

# Reuniting children in the care system with their families

# 17

## Introduction

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If you are a parent or relative of a child who is in the care system you may be wondering what steps you can take, if any, to enable your child to return home to your family. Sometimes the circumstances of the case may make this very difficult, or even impossible, to achieve but you may still feel it is important to do all you can.

This advice sheet outlines the relevant legal and practice framework for children returning to their family, and offers practical tips on how to negotiate this with the social worker. It is quite long so we have divided into four sections to make it easier to read:

- Part 1: The legal framework for children in the care system to return home to their families (page 3)
- Part 2: Tips on seeking a ‘return home’ (page 8)
- Part 3: How to challenge when Children’s Services won’t agree to a child returning home to their family (page 12)
- Part 4: Where you can get more information or advice (page 14)

The law in this area is quite complicated so if you find it hard to follow it may be a good idea to ask a friend to go through it with you or talk to FRG advisers on our advice line – contact details are at the end of this advice sheet.

We have included the references for all the legal and practice requirements in endnotes which you can find at the end of the advice sheet. For full details of all the documents

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referred to in the endnotes, see the references section also at the end of the advice sheet.

**Note: “Social services” are now known as “children’s services”. This is how they are referred to in this advice sheet.** Also when we talk about a child returning home we include a child returning to live with relatives or a person connected to them.

## Key terms used in this advice sheet

- **Child ‘in need’:** A child is "in need" if they are disabled, or they are assessed by Children’s Services to be in need of extra support for their safety, health and/or development. If your child is assessed as a child in need Children’s Services may provide your family, or child, with extra help but it is not an absolute requirement
- **‘Looked after’** means that the child is in *care* or *accommodation* with Children’s Services;<sup>1</sup>
- **‘In care’** means that the child is either: under a court order (an interim or full care order or an emergency protection order); or is in police protection. (For more information, see FRG advice sheet on Care (and related) proceedings <http://www.frg.org.uk/need-help-or-advice/advice-sheets>)
- **‘Accommodation’** means that a child is being looked after by the local authority with the agreement of the parents/other with parental responsibility because they are unable to care for the child themselves (See Duties of Children’s Services towards Children in the Care System: <http://www.frg.org.uk/need-help-or-advice/advice-sheets>)
- **Parental responsibility** means the legal right to make decisions about how a child is raised. Those who have parental responsibility include: mothers; fathers who have been married to the mother at any time since the birth of the child or are jointly registered on the birth certificate as the father (after 1.12.03) or have acquired PR by formal agreement with the mother or by court order; anyone who has a residence, child arrangements order (saying who the child should live with), special guardianship or adoption order in their favour on the child; guardians; step-parents who have acquired PR by formal agreement or court order. For more information about parental responsibility, see FRG advice sheet Parental Responsibility: <http://www.frg.org.uk/need-help-or-advice/advice-sheets>.

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## PART 1: THE LEGAL FRAMEWORK FOR LOOKED AFTER CHILDREN TO RETURN HOME TO THEIR FAMILIES

### Can Children's Services place a looked after child with family members?

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Yes. Whenever a child is "looked after" (whether "in care" or "accommodation"), Children's Services are required to place the child within their family network in preference to placing them with unrelated foster carers provided it is safe, in the child's best interests and reasonably practicable. Specifically, s.22C Children Act 1989 says that Children's Services must:<sup>2</sup>

- make arrangements for the child to live with **their parent(s)/others with parental responsibility** (or anyone who had a residence order or Child Arrangements Order saying the child should live with them) immediately before any care order was made) unless it is not safe or in the child's best interests.

However if the child is 'in care' under a care or emergency protection order, the social worker must always carry out an assessment of the suitability of the parent to look after them. This includes checking their accommodation and the suitability of other people in their household, either before or immediately after the child goes to live with them.<sup>3</sup> If that is not possible, for example because it is not safe or in the child's best interests, they must

- place the child with a **relative, friend or other person connected** with them, if that is the most appropriate placement for them, again, provided it is safe, in the child's best interests and reasonably practicable, but **that person must also be assessed and approved as a foster carer working for Children's Services**;<sup>4</sup> but if that is not possible or safe for the child, they must
- place the child with an unrelated foster carer or in a children's home.

