

Private Fostering in Milton Keynes

Annual Report April 2021 - March 2022

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milton keynes council

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1. INTRODUCTION

This Annual Report gives an overview of the activities in relation to Privately Fostered children in Milton Keynes from 01st April 2021 to the 31st March 2022. This report details how Milton Keynes Children's Social Care has delivered its duties and functions in relation to Private Fostering and how the welfare of privately fostered children have been safeguarded and promoted during the last 12-month period as set out in The Children Act 1989 (schedule 8), the Children Act 2004 and National Minimum Standards for Private Fostering 2005.

This report also outlines the activities, which have been undertaken to promote awareness of the notification requirements regarding the children who are privately fostered, and the actions Milton Keynes proposes to undertake in the next year.

2. LEGAL CONTEXT

This document has been written within the context of the following legal requirements:

- Children Act 1989
- Children Act 1989 Regulations and Guidance Volume 8
- The Children Act 2004
- The Children (Private Arrangements for Fostering) Regulations 2005
- Disqualification from Caring for Children (England) Regulations 2002

The general requirements relating to private fostering are set out in Section 67 of, and Schedule 8 to, the Children Act 1989 and regulations made under Part 9 of that Act. Section 67 of, and Schedule 8 to, the Children Act 1989 have been amended by Section 44 of the Children Act 2004 and came into force on 1 July 2005. In addition, Children (Private Arrangements for Fostering) Regulations 2005 replaced earlier regulations and came into force on the same date.

Revised Children Act 1989 guidance that replaces Chapter One of Volume 8 (Private Fostering and Miscellaneous) was issued in the context of the Government's 'Every Child Matters: Change for Children' programme under Section 7 of the Local Authority Social Services Act 1970.

National Minimum Standards for Private Fostering were issued under Section 7 of the Local Authority Social Services Act and therefore should be complied with unless local circumstances indicate

exceptional reasons, which justify a variation. The guidance came into effect on 18th July 2005 along with National Minimum Standards for Private Fostering.

The measures enacted in Section 44 of the Children Act 2004 and the Regulations 2005 are intended to strengthen and enhance the earlier private fostering notification scheme.

3. PRIVATE FOSTERING – A DEFINITION

A private fostering arrangement is essentially one that is made privately (i.e., without the involvement of a local authority). The Children Act 1989 defines private fostering as occurring when a child under 16 (or under 18 if the child has a disability) is cared for, and provided with accommodation, for 28 days or more by someone other than a close relative, guardian, or someone with parental responsibility. This might be a friend, a great aunt, a cousin, or someone else known to the child or young person. A close relative is defined as being a grandparent, aunt, uncle, brother, or step-parent by marriage. Private foster carers can be a cousin, a great aunt, friend of the family, parent of a friend of the child. The period for which the child is cared for and accommodated by the private foster carer should be continuous, but that continuity is not broken by the occasional short break.

The private foster carer becomes responsible for providing the day-to-day care of the child in a way, which will promote and safeguard his welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility. This is a private arrangement between parent and carer.

Children in circumstances as detailed below are not privately fostered:

- in the care of the Local Authority i.e., children Looked After or Accommodated
- in premises in which any of his/her parents live, or a person who is not a parent but has parental responsibility for him/her is for the time being living
- in premises where a relative (as defined below) of his/hers lives and who has assumed responsibility for his/her care
- in any children's home
- in accommodation provided by or on behalf of any voluntary organisation
- in schools where they are receiving full time education on a residential basis
- in health service hospitals or care homes.

- who are liable to be detained, or subject to Guardianship under the Mental Health Act 1983
- in any home or institution not specified above but provided equipped and maintained by the Secretary of State;
- Protected children within the meaning of section 32 of the Adoption Act 1976.

Schedule 8 of the Children Act 1989 should be referred to for a full list of exemptions to the definition of a privately fostered child.

A Close Relative is defined as the child's mother, father, grandparent, brother, sister, uncle or aunt (whether of full blood or half blood or step-parent).

