

Private Fostering in Milton Keynes

Annual Report 2022/2023

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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 1st April 2022 to the 31st March 2023.

This report details how Milton Keynes Children's Social Care has delivered in its duties and functions relating to Private Fostering and how the welfare of privately fostered children has 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 actions which have been taken to promote awareness of the notification requirements regarding the children who are privately fostered, and the proposals Milton Keynes City Council will 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, other relative, or someone else known to the child or young person. A close relative is defined as being a grandparent, aunt, uncle, sibling, or step-parent by marriage. Private foster carers can be a cousin, a great aunt or uncle, 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 considered to be broken by an occasional short break.

The private foster carer becomes responsible for providing the day-to-day care of the child in a way that will promote and safeguard their 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 National 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 - This 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 the length of stay with the host family, the arrangement meets the criteria, it will be considered as 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 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 that came into force on 18th July 2005. This and the measures in the Children Act 2004 were intended to strengthen and enhance the existing Private Fostering notification scheme.

The National Minimum Standards were intended to focus Local Authorities' attention on Private Fostering, in part by requiring them to take a more proactive approach to identifying arrangements in their area, to ensure the welfare of privately fostered children is safeguarded and promoted.

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 City Council 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 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 every six weeks unless the needs of the child requires otherwise.
- Thereafter, the visits move to every 12 weeks.

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 City 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 2022 to 31st March 2023, there were 18 children privately fostered in Milton Keynes. This is a fair percentage of privately fostered children given the population of Milton Keynes City (288,201). The figure of privately fostered children remained at a similar number in comparison to the previous year.

Of those 18 Private Fostering arrangements 13 were new assessments that commenced and five were ongoing private arrangement that were supported for the period of over 12 months.

Of the 18 Private Fostering arrangements, six ended in this year with 12 remaining open at the yearend (31st March 2023) which is higher number when compared to the previous year.

The reason for ending were as follows: two returned home to their parent's care, three children turned 16 years old and one child became Looked After by the Local Authority.

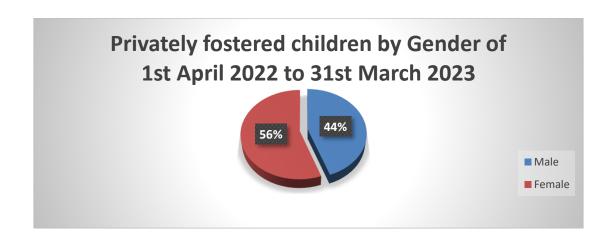
At the end of previous year (March 2022), there were 18 Private Fostering arrangements, with only five remaining open at Year End (31st March 2022).

Age of Privately Fostered children in Milton Keynes as of 1st April 2022 to 31st March 2023

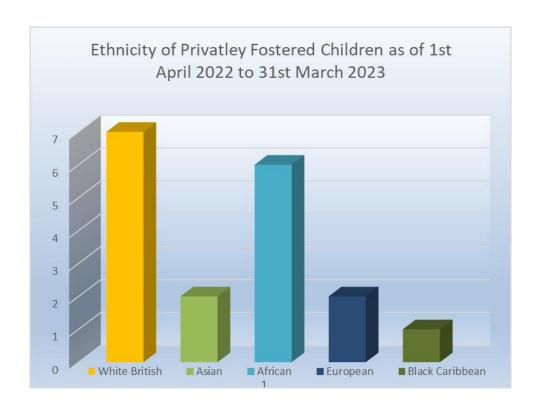
	Place of birth				
Age	UK	Africa	Europe	Asia	Oceania
1 – 4 years					
5 – 9 years		1		1	
10 -15 years	7	5	2	1	1

As in previous years, teenage children continue to represent the largest group in Private Fostering arrangements, six were White British, one Black British and five Black Africans. There were two children with European origin, one Asian and one Black Caribbean.





Of all the 18 children in Private Fostering arrangements during this year the majority of notifications of privately fostered children were female (eight which remains the same if compered the previous year).