This means that, provided it is safe and in the child's best interests, the preferred choice of placement for a child in state care is firstly with their parents and others with parental responsibility and secondly with their relatives/friends/other connected people who have been assessed and approved as a foster carer, over unrelated foster carers.<sup>5</sup>

### Can Children's Services place a child with family members in an emergency?

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Yes. They can place the child immediately with:

parents/others with parental responsibility but they must do some basic checks to make sure the arrangements is suitable and safe either before or just after the child is placed (and then go on to do a full assessment of their suitability to care for the child straight afterwards).<sup>6</sup> But if there is no parent/other person with parental responsibility who is suitable to care for the child, they can also place the child with

- a family member or other connected person (rather than a parent) again provided they do some basic checks to make sure they are a suitable carer and the child will be safe<sup>7</sup>. This placement can last for **up to 16 weeks** (sometimes it can be extended to 24 weeks in exceptional circumstances). During this time the carer needs to be fully assessed and approved as a foster carer for the child<sup>8</sup>. If this approval is not given within that time limit (with some minor exceptions), the child has to be moved from the placement<sup>9</sup>.

So if you are a relative or friend and you have been given temporary approval to look after a child, make sure the social worker starts the full fostering assessment straight away. For further information about this see FRG advice sheet [Immediate placement of vulnerable children with relatives and friends](#) and [Family and Friends Care: Becoming a Foster Carer](#). <http://www.frg.org.uk/need-help-or-advice/advice-sheets>

## **How will I know about Children's Services plans for the child?**

When a child is looked after, Children's Services **must make a plan** for the child, in consultation with the child's parents and family. This care plan should be based on careful assessment of the child's needs and must include details about the child's care, **including any arrangements for the child to return home to their family.**

- If the child is in care under a court order, Children's Services can make this plan whether or not the parents/others with parental responsibility agree, but
- If the child is in accommodation (i.e.: is looked after by agreement with the parent/other person with parental responsibility) they must agree this plan with<sup>10</sup>:
  - A person who has parental responsibility for them
  - The last person caring for the child or
  - The child themselves (if over 16).

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So if you are a parent/other person with parental responsibility, Children's Services should discuss the arrangements for your child to return home when your child is first looked after.

They must also keep the care plan under review at regular intervals. This includes **reviewing any plans for the child to return home** and consulting with the parents, others with parental responsibility and those connected to the child. For more information about the duties on Children's Services to make and review care plans, see FRG advice sheet [Duties of Children's Services towards children in the care system:](http://www.frg.org.uk/need-help-or-advice/advice-sheets) <http://www.frg.org.uk/need-help-or-advice/advice-sheets>

## **Will the social worker remain involved once the child is back with the family?**

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This depends on the legal arrangement for the child:

- i) **If the child is *in care*** under a care or emergency protection order, the social worker will continue to be legally in the care of the local authority for as long as the order exists even if they are now living back with their family. This means that Children's Services continue to have parental responsibility for the child, which gives them the right (and duty) to decide the arrangements for them and also gives them the right to remove them from your care.

So in this situation you would have to refer to the social worker for permission to make any arrangements for the child, which are beyond day to day care. If you are unhappy about this you need to take legal advice about how the order could be discharged. Contact Family Rights Group Advice Service or a Solicitor specialising in child welfare law – contact details in part 4 of this advice sheet.

- ii) **If the child is in *accommodation*** (i.e.: in the care system with the agreement of the parents/others with parental responsibility and there is no court order) then:
- **If you are a parent/other person with parental responsibility**, the child will no longer be looked after if they return to live with you. This means you can make all decisions about their care without **having** to refer back to the social worker.

**BUT** before deciding to return your child home, Children's Services must carry out an assessment of what services and support you and your child might need

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when he/she returns home<sup>11</sup>. The outcome of this assessment will be included in the child's care plan. If the plan includes some services and support, Children's services must monitor their impact and review the plan once your child returns home. You should be told how often reviews will take place<sup>12</sup>. If the social worker says that they want to monitor your child once they are in your care because they have continuing concerns about them, it is important that you working in partnership with them to make sure they agree that the child is safe and well cared for;

- **If you are a relative, friend or other person connected to the child** and you are approved as a foster carer, the child will remain looked after when they are placed with you. This means you must ask the social worker about most decisions concerning the child, except those things that the placement plan says you can decide. If you are unsure what you can decide, ask the social worker to go through the placement plan with you and to give you a copy of it. However
  - if you successfully apply to court for a Child Arrangements Order (saying the child should live with you) or Special Guardianship Order giving you parental responsibility (or you acquire it in some other way), you can make decisions about how the child is raised yourself; or
  - if the child's parent formally removes them from accommodation with Children's Services and arranges for them to live with you themselves but there is no court order, you will need to discuss any important decisions about the child's care with their parent/other person with parental responsibility. This includes taking the child abroad, medical and dental treatment, choice of school etc.

