

# Family and Friends Care

Policy guidance for family and friends who are looking after a child or young person



Each local authority in England with responsibility for children's services must publish a policy setting out its approach towards promoting and supporting the needs of children living with family and friends carers.

The following information is intended to offer family and friends carers guidance on the support available for children and young people who are looked after and the practical support which they are entitled to.

### **Value, Principles and Objectives**

When parents have difficulties at home and their child is suffering as a result, the child may need to be looked after by someone else, for example a relative, friend or other person who is connected with the child. These arrangements can be made directly between parents and their relatives/friends or a social worker may be involved because we are concerned that the child is suffering significant harm and we do not believe it is safe for the child to remain in their parents' home.

When we are involved and the child is **looked after** in the care system, we always try to place the child with a relative, friend or person connected to the child (who is approved as a local authority foster carer) over placing them with unrelated foster carers, unless that is not in the child's best interests. This can be a short-term arrangement or it may be on a permanent basis. It can also be done in an emergency.

If you are a relative, friend or other connected person and the child is looked after and placed with you, you **must be assessed and approved as a foster carer by Children's Services** for the placement to be lawful.

Herefordshire always tries to help children remain living with their parents but sadly in some cases it is not in the child or young person's best interest to do so. In these cases the authority always looks to see if any friends or family can care for the child or young person.

In Family and friends carers play a key role in allowing children to remain living with adults that they know and trust, if for whatever reason they cannot live with their birth parents.

In the last year the number of family and friends carers has risen quite sharply and Herefordshire, at the time of writing this policy there are 34 family and friends foster care households.

The support that family and friends carers receives is critical to the success of any placement. The practical information within this booklet will explain what support, both financially and emotionally is available for both children and carers. The 1989 Children's Act, Section 17 imposes a general duty on the Local Authority to safeguard and promote the welfare of the children within their area who are in need. A child in need is a child who is

unlikely to reach or maintain a reasonable, or have the opportunity of achieving and maintaining, a reasonable level of health or development

And

whose health and development is likely to be significantly impaired, or further impaired without the provision of services under this section of the act.

Or a child with a disability which is substantial and permanent.

It is likely that in some cases a child or children will be living with a connected person (family member, friend) and will experience some difficulties that require more support than can be offered by universal services. In these circumstances children's social care may undertake an assessment of need and depending on that assessment can provide a range of services such as practical support, financial support, advice, guidance and counselling about how to manage emotional or behaviour difficulties of children due to their earlier experiences,

A child or Young Person may become cared for by a friend or member of the family in a number of ways.

- 1) Following a private arrangement (made directly by the family and the carer ) whereby the child's carer arranges for a friend or relative to look after the child or where a young person who is over 16 makes his/her own arrangement. Where a child who is under 16 is cared for by someone who is not a close relative for more than 28 days this will be a Private Fostering Arrangement and the Local Authority will need to be made aware of the arrangement and monitor the wellbeing of the child.
- 2) Following an arrangement made by the local authority and consented to by the

child's main care when they are unable, for whatever reason to provide a home for the child.

- 3) When the child is in the Care of the local authority because a Care Order or an Interim Care Order has been made and the child has been placed by the local authority.

In cases 2) and 3) the child will be 'looked after' by the local authority and the following will apply. The legal framework which underpins this arrangement can seem somewhat confusing and complicated and the following breakdown is intended to help:

### **Assessment**

Where a child is 'looked after' an Assessment of you as a family or friends carer will be undertaken.

For many family and friends carers this can be difficult as you will be asked to tell us personal information to make sure it is safe to place the child or young person with you

When a child is placed with you the social worker will talk to you about the process which you will need to go through to become an approved 'family and friends carer'

An Approved Family and Friends carers – When a child or young person has been placed with you by the authority and the decision has been made they will remain with you for more than 28 days you will need to be assessed as a family and friends carer under the Fostering Regulations 2002. The assessment of you and your family will be presented to the fostering panel for consideration of approval. If approved you will then receive the same financial and emotional support as any other foster carer who works for the local authority.

