

Safeguarding News

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Private Fostering

What is Private Fostering?

Private fostering is an arrangement whereby a child under the age of 16 (or 18 if the child has a disability) is placed for 28 days or more in the care of someone who is not the child's parent(s) or a 'connected person'.

A connected person is defined as a 'relative, friend or other person connected with a child'. Private foster carers can be from the extended family, e.g. a cousin or a great aunt, but cannot be a relative as defined under the Children Act 1989, section 105:

'A relative under the Children Act 1989 is defined as a 'grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent'.

It is imperative that the local authority are notified if a child is living with someone who is not their parent or a 'connected person' for longer than 28 days. The local authority need to be satisfied that the placement is suitable and the child is safe. To be defined as 'private fostering', the child must be living with that person for longer than 28 days and this should be continuous but can include occasional short breaks.

What is the relevant legislation for private fostering?

The Children (Private Arrangements for Fostering) Regulations 2005 replaced the Children (Private Arrangements for Fostering) Regulations 1991 and the National Minimum Standards for Private Fostering (NMS) issued under section 7 of the Local Authority Social Services Act 1970 are key pieces of legislation governing the area of private fostering. The NMS is general guidance and does not have the full force of statute, but should be followed unless there are exceptional local circumstances to justify a variation.

Where a member of staff becomes aware that a pupil is in a Private Fostering Arrangement:

1. This should be shared with the Safeguarding Team via an incident log on CPOMS:

The screenshot shows the 'Add Incident' form in the CPOMS system. The form is titled 'Add Incident' and has a header with 'King's Oak Academy' and navigation links like 'Dashboard', 'Add Incident', and 'Change Password'. The form fields include:

- Student:** A text input field with a placeholder 'Begin typing a student's name'.
- Incident:** A large text area for describing the incident.
- Categories:** A list of checkboxes for incident types: 'Acorn Behaviour', 'Acorn SEN Provision', 'Behaviour (secondary)', 'Immersion or PTF relationship', 'Incident closed', 'Incident open' (which is checked), 'Inclusion Hub', 'Meetings', 'Referrals Made and Outcomes', 'Safeguarding', and 'Suspected Bullying'.
- Linked student(s):** A dropdown menu with a placeholder 'Begin typing a student's name' and a sub-field 'Type a student's name to link them to this incident.'.
- Body map:** A dropdown menu.
- Date/Time:** A date and time selector showing 'Wed 20 March 2017' and '10:25AM'.
- Alert Staff Members:** A dropdown menu with 'Safeguarding Team' selected. Below it are buttons for 'Safeguarding Team', 'Inclusion Group', and 'Inclusion group'. A sub-field 'Type a colleague's name or select an alert group to alert them to this incident. Colleagues highlighted in red would not normally be able to view this incident.' is present.
- Files:** A text input field with a placeholder 'Who should I alert?' and a 'Click to browse or drag a file to upload' button.

Alert Staff Members – Always select **Safeguarding Team**.

All new incidents should be logged as **Incident Open**. Do not select any other category as the Safeguarding Team will do this.

2. The Safeguarding Team will follow up the incident, ensuring we have appropriate information before notifying the Local Authority of the circumstances.