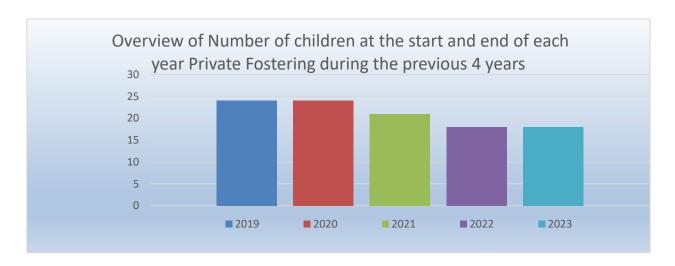


It is clear from the chart above that there were a mix of children from different ethnicities in Private Fostering arrangements in this year. There were seven White British children, six Black African and two European international students. There was one Asian child in a Private Fostering arrangement.

In previous years, the number of children and young people from an Asian and European background had been higher and this has reduced due to the impact of Covid but also due to visa restrictions after the UK departure from European Union.

We received notification of international students from China (2) and Germany (1); however, these children have never arrived in the UK. We also received notification via Homes for Ukrainians (1) however after initial contact the young person decided not to travel to the UK.

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.

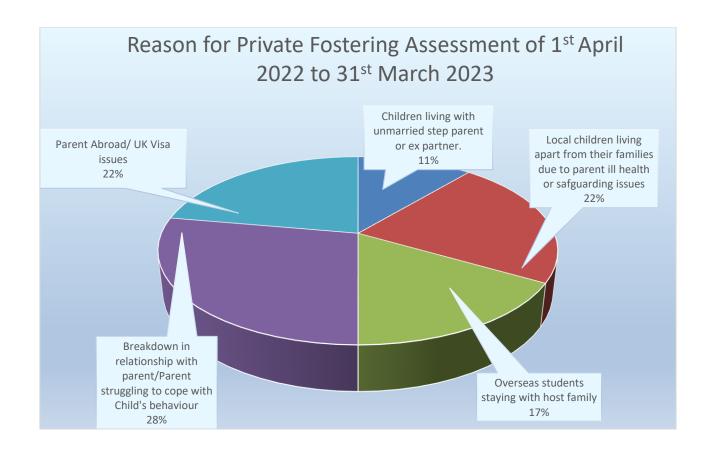


The above figures suggest there is an annual decrease of Private Fostering arrangements in comparison to previous years. As previously explained, this may be due to the Coronavirus pandemic and the restrictions in movement of people but also because of visa requirements after the UK withdrew from the European Union.

Early September is typically the time when children arrive in 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 and the visa requirements for all international students are established we would expect to see an increase in such arrangments from September 2023 for the new academic year as there were only two international students referred to the Local Authority by Akeley Wood.

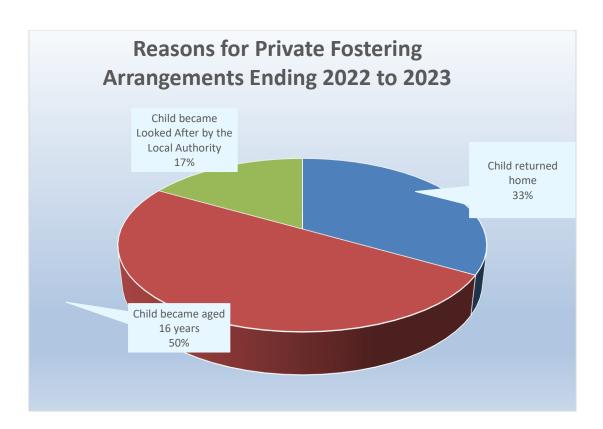
Although the Local Authority received three other notifications these students decided not to travel to the UK.



The above chart provides an overview of the key reasons why children were placed in Private Fostering arrangements in Milton Keynes.

The majority (26%) 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. 21% of notifications relate to children living apart due to parental problems such as mental health or alcohol problems and 21% were children whose parents were living abroad.

Overseas students staying with host families were 16% of notifications and the lowest category were children living with an unmarried stepparent 11%.