## **What help can I get to look after the child if they come to live with me?**

### **If you are a parent or another person with parental responsibility:**

- If the child is under a care or emergency protection order, Children's Services must provide support to help your child stay safe and well cared for if they return home to live with you and this should be recorded in the plan.<sup>13</sup>
- If your child is leaving care and returning home to live with you, Children's Services must carry out an assessment of what services and support you and your child might need when he/she returns home<sup>14</sup>. The assessment will take place while your

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child is still looked after. Children's Services must ensure that the services and support they provide will promote and safeguard your child's welfare<sup>15</sup>. Details of the advice, assistance and support that Children's Services intend to provide must be included in your child's care plan. If your child has been in care for more than 20 days, Children's Services must consult you, your child and the Independent Reviewing Officer about their decision to return your child home, and make sure that they have taken into account your child's wishes and feelings<sup>16</sup>. If your child returns home in an unplanned way, Children's Services should still make a clear plan that includes details of services and support required.<sup>17</sup>

**If you are a relative or friend or other person connected with the child:**

- If the child remains looked after whilst placed with you, you should be given a fostering allowance and other support to meet the child's needs. This should be recorded in the child's care and placement plans. You can find out about the kind of help that is available by asking the child's social worker for a copy of their Family and Friends Care policy. For further information on this see FRG advice sheet on [Support for relatives or friends caring for someone else's child](http://www.frg.org.uk/need-help-or-advice/advice-sheets) <http://www.frg.org.uk/need-help-or-advice/advice-sheets>
- If the child is leaving care and returning to live with you under a Child Arrangements Order, or a Special Guardianship order OR either of these orders were in place before the Care Order was made, Children's Services must:
  - carry out an assessment of what services and support you and the child might need when he/she returns home<sup>18</sup>;
  - ensure that the services/support will promote and safeguard the child's welfare;
  - include details of the advice, assistance and support that Children's Services intend to provide in the child's care plan.

If the child has been in care for more than 20 days, Children's Services must consult you, the child and the Independent Reviewing Officer about their decision to return the child home, and make sure that they have taken into account the child's wishes and feelings.<sup>19</sup>

So if there is an agreed plan that the child will return home, ***make sure there is detailed discussion and agreement about the package of support services which Children's Services will give you and the child.***<sup>20</sup> These details should be written in to the child's care plan with a review date.

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## **PART 2: TIPS ON ARRANGING A 'RETURN HOME'**

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Here is some information that may help you:

- Research shows that the majority of looked after children return home: 85% of all the children in state care return home to their family network (or home communities) within 5 years, and an estimated 92% return eventually. The possibility of a child's return home in the following 12 months remains high no matter how long a child has been away. Statistically, it is usually the most likely thing to happen to a child;<sup>21</sup>
- Any plans for the child to return home should be recorded in the child's care plan: So the first place to look, to see what plans have been made for the child to return home, is the care plan. If you are a parent you should have received a copy of this plan<sup>22</sup>; if you are a relative you will need to ask the social worker or the parent what was in the care plan about return home.
- The importance of good contact before a child returns home: Research shows that regular, comfortable contact with the family, and the child maintaining a role, and position in the family are key factors in achieving a successful return home.<sup>23</sup> Therefore it is important that positive contact arrangements and plans for the child to safely return home to their family network are considered from the moment the child is first looked after. That is why the law says that the social worker must ***include details of contact arrangements with members of the family***, either before, or as soon as possible after the child is first looked after.

