

Approval of Family and Friends Carers, Connected Persons and Placement of Children in an Emergency under Regulation 24 of the Fostering Regulations

Approval of Family and Friends Carers, Connected Persons and Immediate Placement of a Child under (Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010)

Policy Introduction

This policy relates to all situations where a child / young person needs to live away from their family of origin and arrangements are being considered or have been made for a child or young person to be cared for by family and friends, Connected Persons.

Underpinning legislation and Guidance:

Special Guardianship Guidance DfES 2005

Adoption and Children Act 2002:

Adoption Agencies Regulations 2005

Adoption Statutory Guidance 2011

Adoption Support Services Regulations 2005

Statutory Guidance for Family and Friends, Department of Education, 2011

Care Planning, Placement and Case Review Regulations 2010

Fostering Services Regulations 2011

National Minimum Standards for Fostering Services 2011

Children and Families Act 2014

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1. Definition of Family and Friends, Connected Persons Foster Care

Family and friends, Connected Persons foster care is a formal arrangement where the child is looked after by the Local Authority, and placed with a relative, friend or connected person.

'Relative, friend or connected person' is defined as: a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership), step - parent or friend of, or other person connected with, a looked after child. A person in the last category may be someone who knows the child in a more professional capacity such as a child minder, a teacher or a youth worker although these are not exclusive categories.

A Family and Friends, Connected Person placement can therefore 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, friend or connected person

And

- The placement has in some way been assisted or initiated and/or is supported by Children and Young People's Services, often with a view to securing the placement via a Child Arrangement Order or a Special Guardianship Order

And

- The child would otherwise be with foster carers, in residential care, independent living or adopted.

2. Statement of principles underpinning this policy

Children have the right to be brought up by their own families, so far as this is consistent with their welfare

Medway Council recognises the important contribution family and friends make in providing care for children who for a number of reasons cannot remain with their family of origin and supports the principle of placing children with family and friends carers as first choice, where it is safe to do so and is in the interests of the child's welfare.

If children and young people have to live apart from their family of origin, both they and their parents should be given adequate information to help them to consider alternatives and contribute to making of an informed choice about the appropriate forms of care. Parents should continue to play as full a part in their lives as possible so far as this is consistent with their welfare.

Parents and family and friends carers require information and support at different stages of the child's life. Children who live with family and friends need a range of services that support children and families according to their individual and changing needs.

Support to children living with family and friends carers is underpinned by the principles that a child's welfare is paramount, and respect should be given to individual, cultural, family and community diversity. Children and families should be active participants in services provided for them. Services will work in partnership with professionals, children, parents and extended family. Evidence based practice will be used to inform decision-making and practice intervention.

Medway Council is committed to anti discriminatory practice and will not discriminate against anyone on the basis of their age, disability, race, religion or belief, sex, sexual orientation, gender reassignment (people who are having or who have had a sex change, transvestites and transgender people), marriage and civil partnership.

3. Placement of child or young person with Family and Friends Carers, Connected Person

Criteria

When an immediate or emergency placement is required with a relative or friend who is not approved as a local authority foster carer, it can only be considered under Regulation 24 of the Care Planning, Placement and Case Review Regulations and Guidance 2010. Although the determining factor in the placement being made is that it is assessed as being in the child's best interests, the Local Authority must be satisfied that those who will be caring for the child will be able to prioritise and meet their needs, and will work in partnership.

Before any placement with a relative, friend or other connected person, is made; the approval of the Assistant Director is required. Regulation 24 is to be used in exceptional circumstances only and refers to temporary approval only.

Any such approval is given for up to **16 weeks** from the date of the placement. A full assessment under regulation 27 of Fostering Services Regulations 2011 must be completed and presented to fostering panel within this time. An **additional 8 weeks** may be granted in **exceptional circumstances** (see Regulation 25). After the extended approval period has elapsed and the assessment is not completed, the temporary approval expires and the placement must be terminated after first making arrangements for any children placed.

4. Responsibilities of the Placing Social Worker

Pre-Placement Assessment (Schedule 4 report)

The proposed carer(s) for the child have to be approved and an assessment completed with regard to Schedule 4 of the Care Planning, Placement and Case Review Regulations 2010 (CoramBAAF form C – Connected Persons (England)).

