



**LONDON BOROUGH OF MERTON  
CHILDREN, LIFELONG LEARNING & FAMILIES DEPARTMENT**

**PRIVATE FOSTERING  
STATEMENT OF PURPOSE**

**February 2023**

Issue Date	Author	Date of Next Review	Lead Officer
May 2023	Debbie Eaton	May 2024	Dheeraj Chibber

This Statement of Purpose is reviewed and updated on an annual basis. The review is signed off by the Director of Children, Lifelong Learning and Families Department

<i>Director, CLLF – Jane McSherry</i>	02.02.2023
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## 1. Introduction

This Statement of Purpose is designed to meet the statutory requirement established by the National Minimum Standards for Private Fostering 2005 that

The local authority has a written statement or plan, which sets out its duties and functions in relation to private fostering and the ways in which they will be carried out (Standard 1)

Our aim in Merton is to make sure birth parents, individuals with parental responsibility and carers, feel comfortable in notifying the Local Authority of private fostering arrangements and they are aware of the benefits to them and the children in their care.

It is our intention to work in partnership with children, carers and parents to make sure:

- Children are provided with high quality childcare that meets their needs;
- Safeguarding children and their best interests at all times are of paramount importance;
- We work together to safeguard and promote children's physical, emotional, health, educational, social and cultural needs;
- Private carers are provided with advice, and support which helps them to provide such care;
- Birth parents feel able to seek the help and guidance of the Local Authority.

The Statement of Purpose will be reviewed, updated and modified whenever necessary and not less than annually. Any comments or enquiries about this Statement of Purpose should be passed to the Designated Manager for Private Fostering, Merton Council.

## 2. The legal framework

The legal framework underpinning Private Fostering Arrangements is the Children Act 1989 and the Children (Private Arrangements for Fostering) Regulations 2005. The National Minimum Standards for Private Fostering, 2005 specify a minimum standard for local authority practice in the fulfilment of its duties and functions. These, with the new measures in section 44 of the Children Act 2004 are intended to better focus local authorities' attention on private fostering, in part by requiring them to take a more proactive approach to identifying arrangements in their area.

## 3. The legal definition of a privately fostered child and a list of examples

'Private Fostering' is defined by [The Children \(Private Arrangements for Fostering\) Regulations 2005](#) as a private arrangement made for the care of a child or young person under the age of 16 (under 18 if disabled) by someone other than:

- A parent, including unmarried or putative fathers;
- A person who has parental responsibility for the child;
- A close relative (i.e. an aunt / uncle / step-parent by marriage / grandparent / sibling)

For the private arrangement to be within the statutory definition of Private Fostering:

- The child must have been cared for and accommodated by that person for 28 days or more;

or

- The period of actual private fostering is less than 28 days, and the private foster carer intends to privately foster the child for a period of 28 days or more.

Private Fostering arrangements are diverse. However, arrangements which are private fostering include:

- Children and young people sent from abroad to stay with another family, usually to improve their educational opportunities
- Teenagers who, having broken ties with their parents, are staying in short term arrangements with friends or other non-relatives;
- Children of prisoners placed with distant relatives;
- Language students living with host families;
- Children and young people from another country who are staying with someone who is not a relative which includes trafficked children.

A child or young person who is Looked After or placed in any residential home, hospital or school is excluded from the definition.

#### **4. Merton Council's duties and functions under the Children Act 1989 and the Children (Private Arrangements for Fostering) Regulations 2005**

The Children Act 1989 Guidance on Private Fostering comprehensively sets out the requirements for determining that the welfare of privately fostered children are safeguarded and promoted. These will be used by the designated social worker for private fostering and the line manager in reaching decisions in accordance with the regulations.

Responsibility for Private Fostering is located in the Social Work Academy. There is a dedicated Consultant Social Worker (Private Fostering) who is responsible for assessing and supporting private

fostering arrangements. The CSW supervises 4 Apprentice Social Workers and reports to the Team Manager of the Social Work Academy.

The CSW, with the Team Manager is responsible for:

- raising public and professional awareness about private fostering and the requirements to notify the local authority of any actual or planned private fostering arrangements
- responding to any private fostering notifications, assess the arrangements and to provide support to the child/ren and adults involved.

Merton Council has a duty to be notified about all private fostering arrangements in the borough and to satisfy itself that the welfare of children who are being privately fostered are paramount ([Children Act 1989 Section 67\(1\)](#)).

Where children do not have an allocated social worker, private fostering notifications are initially received by the Children and Families Hub. If the arrangement meets the private fostering criteria a referral is sent to the Family Assessment and Intervention (FA&I) Duty Team to undertake a home visit with the CSW - Private Fostering within 7 working days. Following the initial visit once it is confirmed as a private fostering arrangement the FA&I Duty Team Manager transfers case responsibility to the Social Work Academy Manager for allocation of a Private Fostering Assessment.

