

# **Family and Friends Care Policy**

**Our Approach to Supporting and Promoting the Needs of Children and Young People Living With Family and Friends Carers**

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## 1. Introduction

There are times when some parents are unable to look after their children for a variety of reasons, whether it is as result of crisis, resolved quickly, or for a much longer time. In most cases parents are able to make informal arrangements with relatives or close friends to care for their children. These arrangements are entirely reasonable and can afford less disruption to their children's lives, than being cared for by strangers. Children can be cared for in a variety of different arrangements:

- ✓✓ In informal family and friends care arrangements.
- ✓✓ In a private fostering arrangement.
- ✓✓ Family and Friends foster carers –‘Connected Persons’
- ✓✓ In a placement under a Child Arrangements Order
- ✓✓ Special Guardianship Order.
- ✓✓ Adoption order.

For a full summary of the meaning and implications of different and legal situations, the rights of carers / parents and the nature of decisions, which family and friend carers will be able to make in relation to the child

**please see Appendix 1.**

### Annex A: Caring for someone else's child - Options

Oldham Council has published this policy in collaboration with its local partners to ensure that the duties and responsibilities of families and friends in caring for children, the type of services available and where to find out more about these services are clear and readily available.

Research has identified that family and friends carers can enhance the emotional and behavioural development of children, and children are generally reported to feel more secure, happy and integrated into the family compared to children placed within “stranger placements “ There is also research evidence that highlights greater placement stability and that these placements enable greater continuity and contact,

There is also research that theses carers are usually older, financially disadvantaged with more health problems than the general or non related carers. (Family and Friends care: statutory guidance for local authorities)

In implementing this policy, Oldham aims to narrow the gap in outcomes for children from disadvantaged backgrounds placed in family and friends care and to support their carers with effective interagency support.

This policy is in line with the requirements of the Government's Statutory Guidance to local authorities with responsibility for children services published by the Department of Education in 2011 setting out requirements for the provision of local policies to support and promote the needs of children living with family and friends carers.

The policy also links with Oldham's 'Early Help' approach whereby we want to provide support to families and communities to respond to problems before they get worse.

Oldham's Early Help Strategy sets out principles to harness support for families, children and young people. It also promotes individual, family and community resilience for everyone to 'do their bit'.

The council recognises that many of the children and those who apply to become family and friends carers will come from diverse ethnic, religious and cultural backgrounds, and/or may have particular disabilities, and that these factors must be taken into consideration when establishing the best arrangements for children.

Like all public policies it is subject to change over time and therefore will be reviewed and revised by the Council periodically to ensure that it remains up-to-date.

## **2. Purpose and Scope of the policy**

The purpose of this policy is to provide guidance and information on how Oldham Council will support with its partners and local services, children and young people living with extended family friends or other people. These arrangements can be made informally by parents, or through the Council in the case of children who are 'looked after.'

Oldham Council will only become involved with such arrangements if there are welfare or protection issues with which the family needs help or intervention; or if the arrangements fall within the legal definition of private fostering, or if the child becomes 'looked after' by the Council.

This policy is in two parts,

1. Informal or private arrangements for children where their parents or person with parental responsibility for them has placed their child or young person with relatives and friends when these are for children designated as 'in need.'
2. Public arrangements for children who are 'looked after,' that is the placement of children who are looked after by the Council, but are placed with their family, or relatives and friends.

## **Management Accountability**

The senior manager in the Council with responsibility for family and friends care policy (including this policy) is Patsy Burrows Head of Services for Looked After Children.

## **3. Statement of Values, Principles and Objectives**

The underlying principal is that children should be enabled to live within their families unless this is not consistent with their welfare. We will therefore work to maintain children within their own families, and facilitate services to support any such

arrangements, wherever this is consistent with the child's safety and well-being. This principal applies to all children in need including those who are looked after by the Local Authority.