Every effort must be made to maximise the level and quality of information available to support the decision as to whether the person should be temporarily approved.

A viability assessment is carried out by the child's social worker in consultation with a worker from the fostering service. The assessment, which must be completed before a child is placed, will determine if approval is given.

The pre- placement assessment should include an analysis of:

1. How the proposed arrangements will safeguard and promote the child's welfare and meet the child's needs set out in the care plan
 2. The child's wishes and feelings about the proposed placement and the views of the child's parents and others with parental responsibility
 3. 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.
 4. The level of support likely to be required
 5. Suitability of the proposed accommodation
 6. Suitability of all other persons aged 18 and over who are members of the household in which it is proposed the child will live.
- A referral (including completed copy of the Pre- Assessment Form) must be sent to the Fostering Team immediately the child is placed to ensure a full assessment of the carers suitability (CoramBAAF Form C) is completed and submitted to Fostering Panel in accordance with the Fostering Services Regulations before the temporary approval expires.
 - The child will become looked after and the requirements of a care plan and placement plan must be followed once the Assistant Director has granted temporary approval for the placement.

Notification of the Placement

- The child's social worker must notify all those involved with the child that the placement has been made and an initial Looked After Child review should be arranged to take place **within 20 working days of the placement starting.**
- Prior to, or **within 5 working days of making the placement** a Placement Plan should be drawn up. The information to be recorded in the Placement Plan is specified in Schedule 2 of the 2010 Regulations. Carers need to have as much information as is available to support them in caring for the child.

Financial Support for the Placement

- Arrangements for financial support must be made by the placing social worker once the child is placed. Payments will be made in line with the age related fostering allowances for the 16 weeks of approval and, if a further extension of approval is granted, until such time as the carer receives full approval or the child is moved from the placement or an alternative legal order is made.

Visits to the Placement

- If a child is placed under Regulation 24 a **visit must be made at least weekly**, until such time as the first Looked After Child review is held. Following this, visits must take place **not less than once every 4 weeks** until the carer is granted full approval under Fostering Services Regulations, or the final hearing of the care proceedings has taken place.

5. Responsibilities of Connected Person Carers

Regardless of the existing relationship between the carer and the child, carers are expected to sign a foster carer agreement, which confirms that they will:

- Care for the child as a member of the family.
- Agree not to use any physical punishment.
- Inform the Local Authority of any serious injuries, accidents or illnesses the child may experience.
- Inform the Local Authority if a child is missing.
- Maintain confidentiality.
- Advise the Local Authority of any change of circumstances affecting the child, the carers or any member of the family.
- Allow the Local Authority access to the child at any time.

6. Responsibilities of the Fostering Service

Assessment of Connected Person Following Temporary Approval

- The assessment will comprise of a series of interviews with all members of the household. Checks and references will be required, which will include contact with the DBS, friends, family and employers. Confirmation of income and housing status will also be required. The assessment is the same as is carried out for any prospective foster carer regardless of whether or not they are related to the child.
- However, there is greater flexibility in the assessment of family and friends and connected persons in respect of certain issues, such as accommodation. Looked After Children are expected to have their own room but if the child is a family member or a relative or a friend it may be appropriate for the child to share a bedroom with the carer's own child. This arrangement would be considered as part of the Regulation 24 Assessment.
- The social worker for the child and the assessing social worker for the carer must jointly attend Fostering Panel to present the CoramBAAF Form C completed by the assessing social worker within sixteen weeks of the child being placed
- As the connected person will be temporarily approved as a foster carer they are entitled to the same support and services available to all Medway Council foster carers including payment of fostering allowances.

- The Local Authority gives an undertaking that children in placement will have an allocated social worker and that all foster carers will have a named assessing or supervising social worker. Training, support and advice will be made available to facilitate carers in meeting the needs of the child placed with them. On approval carers will also be joined as members of Fostering Network. Carers and Looked After Children (LAC) also have access to the services such as education support and the LAC nurse and Children and Adolescent Mental Health Services.
- If a family member, friend or connected person is unable to take on the care of a child due to limited accommodation, the Local Authority will undertake to liaise on their behalf with relevant agencies.

