



BIRMINGHAM
CHILDREN'S TRUST

Private Fostering Annual Report 2022 - 2023

Getting it Right for Privately Fostered Children

July 2023

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Foreword

The term 'private fostering' can be misleading and often mis-interpreted, even by those who do work directly with vulnerable children and their families. For some professionals, when we think of private fostering, we often think of Victoria Climbié, and her tragic death. However, a private fostering arrangement can be a positive response from friends and the local community to a family in need of support. There are many reasons why a parent may be unable to care for their own child, either on a short-term, or long-term basis. Regardless of the reason, any child separated from their parent is potentially vulnerable. We all have responsibility to ensure the alternative care any privately fostered child receives meets their welfare needs and is safe. Whilst most privately fostered arrangements are established for good reasons, we must always be open to the possibility that the child may be at risk of abuse and neglect or exploitation or may be a victim of trafficking.

Our Annual Report seeks to provide the reader with clarity as to the legal definition of private fostering and the responsibilities of key agencies towards private fostered children and their carers, as well as provide you with an overview of the nature of private fostering arrangements in Birmingham. Like many other cities and local authority areas, we believe that there are more privately fostered children that have not been brought to the attention of children's social care, and whose needs therefore are unassessed. The report outlines what we are doing, in partnership with other agencies, to identify these children and ensure that they are safe and supported and their care is suitable to meet their needs.



Graham Tilby, Assistant Director, Safeguarding & Partnerships

Introduction

Birmingham Children's Trust is committed to supporting the upbringing of children within their families of origin, wherever possible.

While the Trust fully discharges its responsibilities in respect of private fostering, it seeks to do so in a way that is supportive of children, young people, parents, and carers. The Trust does not intend to make judgements about or interfere in the arrangements that parents make for the care of their children, except where this is necessary to safeguard the welfare of privately fostered children.

We will work together with children, young people, parents, and carers to ensure that:

- Children and young people are provided with high quality care that meets their needs
- Private foster carers are provided with support and training to help them to provide high quality care
- Birth parents feel able to seek help and guidance from the Trust

The Trust recognises that privately fostered children are a diverse and potentially vulnerable group. Our aim is to get it right for privately fostered children in Birmingham and create a supportive culture where birth parents, others with parental responsibility and carers feel comfortable in notifying the Trust of private fostering arrangements.

The National Minimum Standards for private fostering apply to Local Authorities (and, in our case, to the Trust).

The Trust has three functions in relation to Private Fostering:

1. To raise public and professional awareness about private fostering and the legal requirement to notify the Trust about any actual or planned private fostering arrangements.
2. To respond to any private fostering notifications, assess the arrangements and to provide support to the children or young people and adults involved;
and
3. To promote the information advice and support that are available to: privately fostered children and young people; private foster carers and prospective private foster carers; parents and those with parental responsibility.



The Definition of a Privately Fostered Child

The legal definition of a privately fostered child is found in Section 66 of The Children Act 1989 and is described in the Replacement Children Act 1989 Guidance on Private Fostering.

A private fostering arrangement is essentially one that is made privately (that is to say without the involvement of the local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or a relative (as defined under the 1989 Children Act), with the intention that the arrangement should last for 28 days or more, and in an arrangement made privately, (that is without the involvement of the local authority).

Private foster carers may be from the extended family, such as a cousin or great aunt or family friends. A person who is a **close** relative under the Children Act 1989 (i.e. a **grandparent, brother, sister, uncle or aunt, or a stepparent by marriage**) is **not** a private foster carer. These arrangements are classed as private family arrangements.

A child is not privately fostered if the person caring for him/her has done for a period of less than 28 days and does not intend to do so for a period longer than 28 days. The 28-day period is intended to ensure that families can decide for a child to stay with their extended family or friends without interference from the local authority. However, if the arrangement is intended to last for 28 days or more it should be treated as private fostering from when the arrangement is made.

Examples of Private Fostering

Each private fostering arrangement will be different, depending on the child's circumstances and need. Examples of the private fostering arrangements include those below:

Local children living apart from their families

- Adolescents temporarily estranged from their parents.
- Children whose parents are not able to care for them (due to, illness, substance abuse, divorce, or imprisonment) and have made alternative arrangements.
- Children living with a friend's family because their parent's study or work involves unsociable hours, which make it difficult to use ordinary day care or after-school care.
- Single parents who are in hospital for four weeks or more, planned, or unplanned.



Children staying with friends because of family difficulties

- A teenager living with family of a boyfriend or girlfriend.
- A teenager 'sofa-surfing' at a friend's house because they do not get on with their own family.
- Children staying with another family because their parents have separated or divorced.

Children with parents overseas

- Children attending a Language School, whilst staying with a host family.
- Children from overseas sent to this country by their parents for education or health care.
- Overseas students at boarding school, who cannot return home during the holidays and stay with a host family in the UK.