The Social Care, Health and Wellbeing Directorate will distinguish between private arrangements made between parents and carers, and arrangements in which they, with the consent of the parents, have been involved where the child concerned is legally defined as 'accommodated' under section 20 of the Children Act 1989, thus being a looked after child.

Language Schools and Host Families - children attending Language Schools may meet the criteria for private fostering. Such children are usually boarded with 'host' families. If because of length of stay with the host family, the arrangement meets the criteria for private fostering, it will be considered to be private fostering.

Holiday schemes - where 'holiday' schemes are organised, and children are boarded with host families the arrangement will be treated as private fostering if the length of stay with the host family or the age of the child meets the criteria for private fostering.

Independent Schools and Guardianship Organisations – Guardianship organizations provide "guardians" with whom children who are at boarding school can live when the school closes during the holidays and the child is unable to return to live with his/her parents. This usually applies to children whose parents are abroad and, for whatever reason, cannot have the child back with them. Where such arrangements are intended to last for more than 28 consecutive days then they should be treated as a private fostering arrangement.

Parents and carers have a legal duty to notify the local authority when entering a private fostering arrangement; local authorities are then required to carry out an assessment and to monitor the arrangement.

Partner agencies should notify the local authority and any professionals working with children, young people and their families from agencies including (but not limited to) schools or health services, if they become aware of or believe that a child is living in a private fostering arrangement.

4. THE LOCAL AUTHORITY'S DUTIES AND FUNCTIONS

The responsibilities of the local authority are outlined within the Private Fostering Regulations ('Regulations') and the Private Fostering National Minimum Standards (NMS) 2005.

Milton Keynes Children Social Care is responsible for all privately fostered children who reside in their area. The fostering team oversee the children who are privately fostered from overseas and who are attending language schools.

There is a duty placed on anyone involved in a private fostering arrangement to notify Milton Keynes Children Social Care. Milton Keynes needs to be satisfied that the welfare of privately fostered children, or children who are likely to be privately fostered, is being safeguarded and promoted.

Private fostering arrangements can be a positive response from within the community to difficulties experienced by families, however privately fostered children remain a diverse and potentially vulnerable group. The local authority has a duty to satisfy itself that the welfare of children who are privately fostered is being satisfactorily safeguarded and promoted, and to ensure that such advice is given to those caring for them as appears to be needed. Local Authorities do not formally approve or register private foster carers.

It is the duty of the Local Authority to satisfy itself that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted. It is the local authority in whose area the privately fostered child resides which has legal duties in respect of that child.

Where the local authority is informed of a proposed or existing private fostering arrangement:

- Milton Keynes Social Care will allocate to a worker to undertake an initial visit
- The child's Social Worker or Fostering Social Worker will undertake an initial visit to the child within seven working days of the date of notification.
- The fostering social worker will then carry out an assessment of the suitability of the arrangements for the child
- Visits during the assessment will be fortnightly.
- Following completion of the assessment and thereafter for the first-year visits are six weekly unless the needs of the child requires otherwise
- Thereafter, the visits move to 12 weekly

When completing assessments of, and meeting with, children, young people and their families, all agencies should ask questions about who lives in the household and who has parental responsibility this can help in identifying a private fostering arrangement. All the relevant checks should be undertaken such as medical, DBS and social care safeguarding checks.

Additional duties of Milton Keynes council are as follows:

- Continued development within Children's Social Care around private fostering and what constitutes these arrangements to ensure best practice.
- Building knowledge and raising public and professional awareness with regards to what constitutes a private fostering arrangement and the duty to notify Milton Keynes Children's Social Care.

