

Title of meeting: Cabinet Member for Children, Families and Education

Decision Meeting

Subject: Private Fostering Annual Report 2022-2023

Date of meeting: 20 July 2023

Report by: Aimee Dennis (Private Fostering Social Worker)

Wards affected: None

1 Requested by

1.1 Standard 7.9 of the National Minimum Standards for Private Fostering (2005) calls for each Local Authority to create a report to the Director of Children's Services and the local Children's Safeguarding Board. This is being presented for note following review by the Director of Children's Services.

2 Purpose

2.1 The purpose of this report is to highlight the responsibilities that Portsmouth City Council has in relation to Private Fostering. It will look at the current numbers of children and young people in a Private Fostering arrangement and will analyse the issues that are relevant to the children and young people of Portsmouth. It will also look at evaluating the outcomes of Portsmouth City Council's work in relation to Private Fostering.

3 Information Requested Monitoring

- 3.1 Regulation 12 of the Children (Private Arrangements for Fostering) Regulations 2005 provides that Portsmouth City Council must monitor the discharge of all its functions in relation to Private Fostering.
- 3.2 The National Minimum Standards for Private Fostering (2005) provides the Local Authority with best possible practice guidance pertaining to Private Fostering, thereby leading to improvements in service delivery and statutory duties.
- 3.3 Children's Social Care submits an annual report to the Portsmouth Safeguarding Children Partnership on how the welfare of Privately Fostered children in Portsmouth is satisfactorily safeguarded and promoted, and how it is working in co-operation with other agencies.
- 3.4 The designated Senior Manager and Agency Decision Maker for Private Fostering services is the Interim Head of Children in Care, Michelle Sanders.



4 Background and Regulations

- 4.1 Measures introduced nationally were expected to address longstanding problems of:
- low notification rates
- late notifications and;
- The commitment of Local Authorities in meeting the needs of privately fostered children.
- 4.2 Should the new measures not prove as effective as anticipated, S.45 of the Children Act 2004 gives the Secretary of State power to establish through S.47, a registration scheme for private foster carers. This power has not been enacted as yet and notification rates continue to be low.
- 4.3 Portsmouth City Council is expected to allocate sufficient resources to identify, assess, and monitor Private Fostering arrangements.

5 Definition

- 5.1 The Children's Act 1989 defines a Privately Fostered child as a child who is under the age of 16 (18 if disabled) and who is cared for, and provided with accommodation, by someone other than:
- the parent
- a person who is not the parent but who has parental responsibility, or
- a close relative defined in this context as a brother, sister, aunt, uncle, grandparent or step-parent (by marriage or civil partnership).
- 5.2 A child who is looked after in their own home by an adult is not considered to be Privately Fostered.

6 Provision of service

- 6.1 Local authorities have a different approach to where the need of Private Fostering is best met. In Portsmouth, the Private Fostering Social Worker is placed in the Fostering Recruitment and Assessment Team while the child's Social Worker is based within the Family Support and Safeguarding Team. All children and young people in a Private Fostering arrangement in Portsmouth are regarded as a Child in Need due to the innate vulnerabilities of being a child living away from home. Children and young people have four weekly regulation eight visits and a current Child in Need plan which is reviewed in line with statutory guidelines.
- 6.2 The Private Fostering Social Worker is responsible for completing the initial visit and capacity to care assessment.

7 Notification and Requirements

7.1 Notification of a Private Fostering arrangement:



- A person who proposes to foster a child privately must notify the Local Authority:
- at least six weeks before the arrangement is to begin, or
- Where the arrangement is to begin within six weeks, immediately.
- The notification must be given in writing and where possible on the appropriate form and signed.
- 7.2 Already fostering a child privately:
- 7.2.1 A person doing so (e.g., in an emergency which has become a private fostering arrangement) must notify Children's and Families' Service immediately.
- 7.3 Child's arrival:
- 7.3.1 A person who made the proposal notification must, within forty-eight hours of commencement, notify the Local Authority that the arrangement has begun, as must the parent or any other person with parental responsibility.
- 7.3.2 As seen nationally, it is rare in Portsmouth for notifications to be timely in line with the requirements of legislation. This is usually due to carers, parents and involved universal services not being aware of the legal duty to make a notification of Private Fostering or not identifying that an arrangement has been made.
- 7.3.3 Notification usually occurs after the arrangement has been made and in some cases the arrangement has been in place for several years, meaning the child, carer and parents have not received the support they are entitled to. Throughout 2022-2023 all notifications have been made by family safeguarding team social workers and the MASH. This highlights the need for more awareness raising within the Portsmouth community.

