Connected Persons Placements (formerly known as Family and Friends or Kinship care)

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1. Introduction

This policy sets out the London Borough of Waltham Forest Children’s Services approach to promoting and supporting the needs of children placed with family and friends carers. Children may be bought up by members of their extended families, friends or other people who are connected with them, for a variety of reasons and in a variety of different settings.

This policy sets out the local authority’s approach towards promoting and supporting the needs of such children and covers the assessments which will be carried out to determine the services required and how these services will then be provided.

For further information about Waltham Forest’s Family and Friends policy please contact the Corporate Parenting Placement and Resources Deputy Head of Service,

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2. Values

The London Borough Waltham Forest is committed to ensuring that all children in the borough grow up as part of a loving family that can meet their developmental needs.

Where possible this should be with their birth parents or, if this is not an option, with a relative or member of the child’s social network.
Statistics suggest that between 200,000-300,000 children in England do not live with their birth parents and that instead they live with family or friends carers. The decision that a child should be cared for by a family and friends carer is most often made by their birth parents and often the Local Authority does not have any involvement in this decision.

A child may live with family and friends carers for a wide range of reasons: for instance parental difficulties, mental or physical ill health, domestic abuse, divorce or separation, alcohol or substance misuse, imprisonment or bereavement.

Many family and friends carers are grandparents or aunts and uncles, but they may also be older siblings or close family friends.

There are various legal options available for family and friends carers.

3. Principles

Waltham Forest family and friends carers policy is underpinned by the principles of the Children Act 1989. This Act says that:

- The welfare of the child is paramount
- Children should be safe and be protected by effective intervention if they are in danger
- Wherever possible, children should be brought up and cared for within their own families
- Parents with children in need should be helped to bring up their children themselves;

This help should be provided as a service to the child and his family and should:

- Be provided in partnership with the parents
- Meet each child’s identified needs
- Be appropriate to the child’s race, culture, religion and language
- Be open to effective independent representations and complaints procedures
- Draw upon effective partnership between the Local Authority and other agencies, including voluntary agencies.

The government’s statutory guidance for Family and Friends Carers (2011) requires that local authorities provide support for relatives or friends caring for children and young people because their parents are unable to care for them, so that these carers can safeguard the child and promote their welfare. The principles listed above in relation to support that Waltham Forest will provide for birth parents are also applicable to the support that we provide for family and friends carers.

4. Evidence Base

Evidence from research suggests that some of the benefits for children of being cared for by family or friends are that it:

- Enables children to live with people they know and trust
- Reduces the trauma of separation that can be experienced if children have to live with strangers
- Reinforces a sense of identity and self-esteem, which comes from children knowing their family history and culture
- Helps children to maintain contact with their parents, brothers and sisters and other family members;
- Encourages families to consider and rely on their own family members as resources
- Gives children the opportunity to stay linked to their own communities and promotes a sense of family community responsibility
- Strengthens the ability of families to give children the support they need;
- Is culturally relevant.

Overall, research tends to support the view that family and friends care can be a positive choice for children and families and has tended towards good outcomes. Some studies indicate that children in family and friends placements do better across all outcomes and others that they do at least as well as children placed outside their families. In a review of research, Hunt (2001) concluded that whilst it cannot be said conclusively that children in family and friends care do better than those in non-related care, the weight of evidence is broadly positive; there is little evidence that they do worse, and some studies indicate that they do better. These positive outcomes are often achieved despite rather than because of adequate levels of support, which raises the question as to whether outcomes improve further with appropriate services.

Care within the extended family is normal practice in many communities where parents are unable to care for their children. When placing black and ethnic minority children, identifying possible carers from amongst family or friends is an especially important consideration.

5. Different Situations where Children may be living with family and Friends Carers

5.1 Informal family and friends care arrangements

Where a child cannot be cared for within his or her immediate family, the family may make their own arrangements to care for the child within the family and friends network. Depending on the nature of that relationship, this may be a Private Fostering arrangement, which the Local Authority has a duty to assess; otherwise this remains an informal arrangement between the family.

However, where it appears that services are necessary to safeguard or promote the welfare of a Child, the local authority has a responsibility under Section 17 of the Children Act 1989 to assess the child’s needs and provide services to meet any assessed needs of the child.

5.2 Private fostering arrangements

A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult who is not a parent or close relative, where the child is cared for in their home for 28 days or more. A close relative is defined as ‘a grandparent, brother, sister, uncle or aunt (whether by full blood or half blood or by marriage or civil partnership) or step parent.’ It does not include a child who is Looked After by a local authority. In a private fostering arrangement, the parent still holds parental responsibility and agrees the arrangement with the private foster carer.

The local authority has a duty to assess and monitor the welfare of all privately fostered children and the way in which they carry out these duties is set out in the Children (Private Arrangements for fostering) Regulations 2005.
The local authority may also become involved with a child in a private fostering arrangement where the child comes within the definition of a Child in Need.

5.3 Family and Friends Foster Carers – ‘Connected Persons’

Where a child is looked after by the local authority, we have responsibility wherever possible to make arrangements for the child to live with a member of the family who is approved as a foster carer (Section 22 of the Children Act 1989). The child can be placed with the family members following temporary approval for up to 16 weeks and extended for a further 8 weeks subject to approval (in exceptional circumstances) to facilitate the full connected person’s assessment. See Family and Friends Foster Carers.