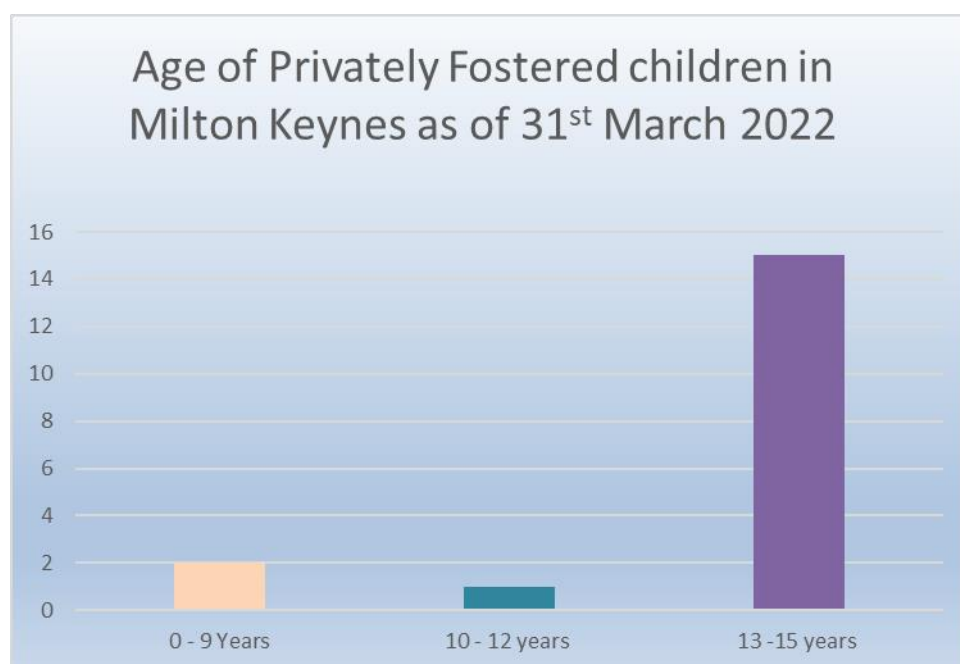
5. PRIVATE FOSTERING ARRANGEMENTS – PERFORMANCE DATA

Between the period of 1st April 2021 to 31st March 2022, there were 18 children privately fostered. This is a fair percentage of privately fostered children given the population of Milton Keynes (229,941). The figure of privately fostered children remained at a similar number in comparison to the previous year.

Of those 18 private fostering arrangements 16 assessments were completed and 2 assessments were still in progress.

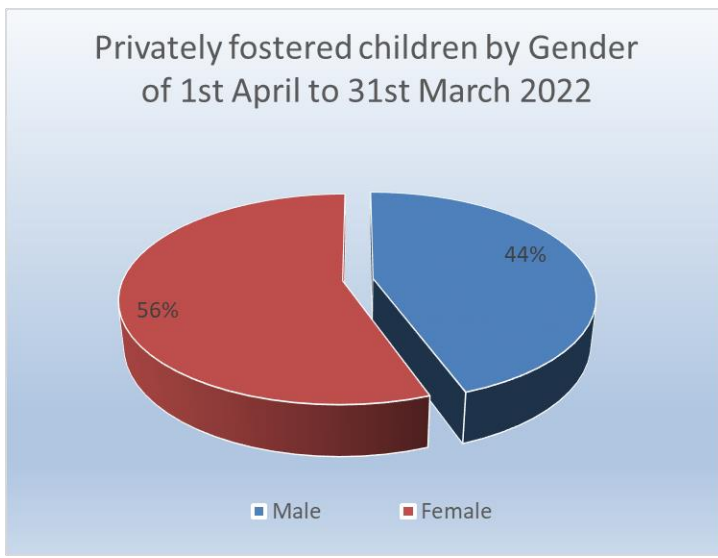
Of the 18 Private Fostering arrangements, 13 ended in this year; with 5 remaining open at Year End (31st March 2022) which is the same as at the of the previous year. The reason for ending were as follows: Seven children turned 16 years old, four returned home to their parents and Two children were referred back to Family Support Team due to safeguarding concerns and subsequently became Looked After Children. At the end of pervious year (31.03.2021), there were 21 Private Fostering arrangements, with only five remaining open at Year End (31st March 2021).