Where a child cannot live within his or hers immediate family, we will make strenuous efforts to identify potential carers within the child's network of family and friends who are able and willing to care for the child. We will provide support for any such arrangements based on the assessed needs of the child, not simply on his or her legal status. We will seek to ensure that family and friends carers are provided with support to ensure that children do not become looked after by the local authority, or do not have to remain looked after longer than is needed. The majority of family friends living arrangements do not need the support of the local authority. The majority are established independently between the child's parent(s) and the family / friend carer. The local authority should not become involved with these arrangements unless it is deemed necessary to safeguard and promote the welfare of the child or becomes a private fostering arrangement (please see private fostering section.)

When the local authority does become involved in the arrangements for a child living with, or going to live with family or friends – this should be based on a thorough assessment of the child and the family or friend. Children's Services will work in partnership with children and their families in planning and decision making about their future care.

It is essential for the legal basis under which the child is living is clearly stated, confirmed in writing and understood by all parties.

This policy reflects the 'No Order' principle of the Children Act 1989, '*the aim ...of the Children Act 1989...is to ensure that an Order is granted only where it will positively improve the child's welfare*', (Children Act 1989 Guidance and Regulations, Vol. 1).

Where it is assessed that a child cannot remain with, or, return to their birth parents, then care by Family & Friends carers, or Family & Friends Foster Carers 'connected persons' will be the placement of first choice to meet these needs, provided this is consistent with the child's welfare.

Every child has the right to have the opportunity to develop secure attachments to carers who are capable of providing safe and effective and loving care for the duration of his/her childhood, so that child can thrive and develop.

Under these circumstances, the carers should be advised and supported to obtain an appropriate legal order giving them legal responsibility for the child through a **Child Arrangements Order, Special Guardianship Order or Adoption Order.** (see appendix 1 for more details)

Support should be based on the needs of the child rather than merely their legal status and should seek to ensure that family and friends carers (whether or not they are approved foster carers) are provided with support to ensure that children do not become, voluntarily accommodated by the local authority under section 20(1) of the Children Act

## 4. Private and Informal Arrangements for Children in Need

### Definition

The Government's Statutory Guidance defines private or informal family or friends care arrangements as **arrangements made by birth parents for the full time care, nurture and protection of their children, living apart from them with their family or friends**. In most cases responsibility will remain with the birth parents, although the day to day tasks and duties of care will devolve to the family members or friends.

In some instances these arrangements fall within the definition of private fostering and Oldham Council is required to become involved by the regulations; or it may be the case that the Council needs to become involved to promote the welfare or safeguard the child and prevent them from becoming 'looked after'.

Children cared for under private/formal arrangements are **not 'looked after'** by the Council and may be made as follows:

- ✓✓ Children placed with close relatives (*Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts whether of full blood, half blood or marriage/affinity*) by parents at their own initiative.
- ✓✓ Children placed with close relatives by parents with the arrangements facilitated by and with the support of the Council, for example as an agreed safeguarding measure.
- ✓✓ Young people aged over 16 years who are living voluntarily with a relative – some exceptional circumstances apply to this.
- ✓✓ Children and young people placed with friends or non-close relatives by parents for a period less than 28 days.
- ✓✓ Children and young people placed with friends or non-close relatives for over 28 days become privately fostered under Private Fostering regulations.

If children and young people are being privately fostered by friends or non close relatives, the birth parent or the private foster carer has a duty to notify Oldham Council, Children Social Care of their intention by contacting the multi-agency safeguarding hub on 0161 770 7777.

### 4.1. Early identification and intervention of private/informal arrangements

The majority of these private arrangements work well and meet the needs of children and young people with the support of universal agencies such as health and education services. It is important however that any difficulties are responded to early.

Children may have particular short or long term needs pre-existing the arrangements, or as a consequence of the circumstances that prompted them. They may react to their new living situation for a variety of reasons adversely.

