



# One Minute Guide



## What is Private Fostering?

**Private fostering is when a child or young person under 16 (or under 18 if disabled) is living with someone who is not a close relative for 28 days or more. A close relative is defined as a grandparent, aunt, uncle, siblings or step-parent by marriage.**

This type of arrangement is completely different to fostering arrangements where children and young people are placed with local authority approved foster carers, or via friends and family (kinship care) foster carers.

Many private fostering arrangements remain unknown to the local authority and this is a cause for concern as privately fostered children and young people, without the safeguards provided by law, are a particularly vulnerable group.

**It is an offence not to tell the local authority about a private fostering arrangement.** There are many reasons why children and young people are privately fostered. Such examples include parental ill health, children or young people who are sent to this country for education or health care by birth parents from overseas, children or young people who are living with a friend due to parents working unsociable hours etc.

## Notifying the Local Authority

It is an offence not to tell the local authority about a private fostering arrangement.

The Parent/s (or those with Parental Responsibility) and the private foster carer have a duty to notify the local authority of the name and address of the private foster carer, six weeks before the start of the private fostering arrangement.

If the arrangement is already in place, they must notify the local authority at once.

If the arrangement is made in an emergency and is intended to last more than 28 days, this information should be provided within 48 hours of the child being placed.

When completing forms and meeting with children, young people and their families, all agencies should ask questions about who lives in the household and who has parental responsibility — this can help in identifying a private fostering arrangement.

Practitioners working with children, young people and their families from agencies including but not restricted to schools or health services, should notify the local authority if they become aware of or believe that a child is living in a private fostering arrangement.

## The role of the Local Authority

The Children Act 1989 places a legal duty on local authorities to protect and promote the welfare of privately fostered children, to check that the arrangements for the child/ren are safe and that the child/ren are well cared for. Section 44 of the Children Act 2004 extended these duties to include children who are proposed to be, but not yet, privately fostered. The duties are set out in the Children (Private Arrangements for Fostering) Regulations 2005.

Where the local authority is informed of a proposed or existing private fostering arrangement, the child's Social Worker will undertake an initial visit within seven working days of the date of notification. The private fostering assessment will be completed in conjunction with the Kinship Care Team.

The council has a responsibility to provide services to meet the assessed needs of the child under the Children Act 1989. Following assessment, support will be identified and provided to meet any identified needs. This may comprise a variety of different types of services and support, including financial support. Financial support is assessed by accessing child benefit and other eligible welfare benefits (or similar rates). The private foster carer will be allocated a social worker from the Kinship Team who will support them through the process.



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## Tools & Further information

For children that are not open to a Wakefield CYPS social worker, contact should be made with the MASH Team by calling 03458 503 505 or emailing [social\\_care\\_direct\\_children@wakefield.gov.uk](mailto:social_care_direct_children@wakefield.gov.uk)

The MASH Team will process the new referral and the child will be allocated to the relevant locality social work team.

For further advice around the private fostering process, contact the fostering team on **01924 302160**.

For more information visit the Department for Education website

<https://www.gov.uk/government/publications/children-act-1989-private-fostering>

<https://www.gov.uk/government/publications/national-minimum-standards-for-private-fostering>

## Resources

To watch the Wakefield Council video on Private Fostering:

<https://www.youtube.com/watch?v=2ZTYpxVVtro>



[Statement of Purpose WMDC 2023-2024](#)

[Private Fostering Leaflet](#)

[Private Fostering Process Flow Chart](#)

## WSCP 7Point Briefing:

<https://www.wakefieldscp.org.uk/resource-download/private-fostering-7-point-briefing>

Multi-Agency Deep Dive Audit into how agencies safeguard children subject to a Private Fostering Arrangement - March 2022

### 7 POINT BRIEFING

- SUMMARY**  
Wakefield Safeguarding Children Partnership (WSCP) carried out a deep dive multi-agency audit into how agencies safeguard children subject to a Private Fostering Arrangement. The audit was completed over a period of 10 weeks in March 2022.
- WHAT IS PRIVATE FOSTERING?**  
Private fostering is when a child under the age of 18 years old (under 16 if disabled) is placed by a local authority or a parent or guardian in a private home. This is a private arrangement made between a parent and a carer for 28 days or more.  
Under the Private Fostering Regulations (2010), registered foster carers who receive the child with either an order or a duty to offer local authority, should engage private fostering arrangements through a local authority.
- AUDIT FINDINGS - AREAS WORKING WELL**  
• Children subject to a Private Fostering Arrangement are subject to a robust approval process.  
• All placements were in agreement and support of the child's best interests.  
• Agencies were working together to ensure a child's best interests were protected.  
• Agencies were working in partnership with the local family.  
• Agencies were working in partnership with the local authority.  
• Support services were in place to support the child and carer.  
• Children's views were considered in the approval process of placements with children.  
• Child's best interests were considered and not just the child's best interests.  
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- AUDIT FINDINGS - AREAS FOR DEVELOPMENT**  
• While most of the audit, there were some weaknesses in the private fostering arrangements.  
• Some agencies were not fully aware of the requirements of the private fostering legislation.  
• In some cases a child had been subject to a Private Fostering Arrangement for a long period, but there was no record of the child's best interests being considered.  
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- WHAT WILL WE DO WITH THESE FINDINGS?**  
• All agencies will be asked to complete a self-reflection and action plan.  
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- NEXT STEPS**  
The findings of the audit have been shared with the WSCP Safeguarding Effectiveness Group and multi-agency actions have been identified for services to implement.
- CONCLUSIONS**  
There was a range of good practice and good examples of what was working well in the private fostering sector. However, there were some areas for improvement. The findings of the audit have been shared with the WSCP Safeguarding Effectiveness Group and multi-agency actions have been identified for services to implement.

Wakefield Council  
Safeguarding Children Partnership