Age of Privately Fostered children in Milton Keynes as of 31st March 2022



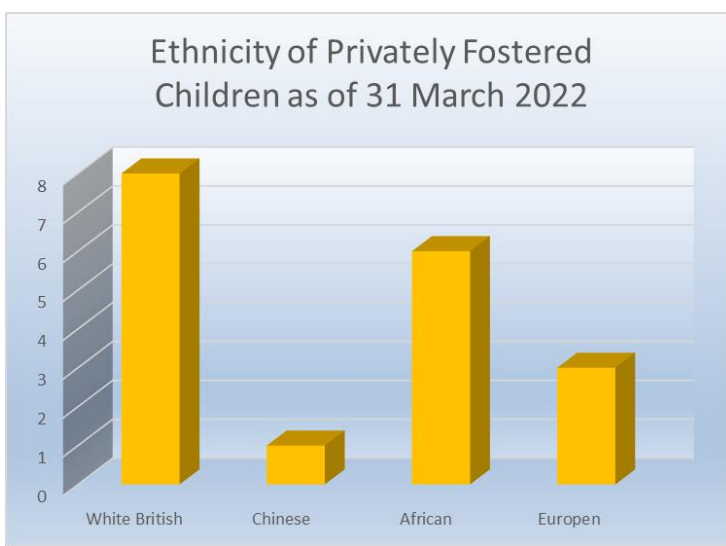
The above table demonstrates that there were two children below the age of 10, one child was 12 and fifteen children were between 13 and 15 years old.

Privately Fostered children by Gender of 1st April 2020 to 31st March 2022



Of all the children in private fostering arrangements during this year the majority of notifications of privately fostered children were female (8 compared to 12 in the previous year).

Ethnicity of privately fostered children as of 31st March 2022

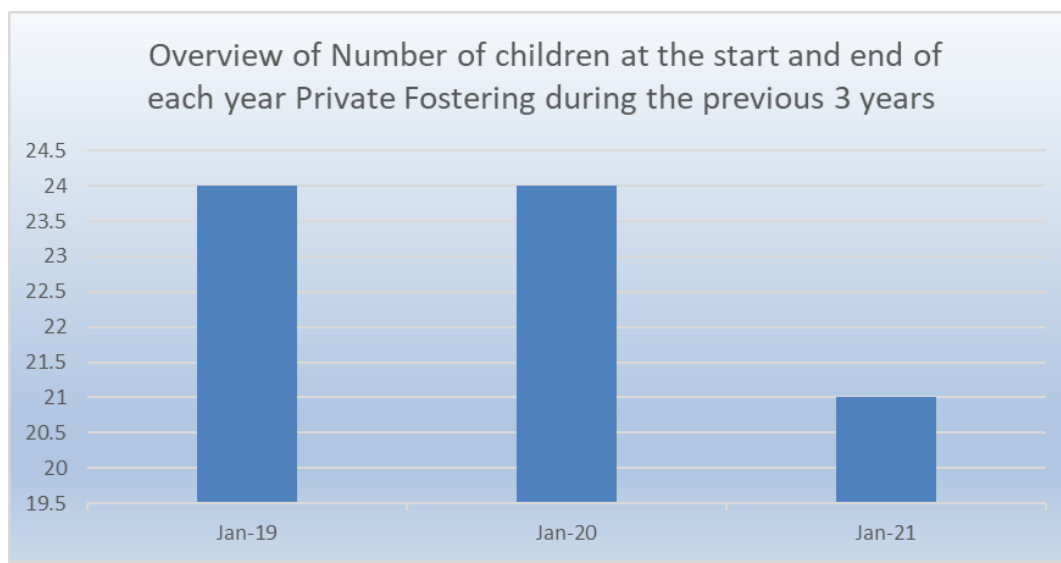


It is clear from the chart above that there were a mix of children from different ethnicities in private fostering arrangements as of 31st March 2021. There were eight White British children, six Black African three European. There was one Chinese international student in a private fostering

arrangement. In previous years, the number of children and young people from a Chinese background had been higher and this has reduced due to the impact of Covid restrictions.