Services should not be withheld because a child is not living with its birth parents and is in a private fostering or informal arrangement. Support needs to be available when necessary and targeted to the child's needs. The Family Rights Group found that the help that family and friends carers reported they wanted included financial and practical support, information and advice, opportunities to meet with other carers, access to universal and targeted services and help to the child.

It is important to identify those children and their carers who may need help and support as soon as possible in order to ensure that their care is safeguarded and maintained. Therefore, partner agencies, such as children's centres, health and education services have a key role to play in identifying and supporting children who are living with family or friends carers.

## **4.2. Assessing informal arrangements**

It is important for birth parents and informal carers to understand that Oldham Council will only assess the needs of children living informally with family or friends carers **when it is necessary to safeguard and promote the welfare of the child, or where the Council is obliged to meet the requirements of private fostering regulations. This assessment will be undertaken by the social work teams**

The Local Authority has a duty to safeguard and promote the welfare of Children in Need living within its area and to promote the upbringing of such children by their families. The way in which we fulfil this duty is by providing a range and level of services appropriate to those assessed needs (Section 17, Children Act 1989) This can include financial, practical or other support.

In such cases where social work teams undertakes an assessment, it will advise the parents, (or those with legal parental responsibility), it's likely timescales and possible outcomes, and provide information about other possible help and support that might be suitable to their circumstances and situation.

It is equally important that if and when the social work teams become involved in an assessment of the child's needs within the informal arrangements that everyone involved is clear from the outset of the child's legal status and the responsibility of the birth parents.

The Council will make every effort to support the arrangements where it is in the child's best interests within the resources available to it.

The Statutory Guidance for Family and Friends Carers makes it clear that a child should not become looked after by a council, whether by agreement with those holding parental responsibility, or through application to the Court for an order for the **sole** purpose of enabling financial, practical or any other assistance or support.

When the Council decides that a child is in need and requires support to remain with family or friends carers then the child will be the subject of a **Child in Need plan**, or a **Protection plan**, depending on the situation prevailing.

The child in need plan will agree practical and other support, including financial support to be provided to the child, under the provisions of Section 17 of the Children Act 1989 to the child's carer. It will also identify the role and responsibility of the Child's parents.

When such avenues have been exhausted, or it appears to the Council that maintaining any such informal arrangements does not meet the child's best interests, then the Council will decide whether to explore with the birth parents a voluntary arrangement for the Council to look after the child under Section 20 of the Children Act 1989, or seek from the Court a care or supervision order under Section 31 of the Children Act 1989. A Care Order will materially affect the legal status of the child.

It may be that such arrangements for the child are of short duration and that the child is able to return to its birth parents' full care with or without the continuing support of the Council. However, where the arrangements are likely to be long term, then the Council will consider in detail the issues of permanency planning and the child's legal status to secure the child's long term interests.

Family and friend carers may need to seek independent legal advice about the best option for their child and themselves.

### 4.3. Supporting Contact

The authority is under a duty to promote contact for all Children in Need, although this differs depending on whether or not the child is Looked After.

Where the child is not Looked After, we are required to promote contact between the child and his/her family 'where it is necessary to do so in order to safeguard and promote his or her welfare'. As part of the support arrangements, it may be identified that specific assistance is required to ensure that any such contact can be managed safely. If necessary, information will be made available to family and friends carers about local contact centres and family mediation services, and how to make use of their services.