As part of the commitment to family and friends carers Herefordshire recognises that good support is needed if children and young people are to remain within their own family network. In addition to the same financial and emotional support offered through the fostering service all family and friends carers can access training whilst they are being assessed. If this is completed the authority recognises this by applying a level 1 fee (as part of the fostering service fee payment scheme). The level 1 fee is paid at £100 a week in addition to the allowance and recognises the carers commitment to attend training and further understand the

complexities of looking after a child or young person who has experienced trauma.

### **Services and Support**

As part of the commitment to seeking permanent arrangements for children and young people who cannot, for whatever reason live with their birth parents, Herefordshire will try to achieve a 'permanent' arrangement for children and young people at the earliest opportunity so that the child has security and the carer legal authority to make necessary arrangements for the child.

The following are court orders which achieve security:

**Child Arrangements Order** – Where a child or young person has been placed with a family or friends carer and the birth parent agrees the child or young person will not return, and there is no court order, the authority would support and encourage the family or friend carers to seek legal advice in respect of a child arrangements order. This outcome would allow the child or young person the security of where they would be living and avoid the unnecessary labelling of being a 'looked after' child. Financial support is offered in these circumstances and is means tested against the fostering allowance (Please refer to fostering statement of purpose for details of allowances)

**Special Guardianship Order (SGO)** – When you have been looking after a child or young person for some time and/or where it has been decided by a court that a young child will not be returning back to birth parents you can seek to apply for a Special Guardianship Order. A SGO is a court order which: says that a child will live with someone who is not their parent on a long term basis; and gives parental responsibility to that person. A Special Guardianship order is similar to a Child Arrangements Order (saying who the child should live with) although it is a stronger order. The key difference for parents is you cannot apply to discharge (end) a SGO unless the court gives you permission to make the application. If the authority supports this plan financial support to receive legal representation will be given SGO

financial support will be means tested against the fostering allowance (Please refer to fostering statement of purpose for details of fostering allowances)

**Adoption Order** – Where the court has decided that the child or young person will not return home to live with their birth family the social worker will talk to you about the options that are available. It is likely that the authority would expect to see a very young baby adopted and where this is the plan you can talk to the social worker and an adoption social worker about this if you wish to seek to adopt the child or young person placed with you

### **Other Support Service**

When a child becomes looked after there are a number of duties which the authority has a responsibility to undertake. The following information relates to other support that is available for children, young people and family and friends carers:

**Supervised Contact** – It is not uncommon for children and young people who are looked after to see their birth families and this takes place in a number of different ways. Where there has been concerns it maybe that the decision has been taken that contact must be supervised. In these circumstance a family support worker will be asked to supervised the contact unless it is appropriate and agreed by all professionals including you as a carer that you are able and comfortable with doing this

**Child and Adolescent Mental Health Services (CAMH's)** – When a child is looked after the CAMH's team will be able to offer additional support and advice. In addition within consultation is available or wrap around support may be available through the HIPSS intensive therapeutic support service.

**Education Services** – The authority acknowledges how difficult it is for children and young people when they become looked after have to move home and sometimes school and find themselves without stability. There is a dedicated team of experienced teachers who work as Education Liaison Support Officers and which is led by a Virtual Head to ensure that all looked after children receive additional support where they need it

**Participation services** – There are services for looked after children where they can be part of a group of peers who have been through similar experiences, are looked after and have similar anxieties and worries. There is a mediation and advocacy service which gives young people a voice and a children in care council which is

dedicated to ensuring that children and young people are involved in recruitment of staff and policy changes

**Fostering support groups** – The fostering service recognises that support is an essential part of helping carers understand and work through difficult times and experiences of looking after a child or young person. Regular support groups are organised by and for foster carers and provides a welcomed break to share worries and anxieties and an opportunity to learn.

### **Complaints and Compliments**

Herefordshire is committed to providing a good standard and duty of care to all children, young people and carers, however there are occasions when things go wrong.

If you are unhappy with the service that you receive we would like to hear from you so that we can learn and improve the service that we offer and minimise repeating mistakes.

If you would like to make a complaint please do so by contacting the customer insight unit on 01432 260535

Websites with further information and guidance on any matters that relate to family and friends as carers can be found at

[www.cafcass.gov.uk](http://www.cafcass.gov.uk)

[www.frg.org.uk](http://www.frg.org.uk)

[www.grandparents-association.org.uk](http://www.grandparents-association.org.uk)

[www.education.gov.uk](http://www.education.gov.uk)