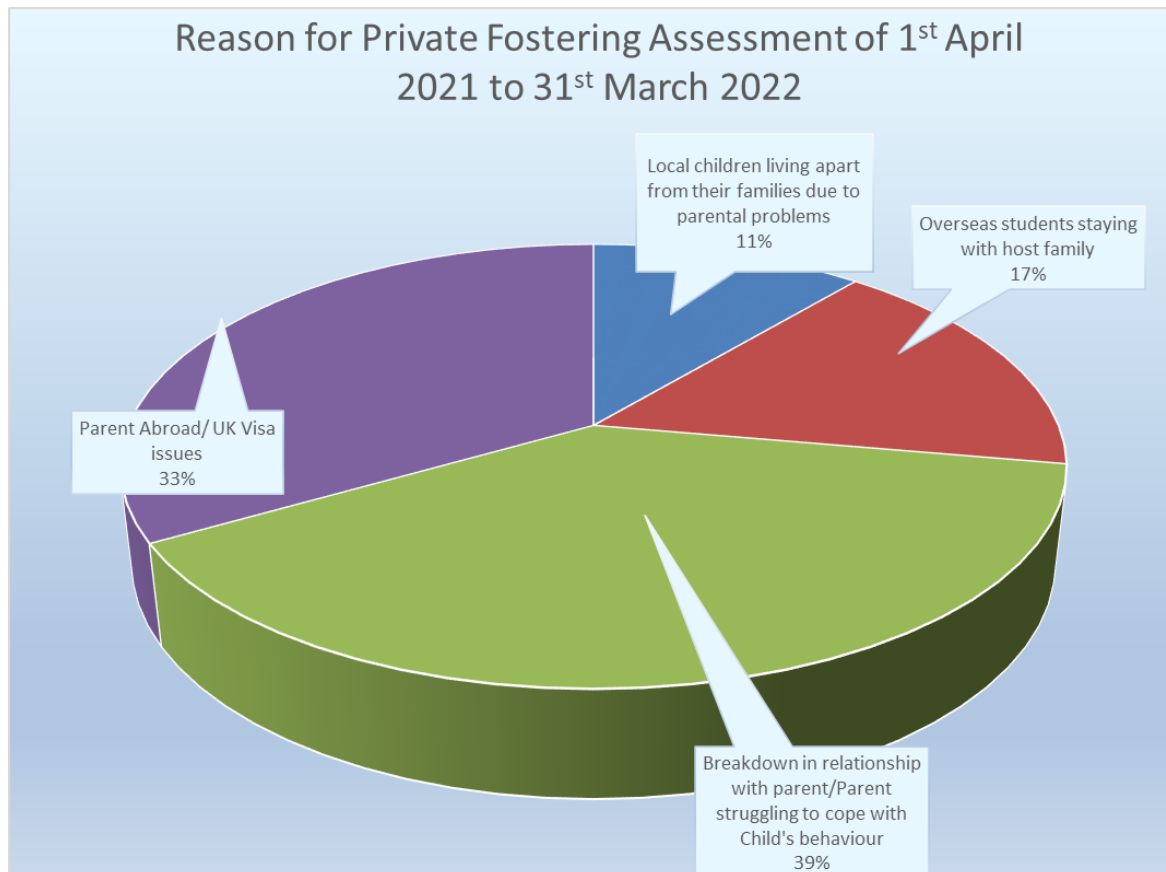
The Fostering team ensure that the support provided to children and their private foster carers includes information about diversity and meeting cultural needs. Private foster carers are signposted to local resources specific to a child or young person’s background of origin.

