

Private fostering

1. Item 4 of the agenda.

2. Action required

TWG members are asked to indicate whether they would be content for the additional return on private fostering for 2004-05. If so, they are also asked to agree the draft return and guidance notes at Appendices A and B.

3. Any comments on the attached paper should be sent to:

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Policy Objective

The Government response to the Laming Inquiry announced in the Green Paper states that we plan to introduce National Minimum Standards for Private Fostering.

Alongside these we would like to initiate the collection of the number of private fostering arrangements, number of initial visits and types of children in such arrangements.

Until National Minimum Standards for private fostering are introduced this information will only be used to inform policy development and to provide baseline information.

The context

Private fostering occurs when a child under 16 (if disabled, under 18) is cared for, for 28 days or more by an adult who is not a relative, by private arrangement between parent and carer. Typically private foster carers will be from extended family (i.e. not a relative under the Children Act, so not an aunt, grandparent, step-parent or sibling), such as a cousin, great uncle or aunt, friend of the family, or the parents of a girlfriend or boyfriend. The child is not being looked after by the local authority under the 1989 Children Act. Nevertheless, the local authority has responsibilities identified in Part IX of the Children Act 1989, to fulfil.

Lord Laming's inquiry picked up on the issue as it was suggested by some commentators that Victoria Climbié was a privately fostered child. Victoria was cared for by her great aunt, with the agreement of her parents, however her great aunt, practised in deception, always stated that she was Victoria's mother and entered the country on a false passport. As it was presented in this way the local authority did not consider it a private fostering arrangement. Although regulations exist to protect children in private fostering arrangements the concern has been that many are in situations where their welfare and safety are not being adequately protected. The Inquiry recommended that 'The Government should review the law regarding the registration of private foster carers'.

The Government response to the Laming inquiry announced:

- The introduction of National Minimum Standards (as section 7 guidance) for Private Fostering, and compliance with the NMS to be inspected by CSCI.
- Subject to the views of the TWG the introduction of data collection of the number of notifications of private fostering arrangements received by Local Authorities.
- That we should review the current regulations alongside the setting of National Minimum Standards, to see if any changes are necessary.

Information needed and wording

The information request is designed to link closely to The Children (Private Arrangements for fostering) Regulations 1991.

- a) The number of notifications about a child in a new private fostering arrangement (as in 4 (1) and (2) of the regulations) between March 2004 and March 2005.
- b) The number of children in private fostering arrangements notified within April 2004 and March 2005 who have received a visit by an officer of the authority:
 - in total
 - within one week of the beginning of the private fostering arrangement (as in 3 (1a and b) of the regulations)
 -
- c) The number of notifications about the end of a private fostering arrangement, between April 2004 and March 2005 (as in section 5 of the regulations).
- d) The total number of children in private fostering arrangements at March 31st 2005.
- e) The age of children who started private fostering arrangements.
- f) The ethnicity of children who started private fostering arrangements.

Appendices A and B show the draft return and guidance notes.

The aim of collecting the above information

a) will give a number for the number of new private fostering arrangements notified to local authorities through the year while c) will provide the number that have ended. There is an implicit duty in the regulations for local authorities to be collecting the information on notifications, given that people are required to 'notify' them of private fostering arrangements.

b) will measure how many of these notifications were actually followed up by visits, and how many of these visits were in line with the one week required in the regulations. This was information which the Children's PI group thought it would be useful to collect alongside the number of notifications. To avoid asking for very complicated information in the first few years of collection we have deliberately not asked for more information than the initial visit. Beyond that the regulations require in the first year visits at intervals of not more than six weeks and in the second or any subsequent year at intervals of not more than 3 months. This is something we could look at adding in the longer term.

d) will give us a figure to allow a calculation of the year on year increase/decrease of the number of children in private fostering arrangements.

e) and f) will give additional information about age and ethnicity. This is important information as anecdotally feedback from the field indicates that many of these children will be under the age of five and a significant number will be from West Africa and so not directly in touch with their parents. It is important to see if these

groups are over represented within this group – there is no concrete statistical information on this at present.

It is not proposed that there will be a PAF indicator after the first year of data collection but this may be considered in the future.

Department of Health

Form PF1

2004/05

Private Fostering Arrangements

This collection covers notifications to your Local Authority of private fostering arrangements in the year ending 31 March 2005, and the number of children looked after under private fostering arrangements in your authority as at 31 March 2005.

Submit completed forms by [31 May 2005](#)

Section One - Numbers of children

Data for the year to 31 March 2005

Item

Local Authority Code :

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1

Number of notifications of new private fostering arrangements received during the year :

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2

Number of new private fostering arrangements that began during the year :

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3

Number of children who had an initial visit during the year :

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4

Number of initial visits that were within one week of the beginning of the private fostering arrangement :

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5

Number of de-notifications of private fostering arrangements received during the year :

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6

Number of private fostering arrangements that ended during the year :

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7

Data as at 31 March 2005

Number of children under private fostering agreements :

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8

Section Two - Breakdown by Age and Ethnicity

Total number of children whose private fostering arrangement began between 1 April 2004 and 31 March 2005, by age and ethnicity

Age at start of arrangement	Ethnic Origin						
	All Children	White	Mixed	Asian or Asian British	Black or Black British	Other Ethnic Groups	Not Stated
Under 1							
1 - 4							
5 - 9							
10 - 15							
16 & Over							
All Children							

Department of Health Statistics

Guidance Notes for the completion of the PF1 return

Private Fostering Arrangements in England

1 April 2004 to 31 March 2005

For help and information : contact DoH on clastats@doh.gsi.gov.uk

Postal address for correspondence and submissions

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An electronic version of the form, in the form of an MS Excel workbook, has been placed on the internet at [www.....](http://www.doh.gov.uk) Local councils are encouraged to use this format as the spreadsheet contains automated validation checks. Electronic submissions should be sent to clastats@doh.gsi.gov.uk

Purpose of return

The PF1 is a new statistical return that is designed to collect information on the number of children in private fostering arrangements in England.