### **How do I ask for the child to be returned home?**

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If the care plan does not have any detail about a planned return home or you do not agree with the plans, the first thing you need to do is to ask the social worker in writing if the child can come and live with you and ask them to carry out any relevant assessment:

- If you are the child's parent and the child is under a care or emergency protection order: they will need to do an assessment of your suitability (whether on an emergency or a long term basis) which will include looking at what help you will need from them to look after the child and meet their needs.
- If you are a relative, friend or other connected person, they will need to assess you as a foster carer for the child, also on an emergency or a long term basis. However

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sometimes they do an initial viability assessment to decide if they think it is worth doing a full assessment of you. For further information about this see FRG advice sheet Family and Friends Care: Becoming a Foster Carer.  
<http://www.frg.org.uk/need-help-or-advice/advice-sheets>

You could also suggest that you begin with a plan for the child to come and stay with you for a night or two and see how it goes.

## **How could a family group conference help plan a return home?**

A Family Group Conference (FGC) is a family-led decision-making process in which the whole family comes together to make plans and decisions for a child who needs a plan that will keep them safe and promote their welfare. Professionals (typically social workers, drug workers etc) are involved in:

- setting out their key concerns which must be addressed in the plan at the start of the meeting and
- agreeing the plan, and help from Children's Services, in the last stage of the meeting.

But the family are given time to draw up a plan in private which meets the child's needs and addresses the professionals' concerns. Children's Services should agree this plan provided it is safe for the child and addresses the bottom line identified by the social worker.

Having a Family Group Conference can be a good way to explore whether the child could live with you or someone else in your family and can also help to identify any support which could be given by other members of the family and Children's Services to look after the child. You could ask the social worker to arrange refer your family for a Family Group Conference. For more information, see FRG advice sheet on Family Group Conferences <http://www.frg.org.uk/need-help-or-advice/advice-sheets>

If there is an agreement at the beginning about when your child will return home, make sure this is recorded in the child's care plan which will be reviewed regularly.

## **What can I do if the social worker says that returning home won't be good, or might even be harmful, for the child?**

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If the social worker says this after they have assessed as a potential foster carer for the child, or they have done a viability assessment of you, you need to:

- ask them to clarify in writing why they would be concerned about and what you would need to change to be able to care for the child; and
- make the necessary changes or find other ways in which you can address their concerns, for example if there is someone in your household who has harmed, or is considered to be a risk to, the child, you need to consider whether you want to remain living with that person or whether you ask them to leave and stay away so that the child can return home safely to your care. In these circumstances the social worker is unlikely to agree unless you are completely committed to keeping this person away so as to ensure the child is safe.

Also:

**If you are the child's parent and the child is in accommodation** (i.e. with your agreement rather than a court order), you could politely remind your social worker that

- they are legally required to place a child they are looking after with their suitable parents or others with parental responsibility as the first choice of placement, provided it is safe and in the child's best interests under s.22C Children Act 1989;
- this kind of voluntary arrangement is intended to be part of a package of support services, and should not be used as a means of preventing children from returning home against your wishes; and
- If they are considering a return home, they have a duty to carry out an assessment of the services and support that your child and you as parents might need when your child is no longer looked after.<sup>24</sup>

If they still don't agree, then you should

- tell the Independent Reviewing Officer (who is responsible for ensuring the child's care plan, including any arrangements for the child to return home, is reviewed) that you want to look after the child and explain the changes you have made and why you think this would be the best arrangement for them. They should take an independent view and if they don't agree with the social work team's decisions for the child, it is their job to take action to get the decision changed. If they do agree, they should explain their reasons to you. For more information on what independent reviewing officers do, see FRG advice sheet Duties on Children's Services towards children in the care system: <http://www.frg.org.uk/need-help-or-advice/advice-sheets>

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- take legal advice about whether or not you can remove your child from accommodation – contact Family Rights group Advice line or a solicitor specialising in children’s law – see part 4 for further details.

**If you are a relative, friend or other connected person and the child is in care or accommodation** you should make a formal written request to be assessed as a foster carer for the child. You could also:

- politely remind Children’ Services that, after the parents/others with parental responsibility, they are legally required to place a child they are looking after with their relatives, friends or others connected to them who are approved as foster carers, providing it is safe. This is ***in preference to placing them with unrelated foster carers*** - see s.22C Children Act 1989 (in page 3 above);
- politely mention to the social worker research evidence which says that:
  - Circumstances can improve in the family home over time. Social workers should be willing to acknowledge that families can ‘move on’ in their personal circumstances from the time when their child is first looked after, and that they may now be able to care for the child when previously they could not.<sup>25</sup>
  - The chances of a successful return home are increased when purposeful, planned work is undertaken with the child and the family to support this.<sup>26</sup>
  - When children cannot return to their parent(s)’ home, placements with relatives are rated as more successful when compared with placements with new families. They have the particular advantage of helping the child with their identity issues. They are also more likely to stay in touch with their parents, and with other relatives, than children placed in foster care with non-relatives<sup>27</sup>
- tell the Independent Reviewing Officer that you want to look after the child and explain why you think this would be the best arrangement for them (as above); and