Overview of Private Fostering during the previous three years



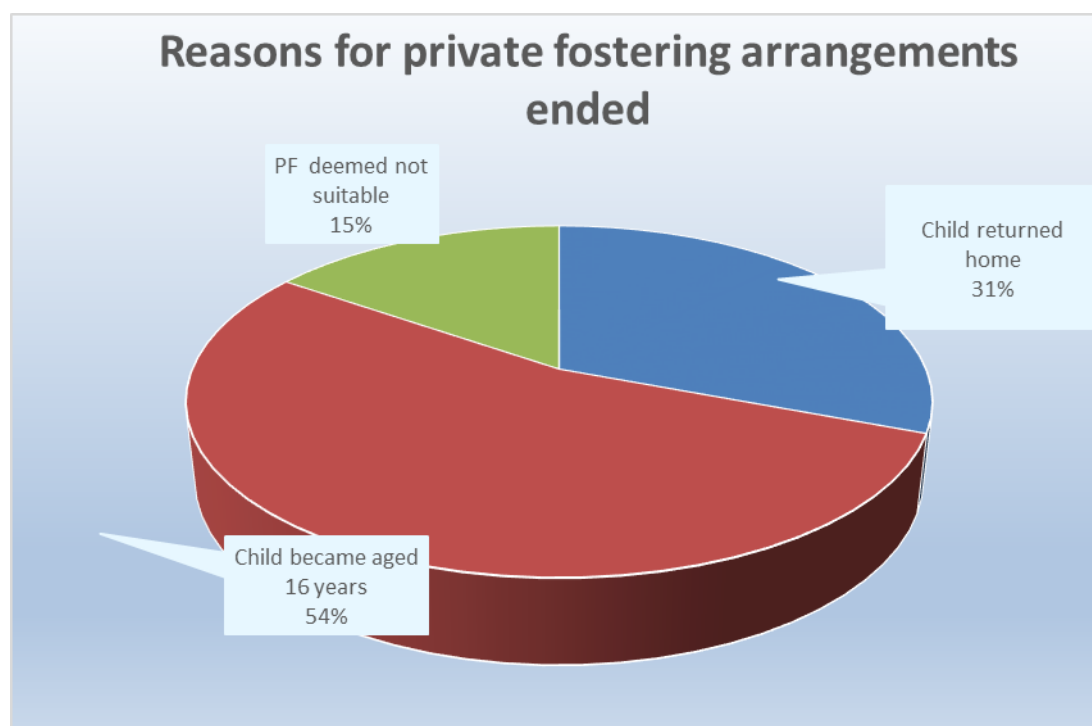
The above figures suggest there is an annual decrease of private fostering arrangements in comparison to previous years. As previously explained, this may be due to the Coronavirus pandemic and the restrictions in movement of people. Early September is typically the time when children arrive into the UK education system through UK Guardians and Gateway Education agencies. Our relationship with the local private school, Akeley Wood is very good, and they can be relied upon to notify the authority of any new arrangements, which typically are children living with Host Families. Now the restrictions have been lifted we would expect to see an increase in such arrangements from September 2022 for the new academic year as there were only three international students referred to the Local Authority by Akeley Wood.

Reasons for private fostering assessment of 1st April 2021 to 31st March 2022



The above chart provides an overview of the key reasons why children were placed in private fostering arrangements in Milton Keynes. The majority (39%) of notifications we have received relate to children living apart from their families due to a breakdown in relationship and a parent being unable to cope with a child's behaviour. 11% of notifications relate to children living apart due to parental problems such as mental health, alcohol problems. The second largest category is overseas student staying with non-immediate /host families (33%).

Reasons for private fostering arrangements ended from 01st April 2021 to 31st March 2022



Out of the 18 private fostering arrangements 13 had ended by March 2021. The largest category was due to the child turning 16, which included 7 children (54%), 4 children (31%) returned home and 2 arrangements assessed were deemed not suitable (15%).

6. PROHIBITIONS

The regulations require that the Local Authority must satisfy itself that the arrangements for private fostering are acceptable and that the private foster carers are suitable. Where necessary, private fostering arrangements can be prohibited by the Local Authority and prohibitions placed on the private foster carer.

