

Bromley Family & Friends Care



A Guide for those caring for (or considering caring for) the children of friends or family members

FAMILY & FRIENDS CARE

Bromley believes that all children should be helped to live with their parents as long as it is consistent with the child's welfare, safety and well-being. Thus we work to keep children within their own families, and provide services to support this.

However, where this is not possible and we have to consider making the child a Looked After Child (by 'taking them into care') our first efforts are directed at identifying potential carers within the child's "connected person" network, in other words, members of the family, friends of the family or someone else who knows the child well, like a teacher or a youth worker. This is known as Family & Friends Care (or sometimes Kinship Care or Connected Person Care.

The support we give is based on the needs of the child and helping their carers meet these needs. Our aim is to ensure that Family & Friends carers are provided with enough support to ensure ideally that children do not have to become Looked After by us, or, if they are already Looked After, do not remain so for any longer than is necessary.

Family Group Conferences

Family Group Conferences are meetings held between professionals and family members, which aim to achieve the best outcomes for children in need. They promote the involvement of the wider family to achieve the resolution of difficulties and may help to identify short-term and/or permanent solutions for children within the connected person network.

Where possible, we will offer a Family Group Conference or other form of family meeting at an early stage. If a child becomes Looked After, perhaps following an emergency, without a Family Group Conference having been held, then, if appropriate, we will arrange one as soon as possible.

The process is set out in the Family Group Conference Procedure leaflet.

Financial Support - General Principles

There are three categories of payment which may be considered. One or more of these may be applicable, depending on the particular circumstances of your case and more specific information is available in the next section within the different categories through which Family & Friends Care can be arranged.

Subsistence crisis (one-off) payments

These should be used to overcome a crisis, following the best assessment that can be achieved in the circumstances.

Setting-up

These are for such items as clothing, furniture, or bedding. The Social Worker must be satisfied that the carers' financial position justifies the payment through a financial assessment. Assistance may be given subject to conditions, including repayment in certain situations.

Weekly living contribution

It is possible for us to make regular payments where family members or friends care for a child, whether or not the child is Looked After. Where regular payments are made, family and friends carers should be assisted to maximise their Income/Benefits as regular payments may adversely affect an individual's claim to income support.

In all cases where regular financial support is agreed, a written agreement will be drawn up detailing the level and duration of the financial support that is to be provided, and the mechanism for review.

The following criteria will be applied to all such payments:

- Any payments will be in line with Bromley's scheme of allowances
- The purpose of the payments must be to safeguard and promote the welfare of the child
- As part of the assessment, a view should be taken as to whether the carers need financial support based on their reasonable requirements in taking on the care of the child
- There are no other legitimate sources of finance
- Payments will be paid to the carer, not the parents
- The payment would not place any person in a fraudulent position

DIFFERENT CATEGORIES OF FAMILY AND FRIENDS CARE

Children in Need may live with members of their family or friends or someone else in a variety of different legal arrangements, some formal and some informal. Different court orders are available to formalise some of these arrangements.

1) Private fostering arrangements

A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult who is not a parent or close relative, where the child is to be cared for in that home for 28 days or more. Close relative is defined as “a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent.”

In a private fostering arrangement, the parent still holds parental responsibility and agrees the arrangement with the private foster carer.

Support

Even though we will have had nothing to do with the arrangement, it is our legal duty to assess its suitability and it is therefore the parents' **legal duty** to inform us when the arrangement is made (i.e. not after 28 days). In order to ensure the welfare of the child is being safeguarded, at a minimum we have a duty to visit within the first week of placement, then six-weekly in the first year and then three-monthly to monitor the welfare of the child.

We may become more involved where, through these visits, we consider the child comes within the definition of a Child in Need. In such cases, we have a responsibility to assess the child's needs and provide services to meet them. Any support plan, including financial support, would depend on welfare assessments and additional services would be provided as indicated by the child's needs.



See our Private Fostering policy for more detail.

2) Informal family and friends arrangements

This is where a child cannot be cared for by their parents and the parents make their own arrangements to have them cared for by a close relative i.e. a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent. Informal care by any relative who does not fall within this group would come under the definition of Private Fostering (see 5.1).

Support

We do not have a duty or authority to assess any such informal arrangements with relatives, unless it appears that services may be necessary to safeguard or promote the welfare of a Child in Need, in which case, we will assess the child's needs and provide services to meet them. Following assessment, a Child in Need Plan will be drawn up and a package of support will be identified, if appropriate. As in Private Fostering (see 5.1), this can comprise a variety of different types of services and support, including financial support, based on the child's needs. One-off or settling in payments may also be available.

3) Family and friends foster care

This applies to where a child is Looked After by the local authority and lives with a Connected Person who is approved as a foster carer.

Temporary foster care

Family and Friends Foster Care may start by us asking you in an emergency to care for a child known to you. After some basic checks, and a brief assessment of the suitability of the placement with you, we can approve you as a **temporary foster carer** for that child for up to 16 weeks. Temporary approval can only be extended in exceptional circumstances, and then only by 8 weeks.

