agencies, in order to fully support the placement and to avoid the risk of a placement breakdown.

The support needed by the carers is likely to vary and it is the responsibility of the assessing Social Worker from the Fostering Team to construct a support package, which reflects the individual circumstances of the placement as well as the needs of the child. The support package should be produced in the form of a written agreement between the Local Authority and the carer and should outline the plan of support with clear timescales and a date for a review of the plan.

Family and Friends carers also have the same rights of access to the foster carer training provided by the Local Authority, as well as the parenting groups and specialist support provided by the Placement Support Team.

Written information available from the DfE should be made available to children, parents and Family and Friends carers.

If any party wishes to make a complaint the complaints procedure is available on the www.sthelens.gov.uk website.

12. Long-Term Legal Options

For some children, reunification with parents may not be an option. In these cases the possibility of a long-term placement with their Family and Friends carer should be explored.

There are essentially five ways of achieving a long-term placement with a Family and Friends Carers.

These options are:

- The child remains with the carer under no order and parental responsibility is delegated
- The child remains with the carer under a Child Arrangements Order
- The carer obtains a Special Guardianship Order in respect of the child
- The Local Authority supports the carer with the child remaining on a full care order
- The carers are assessed as adopters for the child and the child remains accommodated until an Adoption Order is obtained.

The Local Authority must be satisfied that the proposed placement option is in the child's best interests.

The aim in deciding the most appropriate legal option should be to empower the carer and to minimise the Local Authority's role in caring for the child as long as this is consistent with the child's best interests.

13. Role of the Fostering Panel

The Fostering Panel sits on a monthly basis and will recommend approval of long-term placements of children in care with carers on completion of a full assessment. Exceptional fostering panels can be convened in order to meet Court directed timescales.

Paperwork must be submitted to the Panel Administrator prior to the Panel date.

The assessing social worker from the Fostering Team has responsibility for presenting the full assessment to Panel along with the child's social worker. The carer is always encouraged to attend the panel.

The recommendation of the panel is then shared with the Agency Decision Maker. If the recommendation is approved by the Agency Decision Maker they then become an approved foster carer.

14. Role of Permanence Panel

Permanence panel sits on a monthly basis and will recommend approval of plans for SGO following the completion of a full assessment.

The recommendation of the panel is then shared with the Agency Decision Maker and if the recommendation is approved then the assessing social worker will present their careplan for SGO to the Court.