7. Role of the Fostering Panel

On completion of the assessment a report will be presented to the Fostering Panel by the assessing social worker. Temporarily approved carers and applicants will be given a copy of the report prior to the meeting. The recommendation of the assessing social worker will always be discussed with applicants or carers before the Panel. Temporarily approved carers are encouraged to attend the Fostering Panel and may bring a friend or family member with them who will act as a supporter. The Panel acts independently of the Fostering Service and can only make a recommendation to approve, not approve or defer for further information.

8. Role of the Agency Decision Maker (ADM)

The fostering panel recommendation is forwarded to the decision maker. The decision maker must make a decision **within 7 working days of receiving a final copy of the minutes and the Fostering Panel's recommendation**. The decision will be verbally communicated to applicants **within 2 working days and a letter confirming the decision will be sent out within a further 5 working days** as per fostering minimum standards.

All applicants, including those who are currently caring for a child, can make a representation if they do not agree with the decision made by the decision maker. If the carers have been given time limited approval this will be extended until such time as the appeal process is completed.

Representation must be made **within 28 days of receiving the decision letter**, which will give details on how to appeal. Applicants may appeal through the Local Authority's own appeals process or use the Independent Review Mechanism (IRM). This is an independent body, which will be convened to review all of the information presented to the original panel. Details on how to contact the Independent Review Mechanism (IRM) will be included in the letter from the Decision Maker.

9. Support after Approval

Following approval a supervising social worker from the fostering team will be introduced to the carers. Details will be given on the frequency of supervision visits, and the support groups and training available. Visits will be made not less than once every 4 weeks, or more frequently if it is felt that the carer requires additional support. Following approval family and friends carers will continue to be paid the usual fostering allowances and fees in line with government recommendations.

Supporting Contact with Parents/Family

Where a child is Looked After, Medway Council is required to promote contact between the child and his or her family 'unless it is not practicable or consistent with the child's welfare'. The overall objective of the contact arrangements will be included in the child's Care Plan and the specific arrangements will be set out in the child's Placement Plan. It may be identified that specific assistance is required to ensure that any such contact can be managed safely.

10. Longer Term Options

Child Arrangements Orders

The **Children and Families Act 2014** introduced child arrangements orders, replacing residence and contact orders. Under section 8(1) of the Children Act 1989, as amended, a child arrangements order means an order regulating arrangements relating to any of the following:-

- a) With whom a child is to live, spend time or otherwise have contact;
- b) When a child is to live, spend time or otherwise have contact with any person.

As was the case with contact and residence orders, any person can apply for a child arrangement order under section 8 of the Children Act 1989 (as amended). There are two categories of people who can apply for such orders: those who are entitled to apply, and those who require leave of the court first in order to apply.

Under section 105(1) of the Children Act 1989, a child is defined as a person under the age of eighteen years of age. However, child arrangement orders relating to contact between a child and any person cannot be made to have effect after the child reaches sixteen years of age unless the circumstances of the case are exceptional. Similarly, a court cannot make a child arrangement order concerning contact or residence arrangements for a child who has reached sixteen years of age unless the circumstances of the case are exceptional.

Special Guardianship Order

A Special Guardianship Order (SGO) can be applied for, with or without the support of the LA or the parent of a child, after the child has been resident for a year. A

report is completed by the Local Authority and presented to the court. Although parental responsibility continues to be shared by the carers and the child's parents the carers are able to make a final decision. The order lasts until a child is 18 unless it is varied or discharged prior to that age. A parent must obtain leave of the court to apply for a SGO to be revoked.

The Local Authority has discretion to provide services or support to the child or the family and, if the child was a looked after child prior to the making of an SGO, they may be entitled to some leaving care services and support.

Adoption

Approved foster carers, including connected persons carers, can apply to adopt if a child has been resident for a year.

Adoption transfers all of the parent's parental responsibilities to the adoptive parents. The Local Authority, acting as an adoption agency, assesses and approves potential adopters and the court makes the order. If the child is a looked after child the carers must give the LA notice that they intend to apply for adoption.