Information in relation to contact may be available from the following organisations:

Organisation	Contact No.	Other contact
Pro-Contact	0161 737 8996	Email: <a href="mailto:enquiries@pro-contact.org.uk">enquiries@pro-contact.org.uk</a>
Grandparents Plus	0300123 7015	<a href="http://www.grandparentsplus.org.uk">www.grandparentsplus.org.uk</a>
Family Rights Group	0808 801 0366	<a href="http://www.frg.org.uk">www.frg.org.uk</a>
Oldham Family Information Service		<a href="http://www.oldham.gov.uk/info/200534/family_information_service">www.oldham.gov.uk/info/200534/family_information_service</a>
Citizens Advice	0300 330 9073	<a href="http://www.oldhamcab.org.uk">www.oldhamcab.org.uk</a>

Where a child is Looked After, we are required to endeavour to promote contact between the child and his or her family 'unless it is not practicable or consistent with the child's welfare'. The overall objective of the contact arrangements will be included in the child's Care Plan and the specific arrangements will be set out in the child's Placement Plan



#### **4.4. Provision of Financial Support – General Principals**

There are three categories of payment, which may be considered. One or more of these may be applicable, depending on the particular circumstances of the case:

##### **1. Subsistence crisis (one-off) payments**

These should be used to overcome a crisis, following the best assessment that can be achieved in the circumstances;

##### **2. Setting-up**

These are for such items as clothing, furniture, or bedding. The social worker must be satisfied that the carers' financial position justifies the payment through a financial assessment. Assistance may be given subject to conditions, including repayment in certain situations. However, in most situations, it will be inappropriate for the Department to seek to recover money provided under these circumstances;

##### **3. Weekly living contribution**

It is possible for the local authority to make regular payments where family members or friends care for a child whether or not the child is not Looked After. Where regular payments are to be made, relative carers should be assisted to maximise their Income/Benefit as regular payments may adversely affect an individual's claim to income support.

In all cases where regular financial support is agreed, a written agreement will be drawn up detailing the level and duration of the financial support that is to be provided, and the mechanism for review.

The following criteria will be applied to all such payments:

- The purpose of the payments must be to safeguard and promote the welfare of the child;
- As part of the assessment, a view should be taken as to whether the carers need financial support based on their reasonable requirements in taking on the care of the child;
- There are no other legitimate sources of finance;
- Payments will be paid to the carer, not the parents;
- The payment would not place any person in a fraudulent position.

#### **4.5. Private Fostering Arrangements**

Where a person with parental responsibility makes arrangements for their child to live with family or friends that fall within the Private Fostering Regulations or the arrangements come to fall within the regulations the parent and carer have a duty to notify the Council of the arrangements. The Council has a duty to satisfy itself that

children fostered privately are safe and their welfare promoted and therefore its social work staff will assess and decide whether the arrangements are suitable to meet the child's needs. Carers will be offered advice and information as they need.

Any financial arrangement is made between the private foster carer and the parent(s) and will not involve the Council. These arrangements should be included in a written agreement.

Private foster carers may be able to claim child benefit and if applicable child tax credit and disability living allowances, if these are not being paid to the parents.

If private foster carers are already claiming benefits, they will need to inform the Department for Work and Pensions (DWP)

Only in exceptional circumstances will consideration be given to support the child under Section 17 and the circumstances must meet the Council's criteria of eligibility for help under Section 17 of the Children Act 1989.

It is important that partner agencies, especially those in Health and education services, remain alert to the needs of children who are living in private fostering arrangements and, where they have knowledge of such arrangements, advise Oldham Council accordingly so that it might fulfil its legal duties to both the children and the carers. Partner agencies are expected to treat with the children and their carers sensitively and be alert to their particular needs.

## **5. Family and Friends Foster Carers – 'Connected Persons'**

Where a child is looked after by the local authority, we have a responsibility wherever possible to make arrangements for the child to live with a member of the family who is approved as a foster carer (Section 22 of the Children Act 1989). The child can be placed with the family members prior to such approval, subject to an assessment of the placement, for up to 16 weeks. This temporary approval can only be extended in exceptional circumstances. In this context the carer is referred to as a Connected Person and the process of obtaining approval for the placement is set out in the Placement with Connected Persons Procedure. Where temporary approval is given to such a placement under the procedure, the carers will receive financial support on a regular basis.