8 Action following notification.

- 8.1 A Social Worker must, within seven days:
- Visit the premises where the child will be cared for.
- Speak with the Private Foster carer and all household members.
- Speak with the child alone unless the social worker considers it inappropriate.
- Speak with, and if practical to do so, visit, every parent/person with PR.
- Establish such matters as appear to be relevant to the arrangement.
- 8.2 It is agreed within Portsmouth City Council that the child's allocated Social Worker will complete a Child and Family assessment within seven working days of the notification being received. Portsmouth have been jointly visiting to complete an assessment which allows for more understanding of the home situation, whereby the Private Fostering Social Worker accompanies the child's allocated case holder on the initial visit wherever possible. The Private Fostering Social Worker completes a Private Fostering Initial Assessment which will determines progression to a Capacity to Care assessment.



- 8.3 The Team Leader of the Fostering Service receives the Private Fostering initial assessment and decides whether the arrangement progresses to a Capacity to Care assessment. In situations where the assessing Social Worker has made a recommendation for prohibition the assessment will be sent to the Service Lead Jackie Clark for a decision, and subsequently sent to Head of Service for an agency decision. This must be validated on the electronic recording system.
- 8.4 If progression to Capacity to Care is agreed the Private Fostering Social Worker must complete this within forty-two working days of the recorded legal date of when the arrangement commenced.
- 8.5 The child's allocated Social Worker must complete a Child and Family assessment.
- 8.6 If the arrangement is satisfactory but enhanced DBS checks have not been returned to Children's Social Care within the forty-two day time frame, the arrangement can be agreed 'subject to satisfactory DBS checks' by the Agency Decision Maker.
- 8.7 While Private Fostering regulations stipulate the visiting frequency to children and young people, they do not stipulate frequency of reviews. All Privately Fostered children and young people's needs are reviewed under Child in Need planning in line with statutory guidance. Portsmouth City Council additionally complete Private Fostering reviews annually. From April 2022 to March 2023 there have been no arrangements that have required an annual review.

9 Determination

- 9.1 Based on the Capacity to Care assessment the Agency Decision Maker will determine whether the proposal or arrangement is:
- · appropriate or,
- requires further enquiries to be undertaken or,
- · requirements need to be imposed or,
- consider prohibition, disqualification and removal of a child.
- 9.2 The Agency Decision Maker will confirm any decision made in writing, within seven working days.

10 Visiting

- 10.1 The child's Social Worker must visit the child or young person within seven days of notification and then at intervals of not more than six weeks for the first twelve months following notification, and not more than twelve week intervals in the second and subsequent years. In addition, the Private Fostering Social Worker for the carer adopts the same arrangement. In Portsmouth, the child is visited every four weeks in line with Child in Need timescales.
- 10.2 The Social Worker must also visit if the child, parent, or private foster carer requests a visit.
- 10.3 It is good practice for occasional visits to be unannounced, and Portsmouth City



Council does this.

- 10.4 The Social Worker sees the child alone unless it is considered inappropriate.
- 10.5 The Social Worker completes a report on the client record system and discusses any concerns with the manager after every visit.
- 10.6 The worker and supervisor consider after every visit whether:
- the arrangement continues to be satisfactory.
- there may be a need to 'impose requirements' or,
- 'Prohibition' is justified.
- 10.7 If either of the two latter points applies, the Private Fostering Social Worker and the Agency Decision Maker must be informed, and appropriate action taken. If immediate action is required to safeguard the child, then this will be in accordance with local safeguarding procedures. It is an offence for a Private Foster carer to refuse to allow a child to be visited, or to obstruct a worker discharging their duties towards a child. In such cases an application for a warrant to support power of entry may be required.