Until such time as an adoption order is made, the Local Authority will continue to supervise the placement of the child with the carers. Once the order is made the Local Authority withdraws, unless their on-going involvement is part of the support plan drawn up at the time the report was presented to court. Adoptive parents have an entitlement to be assessed for support and services.

11. USEFUL ORGANISATIONS AND INFORMATION FOR AND ABOUT FAMILY AND FRIENDS CARERS

Action for Prisoners' Families

Works to reduce the negative impact of imprisonment on prisoners' families.

Produces publications and resources, and provides advice, information and training as well as networking opportunities.

www.prisonersfamilies.org.uk

Address: Unit 21, Carlson Court

116 Putney Bridge Road

London, SW15 2NQ

Tel: 020 8812 3600

E-mail: info@actionpf.org.uk

Advice line: 0808 808 2003

info@prisonersfamilieshelpline.org.uk

Addaction

Offers a range of support developed for families and carers affected by substance misuse.

www.addaction.org.uk

Address: 67-69 Cowcross Street

London EC1M 6PU

Tel. 020 7251 5860

Email: info@addaction.org.uk

Adfam

Works with families affected by drugs and alcohol, and supports carers of children whose parents have drug and alcohol problems.

www.adfam.org.uk

Address: 25 Corsham Street,

London N1 6DR

Tel: 020 7553 7640

Email: admin@adfam.org.uk

Advisory Centre for Education (ACE)

Offers free independent advice and information for parents and carers on a range of state education and schooling issues, including admissions, exclusion, attendance, special educational needs and bullying.

www.ace-ed.org.uk

Address: 1c Aberdeen Studios,

22 Highbury Grove,

London N5 2DQ

General advice line: 0808 800 5793

Exclusion advice line: 0808 800 0327

Exclusion information line: 020 7704 9822 (24hr answer phone)

BeGrand.net

Website offering information and advice to grandparents, plus online and telephone advice.

www.begrand.net

Helpline: 0845 434 6835

Children's Legal Centre

Provides free independent legal advice and factsheets to children, parents, carers and professionals.

www.childrenslegalcentre.com

Address: University of Essex

Wivenhoe Park

Colchester

Essex CO4 3SQ

Tel: 01206 877 910

E-mail: clc@essex.ac.uk

Child Law Advice Line: 0808 802 0008

Community Legal Advice - Education: 0845 345 4345

Citizens Advice Bureaux

Helps people resolve their legal, money and other problems by providing free, independent and confidential advice through local bureaux and website.

www.citizensadvice.org.uk

CoramBAAF Adoption & Fostering Academy

Provides information and advice about adoption and fostering and publishes resources.

www.corambaaf.org.uk

Address: CoramBAAF

Coram Campus

41 Brunswick Square

London WC1N 1AZ

Tel 020 7520 0300

Email: mail@corambaaf.org.uk

Department for Education

Lists details of telephone help lines and online services to provide information, advice and support on a range of issues that parents and families may face in bringing up children and young people.

www.education.gov.uk/childrenandyoungpeople/families

Family Fund Trust

Helps families with severely disabled or seriously ill children to have choices and the opportunity to enjoy ordinary life. Gives grants for things that make life easier and more enjoyable for the disabled child and their family.

Address: 4 Alpha Court

Monks Cross Drive

York YO32 9WN

www.familyfund.org.uk

Tel: 0845 130 4542

Email: info@familyfund.org.uk

Family Rights Group (FGR)

Provides advice to parents and other family members whose children are involved with or require children's social care services because of welfare needs or concerns. Publishes resources, helps to develop support groups for family and friends carers, and runs a discussion board.

www.frg.org.uk

Address: Second Floor

The Print House

18 Ashwin Street

London E8 3DL

Tel: 020 7923 2628

Advice line: 0800 801 0366

Email: advice@frg.org.uk

The Fostering Network

Supports foster carers and anyone with an interest in fostering to improve the lives of children in care. Publishes resources and runs Fosterline, a confidential advice line for foster carers including concerns about a child's future, allegations and complaints, legislation and financial matters.

