

# **London Borough of Lambeth**

## **Policy of Family and Friends Care**

**October 2011**

### **Introduction**

The Government has issued Statutory Guidance for Local Authorities on the Provision of Friends and Family Care.

Under this Guidance, all Local Authorities are required to publish a policy setting out its approach towards promoting and supporting the needs of children living with friends and family carers.

This policy is designed to meet this statutory requirement. As will be set out below, London Borough of Lambeth is currently engaged in a research project to understand the range and level of need of such children within Lambeth. The results of this research are likely to further inform our policy approach. It is therefore envisaged that this is an interim policy document.

It is estimated that 300,000 children and young people live with their extended family or friends networks in England at any one time.

Recent research undertaken by the University of Bristol suggests that the borough of Lambeth has the third highest proportion children living with friends and family carers in the United Kingdom compared to the total number of children. This is based on the 2001 census information.

### **Context**

Children live with family and friends under a range of circumstances:

- Informal arrangements with a relative
- Informal arrangements with a friend or more distant relative for less than 28 days
- Private fostering arrangements
- Under a residence order or special guardianship order

- As a looked after child under fostering arrangements
- Placed for adoption

The great majority live under informal arrangements.

Research undertaken with children has shown that most have indicated that where they can no longer live with their parents, their preferred option is to be cared for by other family members or close friends.

The Statutory Guidance has set out that in many cases the needs of family and friends carers and the children they care for may need additional consideration and that all services working with children should be aware of their potentially additional needs for support.

It needs to be recognised that the needs of children and their families are different depending on their individual circumstances. The support offered should be appropriate and proportionate to meeting the needs of the child they are caring for.

Appendix 1 graphically shows the overall approach of London Borough of Lambeth.

## **Key principles**

- As a paramount consideration, the duty of the borough is to safeguard and promote the welfare of all children living within it.
- All services working with children in the London Borough of Lambeth should be aware of the specific needs of children living with Family and Friends carers and how this may affect their current circumstances.
- For some children and families it will be important to develop specific services.
- Children and carers should have access to information regarding services available to them.
- Any arrangement for care by family or friends must be in the best interest of the child and meet their needs, having due regard to their wishes and feelings.
- Any intervention by the local authority will only be based on our statutory obligations. The rights of parents to make informed and proportionate decisions about the care of their children will be respected.

## Provision of Services

**There are five main groups where children and young people could be cared for by family and friends.**

### **1. Private family arrangements where children's services are not involved in the decision and the child is not assessed as in need.**

It is envisaged that the vast majority of children living with Family and Friends carers have their needs adequately met through these arrangements.

In these instances non intrusive interventions from universal services are most relevant and preserve the right of the family to private life. The carers are often aunts, uncles, grandparents or siblings.

It is envisaged that existing universal services will usually be sufficient to meet their needs. It will be important that Universal and Targeted services such as schools, early years services and health services are sensitive to the needs of such children.

#### Development of a Support Group

London Borough of Lambeth will be developing a Support Group available to all friends and family carers living in Lambeth, irrespective of the legal basis of care.

### **2. Other family members and friends come under the legislation in regard to private fostering.**

Private fostering describes arrangements made by parents with carers who are not a close relative and last for more than 28 days.

Although the arrangements are made privately they should be notified to social services and regulatory arrangements will need to commence in accordance with guidance for private fostering arrangements.

Children in private fostering arrangements are not looked after by the local authority.

#### Existing Dedicated Service

London Borough of Lambeth has a dedicated Private Fostering Team located within Specialist Services.

Where children are in private fostering arrangements, families are offered services appropriate to the Children (Private Arrangements for Fostering) Regulations 2005. The service is subject to the National Minimum Standards for Private Fostering 2005 and is regularly inspected by Ofsted.

Further details regarding Private Fostering and how to make a referral can be found at:

<http://www.lambeth.gov.uk/Services/HealthSocialCare/ChildrenFamilyCare/FosteringAdoption/PrivateFostering/AdviceParentsChildrenPrivateFosteringArrangements.htm>

### **3. Arrangements where children are assessed as “in need” but not looked after and there is no requirement for specialist service interventions.**

Children and their families may have specific needs according to their circumstances. Carers in such situations can access targeted service provisions, and at times specific service provisions may need to be developed to meet these particular needs.

Such children and families will be offered services through Specialist services according to their assessed needs.

Some children may be referred to Specialist Services when there are applications for either Residence Orders or Special Guardianship Orders.

In the process of undertaking the appropriate reports, where necessary an assessment of need under Section 17 of the Children Act 1989 may be undertaken. However, this will not be required in all circumstances.