Financial support will be provided to the connected person by way of a fostering allowance for each of the looked after children in their care. The amount will be determined by the age of the child and paid to the carer on a weekly basis. An initial clothing allowance can be requested, agreement for this will be at the discretion of the Team Manager. Birthday, Christmas and holiday allowances will be available to the carer if the child resides with them during that period. A mileage allowance will be paid for travel in relation to the child's needs.

Allowances for school uniform, school trips and activities can also be requested in line with that of mainstream foster carer's allowances. This information is detailed in the Foster Care Payment Guidance which will be provided to the connected person at the time of the placement being made.

In addition the child will have a placement plan drawn up by the child's social worker and the fostering social worker that sets out the specific arrangements surrounding the child and the carers including the expectations of the foster carers and the support they can expect to receive to enable to fulfil their responsibilities for the child.

The assessment and approval process for family and friends who apply to be foster carers for a specific Looked After child will be the same as for any other foster carer except that the timescales for the assessment are different where a child is already in the placement as indicated above. In all other respects the process is the same as for any other potential foster carers. An information pack will be available to potential foster carers about the process and they will be given the name and contact details of the social worker from the Fostering Service allocated to carry out the assessment.

Full assessments of connected person's foster carers are carried out by the fostering social workers. A full range of safeguarding checks will be carried out and the assessment is presented to the Fostering for recommendation to the Agency Decision Maker. This should be within sixteen weeks of the Approval on Regulation 24 Connected Person. If the assessment has not been completed it is presented to the panel with a request for an eight week extension.

Once approved as foster carers, they will be allocated a supervising social worker from the fostering service to provide them with support and supervision; and they will receive fostering allowances for as long as they care for the child as a foster carer.

While the child remains a looked after child, as a foster carer, they will be expected to cooperate with all the processes that are in place to ensure that the child receives appropriate care and support, for example, contributing to reviews of the child's Care Plan, cooperating with the child's social worker and promoting the child's education and health needs.

On approval, family and friends foster carers will receive a copy of the Oldham Council's Fostering Handbook and will be asked to sign the Council's Foster care agreement which details the expectations of carer to meet the fostering service regulations and the National minimum standards. They will also be expected to complete their CWDC induction standards within 18 months of approval.

In order to be able to achieve this, family and friends carers have equal access to the training opportunities afforded to non related carers

Newly approved family and friends carers also have the same access to the Foster Care Forum, support groups, training and financial support as non related carers. (For full details please see the Councils payment guidance for foster carers)

### **5.1. Special Guardianship Order and Adoption**

Special Guardianship offers a further option for children needing permanent care outside their birth family. It can offer greater security without absolute severance from the birth family as in adoption.

Relatives may apply for a Special Guardianship Order. As Special Guardians, they will have parental responsibility for the child which, while it is still shared with the parents,

can be exercised with greater autonomy on day-to-day matters than where there is a Child Arrangements Order.

Special Guardianship Orders may be made in private family proceedings and the local authority may not be a party to any such arrangements. However, a Special Guardianship Order in favour of a relative or foster carer (who was a 'Connected Person') with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

Where the child was Looked After immediately prior to the making of the Special Guardianship Order, the local authority has a responsibility to assess the support needs of the child, parents and Special Guardians, including the need for financial support.

Financial along with other support needs will be assessed by the worker responsible for the preparation of the Special Guardianship Report and Support Plan. This report and support plan will be presented to the local authority's Provider Panel that will consider this and make a recommendation.

Adoption is the process by which all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by a court. As a result the child legally becomes part of the adoptive family.

An Adoption Order in favour of a relative or foster carer (who was a 'Connected Person') with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

Local authorities must make arrangements, as part of their adoption service, for the provision of a range of adoption support services. They then have to undertake assessments of the need for adoption support services at the request of the adopted child, adoptive parents and their families, as well as birth relatives. The support required is then set out in an Adoption Support Plan and this may include financial support.