The child has a Care and Placement Plan, which sets out the specific arrangements surrounding the child and the carer(s), including the expectations on the carers and the support they can expect to receive. This includes clarity about who has responsibility for decisions affecting the child's care (e.g. permission for overnight stays) and who has parental responsibility (this will depend on whether the child has become Looked After with the parents' consent, in which case they continue to share parental responsibility).

Support

You will be allocated a Supervising Social Worker from Bromley to provide you with support and supervision. You will receive a regular allowance and possibly an initial clothing grant and one-off setting up grant.

Long Term foster care

If you have agreed to be a temporary Friends and Family foster carer in an emergency, we may subsequently undertake a more detailed assessment of your suitability to be a longer term carer for the child. Or it may be that you have come forward to be assessed as a long term Friends and Family foster carer without first being needed in an emergency.

The assessment and approval process for connected persons who apply to be foster carers is similar to that of any other foster carer, except it is for a specific child or children. An **information pack** is available about the process and you will be given the name and contact details of the social worker from Bromley allocated to carry out the assessment.

While the child remains a Looked After child, you will be expected to co-operate with all the processes that are in place to ensure that they receive appropriate care and support, by, for example, contributing to reviews of the child's Care Plan, co-operating with the child's Social Worker and promoting the child's education and health needs.

Support

You will be allocated a Supervising Social Worker from Bromley to provide you with support and supervision; and you will receive fostering allowances for as long as you care for the child as a foster carer.

Regarding accommodation, Bromley works with landlords to ensure that, whenever possible, Family and Friends carers living in social housing are given appropriate priority to move to more suitable accommodation if this will prevent the need for a child to become Looked After.

4) Residence, Special Guardianship and Adoption Orders

It may be that, either independently or with our support, you decide that one of these orders would be appropriate in order to formalise your relationship with the child you are caring for.

Residence Orders

A Residence Order (RO) is a Court Order which gives parental responsibility to the person in whose favour it is made, usually lasting until the child is 18.

Parental responsibility is shared with the parents. It can be granted in the following circumstances:

- Relatives may apply for an RO after caring for the child for one year
- The child may have been 'looked after' and their foster carer or another connected person applies for an order
- The child is at risk of becoming 'looked after' and a connected person applies for an order
- In so-called 'benign' circumstances, such as after the parents' death, in line with a prior agreement between the birth parents and the carer.

ROs may be made in private family proceedings in which Social Services are not a party nor involved in any way in the arrangements. However, an RO in favour of a relative or foster carer with whom a child is placed may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

See also Bromley's Residence Order leaflet

Support

There is no entitlement to support but it may be available if the child is assessed as being In Need. Bromley may pay discretionary Residence Order Allowances to relatives or friends with an RO unless they are a spouse or civil partner of a parent. These are reviewed every year.

Holders of ROs can claim child benefit and child tax credit if it is not being paid to the parent.

See Bromley's Residence Order Allowances Policy, for details of what financial assistance may be available to holders of ROs, the applicable criteria and who will make decisions under the policy.

Special Guardianship Orders

A Special Guardianship Order (SGO) offers a further option for children needing permanent care outside their birth family. It can offer greater security for the carer and child without absolute severance from the birth family (as would happen in the case of adoption).

As with a Residence Order, It can be granted in the following circumstances:

- Relatives may apply for a SGO after caring for the child for one year.

- The child is at risk of becoming 'looked after' and a connected person applies for an order
- The child may have been 'looked after' and their foster carer or another connected person applies for an order.
- In so-called 'benign' circumstances, such as after the parents' death, in line with a prior agreement between the birth parents and the carer.

Special Guardians have parental responsibility for the child which, while it is still shared with the parents, can be exercised with greater autonomy on day-to-day matters than where there is a Residence Order.

Children subject to Special Guardianship are able to retain their original surname - unlike adoption where names are legally changed.

The granting of an SGO by a Court has the effect of discharging a child(ren) from local authority care and the child(ren) will no longer have a social worker, although you may still get support from our Special Guardianship Officer.

SGOs may be made in private family proceedings and the Local Authority's role is to assess the suitability of the arrangements. However, an SGO in favour of a relative or foster carer with whom a child is placed may also be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

See also Bromley's Special Guardianship leaflet

Support

We have a responsibility to assess the placement, including the need for financial support, both regular and one-off payments. For foster carers, financial support may include an element of remuneration.

The young person may be entitled to Leaving Care support services and holders of SGOs can claim child benefit and child tax credit if it is not being paid to the parent.

See Bromley's Special Guardianship Order Allowances Policy, for details of what financial assistance may be available to holders of Special Guardianship Orders, the applicable criteria and who within the local authority will make decisions under the policy.

Adoption Orders

Adoption is the process by which all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by a court. As a result the child legally becomes part of the adoptive family.

An Adoption Order in favour of a relative or foster carer with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child and an approved foster carer can apply for an Adoption Order after a year of caring for the child.