Deadline

A PF1 return is required from all Local Authorities in England, even those who have no children under private fostering arrangements. All completed PF1 returns should be returned to the Department by **31 May 2005**.

General Background Notes

Private fostering occurs when a child under 16 (under 18 if disabled) is cared for by an adult, who is not a relative, under a private arrangement between parent and carer that lasts for 28 days or more. Typically private foster carers will be from the child's extended family (i.e. not a relative as defined under the Children Act - an aunt or uncle, grandparent, step-parent or sibling), such as a cousin, great uncle or aunt, friend of the family, or parents of a girlfriend or boyfriend.

Children cared for under arrangements such as these are not classified as looked after by a Local Authority under the 1989 Children Act. Nevertheless, Local Authorities have responsibilities towards such children, as identified in Part IX of the Children Act 1989 (http://www.hmso.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm#end), and in the Children (Private Arrangements for Fostering) Regulations 1991 (http://www.hmso.gov.uk/si/si1991/Uksi_19912050_en_2.htm#end). Further details on legislation are shown in Appendix A.

Notes on individual numbered items on PF1 formSection one – Numbers of children

Item 1 : LA Code

1. Use the standard 3-digit code number allocated by DH for PSS statistical returns

Item 2 : Number of new notifications during the year

2. This is the number of notifications of new private fostering arrangements received by your Local Authority between 1 April 2004 and 31 March 2005. This includes notifications that were received during the year, but which may relate to arrangements that began/were scheduled to begin outside the year (for example, a notification could be received in February 2005 for a new arrangement planned to begin in May 2005).

Item 3 : Number of new arrangements that began during the year.

3. This is the number of private fostering arrangements that actually started between 1 April 2004 and 31 March 2005. This includes those arrangements where notification was received outside the assessment period (for example, where notification was received in March 2004, but the arrangement actually began in April 2004).

Item 4 : Number of children who had an initial visit during the year

4. This item is the number of children counted under item 3 who received a visit from an official of your authority between 1 April 2004 and up to 7 days after 31 March 2005 (see item 5 for further explanation).

Item 5 : Number of initial visits that were completed within one week of the beginning of the private fostering arrangement

5. Of those children counted under item 3, enter the number who received a visit from an official of the authority between 1 April 2004 and up to 7 days after 31 March 2005. The deadline for visits is extended for 7 days after 31 March 2005 as authorities are allowed up to seven days to visit a child after the beginning of a private fostering agreement.

Item 6 : Number of de-notifications of private fostering arrangements received during the year

6. Enter the number of notifications received by your local authority between 1 April 2004 and 31 March 2005 of private fostering arrangements that have ceased. As with item 2, this may mean that the arrangement actually ceased outside the assessment period, but that the notification was received within the assessment period.

Item 7 : Private fostering arrangements that ended during the year

7. As with item 3, this item covers the actual number of arrangements that ended between 1 April 2004 and 31 March 2005. Therefore, notification of the end of the agreement may have been received outside the assessment period.

Item 8 : Number of children under private fostering arrangements

8. Items 1 to 7, as shown above, are calculated for the whole year 1 April 2004 to 31 March 2005. Item 8 is concerned only with the number of private fostering arrangements that your authority was aware of as at 31 March 2005. For item 8, please enter the number of private fostering arrangements that you were aware were still active as at 31 March 2005.

Section Two – Breakdown by Age and Ethnicity

9. For all children measured under item 3, please enter a breakdown of their age and ethnicity. Age should be measured at the time of the arrangement.

Legislation

The Children (Private Arrangements for Fostering) Regulations 1991 provide for the arrangements for fostering children privately. These Regulations make provision for the matters as to which Local Authorities are required to satisfy themselves regarding the welfare of privately fostered children. In terms of the information Local Authorities are required to provide on the PF1 return, these are covered by the regulations as follows:

1. Section 4 (1) requires any person who proposes to foster a child privately to notify the appropriate Local Authority between 6 and 13 weeks before they receive the child, unless the child is received in an emergency.
2. Section 4 (2) requires any person who is privately fostering a child whom they received in an emergency to notify the appropriate Local Authority within not more than 48 hours after the fostering arrangement began.
3. Section 5 (1) requires any person who has been fostering a child privately, but has ceased to do so, to notify the appropriate Local Authority within 48 hours of the ceasing of the arrangement.
4. Section 3 (1) states that 'A local authority shall make arrangements for each child who is privately fostered within their area to be visited by an officer of the authority ... in the first year of the fostering arrangement, within one week from its beginning'.
5. Section 4 (3) (a) requires that any person notifying a local authority of a private fostering arrangement should specify the age and racial origin of the child concerned.