Children brought into the UK for adoption

- Children brought into the UK to be adopted will be privately fostered until formal notice of intention to apply to adopt is granted.

Asylum Seekers and refugees

- Children who are trafficked into the UK.
- Unaccompanied children who arrive in the UK seeking asylum.
- Children who arrive in the UK seeking asylum travelling with adults who are not close relatives and might not be known to them.

The Role of Other Agencies

Those who have day-to-day contact with children and families- especially those in universal health and education services are most likely to identify a private fostering arrangement. The Trust's partners have a **duty** to notify the Trust about private fostering arrangements to enable it to fulfil its statutory functions (as outlined above).

The responsibility of the other agencies to notify the Trust of private fostering arrangements is underpinned by the Replacement of Children Act 1989 Guidance on Private Fostering and the duty to cooperate in Section 10 of the Children Act 2004.

It is essential that all workers who encounter children and families:

- Can recognise private fostering arrangements.
- Understand the private fostering notification requirements; and
- Can make a notification to the Trust.

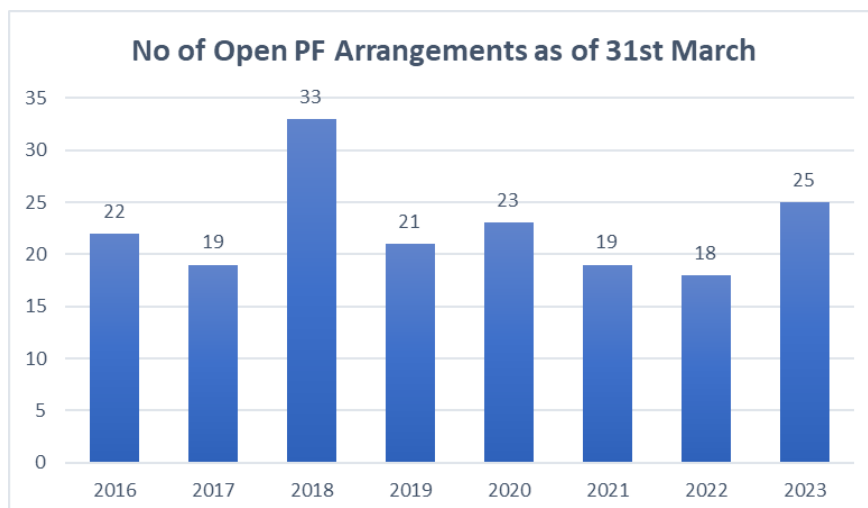
Partners should ensure that groups of staff have access to information about private fostering and access to relevant training. Support with this is available from the SGO and PF Team within the Trust.

Birmingham Safeguarding Children Partnership also has an important role in raising professional awareness of private fostering and the requirements for professionals in partner agencies to notify the Trust of private fostering arrangements.

Within Standard 7 of the National Minimum Standards for private fostering, the local authority is required to report annually to the Multi Agency Safeguarding Arrangements Board on how it satisfies itself that the welfare of privately fostered children in its area is satisfactorily safeguarded and promoted, including how it cooperates with other agencies.

Performance Data – 1 April 2022 – 31 March 2023

Number of children under private fostering arrangements on 31st March 2023



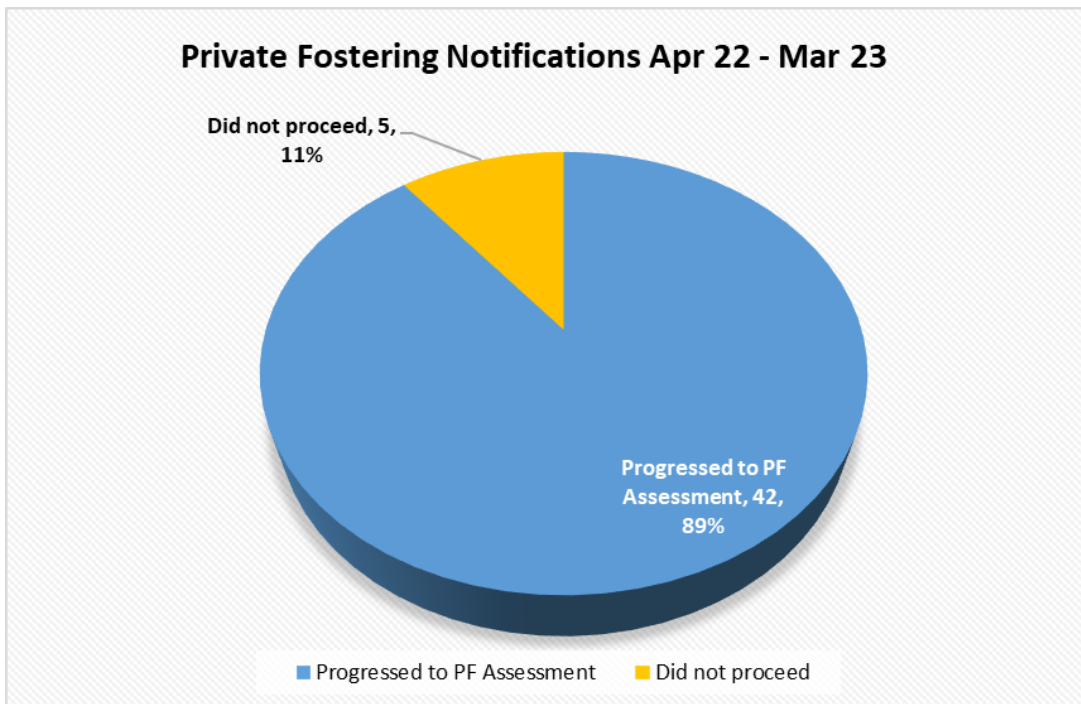
Reporting Year As of 31st March	No of Open PF Arrangements
2016	22
2017	19
2018	33
2019	21
2020	23
2021	19
2022	18
2023	25