Of the 18 Private Fostering arrangements six had ended by March 2023. The largest category was due to the child turning 16, which included three children (50%), two children (33%) returned home and one became a Child Looked After by the Local Authority (17%).

The local authority determines effectively the suitability of all aspects of the Private Fostering arrangement in accordance with the regulations. The Fostering Team Social Workers continued to assess all Private Fostering arrangements and undertakes all on-going statutory visits (Regulation 8) to children.

Parental responsibility always remains with the parents and the Private Fostering Workers continue to contact parents and provide information regarding Private Fostering. The workers will attempt to ensure delegated authority by the parents is in place, to enable private foster carers to give consents on behalf of the parents. Attempts are made to ensure this is confirmed in writing and the Local Authority has a form to support parents and carers address this issue.

During this period, one private foster carer was supported by the Local Authority and became Regulation 24 Foster carer and latter successfully obtained a Special Guardianship Order. This had been a long-standing Private Fostering arrangement as a result of the mother's ongoing mental health issues, chaotic lifestyle and her inability to provide stability for the child.

Child and Family Assessments continue to be undertaken when a potential Private Fostering arrangement is notified to the Local Authority and the child/young person, and their circumstances are unknown. If the child/young person is open to a team, a child and family assessment will be updated, and a referral made to the Private Fostering team.

The exception to this process, is in respect of language or education exchange students staying with host families. In these cases, the notifications are sent directly to the Private Fostering Team for

assessment. If safeguarding concerns are highlighted during the assessment or subsequent statutory involvement, these are referred back to the appropriate teams (MASH or Family Support Team).

Annual reviews continue to be completed in respect of Private Fostering arrangements which are over 12 months, and these are overseen by the Fostering Team Manager. Five annual reviews were completed during 2022-2023.

All statutory Regulation 8 visits continue to be recorded on LCS. All visits are undertaken within statutory timescales. All children and young people are seen and spoken alone, as part of the assessment and on-going statutory visits. In cases where English is not the child's or parents first language face to face translation services have been used.

DBS checks continue to be undertaken routinely for all Private Foster carers and members of the household over the age of 16 years.

All Private Fostering Arrangement have monthly supervision and in addition all PF cases are discussed during Private Fostering Development Group Meetings. Group supervision and reflection provide consistency and continuity of practice.

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 was 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. 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 City Council 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 Professional Teams

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 recorded 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, iCash (sexual health service), and/or ARC (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. Raising Awareness

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 City 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 task of raising and maintaining awareness of Private Fostering and its relevance in terms of safeguarding children, remains immense and requires ongoing commitment and resources to the task.

The reasons for children living in private arrangements are often complex and in many of the notifications received, Private Fostering is not primary reason for the referral. Although a significant number are vulnerable and there may be areas of need which are not being met, often they do not necessarily meet the criteria for safeguarding interventions and therefore Private Fostering oversight may be the only intervention in these cases.

The Private Fostering Action Plan continues to be reviewed annually. This sets out the actions and communications which we aim to undertake during the year and continues to be reviewed against the National Minimum Standards for Private Fostering.

The Communications Team have supported the Fostering Team with raising awareness by including Private Fostering in newsletter that was sent out to all primary and secondary schools in Milton Keynes. The fostering Team is also planning the Private Fostering Awareness week in Autumn to raise awareness about Private Fostering.

All Private Fostering Leaflets are available for adults and children/young people in addition to posters which are available for circulation to the public, Schools, Health professionals, GP surgeries, Libraries, Faith and Voluntary organizations. The information available is updated and reviewed as required.

During this period, the Fostering Team have continued to undertake an on-going programme of briefings/training to promote awareness and maintain the profile of Private Fostering across the Local Authority teams and partner agencies. The Fostering Team and Duty Workers have continued to give information and advice regarding Private Fostering to staff, partner agencies and the public. This ensures the appropriate identification and notification of Private Fostering arrangements and to support the appropriate referral process.

The Multi Agency Safeguarding Hub (MASH) will often contact the team for advice or to query a referral and majority of initial home visits is undertaken jointly by MASH and Duty Fostering Social Worker.