11 Requirements

11.1 The Local Authority may impose requirements upon a Private Foster Carer. The Local Authority may link the requirement with a prohibition to come into effect if the Private Foster Carer fails to comply with the requirement in the time allowed.

12 Prohibition

- 12.1 The Local Authority has the power to impose a prohibition on a person applying to be a Private Foster carer as well as on a person currently doing so.
- 12.2 The assessing social worker will make recommendation(s) in a report to the Agency Decision Maker, who will seek legal advice to determine whether prohibition is required.
- 12.3 Any prohibition must be conveyed in writing to the Private Foster Carer by the agency decision maker stating the reasons, appeal process and time limit for doing so.
- 12.4 The Private Foster Care may appeal to the Family Proceedings Court within fourteen days of the decision being notified.
- 12.5 If immediate action is needed, the Agency Decision Maker should decide after legal opinion, if prohibition is justified.
- 12.6 If a child is already being Privately Fostered, the parent(s) should be advised to remove her/him. If this is refused, consideration should be given as to whether the Local Authority should apply for a legal order to remove the child.
- 12.7 The Agency Decision Maker, following legal advice, can cancel a prohibition if they are satisfied that it is no longer justified.
- Where a prohibition has been imposed, the person is disqualified from:
- Private Fostering,
- working in a children's home,
- working within voluntary organisations,



- or providing day care or a child-minding service.
- 12.8 From 2022 to 2023 one arrangement was prohibited in Portsmouth as it was not meeting the welfare needs of the child. This prohibition was not appealed through the court. The young person was supported by the service to return to her father's care.

13 Disqualification

- 13.1 Children's Social Care must make enquiries to determine whether a proposed or actual Private Foster carer, or household member, is disqualified.
- 13.2 In exceptional circumstances, it may be considered appropriate for a child to be placed, or to remain, with someone who is disqualified. Such a decision must be ratified by the Deputy Director Children's Social Care with written consent including reasons for this decision.

14 Appeals

- 14.1 Appeals can be made to the Family Proceedings Court within fourteen days of notification of the decision against:
- requirements,
- prohibitions,
- · refusal to allow a disqualified person to care for a child, and
- refusal to exempt a person from the fostering limit of three children.

15 Other LA Duties and Responsibilities

- 15.1 Children in Need
- 15.1.1 Children's Social Care staff are required to complete a Single Assessment which results in a 'Child in Need' plan which is reviewed regularly with attendance by the Private Fostering Social Worker.
- 15.2 Children with disabilities
- 15.2.1 Where a disabled child is Privately Fostered, her/his parent(s) or a person with parental responsibility (or the child if they have sufficient understanding), must be invited to have the child's name placed on the Register of Children with Disabilities. This may assist in accessing services and equipment to facilitate the wellbeing and development of the child. Private Foster carers should be given details of relevant organisations, including advice lines.
- 15.3 After Care



15.3.1 A Private Fostering arrangement ends at a young person' sixteenth birthday (unless the young person is disabled and in this case it would be eighteen). The Children (Leaving Care) Act 2000 Section 24 (e) outlines that children who have been Privately Fostered are persons qualifying for advice and assistance post sixteen. Portsmouth City Council will support young people after the age of sixteen if their care plan evidences such support is required. The Private Fostering social worker is developing a post sixteen pathway for young people who have left the service. This will help identify children who have been previously Privately Fostered on Mosaic, signpost Privately Fostered young people to support post sixteen and create a robust plan of support prior to leaving the service. The Private Fostering social worker proposes the creating of a leaflet to explain to young people and their carers how to access ongoing support if this is required.

16 Other Forms of Care

- 16.1 Independent Schools:
- 16.1.1 Some children attending independent schools require care from host families during school holiday periods. If the arrangement is to last longer than twenty-eight days', it will constitute a 'Private Fostering' situation and those making such arrangements are obliged to inform Children's Social Care and comply with requirements outlined in this report.
- 16.2 Language Schools:
- 16.2.1 When children come to the United Kingdom to attend a language school, they can board with a host family and arrangements apply as outlined within this report. The Private Fostering Social Worker sends out communication explaining Private Fostering to all the local language and private schools who enrol children and young people from abroad.
- 16.3 Holiday Schemes:
- 16.3.1 If a child boards with a host family, then arrangements apply as outlined in this report.
- 16.4 Child-minding:
- 16.4.1 Registered child-minders must inform Children's Social Care if they propose to Privately Foster. During the assessment period the worker must consider the wellbeing and safety of daily minded children as well as any proposed Privately Fostered child.