On 31st March there were **25** children being privately fostered.

During the period 1 April 2022 to 31 March 2023 there were **55** private fostering arrangements, with 30 of those ending at different stages during the year. The arrangements ended for a variety of reasons including young person reaching the age of 16, returning home, educational placement ending and 6 ending due to the granting of an order such as CAO or SGO.

Number of notifications of new arrangements received between 1 April 2022 and 31 March 2023

47 notifications were received in this period. This is an increase from 35 last year. Of these notifications **42** progressed to the private fostering assessment stage (89% of all notifications). The reasons for **5** referrals not progressing can be seen in the next section (11% of notifications did not proceed).



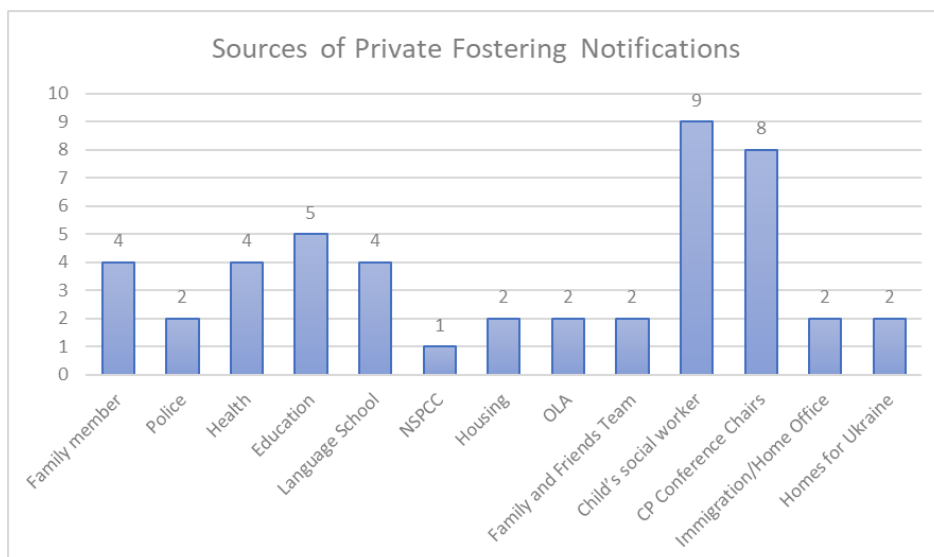
Number of notifications not accepted between 1 April 2022 and 31 March 2023

Out of the **47** notifications received for potential Private Fostering assessment, **5** of these did not progress to a private fostering arrangement assessment. Reasons for not progressing:

- **1** young person was living with close family member
- **2** children did not come to the UK as planned
- **1** young person was 16 and therefore not private fostering
- **1** young person was already subject to SGO

Sources of notification for the 47 notifications as of 31 March 2023

The sources of notification in this period are encouraging and evidences an increase in notifications from a broader range of referrers. It is anticipated that planned development work will build on this.