The Local Authority may seek to safeguard a child (or children) where it considers that:

- The carer is not suitable to privately foster a child
- The premises or household where the child is or will be living is unsuitable

- The child's welfare may be put at risk if he/she begins or continues to be accommodated by the carer in those premises.

7. SUPERVISING THE PRIVATE FOSTERING ARRANGEMENTS- REGULATION 8 VISITS

Each private fostering arrangement has an allocated fostering worker who offers regular supervision, advice, and guidance to the private foster carer. Following the initial assessment, supervision with private foster carers occurs on a six-weekly basis. Where the arrangement has been ongoing for a year or more, the supervision reduces to twelve weekly. Children and private foster carers can be seen more frequently at their request at home or at school.

There were regular regulation 8 visits completed by the Fostering team six weekly or every 12 weeks where the arrangement where assessed as well established and the child is settled. The service met the timescale requirement for **100%** of all visits that were made at intervals of not more than 12 weeks. All children are seen and spoken to alone at the home and the home checked as part of the visit.

8. ENGAGEMENT WITH CHILDREN AND PRIVATE FOSTER CARERS

Previously children and young people were asked to complete the Young Person's Private Fostering Feedback, or the 3 houses safety exercise (based upon the Solutions focussed Signs of Safety model of gathering information to assess safeguarding). Children are not always receptive to completing either the questionnaire or the feedback form. When a completed form is returned, the information is entered into the Private Fostering Assessment as the child's views are paramount and relate to their current situation.

A young person's feedback on their private fostering arrangement will address the following areas:

- clarifying a young person's view of their carers
- the home environment
- the nature of contact with parents
- whether the child or young person has an understanding of the reasons for them living in a private fostering arrangement
- the frequency of visits by their social worker

- whether the child or young person is aware of who is available for them to tell their worries to
- who should be approached should the child or young person wish to make a complaint or provide a compliment.

For this reviewing period and moving forward we realise it is more suitable to undertake direct work with children to obtain their views at appropriate intervals and this is completed using the Signs of Safety Direct Work toolkit. This will also include seeing the child “outside of the home and away from their carers” so they are able to share their views and any worries or concerns in a safe way.

9. HEALTH AND EDUCATION

Local Authorities must ensure that the arrangements for the children’s health and education to be promoted are in place. All private foster carers are advised to register the child with a local GP and where possible the child has remained with their existing GP practice.

Children coming from China tend to have private health insurance cover for the duration of their time in the UK. Children arriving from EU countries are entitled to the same level of medical treatment provided by NHS as UK citizens.

Where possible and as appropriate, children should remain at the same school. However, if a school change is required, care must be taken to ensure that the school is appropriate in terms of the child’s educational needs, ethnicity, culture, language, gender and any disability.

All Children travelling from China to progress their studies in the UK will experience a change in their school setting. Some families view their child staying with a ‘host family’ as acquiring valuable evidence of attending a British educational establishment on their CV.

Milton Keynes continues to support carers with promoting Private Foster Children’s health needs.

10. CULTURE AND DIVERSITY

The team continues to have close links with the EMA Networking service (Ethnic Minority Achievement). This service is considered a positive resource to support private foster carers and children. The EMA network offers support, advice and training to schools and settings wishing to develop their provision for newly arrived pupils from overseas. Guidance materials identify the

challenges facing newly arrived international pupils and the schools receiving them. The EMA Team provides guidance in relation to induction, assessment, wellbeing, cultural background, language development. <https://www.milton-keynes.gov.uk/schools-and-lifelong-learning/ethnic-minority-achievement>

11. TRAINING

Private Foster carers are offered the opportunity to attend training alongside mainstream foster carers. Training is discussed and encouraged during supervision with carers. First aid training has been taken up in the past and carers also have access to Milton Keynes College On-Line training courses which specifically provides training for those looking after someone else's child.

Access to and take up of training is consistently raised and encouraged during supervision sessions with private foster carers.

