

Research into Private Fostering

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National Children's Bureau



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Contents

Acknowledgements	iviii
Executive summary	x
1. Introduction.....	1
1.1 Policy and legislative context.....	1
1.2 Numbers and characteristics of privately fostered children	1
1.3 Challenges for local authorities	3
1.4 The registration debate.....	4
1.5 Private fostering's interface with public care	4
1.6 About this report	6
2. Research aims and methodology	7
2.1 Aims and research questions	7
2.2 Research methods	8
3. Literature review	14
3.1 The history of private foster care	15
3.2 Characteristics of children living in private foster care	16
3.3 Private foster care and public care	17
3.4 Private foster carers	17
3.5 Quality of care and outcomes for privately fostered children.....	18
3.6 Private foster care in the international context	18
3.7 Conclusions	20
4. Privately fostered children	22
4.1 Frequently highlighted arrangements	22
4.2 Other arrangements	31
4.3 A typology of private fostering arrangements	34
4.4 Summary	39
5. Notification, awareness and publicity	40
5.1 Notification.....	40
5.2 Practitioner understanding and awareness-raising	47
5.3 Raising public awareness of private fostering	56
5.4 Summary	57
6. Local structures and processes	59
6.1 Strategy and policy at local authority level	59
6.2 Location and profile of private fostering within local authorities	61
6.3 The role of the LSCB	65
6.4 Strategic links with partner agencies	66
6.5 Summary	68
7. Delivering services to children, parents and carers.....	69
7.1 Assessment.....	69
7.2 Safeguarding	71

7.3 Supporting private fostering arrangements	75
7.4 Partnership working.....	77
7.5 Summary	78
8. Reflections on current arrangements	80
8.1 The term 'private fostering'	80
8.2 Timing issues.....	81
8.3 Definition boundaries and blurred interfaces with other forms of care	83
8.4 The current notification system.....	86
8.5 A potential registration system	87
8.6 Summary	88
9. Discussion and conclusions	90
9.1 Discussion	90
9.2 Concluding summary.....	98
Bibliography.....	101
Glossary	104
Appendix 1: Workforce questionnaire.....	105
Appendix 2: Case study authorities	110
Appendix 3: Researching the views of privately fostered children, birth parents and private foster carers.....	132

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Executive summary

Introduction

This research into private fostering was commissioned by the Department for Children, Schools and Families (DCSF) and carried out by a team from the National Children's Bureau (NCB) and the British Association for Adoption and Fostering (BAAF). The purpose of the research, which took place during 2009, was to inform the DCSF Advisory Group on Private Fostering in making its recommendations to Ministers on increasing notifications of private fostering arrangements.

Background and aims

The Children Act 1989 defines private fostering as occurring when a child under 16 (or under 18 if disabled) is cared for, and provided with accommodation, for 28 days or more by someone other than a close relative, guardian or someone with parental responsibility. Parents and carers have a legal duty to notify the local authority when entering into a private fostering arrangement; local authorities are then required to carry out an assessment, and to monitor the arrangement.

DCSF has been collecting statistics on private fostering since 2005. While numbers of notified arrangements have been increasing year on year, it is widely believed that they under-represent the true number of privately fostered children.

The research had two broad aims. Firstly, to collect evidence of the practices and procedures of local authorities in relation to private fostering arrangements, in order to inform thinking on how to increase notification rates; and secondly, to improve understanding of the characteristics and needs of privately fostered children, with particular reference to safeguarding issues.

Methodology

A range of qualitative and quantitative methods were employed. A review of UK and international literature on private fostering was conducted together with a comparative study of policy and practice in five countries. Semi-structured interviews were carried out with 13 national stakeholders. Members of BAAF's special interest group on private fostering were surveyed to provide detailed information about local practices, yielding 55 responses. Eight case studies were carried out in local authorities, involving semi-structured interviews with a total of 48 practitioners, managers and representatives of relevant partner organisations. An online survey

was carried out to assess awareness and understanding of private fostering within the children's workforce. Links to the survey were distributed through NCB and BAAF's networks and members, and in the case study authorities. 1,028 responses were received.

Due to the short timescale for the research it was not possible to include the views of privately fostered children, their carers, or their birth parents in this study.

Findings

Literature review and international comparative study

Very little up-to-date empirical research into private fostering was found among the UK literature; much of what exists focuses on children from West Africa who typically entered private foster care at a young age, many of whom were living with white carers. Studies tended to be small-scale, with self-selecting samples and presented a mixed picture, with some children experiencing unhappiness and abuse, while others had more positive experiences.

The international literature was even more sparse, compounded by difficulties of definition and challenges associated with identifying equivalent informal care arrangements within different legislative and policy frameworks. It seems that the issue has not attracted the same level of public policy concern as in the UK.

Privately fostered children

Evidence from this study indicates that the circumstances surrounding private fostering arrangements are extremely diverse and varied, as are the characteristics and needs of the children in them. The main situations discussed by research participants were African and Caribbean children with parents abroad, children attending language schools or other UK educational establishments, children living away from home because of parental problems, 'sofa-surfing' adolescents and unaccompanied immigrant children. Some privately fostered children were perceived to be less vulnerable than others; however, it was clear that some children had multiple, complex needs.