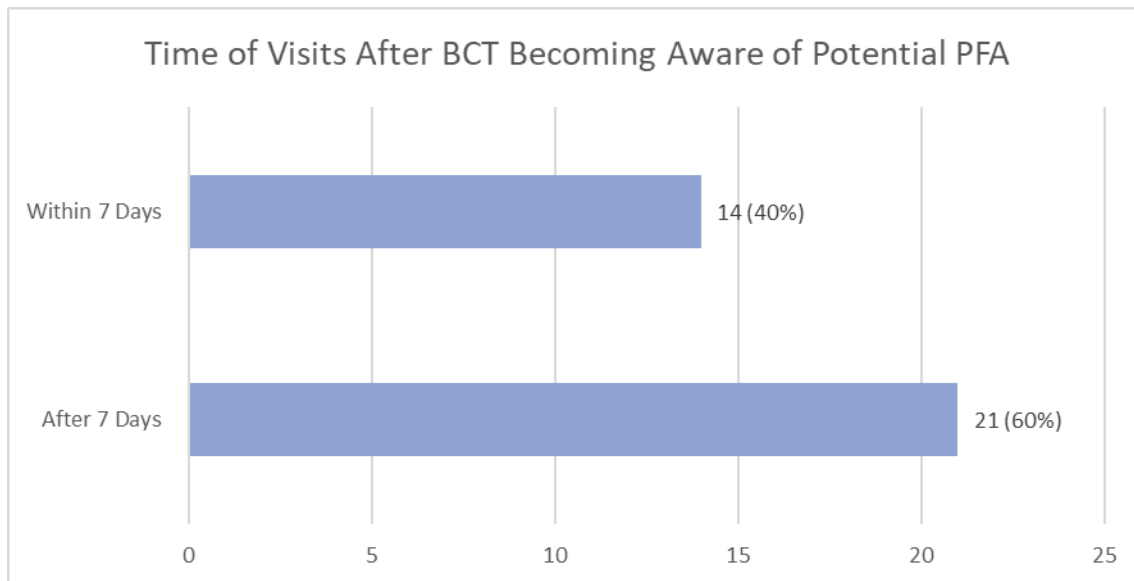


Family member	4
Police	2
Health	4
Education	5
Language School	4
NSPCC	1
Housing	2
OLA	2
Family and Friends Team	2
Child's social worker	9
CP Conference Chairs	8
Immigration/Home Office	2
Homes for Ukraine	2

Timescale of initial visit within 7 days of the referral

The recording system Eclipse shows that 35 initial visits for private fostering were completed.

Out of the 35 initial visits recorded only 14 took place within 7 days of Birmingham Children's Trust being aware of the child potentially being in a private fostering arrangement. This is an area of development for the coming year.



Overall, where it has been identified within CASS that children are residing within potential private fostering arrangements, visits are being undertaken to see the children in their arrangements within 7 working days.

It is noted that there has been a positive improvement in the recording of Reg/4 visits following new referrals being received in CASS. It is noted within the annual report for 2022 that where new referrals have been received detailing potential private fostering arrangements, the initial visits were not routinely being recorded as Reg 4/7 visits but instead recorded as Child in Need visits however from the audits undertaken, it is evident that initial visits following new referrals are now routinely being recorded using the Reg 4/7 form which allows for a timely progression of the Private Fostering Assessment.

Overall, when children are open to Birmingham Children's Trust on CIN/CP plans prior to residing in a private fostering arrangement and their care arrangements change, reg 4/7 visits are not undertaken within 7 days and therefore the private fostering assessment is not progressed at the earliest opportunity.

Timescale of private fostering assessments

The private fostering regulations require that decisions about the suitability about private fostering arrangements should be completed within 42 days of the notification being received.

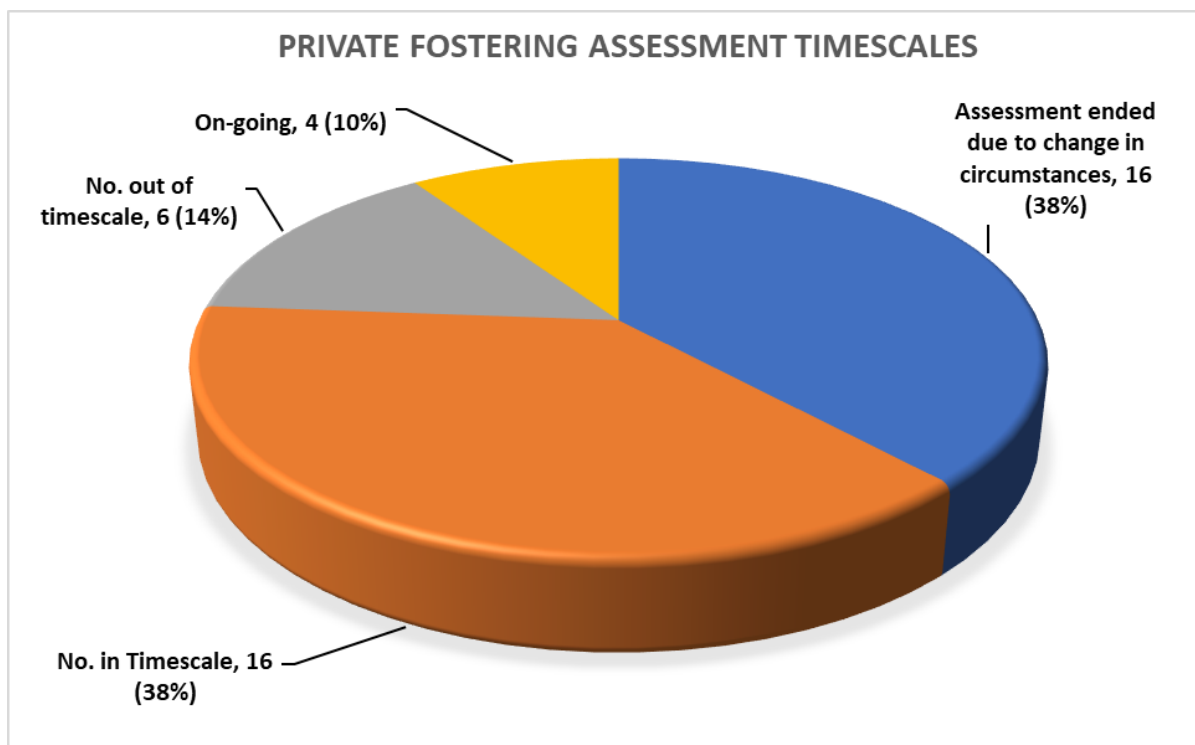
Of the 42 assessments initiated between 1st April 2022 and 31st March 2023:

- 16 completed within timescale
- 6 completed outside of the 42-day timescale
- 4 ongoing and within the assessment timescale.



The remaining 16 ceased at during the assessment for the following reasons:

- 3 an alternative order was granted – CO or CAO
- 8 the children returned home to parents
- 1 the child went to live with grandfather.
- 1 the child returned to their home country
- 1 the young person became 16 during the assessment
- 1 the young person moved to another local authority area.
- 1 arrangement converted to Reg 24 and child became looked after



Reasons for delay of assessments completed outside of 42-day timescale

There was a total of 6 assessments that were completed outside of the recommended 42-days timescale. The reasons for the delay were:

- 1 assessment delayed due to the carer advising they had a CAO once it was discovered they didn't the PF referral was progressed.
- 2 assessments were delayed as it was understood that the father had been married to the mother before she died. When it was determined that they had never been married the PF referral was progressed.



- 2 initial visits were undertaken but then there was a delay in referring to the PF team which resulted in a delay in the assessment.
- 1 had a delayed initial visit and was then closed in error. Identified error and reopened and referred for assessment.

All children and private foster carers were visited by the PF team within a week of being referred for assessment.

There remains a challenge in progressing checks and references, particularly DBS in a timely manner. In this period several carers have not had appropriate ID documents for DBS. This reinforces the importance of PNC checks being completed at the commencement of the arrangement at the initial visit stage. It is hoped that by completing the Reg 4 visits jointly will aid the early identification of the arrangement and also mean that the required checks can be commenced at the earliest opportunity.

Number of visits made to children in PF arrangements (Regulation 8 visits)

The Private Fostering Regulations require that all children in a private fostering arrangement are seen at regular intervals which are no more than 6 weeks in the first 12 months. If the arrangement is stable and there are no concerns, then the frequency can reduce to 12 weekly in subsequent years.

Regulation 8 visits were reviewed for the 25 private fostering arrangements in place as at 31st March 2023.