## **6. Information and support**

Oldham Council's Family information service provides information and support to access universal child care resources such as early years provision, day care and out of school services, schools and colleges, health services, leisure facilities and youth support services. The service also has information for leisure activities and other short break provision for children with disabilities.

The contact details of the service are available from [www.oldham.gov.uk](http://www.oldham.gov.uk)

## **7. Family Group Conference**

Family Group Conferences are meetings held between professionals and family members, which aim to achieve the best outcomes for children. They promote the involvement of the wider family to achieve a resolution of difficulties for Children in Need, and may help to identify short-term and/or permanent solutions for children within the family network.

We have trained Family Workers who can deliver Family Group Conferences we offer this Service or other form of family meetings at an early stage. If a child becomes Looked After, perhaps following an emergency, without a Family Group Conference having been held, then (where appropriate) we will arrange one as soon as possible

Where a family or friends carer is not satisfied with the level of support provided to enable them to care for the child, then they have access to the local authority's complaints process. Our aim would be to resolve any such dissatisfaction without the need for a formal investigation but where an informal resolution is not possible, then a formal investigation will be arranged.

## 8. Complaints

When a family or friends carer is not satisfied with the level of support provided to enable them to care for the child, then they have access to the Local Authority's complaint process. Our aim would be to resolve any such dissatisfaction without the need for a formal investigation but where an informal resolution is not possible then a formal investigation will be arranged.

Full details can be found at

[www.oldham.gov.uk/info/200143/complaints\\_and\\_feedback](http://www.oldham.gov.uk/info/200143/complaints_and_feedback)

## 9. Glossary of Terms

**Connected person is** a relative, friend or other person connected with a child. The latter is someone who would not fit the term 'relative or friend', but who has a pre-existing relationship with the child. It could be someone who knows the child in a more professional capacity such as (for example) a child-minder, a teacher or a youth worker."

**Private fostering is** when a child under the age of 16 (under 18 if disabled) is cared for by someone who is not their parent or a 'close relative'. This is a private arrangement made between a parent and a carer, for 28 days or more. Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half blood or marriage/affinity).

**Children in need are** defined in law as children who are aged under 18 and:-

- need local authority services to achieve or maintain a reasonable standard of health or development
- need local authority services to prevent significant or further harm to health or development
- are disabled

**The Framework for the Assessment of Children in Need and their Families** provides a systematic basis for collecting and analysing information to support professional judgements about how to help children and families in the best interests of the child.

**Section 17 of the Children Act 1989** (s17) defines the duties of a local authority in safeguarding and promoting the general welfare of a child in need and her/his family within their area.

Assistance given to families under S17 includes financial assistance

**A Child Arrangements order** decides where the child is to live and with whom. The granting of a child arrangements order to someone automatically gives him or her parental responsibility for the child if they do not already have it.

Parental Responsibility obtained as a result of a Child Arrangements Order will continue until the order ceases. Parental Responsibility is not removed from the parents but they are limited as to how they exercise this. A Child Arrangements order lasts until the child is 16 or 18 if the circumstances of the case are exceptional and the court has ordered that it continue for longer.

**A Special Guardianship Order is** an order appointing one or more individuals to be a child's "Special Guardian" It is a private law order made under the **Children Act 1989** and is intended for those children who cannot live with their birth parents and who would benefit from a legally secure placement. It is a more secure order than a Child Arrangement Order because a parent cannot apply to discharge it unless they have the permission of the court to do so, however, it is less secure than an Adoption Order because it does not end the legal relationship between the child and his/her birthparents.