Our analysis explored the similarities and differences between the numerous arrangements and a typology is proposed, focusing on the circumstances which lead to private fostering arrangements. These broad categories characterise private fostering arrangements as being primarily 'child-centred' (arrangements made in

order to enhance the life chances of the child), 'parent-centred' (enabling the parent to work or study), 'carer-centred' (in which the carer themselves has a major interest in the arrangement) or as arising as a result of a 'family crisis' (including parental problems or family breakdown). It is hoped that this typology will assist in understanding and meeting the needs of the children and families involved.

Notification, awareness and publicity

Despite the legal duty for parents and carers to notify local authorities in advance about private fostering arrangements, this rarely happens in practice. No evidence was found of local awareness-raising activities conducted by local authorities and targeting the general public so far resulting in increased notifications from these sources. This may be for a variety of reasons and suggests it may be helpful for the effectiveness of different strategies to be reviewed. In fact, local authorities generally found out about private fostering from practitioners, particularly social workers, and usually after the arrangement was established.

The workforce survey revealed that awareness of private fostering is not high among practitioners who work with children. Social care workers were better informed than those working in other fields. The research suggests that the best way of increasing awareness among practitioners is through rolling programmes of training or other face-to-face methods. Having clear notification pathways and knowledgeable staff in key positions also helps to ensure private fostering arrangements are identified.

Local structures and processes

The introduction of the 2005 private fostering regulations and the Ofsted inspection framework were the starting point for many authorities' strategies and policy development work and research respondents reported a generally increasing profile for private fostering since 2005.

Private fostering is currently situated in a range of different locations within local authority structures, and views differed around what would be the most appropriate location. Whilst a specialist private fostering team was viewed by many to have its advantages, others could not discount the perceived benefits of placing private fostering within children in need, safeguarding or fostering teams.

Establishing effective partnerships was identified as a key issue. While links at strategic level were often described in positive terms, this did not necessarily filter down to frontline workers in partner agencies. Overall, it was reported that links with

Local Safeguarding Children Boards (LSCBs) were good, and could prove useful in providing a conduit for information and ensuring private fostering was included in multi-agency training.

Delivering services to children, parents and carers

With respect to assessment, we found a degree of variation in the breadth, processes, timing, methods and roles of those involved. Some authorities started assessing on the basis of an intention for the arrangement to persist for 28 days, while others waited. Assessment tools varied, but CRB checks were routine. Some private fostering arrangements associated with language schools were not thoroughly assessed. Private fostering panels, clear lines of responsibility and close cooperation with other practitioners, particularly those with a safeguarding remit, were reported to assist effective assessment.

Safeguarding emerged as intrinsically linked to assessment. Children in private fostering arrangements were viewed as inherently vulnerable and more so if they were young, or far from home, or had little contact with their birth parents. Specific concerns were also voiced in relation to teenagers, immigrant children, trafficked children and language students. But the greatest anxiety was expressed regarding those privately fostered children as yet unknown to the authorities.

Support provided to children, carers or birth parents varied. Many children were offered emotional support and they and their private foster carers were sometimes provided with one-off payments to assist with the purchasing of school uniforms or beds, under Section 17. Regular, or larger, payments were rare and case study authorities complained that they had no specific budget for this. Carers also received practical advice relating to benefits or housing and were sometimes offered training, although take-up was low. Few examples were provided of support for birth parents or family re-unification.

Numerous agencies were found to be involved in private fostering cases, most typically health, education, police, UK Borders Agency and housing, although the extent of inter-agency cooperation varied. Different interpretations of the rules were found to undermine effective collaboration across local authority boundaries.

Reflections on current arrangements

Virtually all interviewees felt that the term 'private fostering' was confusing although there was no agreement on a useful alternative. The current onus on private foster

carers and parents to notify was viewed as unrealistic by interviewees, given the lack of awareness among the general public. There was little support for a formal registration system for private foster carers; most interviewees felt it would not help to detect currently unknown arrangements, and ran the risk of pushing private fostering further underground.

Views about the 28 day threshold varied, depending on the perceived risks associated with different types of arrangement. At the other end of the scale disquiet was expressed about the lack of an upper time limit for private fostering arrangements, given that some private fostering arrangements persisted for many years on a 'temporary' basis.

The interface with local authorities' duty to look after and/or accommodate children emerged as quite complex, particularly in relation to children who cannot live at home, or families who need extensive support. Inconsistent practices across authorities emerged, despite recent case law. Practitioners requested additional guidance and clarification about aspects of private fostering law.

Conclusions

A very wide range of different types of arrangement fall within the legal definition of private fostering, and the needs of those involved – children, parents and carers – are equally diverse. In some cases these arrangements are on the margins of other forms of formal or informal foster care. Analysis, however, revealed four broad categories, based on the different circumstances which led to the private fostering arrangement, rather than the characteristics of the child.