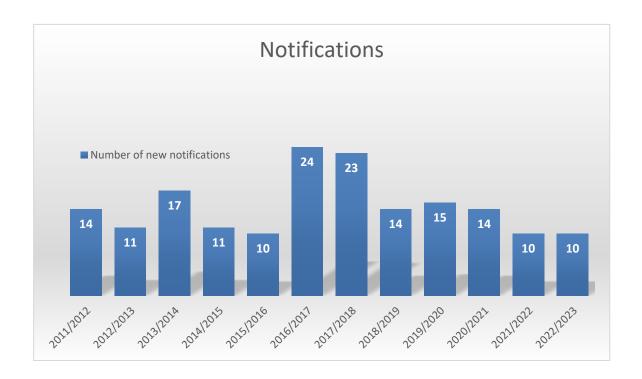
17 Requirement - Promoting Awareness

- 17.1 Portsmouth City Council has invested in a full time lead for Private Fostering, having a Social Worker coordinating this activity and ensuring the service delivery is meeting regulatory requirements. This is divided into two part time roles. This is currently being managed by one part-time Social Worker working 18.5 hours a week.
- 17.2 In March 2021 the leaflets for Private Fostering have been updated and reprinted to ensure accurate information is provided to professionals and the public. The poster has also been updated and reprinted. These publications have been distributed to language schools, libraries, community centres, children's centres and youth clubs across the city. These resources were also delivered electronically to the designated safeguarding leads at Portsmouth infant, junior, primary, senior and private schools.
- 17.3 Regular information about Private Fostering is placed in the Portsmouth Flagship information which is distributed to all Portsmouth households, Children's Services Bulletin, Head Teachers Bulletin and the Diocese of Portsmouth Bulletin, School Governors have been alerted to raise their awareness about Private Fostering. Leaflets and posters have been distributed to Portsmouth schools and Community Centres. Leaflets have been sent to language schools.
- 17.4 Private Fostering briefings have been established to raise awareness for professionals working with children, including the locality teams, early help, health, and education. These have now been implemented virtually and are held bi monthly which will enable regular training opportunities to new starters across services. These will be held at different times to try and engage as many agencies as possible. When distributing information about the briefings the Private Fostering Social Worker also advertises the ability to join meetings within agencies to deliver training and information about Private Fostering.

18 Local Perspective - Portsmouth

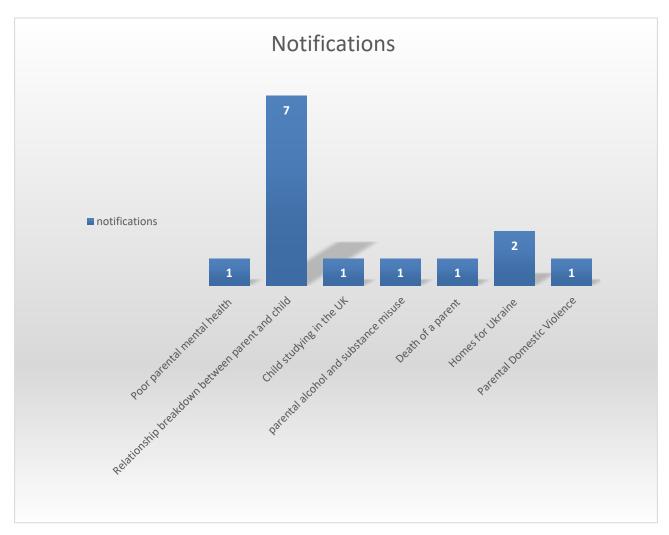
18.1 Information collected mirrors the national situation in relation to low notifications of Private Fostering arrangements. Portsmouth City Council has recorded the same number of notifications from the previous year. There were ten new notifications that led to Initial Assessments from 2022-2023, ten notifications from 2021-2022, fourteen notifications from 2020-21, fifteen notifications from 2019-2020, fourteen notifications from 2018-2019 and twenty three from 2017-2018.