## 10. Useful contacts

Service Name	Contact	Details
British Association for Adoption and Fostering (BAAF)	Saffron House 6-10 Kirby Street LONDON EC1N 8TS Tel: 020 7421 2600 www.baaf.org.uk	Information about adoption and fostering.
Directgov	www.direct.gov.uk	Website offering advice about a range of sites relating to family, finance and benefits.
Oldham Bereavement Centre for children and adults	<u>Oldham Bereavement Service website</u>  0161 627 8207  <u>oldhambereavement@hotmail.co.uk</u>	Offers bereavement counselling for adults and has a separate children and young person's team
Family Rights Group (FRG)	Second Floor The Print House 18 Ashwin Street London E8 3DL  Advice Line: 0808 801 0366 www.frg.org.uk	Provides parents and other family members whose children are involved or require children's social care services because of welfare needs or concerns. Publishes resources, helps develop support groups and runs a discussion board.
Fostering Network	The Fostering Network 87 Blackfriars Road LONDON SE1 8BR  Tel: 020 7620 6400	The Fostering Network is a charity working throughout the UK to promote and improve quality of the foster carers.  Publishes resources and runs "Fosterline"

<b>Service Name</b>	<b>Contact</b>	<b>Details</b>
		<b>a confidential advice line for foster carers.</b>
<b>Grandparents Plus</b>	<b>18 Victoria Park Square Bethnal Green LONDON E2 9PF</b>  <b>0300 123 7015</b>  <b>advice@grandparentsplus.org.uk www.grandparentsplus.org.uk</b>	<b>Advice and information service and champions the role of grandparents.</b>
<b>Kidscape</b>	<b>Tel: 020 7730 3300 www.kidscape.org.uk</b>	<b>Helpline for young children who are being bullied.</b>
<b>NSPCC – Child Protection Line</b>	<b>0800 800 5000 (freephone) www.nspcc.org.uk</b>	<b>Helpline for children and young people who are being bullied.</b>
<b>NHS</b>	<b>Tel: 111</b>	<b>Health advice.</b>
<b>Somebody Else’s Child</b>	<b>www.privatefostering.co.uk</b>	<b>Advice about private fostering</b>



**Appendix 1**

**Annex A: Caring For Somebody Else's Child – Options**

**ANNEX A: CARING FOR SOMEBODY ELSE’S CHILD – OPTIONS**

	<b>Private fostering</b>	<b>Family Care (informal)</b>	<b>Family and friends foster care</b>	<b>Unrelated foster care</b>	<b>Child Arrangements Order</b>	<b>Special guardianship order (SGO)</b>	<b>Adoption</b>
<b>Route into the caring arrangement</b>	<p>This is a private arrangement whereby the child is being cared for for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative.</p> <p>Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent.</p> <p>The child is not a looked after child.</p>	<p>The relative has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the local authority.</p> <p>The child is not a looked after child.</p> <p>Relative may perceive the parents to be unable to care for the child;</p> <p>or the parents may be dead or otherwise not available (e.g. in prison);</p> <p>or there may be an agreement between relatives due to difficult family circumstances.</p>	<p>The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care.</p> <p>The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer.</p> <p>The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.</p>	<p>The child is a looked after child being accommodated by the local authority under section 20 Children Act 1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority.</p> <p>(Alternatively, the local authority may choose to place a child into residential care where this is considered to best meet the child’s needs).</p>	<p>The child may be at risk of becoming ‘looked after’ and a friend or relative applies for an order, or</p> <p>The child may have been ‘looked after’ and their foster carer or other relative/friend applies for an order.</p> <p>In either circumstance, application can be made without the support of the parents or the local authority. Relatives may apply for an order after the child has lived with them for one year.</p> <p>Or, there can be benign reasons, e.g. after parents’ death and in line with a prior agreement between the birth parents and the carer.</p>	<p>Looked after children: the LA may decide that the child should be placed for adoption. They can only do so with the consent of the birth parent or under a placement order made by a court.</p> <p>An approved foster carer can apply for an adoption order after a year of caring for the child.</p> <p>Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years.</p>	