***If Children’s Services still don’t agree with your proposals***, ask them to set out in writing their concerns about you caring for the child. This will help you to take legal advice about any legal steps you can take to be able to care for the child, To get legal advice contact Family Rights group Advice line or a solicitor specialising in children’s law – see part 4 for further details.

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## PART 3: HOW TO CHALLENGE IF CHILDREN'S SERVICES WON'T ALLOW THE CHILD TO RETURN HOME TO THEIR FAMILY

### What can I do if Children's Services won't place the child with me?

If the social worker doesn't agree to the child returning to live with you even after negotiating, you can challenge this but the legal steps you need to take depend on the child's legal status:

a) If your child is in care under a care or emergency protection order, then your only option is to apply to the court to discharge the order.<sup>28</sup>

- **As a parent/other person with parental responsibility** you can apply for:
  - an EPO to be discharged if you were not present when original EPO was made; and
  - a care order to be discharged but you will need to prove there has been a real change in circumstances from when the order was made. If you have already asked the court to discharge the care order in the last six months, but want to ask again, you must get the court's permission.<sup>29</sup> You are not automatically entitled to legal aid when you apply to discharge a care order, legal aid is only available if you meet the means and merits criteria set by the legal aid agency
- **As a relative, friend or other connected person**, you will need to apply for a Child Arrangements Order (saying the child should live with you) or Special Guardianship Order. For further information on this and eligibility for legal aid, see FRG advice sheets: [DIY Child Arrangements Orders for Family and Friends Carers](#) and [DIY Special Guardianship Orders for Family and Friends Carers](#) <http://www.frg.org.uk/need-help-or-advice/advice-sheets>

**Note:** If your child is under a **placement order** (which authorises them to be placed for adoption) as well as a care order, you can only apply to discharge the placement order if the court has given you permission (sometimes called 'leave') to do this **and** your child is not yet placed with 'prospective' (intended) adopters.<sup>30</sup>

b) If your child is in accommodation (i.e. by agreement) and you have parental responsibility, you may want to consider removing them from accommodation.

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Anyone with parental responsibility (usually parents) may remove their child from accommodation by simply telling Children' Services that that is their intention, unless.<sup>31</sup>

- a residence order or child arrangements order (saying who the child should live with) exists, in which case they may not if the person with the order objects,<sup>32</sup> and/or
- the child is over 16 and objects.

You do not have to give notice. However, **a word of caution:** you should be aware that Children' Services may make an immediate application to court to prevent you from removing the child if they think this would be harmful to them, so **make sure you take legal advice from a solicitor specialising in child care law first.** See the end of this advice sheet for how to find a specialist child care law solicitor.

- c) If the child is in accommodation (i.e. by agreement) but you do not have parental responsibility, then your only option is to apply to the court for a Child Arrangements Order (saying who the child should live with) or Special Guardianship Order which would give you the right to remove the child from accommodation. Note:
- A parent can only apply for a Child Arrangements Order not a Special Guardianship Order. They have an automatic right to apply but a non parent without parental responsibility will need permission of the court (leave) to apply<sup>33</sup>.
  - A father without parental responsibility could apply for a parental responsibility order but in this situation a child arrangements order application is more appropriate.
  - A person who is not a parent and does not have parental responsibility can apply for a Child Arrangements Order (saying who the child should live with) and a special guardianship order but they will normally need permission of the court (leave) to apply<sup>34</sup>. For more information see FRG advice sheet DIY Child Arrangements Orders for Family and Friends Carers and DIY Special Guardianship Orders for Family and Friends Carers <http://www.frg.org.uk/need-help-or-advice/advice-sheets>

You can take further advice from Family Rights Group advice service or a solicitor specialising in child welfare law – contact details in Part 4 of this advice sheet.