- 18.1 Four arrangement were ongoing from 2021-2022 so in total there were fourteen Private Fostering Arrangements active between 2022 and 2023.
- The fourteen arrangements relate to fourteen children and young people.
- Between April 2022 and March 2023 there have been a variety of reasons why Private Fostering arrangements have commenced in Portsmouth.
- 18.2 Out of the fourteen Private Fostering arrangements, relationship breakdown between parents/guardians and children, children studying in the United Kingdom staying with a host family, parental mental health difficulties, parental domestic abuse and relationship breakdown, unexpected death of a parent, parental alcohol and substance misuse and the homes for Ukrainian children scheme were the reasons recorded for children staying in Private Fostering arrangements during 2022-2023. It is important to note that nine out of the fourteen children and young people were in Private Fostering arrangements because of two or more of the recorded reasons.





19 Source of notification.

19.1 The ten new notifications were referred by the Locality teams and MASH. No new notifications have been made by any other agency.

Notification source	Number of notifications
Safeguarding Team	8
MASH	2

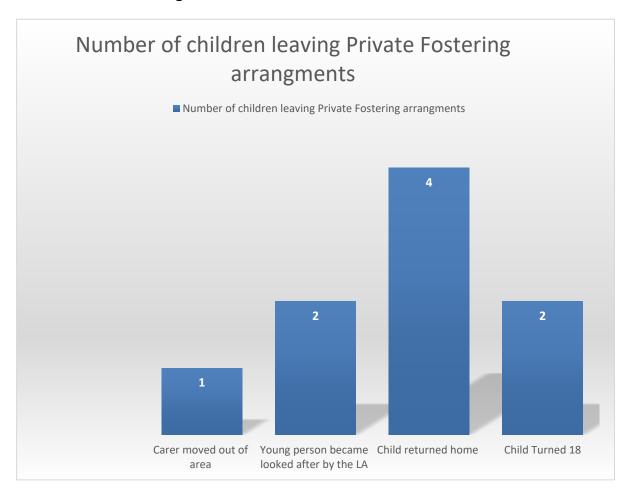
20 Relationship between the carer and the child

20.1 There are various relationships between privately fostered children and their carers' which are detailed in the chart below.



Relationship between carer and child	Number of children
Extended family member	4
The parent of the child or young person's	2
friend	
Family friend	1
Host family	1
The parents of the child or young person's	2
boyfriend/girlfriend	
Homes for Ukraine	2
Step parent	2

21 Duration of arrangement

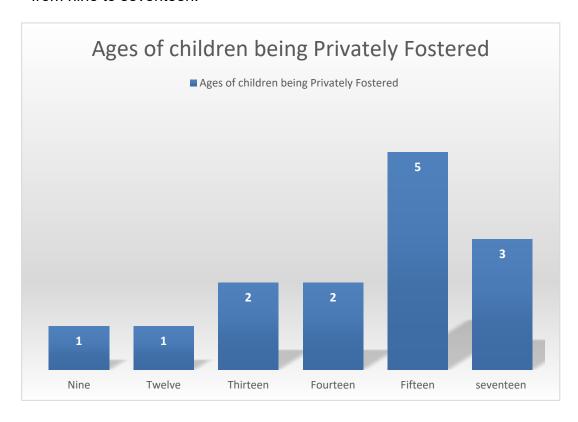


- 21.1 On the 31.03.2023 five of the fourteen children and young people are in ongoing Private Fostering arrangements. Nine arrangements have ended.
- 21.2 One carer moved out of the Portsmouth area, two young people became looked after by the Local Authority, four children and young people returned home to their parents' care, and two young people turned 18 who remained with their Private Foster carers.



22 Ages of children

22.1 The ages of the children in Private Fostering Arrangements from 2022-2023 varied from nine to seventeen.



22.2 Twelve children and young people, who were privately fostered during the year, had been living with either their parents or close relatives prior to the arrangement being made. One child had been living in Private Fostering arrangements that had been prohibited in the year 2021-2022 and one child had been living with SGO carers.