Where a child or young person already has an allocated Social Worker, the private foster carer, those with parental responsibility or any professional working with a child or young person must contact the Social Worker to notify them of the arrangement. The allocated Social Worker will advise the Consultant Social Worker and Team Manager responsible for Private Fostering who will arrange to carry out an Initial Visit and Private Fostering Assessment.

The CSW - Private Fostering, leads a suitability assessment of the private foster carer with an Apprentice Social Worker, offering advice and support where appropriate.



## **5. How Merton Council will satisfy itself the welfare of privately fostered children in its area is satisfactorily safeguarded and promoted**

Children and young people cared for by Private Foster Carers will be visited frequently to ensure that they are safe and appropriately cared for. The frequency of visits will be determined by the circumstances of the child and should take place whenever reasonably requested by the child or private foster carer. However, at a minimum a child or young person should be visited:

- a. Within 7 working days of the arrangement having commenced;
- b. Not less than every six weeks during the first year of the arrangement; and
- c. Not less than every twelve weeks after the first year of the arrangement.

The child will be seen alone on each visit unless this is not appropriate having regard to the young age of the child or if the child does not wish to see the Social Worker alone. The child's bedroom will be seen on some visits.

Where circumstances indicate that a privately fostered child may be a 'child in need', a Child and Family assessment will be carried out in accordance with the Working Together to Safeguard Children guidance. Any decision on the level and type of services that should be offered will be in line with the Children's Social Care policy on supporting children in need and their families.

### **Review of Private Fostering Arrangement**

The care of a child or young person in Private Foster Care will be reviewed regularly to make sure it complies with The Children (Private Arrangements for Fostering) Regulations 2005 or not. Where the child or young person is also receiving additional services under a Child in Need Plan, the Plan will be reviewed every three months in accordance with Merton Council Practice Guidance for the review of Children In Need cases. Where there are no additional services provided the arrangement will be reviewed on a six-monthly basis.

The Review of the arrangement will cover:

- Duration of placement
- Financial arrangements
- Contact arrangements
- How the child's health and education needs are being met
- How the child's emotional social and behavioural needs are being met

- How the child's religious, racial, cultural and linguistic needs are being met
- Role of parents in exercising their parental responsibility
- How the placement will be monitored by Children's Social Care until the next Review
- As in all reviews, parents, children and carers will be actively encouraged to participate and contribute to the review and planning process.

If an arrangement continues, the private foster carer's will be required to renew their DBS forms every 3 years.

## **6. How Merton Council will determine the suitability of all aspects of a private fostering arrangement in accordance with the regulations**

Private Fostering Regulations require that an 'Initial Visit' must be made to the proposed or actual private foster carers within seven working days of Notification. This will be by a qualified Social Worker tasked by a Manager with conducting a Private Fostering Viability Assessment which should be completed within 45 days of the Notification.

This will include a consideration of any issues emerging from

- the declarations required by Private Foster Carers;
- DBS Certificate of Disclosure for all adult Household Members;
- Private Fostering Home Safety Checklist;
- Local Authority checks
- two non-relative references obtained.

Although local authorities do not formally approve or register private foster carers, Merton Council does have a duty to satisfy themselves the welfare of a privately fostered child or young person within their area is being safeguarded and promoted.

In Merton the Principal Social Worker (PSW), who line manages the Social Work Academy Team Manager and CSW – Private Fostering, is required to sign off decisions about the suitability, or not, of private fostering arrangements including

- Prohibiting those persons from privately fostering deemed to be unsuitable.
- Imposing requirements on each placement, where relevant.

## **6. How relevant staff will be trained to ensure they have appropriate understanding and expertise in relation to private fostering**

The Designated Manager for Private Fostering has lead responsibility for ensuring relevant staff have appropriate understanding and expertise in relation to private fostering. The responsibilities include



the review and updating of Practice Guidance and assessment documentation, undertaking briefing sessions of staff, and maintaining awareness of Private Fostering.

The Designated Manager reports on activities undertaken to Merton Safeguarding Children Partnership (MSCP) and the Executive Director of Children, Lifelong Learning and Families through the preparation and presentation of the Private Fostering Annual Report.

The Designated Manager and CSW – Private Fostering are members of CoramBAAF Private Fostering Practice Forum in order to share and learn about best practice.



## **7. How awareness of the notification requirements will be promoted with other agencies and within the wider local community**

The Children Act 2004 places a duty on local authorities to promote public awareness in their area of the statutory notification requirements regarding Private Fostering. The Designated Manager with Merton Safeguarding Children Partnership is responsible for developing a strategy to raise public and professional awareness about private fostering. This will be done using a range of media, including posters, leaflets, web articles and training opportunities. The Designated Manager reports annually on activities undertaken to raise awareness of Notification requirements to the Merton Safeguarding Children Partnership and the Executive Director of Children, Lifelong Learning and Families through the preparation and presentation of the Private Fostering Annual Report.