<b>Parental Responsibility (PR)</b>	Remains with birth parents	Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare	Remains with birth parents if child accommodated under section 20 CA, or if the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others.	Shared by parents and holder of Child Arrangements Order.	PR shared with parents and anyone else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusion of all others with	Transfers to adopters and relationship with birth parents is severed.
<b>Approval basis</b>	The arrangement is assessed by LA, but the carer is not 'approved' as a local authority foster carer is. The arrangement may be prohibited if assessed by the local authority as unsuitable.	None	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If child is looked after, carers <b>must</b> be approved as foster carers even if close relative.)	Appointed by court following application.	Appointed by court, following application from the applicant. LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian.	Adoption agency assesses and approves prospective adopters, court makes order regarding specific child. If the child is not looked after then notice of intention to adopt must be given to the LA who then carry out an assessment / report for the court.

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<b>Duration</b>	Subject to discretion of person with PR and readiness of private foster carer.	Subject to discretion of person with PR	So long as placement remains in line with child's care plan, as determined by LA		Age 18.	Age 18 unless varied or discharged by the court before the child reaches 18 years.	Permanent lifelong relationship	
<b>Placement supervision</b>	It is not a placement, but there are statutory visits to child by social worker (minimum 6 weekly in first year, then 12 weekly)	None	Statutory: visits to child by social worker and supervision of foster carers by supervising social worker			None	When child is placed for adoption by the LA, the placement is supervised and there are statutory reviews. Once the adoption order is made, none.	
<b>Review of placement</b>	It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits.	None	Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of local authority foster carers' approval		None	None	See above	

<p style="text-align: center;"><b>Support services</b></p>	<p>Provision of advice and support as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989</p>	<p>No entitlement but the LA may assess the child as a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989</p>	<p>Support to meet child's needs including health plan and personal education plan.</p> <p>Training and practical support to foster carers in accordance with the Fostering services Regulations, NMS and CWDC standards.</p> <p>Young person may be entitled to leaving care support services</p>	<p>No entitlement</p> <p>(But LA has discretion to provide services / support for child/family under section 17 of the</p>	<p>If child was looked after prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to</p>	<p>Entitlement to assessment for adoption support services, which may be provided at discretion of LA in accordance with Regulations and NMS.</p>
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<b>Financial support – entitlement</b>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Financial responsibility to maintain the child remains with holders of PR</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Financial responsibility to maintain the child remains with holders of PR.</p> <p>Guardians Allowance payable if both parents have died, or the only surviving parent cannot be found or serving 2 years or more prison sentence.</p>	<p>Child benefit and child tax credit not payable.</p> <p>Weekly allowance to meet the costs of caring for the child. This should meet at least the national minimum rate set by DCSF.</p> <p>The Manchester City Council judgment ruled that allowances must be the same for all foster carers, whether or not family &amp; friends.</p>		<p>Can claim child benefit and child tax credit if not being paid to parent.</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.</p>

<p style="text-align: center;"><b>Financial support – discretionary</b></p>	<p>LA has discretion to make one-off or regular payments under section17 Children Act</p>	<p>LA has discretion to make one-off or regular payments under section17 Children Act</p>	<p>Some fostering providers pay their foster carers a fee to recognise the carers’ skill, experience and commitment.</p> <p>The Manchester City Council judgement (which requires allowances to be paid on the same basis regardless of the relationship of the carer to the child) did not consider fees. However, Statutory Guidance for Fostering Services requires that any policy in relation to the payment of fees must be applied to all foster carers who meet the criteria in the same way and must not discriminate on the grounds of a pre-existing relationship with the child.</p>	<p>LA has discretion to pay Child Arrangements Order allowance – usually if child was previously fostered by the carers, or exceptionally if making Child Arrangements Order prevents child becoming looked after. Any allowance reviewed annually.</p>	<p>Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child looked after prior to order and meets the criteria in the regulations.</p> <p>Subject to assessment as above and for former foster carers can include an element of remuneration.</p> <p>Regular or one off payments.</p>	<p>Subject to assessment, one off payments or regular adoption allowance may be paid.</p>
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