23 Health Issues

23.1 There is no statutory requirement for carers to have a full medical assessment but there is a requirement that background information is sought. The Private Fostering Social Worker sends a questionnaire to each Private Foster carer's GP requesting information on current health issues, any prescribed medication, any prognosis of treatment being received, and any health issues which could affect the carers' capacity to care. Historically there have been cases where the information provided has been inadequate or unclear, and the Private Fostering Social Worker has had to rely on the carer disclosing significant information regarding their health. Out of fourteen Private Fostering arrangements, ten medical questionnaires have been completed by GP's. This is an area which has shown some improvement but identifies the importance of awareness raising within GP practises to get every questionnaire completed promptly.



23.2 Health consent cards have been used with success to allow parents to give consent for medical treatment. The cards are signed by the parents and provided to the carer to be used when required. This is particularly helpful when parents live outside of Portsmouth.

24 Ethnicity

24.1 Information has been gathered about the ethnic origin, country of birth, and religion of the carers and the child or young person who is privately fostered.

Ethnicity of carer	Number of carers
White British	15
Black African	1
White Lithuanian	1
White British and Black	1
Caribbean	

Ethnicity of child	Number of children
White British	8
White Ukranian	2
Black African	1
Black African and white	2
British	
White Lithuanian	1

25 Financial Issues

- 25.1 Private Foster carers can claim Child Benefit (CB) and Child Tax Credit (CTC) or Universal Credit if they are eligible. Finances are an issue for the Private Fostering family with many of them struggling to manage to give the children opportunities that would be considered important to childhood development.
- 25.2 Of the fourteen arrangements within the past year, two were supported financially by persons with parental responsibility which they had agreed with the Private Foster carer. Two arrangements were financially supported by the Homes for Ukraine scheme.

26 Profile of the children and young people.

- 26.1 Eleven of the fourteen children and young people living in Private Fostering arrangements from 2022-2023 have previously been subject to Child in Need or Child Protection planning in Portsmouth or Hampshire.
- Nine of fourteen young people who are Privately Fostered made their own Private Fostering arrangement.



27 Resources

27.1 Portsmouth City Council is expected to allocate sufficient resources to identify, advise upon, and monitor private fostering arrangements. The role is 37 hours per week which has been divided between two part time social workers working in the Connected Persons team. One of the part time workers has left the team meaning Private Fostering is being covered by one part-time worker who returned from Maternity Leave in November 2022.

28 Update on the Action plan from 2022-2023.

28.1 Both part time Private Fostering Social Workers will return from maternity leave 2022. The Fostering Service was unable to recruit to these posts and therefore they were covered by one connected persons assessment Social Worker within the connected persons team.

One of the Private Fostering Social Workers returned to working 18.5 hours in November 2022. The other part time Social Worker left the connected persons team and the role has been advertised. The role is currently being managed by one part time social worker in the connected persons team.

28.2 The Private Fostering Social Worker will continue to work with the Marketing and Communications team to increase the profile of Private Fostering on social media to raise awareness and to create a Marketing plan for 2022-2023 to ensure available opportunities are taken to raise awareness of Private Fostering.

The Private Fostering social worker met with Annette Harley on the 21.02.2023 to discuss Private Fostering marketing plan and raising awareness opportunities for the year 2023 to 2024. The new plan has been included within this report and I respectfully refer the reader to section 29. Throughout 2022-2023 the marketing department ensured that Private Fostering awareness was included in publications and posts created on social media to target the wider public within Portsmouth.

28.3 The Private Fostering Social Worker will directly target those who work with children and young people in health, education, police, community services and voluntary agencies to raise awareness of Private Fostering. The Social Worker has attended and presented to MAT network meetings.

In 2022-2023 agencies working with children and young people have been invited to Private Fostering briefings held online. When sending out invites, information and resources have been provided to ensure that the agencies have a basic understanding of what Private Fostering is. The private fostering social worker has also communicated that she is available to present to individual teams should this be preferred.



28.4 Private Fostering briefings will continue to be held bimonthly and invites will be sent out in advance via communications and promotional material sent to outside agencies.