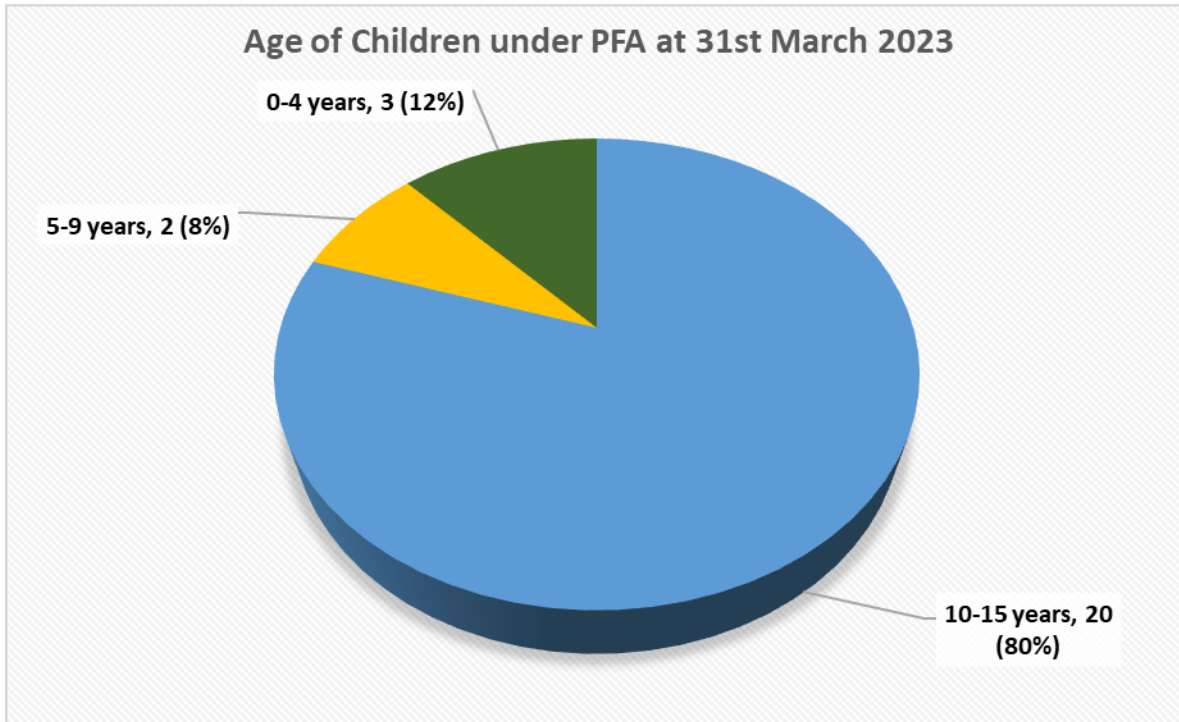
20 of the arrangements received visits within the required timescale. 2 of the arrangements did not yet require visits as the children had not yet arrived in the UK from Ukraine. 3 had delayed Reg 8 visits on one or more occasion.

23 of the arrangements had a CIN classification, 2 were under the homes for Ukraine scheme and 1 was solely private fostering. 2 of the arrangements were subject to a CP classification – this was in place prior to the young people moving to their PF arrangements.

The recording of the Reg 8 visits for most arrangements was completed using a combination of the Reg 8 or CIN visit template. Both the templates record the required information.

Age of children under private fostering arrangements as of 31st March 2023

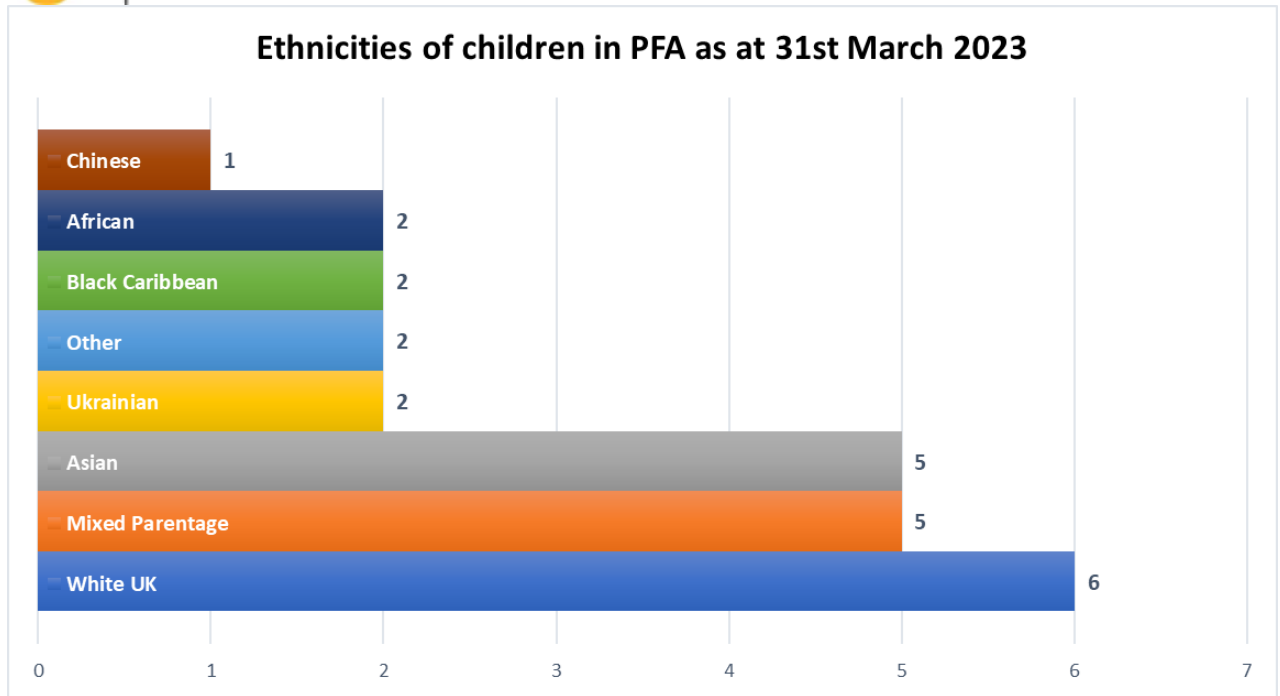
20 children in private fostering arrangements are between the age of 10 - 15 years, 2 were aged between 5 -9 years and 3 were aged between 0-4 years. This is consistent with recent years.