Children/young people who are on educational exchanges either through schools, language schools or education guardianship companies continue to be referred directly to the Private Fostering Team for assessment.

There is a dedicated chapter included on Tri-X (Milton Keynes' electronic procedures manual) for Private Fostering and staff have received training on Tri-X. This continues to be reviewed and updated annually. This is intended to support and ensure staff respond effectively to notifications and deals with situations where an arrangement comes to the Local Authority's attention.

14. Advice and Support

Private foster carers do not receive any allowance from the Local Authority and financial responsibility for the child/young person remains with the parents. This can be an area where carers are at a disadvantage especially when parents do not financially contribute to the care of their children.

Carers have been encouraged to apply for child benefit and appropriate benefits when this is the case.

There is no specific provision for access to Section 17 funding for children/young people living in Private Fostering arrangements and the pathway for accessing funding when needed, has continued to be a grey area.

Private Fostering leaflets continue to be available for both adults and children and are available for carers, parents and all professionals. Although these are not printed in different language formats, these are translated on a case by case need.

The Allocated Private Fostering Social Worker will contact parents (where possible) to ensure they are aware of Local Authority involvement with their child and to understand the reason for the arrangement and to gain their views in respect of the care given to their child/ren.

The views of children/young people continue to be sought during the assessment process and they are seen and spoken as part of the ongoing statutory visits.

If the Private Fostering arrangement lasts for over twelve months, the views of carers, parents and children/young people are sought as part of the annual review process.

Children and young people for whom there are no safeguarding concerns continue to be visited within statutory guidance of six weekly for the first year and twelve weekly for subsequent years as a minimum, and are routinely seen alone.

Private Fostering arrangements continue to be monitored by the dedicated Private Fostering Social Workers. However, if a child/young person is subject to a CP or CIN plan, statutory visits are undertaken by the Children's Social Worker to avoid the duplication of two social workers visiting the child/young person and carers. The allocated Private Fostering Social Worker will liaise with the relevant team and ensure visits are undertaken within the statutory timescales for Private Fostering and recorded accordingly.

Information packs are provided to Private foster carers and children/young people in PF arrangements, the latter being age specific. The carers packs include information about entitlement to financial benefits, advice and support along with useful information about local resources, safety issues and sign posting which assist them to safeguard and promote the welfare of the privately fostered child.

Private foster carers have been encouraged to access training but generally do not wish to take up the offer.

Information about Private Fostering is included on the Milton Keynes Fostering Website.

15.Future Action Plan (2023- 2024)

- The Fostering Team 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 proactively 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 Fostering Team will continue to work closely 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 City Council newsletters.
- To continue to gather the views of children, parents, and private foster carers during Regulation 8 visits and using 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 their parents that all parents are offered an FGC (Family Group Conference) to resolve issues within the family or provide support to the private foster carer.
- The Fostering Team will ensure that leaflets/information for privately fostered children and their parents and carers are translated into different languages as and when required.
- To continue to raise awareness through direct contact with professional groups.
- Fostering Deputy Team Manager will continue to provide appropriate training for the children workforce practitioners and partner agencies by working jointly with MASH.
- To complete annual reviews on all Privately Fostered children to ensure all children are safeguarded and their welfare is promoted. All reviews are undertaken annually and every three years a review is undertaken by a Senior Practitioner within the team.

16.Conclusion and Recommendations

The figures for Private Fostering in Milton Keynes have remained consistent during this period but continue to be relatively low.

- Private Fostering should remain a priority for Milton Keynes City Council.
- To strengthen the function of the Private Fostering development group to raise standard of Private Fostering Service provided by Fostering Team.
- Private Fostering Training to be developed and available to all workforces.
- Audits continue to be undertaken and overseen by the Quality Assurance Team and Dedicated Private Fostering Manager.
- Private Fostering statistics are included in monthly data returns to Head of Corporate Parenting Service.

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01908 253206
www.Milton-keynes.gov.uk/children-young-people-and-families/fostering