www.fostering.net

Address: 87 Blackfriars Road

London SE1 8HA

Email: info@fostering.net

Tel: 020 7620 6400

Fosterline: 0800 040 7675

Email: fosterline@fostering.net

The Grandparents' Association

Supports grandparents and their families, especially those who have lost or are losing contact with their grandchildren because of divorce, separation or other family problems, those caring for their grandchildren on a full-time basis, and those with childcare responsibilities for their grandchildren.

www.grandparents-association.org.uk

Address: Moot House

The Stow

Harlow

Essex CM20 3AG

Tel: 01279 428040

Helpline: 0845 434 9585

Welfare benefits advice and information: 0844 357 1033

Email: info@grandparents-association.org.uk

Grandparents Plus

Champions the role of grandparents and the wider family in children's lives, especially when they take on the caring role in difficult family circumstances.

Address: Grandparents Plus

18 Victoria Park Square

Bethnal Green

London E2 9PF

Tel: 020 8981 8001

Email: info@grandparentsplus.org.uk

Mentor UK

Promotes the health and wellbeing of children and young people to reduce the damage that drugs can do to lives.

www.mentoruk.org.uk

Address: Fourth Floor

74 Great Eastern Street

London EC2A 3JG

Tel: 020 7739 8494

Email: admin@mentoruk.org

Family Mediation Helpline

Provides information and advice about family mediation services and eligibility for public funding.

08456 026627

www.familymediationhelpline.co.uk

National Family Mediation (NFM)

Provides mediation services to support couples who are separated, and their children and others affected by this.

www.nfm.org.uk

4 Barnfield Hill, Exeter EX1 1SR.

0300 4000 636

general@nfm.org.uk

Partners of Prisoners and Families Support Group

Operates helpline and provides a variety of services to support anyone who has a link with someone in prison, prisoners and other agencies.

www.partnersofprisoners.co.uk

Address: Valentine House

1079 Rochdale Road

Blackley

Manchester M9 8AJ

Tel: 0161 702 1000

Offenders' Families Helpline Tel: 0808 808 2003

Email: info@prisonersfamilieshelpline.co.uk Prison Advice and Care Trust

(PACT)

Provides practical and emotional support to prisoners and to their children and families.

The Kinship Care Support Service provides support and advice to family members and friends who care for children whose parents are in HMP Holloway.

www.prisonadvice.org.uk

Address: Park Place

12 Lawn Lane

Vauxhall

London

SW8 1UD

Telephone: 020 77359535

Parents Against Drug Abuse (PADA)

Delivers support and services to the families of substance users, including a

national helpline.

www.pada.org.uk

Address: ~~The~~ The Foundry

Marcus Street

Birkenhead CH41 1EU

Phone: 0151 649 1580

National Families Helpline: 08457 023867

Parentline Plus

Provides help and support in all aspects of family life, including information, an online chat facility and a 24 hour helpline.

www.familylives.org.uk

Address: ~~CAN~~ CAN Mezzanine

49-51 East Road

London N1 6AH

Tel: 020 7553 3080

24hr Advice line: 0808 800 2222

Email: parentsupport@familylives.org.uk

TalktoFrank

The government's national drugs helpline which offers free confidential drugs information and advice 24 hours a day. Information and advice is also available via the website.

www.talktofrank.com

24 hour advice line: 0800 77 66 00

Text: 82111

Email: frank@talktofrank.com

Voice

Advocacy organisation for children living away from home or in need.

www.voiceyp.org

Address: 320 City Road

London EC1V 2NZ

Tel: 020 7833 5792

Young person's advice line: 0808 800 5792

Email: info@voiceyp.org

Young Minds

Works to improve the emotional wellbeing and mental health of children and young people and empowering their parents and carers.

www.youngminds.org.uk

Address: 48-50 St John Street

London EC1M 4DG

Tel: 020 7336 8445

Parents helpline: 0808 802 5544

Research

Farmer, E., Moyers, S., Stein M. (2008) Kinship Care: Fostering Effective Family and Friends Placements, London: Jessica Kingsley (Quality Matters in Children's Services)

□ Hunt, J., Waterhouse, S., Lutman, S. (2008) Keeping Them in the Family, London: British Association for Adoption and Fostering

□ Broad, B., Skinner A. (2005) Relative Benefits: Placing Children in Kinship Care, London: British Association for Adoption and Fostering