## **PART 4: WHERE CAN I GET FURTHER INFORMATION?**

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**Citizens Advice:** is an independent organisation providing free, confidential and impartial advice on all subjects to anyone. The address and telephone number of your local CAB can be found in the telephone directory. There is also advice on line on their website.

Website [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Advice on line Website [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

**Civil Legal Advice (CLA):** This is a free and confidential advice service run on behalf of the government. It provides information and legal advice directly to the public on common legal issues; helps people work out if they are eligible for free legal advice from a solicitor; and helps them find a solicitor if so.

Website: <https://www.gov.uk/civil-legal-advice> Telephone: 0845 345 4345

**Family Rights Group:** is an organisation which provides free telephone and email advice to family members who are involved with Children's Services about the care and protection of their children.

- Contact FRG's advice line for specific advice about your case on 0808 801 0366. It is open Monday-Friday 9.30am-3.00pm.
- You can also visit [www.frg.org.uk/advice\\_sheets.html](http://www.frg.org.uk/advice_sheets.html) where you can download other relevant advice sheets.
- Or join the FRG parents' or family and friends carers' discussion boards.
- Family Rights group can also put you in touch with a **Family Group Conference Service**. Email [office@frg.org.uk](mailto:office@frg.org.uk)

**Specialist children's law solicitor:** To find a specialist solicitor contact:

1. Solicitors Regulation Authority, Ipsley Court, Redditch, Worcestershire B98 0TD  
Telephone: 0870 606 2555 <http://www.sra.org.uk/consumers/find-use-instruct-solicitor.page>;
2. The Law Society of England and Wales, 113 Chancery Lane, London WC2A 1PL  
Tel: 020 7242 1222 Minicom: 0870 600 1560 Fax: 020 7831 0344  
E-mail: [info.services@lawsociety.org.uk](mailto:info.services@lawsociety.org.uk) [www.lawsociety.org.uk](http://www.lawsociety.org.uk)

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***You can search their website for details of local solicitors who are members of the Children Panel:***

<http://www.lawsociety.org.uk/choosingandusing/findasolicitor.law>

3. Civil Legal Advice (CLA) See details above.
4. Citizens Advice may be able to recommend a local solicitor specialising in child care law. Citizens Advice is an independent organisation providing free, confidential and impartial advice on all subjects to anyone. The address and telephone number of your local CAB can be found in the telephone directory. There is also advice on line on their website.

Website [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Advice on line Website [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

## References

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| <b>ACA</b>      | Adoption and Children Act 2002<br><a href="http://www.legislation.gov.uk/ukpga/2002/38/contents">http://www.legislation.gov.uk/ukpga/2002/38/contents</a>   |
| <b>CA</b>       | <u>Children Act 1989</u><br><a href="http://www.legislation.gov.uk/ukpga/1989/41/contents">http://www.legislation.gov.uk/ukpga/1989/41/contents</a>   |
| <b>CA 2004</b>  | Children Act 2004<br><a href="http://www.legislation.gov.uk/ukpga/2004/31/contents">http://www.legislation.gov.uk/ukpga/2004/31/contents</a>  |
| <b>CPPCRR</b>   | Care Planning, Placement and Case review Regulations 2010<br><a href="http://www.legislation.gov.uk/uksi/2010/959/contents/made">http://www.legislation.gov.uk/uksi/2010/959/contents/made</a>  |
| <b>CYPA</b>     | Children and Young Persons Act 2008<br><a href="http://www.legislation.gov.uk/ukpga/2008/23/contents">http://www.legislation.gov.uk/ukpga/2008/23/contents</a>  |
| <b>ECHR</b>     | <u>European Convention on Human Rights and Fundamental Freedoms</u><br><a href="http://conventions.coe.int/Treaty/en/Treaties/Html/005.htm">http://conventions.coe.int/Treaty/en/Treaties/Html/005.htm</a>  |
| <b>FFSG</b>     | Statutory Guidance: Family and Friends Care 2011<br><a href="https://www.education.gov.uk/publications/eOrderingDownload/Family%20and%20Friends%20Care.pdf">https://www.education.gov.uk/publications/eOrderingDownload/Family%20and%20Friends%20Care.pdf</a> |
| <b>FSR 2011</b> | Fostering Services Regulations 2011<br><a href="http://www.legislation.gov.uk/uksi/2011/581/contents/made">http://www.legislation.gov.uk/uksi/2011/581/contents/made</a>  |
| <b>HRA</b>      | <u>Human Rights Act 1998</u>  |