Our aims are:

- To increase the notification of private arrangements by raising awareness of private fostering.
- To provide guidance on our statutory responsibilities to members of the public, parents, children, all local authority, and partner agencies.
- To establish and assess the suitability of private fostering arrangements.
- To ensure the safety and wellbeing of children and young people living in such arrangements and that their needs are being met.
- To provide support and advice to private foster carers, children/young people, and their parents as appropriate.

This is achieved by:



- Merton has a multi-agency Private Fostering Working Group and has a Private Fostering Action Plan (set against National Minimum Standards for Private Fostering) which is reviewed and updated every 6 months.
- Merton undertakes an annual Private Fostering thematic audit which is presented to the Private Fostering Steering Group.
- Merton Safeguarding Children Partnership has re-established a multi-agency Private Fostering Working Group which takes the lead on promoting awareness of private fostering and, also, considers which agencies are best placed to identify children in private fostering situations.

## **8. The advice and support that will be available to private foster carers (including prospective private foster carers), parents and others with parental responsibility, and others concerned with the privately fostered child**

- The designated Consultant Social Worker for private fostering is the professional best placed to offer advice and support to private foster carers, parents and others concerned with the privately fostered child. Details will be kept on the appropriate personal records of any advice or support provided.
- Where advice or support is to be provided by another agency this will also be recorded on the appropriate personal record.
- Key information such as the contact details of the designated social worker and any other professionals providing advice or support, and the Children's Social Care out of hours service will be given to each:
  - Private foster carer
  - Prospective private foster carer
  - Parent
  - Other person(s) with parental responsibility
  - Other person concerned with a privately foster child
- All information (verbal or written) will be provided in a suitable format for the recipient. Requests for translation or interpreting will be provided in line with the Council's policy and procedure for all service users.



## **9. Arrangements for information and support to the privately fostered child**

- a. Key information will be given to each privately fostered child (once of a suitable age and understanding). The information provided is reviewed at regular intervals to ensure it matches the child's circumstances and his or her developmental needs.
- b. As a priority, the privately fostered children will be given details of:
  - The name and contact details of the person who will be visiting them while they are privately fostered.
  - The dates and times of all planned visits.
  - Who they can contact (during normal office hours and out of office periods) if they have concerns about their care or if they wish to request a visit?
  - Any advocacy arrangements, if they are assessed as being a child in need.
- c. All information (verbal or written) will be provided in a suitable format for the recipient. Requests for translation or interpreting will be provided in line with the Council's policy and procedure for all service users.

## **10. Arrangements for any training that may be available to private foster carers (including prospective private foster carers)**

Private foster carers are encouraged and will be supported to attend training organised by the Merton Local Safeguarding Partnership and for foster carers to equip them in caring for the child they are privately fostering.

## **11. The role of other agencies in assisting the local authority to carry out its duty under section 67(1) of the Children Act 1989**

- a. The Merton Local Safeguarding Children Partnership has re-established a Private Fostering Working Group in July 2022. This multi-agency forum plans, monitors and reviews the local response to implementing the requirements set out in the Children Act 2004, the Regulations and the National Minimum Standards. Terms of reference and membership of the Working Group have been produced.
- b. The Private Fostering Working Group will continue to set out the expectations of partner agencies through relevant briefings and training.

## 12. Monitoring and Evaluation of Private Fostering in Merton

The National Minimum Standards for Private Fostering 2005 requires that:

*The Local Authority provides a written report each year, for consideration by CYSCP and the Executive Director of Children's Services, which includes an evaluation of the outcomes of its work in relation to privately fostered children within its area. (at para. 7.9)*

Accordingly, the Designated Manager for Private Fostering, in conjunction with the SW Academy Manager and CSW – Private Fostering, will prepare and present an 'Annual Report' for consideration by the Executive Director of Children, Lifelong Learning and Families and the Merton Safeguarding Children Partnership giving an overview of activities in relation to Privately Fostered children in Merton over a twelve-month period. The report will detail how Merton Council has complied with its duties and functions in relation to Private Fostering, include how the welfare of privately fostered children has been satisfactorily safeguarded and promoted over the past 12 months and outline the activities which have been undertaken to promote local awareness of the notification requirements regarding children who are living in Private Fostering arrangements.

### Further Information

a. Enquiries and referrals regarding proposed or actual private fostering arrangements:

Children and Families Hub  
12<sup>th</sup> Floor, Civic Centre  
London Road  
Morden  
SM4 5DX  
020 8545 4226 or 4227  
Email: [candfhub@merton.gov.uk](mailto:candfhub@merton.gov.uk)

Social Work Academy Manager  
11<sup>th</sup> Floor, Civic Centre  
London Road  
Morden  
SM4 5DX  
020 8545 4247

b. Information for partner agencies is available via the Merton MSCP webpages:

[Merton Safeguarding Children Partnership \(mertonscp.org.uk\)](http://mertonscp.org.uk)

c. Public information about private fostering is available in leaflet format from the address above, on the Merton Council website and on the MSCP website

MSCP website – to be added

Merton Council Page – to be added

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