12. WORKING WITH THE PROFESSIONAL TEAM

Notifications to our service come from a range of professionals as well as from private foster carers themselves.

Fostering staff supervising private fostering arrangements continue to have a consultative role to clarify legislation or to establish whether a private fostering arrangement exists. Joint working with members of staff from the Multi-Agency Safeguarding Hub (MASH) Team is routinely undertaken to ensure that arrangements are noted and private fostering assessments are carried out within timescale and in line with regulations and legislation. Also, that advice is given as quickly as possible.

Before ending the private fostering arrangement at the age of 16 or 18 (if the child has a disability), young people are (as appropriate) advised to contact the MASH Team or signposted to Youth Advice and Guidance Services, Housing Options, Milton Keynes College, Citizens Advice Bureau, Brooke (sexual health service), and/or Compass (substance misuse service) should they need advice, guidance and information or ongoing support from any of these services once the social work oversight provided under private fostering arrangements has ended.

Young people with a disability are referred to the Children with Disabilities Social Care Team, who are able to assess and refer them on to Adult Disability Services as appropriate. Private fostering arrangements for this group of young people will end at their 18th birthday.

Young people in private fostering arrangements can be referred to the council's commissioned independent visitor support service.

13. AWARENESS RAISING

The Children's Act 2004 (para 4) places a duty on raising awareness in the community in schedule 8 of the Children's Act 1989 (para 7A) also places a duty to promote private fostering public awareness.

Milton Keynes Council has a primary role in promoting an awareness of private fostering arrangements. The aim of this is to ensure that families involved in prospective or actual private fostering arrangements are aware of their legal responsibility to notify the Council. It also ensures that childcare professionals working with children and their families notify us if those making the arrangements have failed to do so.

The fostering service has developed some useful private fostering literature which offers specific information to the private foster carer, parent (s) and professionals. Three information leaflets are available for children – one for under-10s, one for over-10s and one with pictorial (widget) imagery for children with a learning disability who use this form of communication. Leaflets are complemented by A5 and A4 posters which raise private fostering awareness, and the need to contact the Fostering Team. These are posted in various community settings.

14. FUTURE ACTION PLAN (2022- 2023)

- The lead officer will continue to work with language schools and agencies providing host families for overseas students attending language school, to ensure they fully brief their host families on both their responsibilities and those of the local authority in relation to the assessment and most importantly the on-going monitoring of such arrangement.
- To seek out more opportunities pro-actively to raise awareness amongst a wider group of professional bodies, i.e., faith groups, supplementary schools, and members of the public

- To continue to raise awareness through the distribution of private fostering information leaflets for the private foster carer, parents, professionals, and the children in private fostering arrangements.
- The lead officer for private fostering will continue to work with the social workers in the MASH Team to provide advice on private fostering cases as required.
- To continue to work closely with EM Networking to explore educational supports to private foster carers and children with minority ethnic language and cultural needs.
- Raise awareness via Milton Keynes social media platforms and during the Annual National Private Fostering Week in July.
- To continue to gather the views of children, parents, and private foster carers during Regulation 8 visits and through the use of the direct work toolkit. Where appropriate, also through direct liaison with education, health professionals and Family Support Teams.
- Ensure when the young people are teenagers who have been asked to leave by the parents that all parents are offered an FGC (Family Group Conference) in order to resolve issues within the family or provide support to the Private Foster Carer.
- The lead officer for private fostering will ensure that leaflets/information for privately fostered children and their parents and carers are translated into different languages, which may include Chinese, Cantonese, and Mandarin. The school have very good relationships with the parents and speak to them often; this can be used as another base for further communication, if necessary.
- To continue to raise awareness through direct contact with professional groups.

- The lead officer for private fostering will continue to provide appropriate training for children workforce practitioners and partner agencies by working jointly with the Referral and Assessment Team
- The lead officer will ensure that all DBS certificates for private foster carers and their children over 16 years old are up to date and clear
- To complete annual reviews on all Privately Fostered children to ensure all children are safeguarded and their welfare is promoted.