Ethnicities of children under a private fostering arrangement as at 31st March 2023

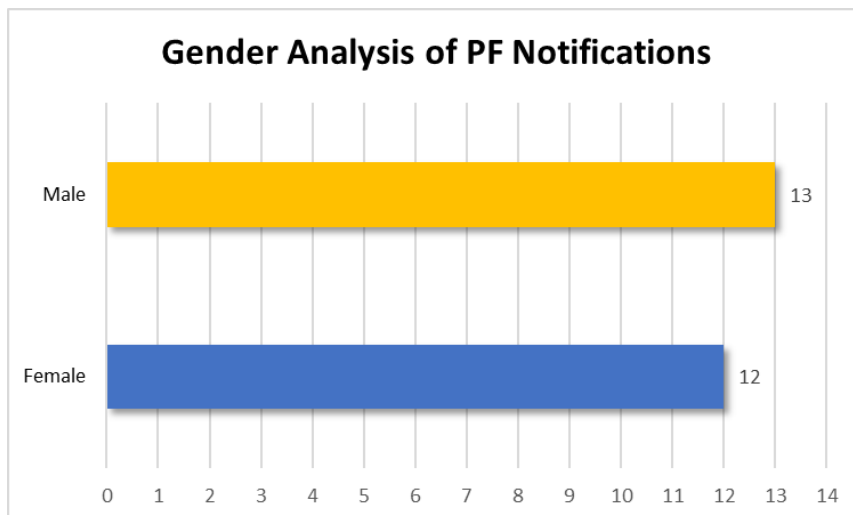
The range of ethnicities of children in private fostering reflects that of previous years and was recorded as follows:

White UK	6
Asian	5
African	2
Black Caribbean	2
Mixed Parentage	5
Chinese	1
Ukrainian	2
Other	2



Gender of children under a private fostering arrangement as of 31st March 2022

Of the children living in private fostering arrangements as of 31st March 2023, 12 were female and 13 male. This is consistent with recent years.



Private fostering arrangements where a child arrangement order (CAO) or Special Guardianship Order (SGO) has been secured in 2021/22.

6 private fostering arrangements have concluded with the granting of an SGO or CAO in this period, securing permanence and stability for the child/young person.

Examples of current private fostering arrangements:

A - Child had been living with grandparents for 5 years, grandmother passed away and the family were referred for support. Grandfather advised that a CAO was in place. When the paperwork was viewed it was an application for a CAO form that had not been completed. During the assessment of the family, it was discovered that grandparents had not been married and therefore the arrangement was covered by the PF regulations. A PF assessment of the arrangement was completed with support provided for the step grandfather.

B – Three children living with their mother and stepfather. Mother died after giving birth and the maternity ward staff refer the family for support. It emerges during the family assessment that parents were not legally married and therefore private fostering regulations apply for two of the children. The eldest child is 16 and therefore outside of the regulations and the new baby is living with his birth father so not privately fostered. The stepfather also had no legal status in the UK and an overstayer of 10 plus years. Therefore, he had no recourse to public funds and as a result was facing eviction. The family very much wished to remain together.

Alongside the private fostering assessment, the family were supported with their loss, parenting support provided for stepfather who had not previously had sole care of the children, he had arranged for the new baby to be cared for by family in London as he felt overwhelmed. Stepfather was supported to secure leave to remain and to apply for identification documents.

The family are now all living together again, stepfather has legal status and the required documents to access benefits and is being supported to secure permanent accommodation.



C - Is 10 years old and is being cared for by his Great Aunt and Uncle. C. has been in the private fostering arrangement for over a year. He is very happy living with his Great Aunt and Uncle, and they are supported to manage challenges with his education.

An SGO assessment has been completed and support plan prepared. The SGO application is before the Court, and it is expected that the SGO will be granted shortly. The family will then receive post order SGO support for a minimum of 6 months.

D – was 12 years of age when she travelled to the UK for a family holiday. Due to parents concerns that her father's family were planning for her to undergo Female Genital Mutilation they left their daughter in the UK with cousins to protect her. They have daily telephone contact with their daughter and are actively involved in all her arrangements, working well with the Trust and the cousins providing care. The family were supported to obtain an FGM Protection Order. The young person is technically an over stayer in terms of immigration status but has been supported to complete her asylum claim and there has been close working with the Home Office.