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|---------------------|--|
|                     | <a href="http://www.legislation.gov.uk/ukpga/1998/42/contents">http://www.legislation.gov.uk/ukpga/1998/42/contents</a>  |
| <b>G&amp;RVol 2</b> | The Children Act 1989 Guidance and Regulations Vol 2<br><a href="https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review">https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review</a> and<br><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416720/Stat_Guidance_Permanence_2015.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416720/Stat Guidance Permanence 2015.pdf</a> |
| <b>IROH</b>         | IROH: Independent Reviewing Officers Handbook<br><a href="https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00184-2010">https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00184-2010</a>   |
| <b>WT 2015</b>      | Working Together to Safeguard Children 2015<br><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working Together to Safeguard Children.pdf</a>   |

Last updated 20<sup>th</sup> May 2015

<sup>1</sup> s.22 (1) Children Act 1989

<sup>2</sup> s 22 Children Act 1989 (as amended by s8 CYPA)

<sup>3</sup> Reg 17 Care Planning, Placement and Case Review Regulations 2010

<sup>4</sup> s 22(5) and (6) Children Act 1989 (as amended by s8 CYPA)

<sup>5</sup> s 22C (7)(a) Children Act 1989 (amended by s8CYPA)

<sup>6</sup> Regs 19 Care Planning, Placement and Case Review Regulations 2010

<sup>7</sup> They must check all the information set out in Reg 24 & Schedule 4 Care Planning, Placement and Case Review Regulations 2010; also see para 5.5 Statutory guidance on family and friends care

<sup>8</sup> The assessment will take place in accordance with Regulations 26 and Schedule 3 FSR 2011

<sup>9</sup> Reg 25(6) Care Planning, Placement and Case Review Regulations 2010

<sup>10</sup> Reg 4(4) &(5) Care Planning, Placement and Case Review Regulations 2010

<sup>11</sup> Reg 39(2) CPPCRR 2010

<sup>12</sup> Page 50 and 51 WT 2015

<sup>13</sup> Regs 20 and 39 Care Planning, Placement and Case Review Regulations 2010

<sup>14</sup> Reg 39(2) CPPCRR 2010

<sup>15</sup> Page 20 para 33, WT 2015

<sup>16</sup> Reg 39 CPPCRR 2010

<sup>17</sup> Page 51 WT

<sup>18</sup> Reg 39(2) CPPCRR 2010

<sup>19</sup> Regs 2 and 39 CPPCRR

<sup>20</sup> Regs 20 Care Planning, Placement and Case Review Regulations 2010 and G&RVol 2 para 5.5a-d.

<sup>21</sup> Bullock, R., Gooch, D and Little, M., Children Going Home: The Reunification of Families, (Aldershot, Ashgate) 1998

<sup>22</sup> Reg 6 Care Planning, Placement and Case Review Regulations 2010

<sup>23</sup> Bullock, R., Axford, N., Little, M., and Morpeth, L. Predicting the Likelihood of Family Reunification in the Foster Care System Diskurs 2/2003, 26-33

<sup>24</sup> Reg 39(2)(b) CPPCRR 2010

<sup>25</sup> Fein, E, Maluccio, A., Hamilton, V., Ward, D., After Foster Care: Outcomes of Permanency Planning for Children, Child Welfare Vol. LXII No. 6 Nov/Dec 1983

<sup>26</sup> Fein, E, Maluccio, A., Hamilton, V., Ward, D., After Foster Care: Outcomes of Permanency Planning for Children, Child Welfare Vol. LXII No. 6 Nov/Dec 1983

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<sup>27</sup> Farmer E & Moyers S, 2008, Kinship Care: Fostering Effective Family and Friends Placements, Jessica Kingsley

<sup>28</sup> s 39 (1) Children Act 1989

<sup>29</sup> s.91(15) Children Act 1989

<sup>30</sup> s.24(2) Adoption and Children Act 2002

<sup>31</sup> s.20(7)&(8) Children Act 1989

<sup>32</sup> s.20(9) Children Act 1989

<sup>33</sup> ss.8, 10(3)&(5) Children Act 1989

<sup>34</sup> ss.8, 10(3)&(5) and 14(A) Children Act 1989

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