Private Fostering briefings are now being held through the platform Microsoft Teams. Advertising for this has been sent out through communications emails. Promotional material has been sent to schools and the police service. Moving forward more promotional material will be sent out to different services which will include the dates of upcoming briefings. Briefings will continue to be held every two months allowing new staff and different agencies to attend.

28.5 The Private Fostering Social Worker to continue to attend the Coram BAAF special interest group for Private Fostering.

The Private Fostering social worker has attended the Coram BAAF special interest groups for Private Fostering Social Workers. This is a helpful forum to meet with other social workers nationwide and to learn what is working for them in raising awareness, discussing practise matters and legislation.

28.6 The Private Fostering Social Worker to attend meetings of the newly created Southern Private Fostering raising awareness group.

The southern Private Fostering raising awareness group includes practitioners from our neighbouring authorities. This is a forum to share best practise and ideas.

28.7 With support from the Head of Service a process for Annual Reviews of Private Fostering arrangements will be created with an Identified Independent Reviewer.

The Private Fostering social worker is working with her team manager to create an annual review pathway. Reviews will be conducted by the Connected Person's Team Leader. All Privately Fostered children are subject to Child in Need planning and their plans are reviewed within statutory timescales. This means that Privately Fostered children plans are reviewed regularly.

28.8 Develop a feedback form for children, carers and parents so their views can be recorded and included in the Annual Review 2022-2023.

The feedback form was not created in 2022-2023 as the Private Fostering social worker was on maternity leave. The private fostering social worker works closely with the parents, carers and children who are living in Private Fostering arrangements capturing their views regularly including them in assessments and reviews. The Private Fostering social worker will develop a feedback form for 2023-2024 to formally capture views of everyone involved in Private Fostering arrangements.



29 Action plan for 2023-2024.

- 29.1 A social worker will be recruited to the connected persons team to ensure the Private Fostering role is increased to 37 hours.
- 29.2 The Private Fostering Social Worker will continue to work with the Marketing and Communications team to increase the profile of Private Fostering on social media to raise awareness and to utilise the Marketing plan for 2023-2024 to ensure available opportunities are taken to raise awareness of Private Fostering.
- 29.3 The Private Fostering Social Worker will directly target those who work with children and young people in health, education, police, community services and voluntary agencies to raise awareness of Private Fostering.
- 29.4 Private Fostering briefings will continue to be held bimonthly and invites will be sent out in advance via communications and promotional material sent to outside agencies.
- 29.5 The Private Fostering Social Worker to continue to attend the Coram BAAF special interest group for Private Fostering with the aim of improving practise and learning from colleagues across other Local Authorities.
- 29.6 The Private Fostering Social Worker to attend meetings of the Southern Private Fostering raising awareness group.
- 29.7 The Private Fostering Social Worker will develop a feedback form for children, carers, and parents so their views can be recorded and included in the Annual Review 2023-2024.
- 29.8 To write and develop a post sixteen/eighteen pathway plan for young people who have been Privately Fostered. This will help identify young people who have been privately fostered. It will provide them with a plan of support post sixteen and provide information on how to seek advice and support in the future.

30 Marketing Plan 2023-2024 created by Annette Harley.

- 30.1 Q1: Digital short video, Foster Portsmouth Facebook post & story, Foster Portsmouth e-bulletin article, digital asset development.
- 30.2 Q2: Case study development, Portsmouth City Council website page development, Foster Portsmouth Facebook post, Foster Portsmouth e-bulletin advert, poster/flier distribution, e.g., to schools/medical centres.
- 30.3 Q3: Private Fostering Week campaign, Flagship article, Foster. Portsmouth Facebook banner advert, Portsmouth City Council social posts & stories*, Foster Portsmouth Facebook post & story, Foster Portsmouth e-bulletin article, Portsmouth City Council e-bulletin articles**, Family Life Facebook post, digital asset development #2, CFE newsletter, medical/NHS newsletters, e-shot, Newsflash to foster carers, CFE staff email, Foster Portsmouth Facebook advertising, House talk magazine article, local Facebook group posts, PCC/Google advertising, press release, Portsmouth City Council website news article.
- 30.4 Q4: Foster Portsmouth Facebook post, Foster Portsmouth e-bulletin advert.



Signed by Sarah Daly (Director Children, Families and Education)

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location