A child may be the subject of an application to adopt even if they are not placed for adoption by an adoption agency. These are called non-agency adoptions. The principal categories of non-agency adoptions are:

- applications by the partner of the parent of a child, i.e. the parent's spouse, civil partner or unmarried partner (partner adoptions, but sometimes inaccurately, referred to as step-parent adoptions)
- applications by local authority foster carers, where the child has not been placed with them for adoption under the Adoption Arrangement Regulations
- applications by relatives of the child or by private foster carers

When this occurs, the local authority has a responsibility to provide a report to the court to assist it in reaching a decision on the application.

For more details, see Adoption website



Support

Local Authorities must make arrangements, as part of their Adoption Service, for the provision of a range of Adoption Support Services. They then have to undertake assessments of the need for Adoption Support Services at the request of the adopted child, adoptive parents and their families, as well as birth relatives. The support required is then set out in an Adoption Support Plan and this may include financial support.

See also the Adoption Support Scheme, for details of what financial assistance may be available to holders of Adoption Orders, the applicable criteria and who within the local authority will make decisions under the policy.

SUPPORTING CONTACT WITH PARENTS

The authority is under a duty to promote contact for all Children in Need with their families, although this differs depending on whether or not the child is Looked After.

Where the child is not Looked After, we are required to promote contact between the child and his/her family 'where it is necessary to do so in order to safeguard and promote his or her welfare'. As part of the support arrangements, it may be identified that specific assistance is required to ensure that any such contact can be managed safely. If necessary, information will be made available to Family and Friends carers about local contact centres and family mediation services, and how to make use of their services.

Where a child is Looked After, we are required to endeavour to promote contact between the child and his or her family 'unless it is not practicable or consistent with the child's welfare'. The overall objective of the contact arrangements will be included in the child's Care Plan and the specific arrangements will be set out in the child's Placement Plan - see *Contact with Parents and Siblings Procedure*.



COULD YOU BE A FAMILY & FRIENDS CARER?

Try our checklists ...

The qualities that make a good carer

- Commitment to the child and ability to put their welfare first, even when it conflicts with your loyalty to the birth parents
- If appropriate, understanding and acceptance of the real reasons which led to the child's removal from the parents care
- Ability to protect the child from harm
- Ability to deal with the strain of changing family roles, if appropriate
- Sufficient support network
- Sufficient time and space to devote to everyone in your family
- Capacity to offer warm, stimulating care
- Capacity to understand, adapt to and meet the child's changing needs
- Ability to promote the child's educational and health needs
- Commitment to helping the child develop an understanding of their history and promote positive identity, including their ethnic and cultural heritage
- Capacity to be realistic about the possible problems and special needs the child may present
- Being willing to seek out and accept help from professionals

What might make you unsuitable?

Although we believe that it is usually better for a child to live with someone with whom they already have a connection, there are particular cases where why we might not be able to recommend it. These would include:

- **Health** – where your medical/psychiatric history and/or current state of health gives serious cause for concern
- **Age** – where the arrangement is long term and medical opinion is that you may not survive the years of the child's dependence or retain sufficient vigour to meet the child's needs until independence.
- **Drug/alcohol problems** – if you have a drug and/or alcohol dependence that is likely to affect your ability to offer safe care.

- **A serious criminal record concerning you and/or other adults in the household** – Certain types of offences automatically bar you from caring for a child and you will have to complete an enhanced Police Check.
- **Housing** – where the current accommodation is temporary, overcrowded and/or poorly maintained and there are no real prospects for re-housing within the near future; or arrears of payment are so significant that you could be at risk of losing your home.
- **Work/lifestyle** – where your work and/or lifestyle severely limit the time available for child care.
- **Family composition** – where the needs of other children and/or dependent adults in your household/network are likely to conflict with the needs of the child to be placed.
- **Parenting concerns** – where there have been serious difficulties in how you parented your own children, particularly a history of abuse and neglect.
- **Children’s needs** – an inability to demonstrate an understanding of children’s development and needs in general or to meet the child’s specific educational, medical or emotional needs, which may possibly require a high level of specialist care.
- **Protecting the child** – where appropriate, inability to protect the child from abusive parents and enforce restrictions on contact with birth parents.
- **Working together** – lack of cooperation with children’s social care and other professional services.
- **Finance** – Where you are unable to provide the basics for your family, for example, fuel and food.



COMPLAINTS

Where a Family or Friends carer is not satisfied with the level of support provided to enable them to care for the child, or has any other complaint, they have access to our Complaints process. Our aim would be to resolve any such dissatisfaction without the need for a formal investigation but where an informal resolution is not possible, a formal investigation will be arranged. *The timescales and process are set out in the Complaints Procedure leaflet.*



NEED FURTHER HELP?

We hope this leaflet provides some useful information on the different types of Family & Friends care and will help you to decide whether to become a Family & Friends carer.

We know it's quite complicated and a big step for you to take. If you are not sure of anything please ask the assessing social worker, who will be happy to explain further. Alternatively, you may wish to seek independent legal advice to help you make a decision.

USEFUL CONTACTS

GRANDPARENTS ASSOCIATION

www.grandparents-association.org.uk

GRANDPARENTS PLUS

www.grandparentsplus.org.uk

FAMILY RIGHTS GROUP

www.frg.org.uk

YOUNG MINDS

<http://www.youngminds.org.uk/>





THE LONDON BOROUGH
www.bromley.gov.uk