5.4 Child Arrangements Order

A Child Arrangements order is a Court Order which sets out the arrangements as to when and with whom a child is to live, spend time with and have contact with.

These orders replace the previous Residence Orders and Contact Orders. A Child Arrangements Order may give parental responsibility to the person in whose favour it is made and parental responsibility is shared with parents.

Child Arrangement Orders may be made in private family proceedings in which the local authority is not involved. However, a Child Arrangements Order may be made in favour of a relative or a Connected Persons foster carer.

5.5 Special Guardianship Order

Special Guardianship Orders (SGO) provide an option for children needing permanent care. They can offer increased security without absolute severance from the birth family as in adoption. Special Guardians have parental responsibility for the child which, while it is still shared with the parents, can be exercised with greater autonomy on day to day matters than where a Child Arrangements Order is in place.

Special Guardianship Orders may be made in private proceedings and the local authority may not be a party to such arrangements. However a Special Guardianship Order in favour of a relative or foster carer (who was a Connected Person) with whom a child is living, may be an appropriate outcome as part of a permanence plan for a Child in Need or a Looked After child.

Where the child was Looked After immediately prior to making of the Special Guardianship Order, the local authority has a responsibility to assess the support needs of the child, parents and Special Guardians, including the need for financial support.

6. Family and Friends Foster Carers (Connected Persons Foster Carers)

Children who are Looked After by the Local Authority (‘in care’) must live with a carer who is an approved foster carer. The term ‘looked after’ was introduced by the Children Act 1989 and refers to children who are subject to care orders and those who are voluntarily accommodated.

The placement of a child with a family or friends carer should be planned and the carer must be assessed and given temporary approval as a foster carer before the child is placed. This temporary assessment is conducted
jointly by the child’s social worker and a fostering/SGO social worker and takes approximately two weeks to complete.

The areas assessed are: general details about the applicant and all household members; DBS checks on all household members over the age of 18 years; ethnicity; religious beliefs; employment; health; previous and current relationships; relationships with family members and contact with them; suitability of accommodation; the resources and support available in the community; capacity to parent the child; ability to promote education, manage the child’s behaviour, promote contact with other family members and parents; a chronology of the applicant’s life to date including all significant events; and a health and safety report on the home.

Temporary approval lasts for up to 16 weeks. If the plan is that the child needs to remain with the carer for longer than this, then a full fostering assessment will need to be completed within these 16 weeks. An extension of a further eight weeks assessment time can be granted by the Adoption and Fostering Panel if statutory checks have not been returned, further interviews need to be undertaken, or there has been delay caused by situations outside the assessing workers’ control.

The full fostering assessment is completed by an Assessing Social Worker and the Child’s Social Worker. The carer needs to make themselves available for visits, complete some work themselves, undertake a medical with their GP, discuss their finances, give the details of referees who will be willing to also meet the assessing worker, engage in training and share very personal information as part of the assessment process. The assessment needs to consider the carers ability to safeguard the child from any harm that the birth parents may pose, thinking about their continued contact with them and the position that they hold within the family.

Following Temporary Approval, the applicant will receive support and supervision from the local authority.

The full fostering assessment is presented to the Adoption and Fostering Panel, which is an independent body of professionals and others who all have relevant experience of fostering. Carers should attend this Panel with the assessing worker, and can bring a friend or relative along for support if they wish.

The Panel makes one of three recommendations:

• To approve the applicant as a foster carer;
• To defer the application for further information; or
• To not approve the applicant.

If the Panel does not recommend approval, and this is upheld by the Agency Decision Maker, the applicant has a right of appeal within 28 days of receiving the decision. Appeals can be made to the Local Authority or the Independent Review Mechanism.

At any point within the assessment process if the Local Authority feels that the assessment is not working and that the family member or friend is not suitable to act as a foster carer, they can end the assessment. The Local Authority has the right to remove any children that are living with the proposed carer without awaiting the outcome of an appeal process.

Once approved, family and friends foster carers are allocated a supervising social worker who will visit the home a minimum of once every six weeks. These supervision sessions are intended to provide support, advice and assistance to help family members adjust to the role of being a foster carer. Supervising social workers will
provide support in meetings, relay important information about the case and ensure that carers’ views are heard and their observations and experiences taken into account when planning for the child.

Training is available to all foster carers including family and friends carers, and once fully approved, there is an expectation that family and friends carers attend training in line with mainstream foster carers and the payment of a fostering fee.

Family and friends foster carers are also required to complete the Training, Support and Development Standards, being given 18 months to complete this in recognition of their differing role to mainstream carers.

7. Support for Family and Friends Carers

Waltham Forest offers a range of support services, including financial support in the form of a weekly allowance for family and friends carers who have been approved and care for children who are or have been looked after (‘in care’):

- Family and friends carers;
- Special Guardians who are caring for a child who was looked after immediately before the Special Guardianship Order was made;
- Adopters, in some circumstances (please see below);
- Holders of Child Arrangements Orders, where a child was looked after immediately before the Order was made and would otherwise remain looked after.

8. Complaints

Where a family or friends carer is not satisfied with the level of support provided to enable them to care for the child, then they have access to the local authority’s complaints process. Our aim would be to resolve any such dissatisfaction without the need for a formal investigation, but where an informal resolution is not possible, then a formal investigation will be arranged. Further details around the complaints process are set out in the Complaints and Representations procedure (Include link to 1.6.1)