E – Came to the UK with her father and they stayed with family member. When her father returned to Pakistan to support his wife with her spousal visa he left his daughter in the care of her cousin, and it became a private fostering arrangement. The father only intended to be gone for a short period of time, sadly he passed away whilst in Pakistan. The PF carer was supported to inform the young person of this and support was provided to her. Advice was sought and support was provided to mother in Pakistan with obtaining a visa to come to the UK. Mother and siblings came to the UK in February and the family were reunited; support was provided during the settling in period. As mother is now with her daughter this is no longer a private fostering arrangement.

Other Developments

Audit and Inspection findings

Our audit work throughout this year identified a need to improve on our early identification of children living in private fostering arrangements to ensure that these children are visited in a timely manner, assessments commenced, and support offered.

Audits also noted that improvements had been made to the timeliness of assessments, undertaking Regulation 8 visits and support offered. These findings were echoed in our recent inspection.

In March 2023 the Trust was inspected and judged to be Good. The Ofsted report include these observations:

Once children are identified as being in a private fostering arrangement, they are visited and assessed in a timely way. Children's views are consistently heard, and social workers ensure that they are safe and settled where they live.

Additionally, there remain a national need to raise awareness of private fostering and increase the number of private fostering notifications so that we can be assured that children are living in assessed and supported arrangements.

The areas highlighted through our internal work and our Ofsted inspection form the key areas of development for the coming year. The Private Fostering Development Plan for 2023 – 2024 focuses on these key areas.

Children and young people from Ukraine

This year the Trust has been working with the Homes for Ukraine scheme and utilising the private fostering assessment format for assessing these arrangements. Guidance and a flow chart for the process has also been devised and adopted. Two such arrangements were assessed in the period and were suitable arrangements, we are now waiting for the children to arrive in the UK and are staying in touch with the families and carers in the interim.

Private Fostering Special Interest Group

The British Association for Adoption and Fostering (CORAM BAAF) continues to facilitate a special interest group for Private Fostering. The Assistant Head of Service (AHOS) and Senior Practitioner for Private Fostering attends this special interest group.

Raising awareness and communications work completed in this period

During this period work has continued to raise awareness and inform practice for Trust staff. This has included focused sessions, circulation of webinars, a private fostering week and sharing of Top Tips for private fostering.

The Trust communications team are working closely with the Safeguarding Partnership communications officer. The AHOS from the SGO and PF team is due to attend the next safeguarding partnership practitioner's forum in June 2023.

A private fostering tool kit of materials has been prepared and our partners will be able to access and select which is most appropriate for their organisation.

Further communication is planned on social media and the Trust website to include bitesize video discussions between the team and housing, education, and health colleagues.

Updated Private Fostering materials on the Trust website – one minute guide, top tips, posters and two webinars – one for Trust colleagues and one multi-agency colleagues.

New PF posters have been created and displayed. A further poster is being devised to target professionals and raise awareness of PF.

Statement of Purpose has been updated and is on the website.

AHOS delivered focused sessions to Early Help Managers and at the Child Protection Chairs Conference.

Links with AVFC and BCU to review current process and ongoing work with Coram BAAF to look at developing a national response to young people in academies and PF.

Private Fostering leads for ASTI and Safeguarding had PF as an item at their Team Meetings.

The safeguarding partnership have shared all our new materials and webinar links with the following:

- West Midlands Police
- Birmingham Safeguarding Adult Board
- BCHC
- West Midlands Fire Service
- West Midlands Police
- University Hospitals Birmingham
- Birmingham & Solihull ICB
- Probation
- Birmingham Voluntary Service Council
- Birmingham City Council
- Birmingham Solihull Mental Health Foundation Trust
- Birmingham Women & Children's NHS Foundation Trust
- Black Country and West Birmingham CCG
- Sandwell & West Birmingham Trust
- Sandwell & West Birmingham CCG

Support for Private Foster Carers

We have been working to strengthen our support offer to our private foster carers. Alongside the support provided via the Regulation 8 visit to the child, the carer also receives a visit/call from the SGO and PF team to provide support as may be required. The Trust has commissioned a service from Kinship a leading charity for Kinship carers. All Kinship carers in the Birmingham area can now join Kinship, including Private Foster Carer. Kinship provides independent advice, support and training materials.

How to make a notification

Notification of a Private Fostering Arrangement should be made to CASS – email address cass@birminghamchildrenstrust.co.uk or by calling **0121 303 1888**. The notification will be processed and referred for an initial visit by a social worker in ASTI (Assessment and short-term intervention) team. This will be a joint visit with a worker from the SGO and PF Team to help establish if the arrangement is indeed private fostering. If the arrangement does fall under Private Fostering Regulations then an assessment the arrangement will commence.

If you would like further advice, support or you would like private fostering materials please contact:

SGOandPrivateFosteringSupportTeam@birminghamchildrenstrust.co.uk or
by calling **0121 303 2621**



Kim Smith
Assistant Head of Service – Family and Friends
25/7/23