If a child is at risk of becoming looked after, it will be important to explore whether they can be safely cared for through a Family and Friends carer. This may be through a private arrangement with the agreement of the parents. Where there is a private arrangement this will be agreed in writing with the parents and with the carers.

In other circumstances, it may be appropriate for the child to be accommodated under Section 20 of the Children Act 1989. Such a decision would only be taken on the basis that they required to be accommodated following an assessment by Specialist Services. All requests for accommodation are considered by the Placement Panel.

#### Existing Dedicated Service

A specific service offered by Specialist Services is that of Family Group Conferences. Family Group Conferences are helpful in working with extended family and friends networks to establish a plan for a child where there are concerns about their care or their safety. In certain circumstances, this may involve a plan of the child living with a Family and Friends carer either temporarily or permanently.

### **4. Arrangements where children’s services are involved and the child is looked after or assessed as needing to be looked after**

Where Family and Friends carers are looking after a child who is currently looked after or who has become looked after in an emergency, they will need to be assessed and approved as local authority foster carers.

The process for such assessments is set out in the online Lambeth Procedures for Specialist Services. The primary focus of this assessment should include the carers’ capacity and ability to meet the specific physical, emotional and health needs of the child in consideration and their ability to meet the National Minimum Standards for foster carers as set out in the Fostering Services Regulations 2010.

Pending approval, the child’s social worker will need to complete the initial stages of BAAF Form C and present this to the Head of Service Fostering and Adoption for a temporary approval under Section 24 of the Fostering Regulations.

London Borough of Lambeth Remuneration Scheme for foster carers applies to all foster carers. The allowance element payable is the same for all carers.

The child's care plan will set out their needs and the support required by their carer to ensure care arrangements safeguard and promote the child's welfare.

The Care Planning Regulations 2010 set out clear guidelines for the maximum amount of time that carers can hold a temporary approval before their full approval through the Fostering Panel.

The Fostering Service runs a specific support group for Family and Friends Foster Carers.

Where a child has become looked after and they have been placed with a foster carer or in a residential unit, Lambeth Specialist Services will actively work with the parents, the child and with the friends and family network to establish whether there is any opportunity for them to be cared for safely by a Friends or Family carer. It may be appropriate to call a Family Group Conference. The Conference can discuss:

- Whether with additional support from the family network, it might be possible for the child to return home safely
- If this is not possible, whether the family network can offer an alternative carer
- If neither is possible, how the extended family can continue to support the child whilst they are looked after. Looked After children are vulnerable to losing contact with relatives and family friends.

Where appropriate and with the agreement of the parents and carers, this may involve the child ceasing to be looked after.

Where a child has become looked after and is subject to Care Proceedings, London Borough of Lambeth will look again at whether an alternative permanent placement can be identified within the Family and Friends network and what legal order might be most appropriate to support any such permanent arrangement.

Where family members or friends put themselves forward as permanent carers, the child's social worker will undertake an initial Viability Assessment using the BAAF Form C. It may be appropriate to undertake the initial visit jointly with a member of the Adoption and Permanence Team.

Part of this assessment would involve a discussion of the most appropriate legal basis for the child's permanent care. In most situations, Lambeth would advise that children are not placed permanently under fostering arrangements, especially in regard to younger children.

Full assessments under Special Guardianship or adoption are undertaken by the Adoption and Permanence Team.

## **5. Children who are living with Family Members and Friends under permanent legal orders.**

This refers to three principal legal situations:

### Children Living under an Adoption Order

All children and families affected by adoption are entitled to an assessment of support needs under the Adoption Support Regulations 2005. Those adopted by friends or family will be entitled to the same service as any other adopted child or adoptive family.

### Children who are placed under a Special Guardianship Order

All children and families who are living within a Special Guardianship Order arrangement are entitled to an assessment of support needs under the Special Guardianship Support Regulations 2005. This applies to children living under a Special Guardianship Order with friends or family.

London Borough of Lambeth has a policy on Special Guardianship Support Services, which is available to members of the public.

Where a carer wishes to apply for a Special Guardianship Order for a child who is not currently looked after by London Borough of Lambeth, the assessment will be undertaken by the Adoption and Permanence Team.

### Children Living under Residence Orders

This does not apply to children living with a parent under a Residence Order.

Children living with friends and family carers under Residence Orders do not have the same entitlement to an assessment of their support needs. Such families are entitled to all the Universal and Targeted and Specialist Services available to children and families within Lambeth, according to their assessed level of need.

In all circumstances, financial assistance is dependent on an assessment of need. London Borough of Lambeth has a clear set of policies regarding ongoing financial assistance according to the separate legal arrangements of the child and family.

# Appendix 1

## Needs of the Child –