Local authorities currently fulfil their statutory duties in a wide variety of different ways, according to local structures and available resources (and revealing some differing interpretations of the law). The research did not reveal a single ideal model. The findings suggest that the most effective way of increasing the number of notified cases of private fostering may be through increasing awareness among agencies and practitioners most likely to come into contact with the children and families concerned (and not just within the children's workforce). Direct publicity aimed at the general public has not yet proved effective in raising awareness about private fostering.

1. Introduction

1.1 Policy and legislative context

The Children Act 1989 (Section 66) defines private fostering as occurring when a child under 16 (or under 18 if disabled) is cared for, and provided with accommodation, for 28 days or more by someone other than a close relative, guardian or someone with parental responsibility. Close relatives are defined in the Act as parents, stepparents, siblings, brothers or sisters of a parent, and grandparents.

The Laming Report (Department of Health and Home Office 2003) into the death of Victoria Climbié, led to the publication of the government's Green Paper, *Every Child Matters* (H.M. Treasury 2003). The *Every Child Matters* agenda represents a fundamental re-evaluation of the importance of childhood and the priority to be given to meeting children's developmental needs and supporting families. The 2004 Children Act (Section 44) introduced a tighter framework which requires every local authority to raise awareness, to assess the suitability of private foster carers before children are cared for by them, to appoint a private fostering officer to monitor compliance with the notification system, to include private fostering amongst the areas to be addressed by the Local Children's Safeguarding Board (LSCB), to introduce national minimum standards for private fostering and to enhance the inspection regime. The 2004 Act also introduced provisions to allow for the possibility of establishing a registration scheme in future for private foster carers in England. This clause (Section 35, The Children and Young Persons Act 2008) has since been extended to 2011.

The enhanced Children (Private Arrangements for Fostering) Regulations 2005 embody the key elements of the reform programme in terms of prevention and early intervention. It is designed to focus the attention of local authorities on private fostering, but it is not clear to what extent these priorities are currently being applied in practice.

1.2 Numbers and characteristics of privately fostered children

At present, even quite basic facts about privately fostered children, such as their numbers, level of health and wellbeing, adequacy of arrangements and movements between arrangements and carers, remain uncertain.

The Department of Health ceased to collect statistics in 1991 because 'there were serious doubts about the reliability of the information' (SSI 1997 cited in Holman, 2002). At the time it was believed that there were about 10,000 children being privately fostered in England at any given date (Department of Health 2001). Meanwhile the African Family Advisory Service estimated that there could be between 5,000-9,000 children of West African origin in private fostering arrangements at around the same time (AFAS 1997).

The Department of Children, Schools and Families (DCSF) started collecting private fostering returns (PF1) in 2005. These consisted of notifications of new private fostering arrangements received by local authorities, of the numbers of arrangements known by local authorities to have started or ceased in the year, and of numbers ongoing at 31 March each year. In general, the PF1 returns show a steady increase from 730 in 2005 to 1,530 in 2009. Currently, the majority of notified cases are of UK-born teenagers.

It is clear that the issue of under-reporting continues. Little, therefore, is known for sure about the numbers and characteristics of children living in private fostering arrangements. However, anecdotal information from practitioners and researchers suggests that the privately fostered population includes the following groups of children:

- African and African Caribbean children with parents or families overseas
- Black, white and minority ethnic children with parents working or studying in the UK
- Trafficked children
- Large variety of children living apart from their families
- Adolescents and teenagers temporarily estranged from their parents
- Children attending language schools
- Children at independent boarding schools who do not return home for holidays and are placed with host families
- Children brought in from abroad with a view to adoption
- Children of members of the Forces who are serving abroad

Since the early 1990s, outbreaks of civil war and social upheaval in Africa and Eastern Europe have generated flows of asylum seekers to the UK and children from

these groups are increasingly reported to be living within private fostering arrangements.

1.3 Challenges for local authorities

One explanation given for the under reporting of private fostering arrangements is that some local authorities are paying 'little attention' to private fostering (OFSTED 2009). The OFSTED reports indicate that local authorities are at varying stages of raising awareness of private fostering amongst social service colleagues, other practitioners and the public. Where there is good practice, there is commitment and communication from elected members, senior management and the LCSBs, good multi-agency working and good relations with faith and black and minority ethnic communities (OFSTED 2009).

However, private fostering poses many challenges for local authorities. Apart from having to raise awareness, they need to plan and provide services for privately fostered children within the structure of their existing service provision and resources, but at the same time provide a flexible service, which will meet the needs of a diverse group of children in private fostering arrangements. Anecdotal information from BAAF's Private Fostering Special Interest Groups (PFSIG) suggests that within social work teams there are tensions over finite budgets, complex, heavy case loads, inadequate time for supervision, staff shortages and low morale. This often means that the demands of statutory child protection work have to be prioritised over children 'in need' and privately fostered children.

The Laming Report highlighted an important tension between the state's duty to protect and promote children's development and the human right to privacy and family life. The private fostering practitioner has to negotiate a pathway between these two conflicting positions. Thus a key dilemma for policy makers and practitioners is the extent to which it is realistic to impose controls on private arrangements made by parents for the care of their children. The duty to notify local authorities that a child has been privately fostered is widely ignored, partly through ignorance or reluctance on the part of carers or parents to bring such arrangements to the attention of the authorities. Without notification, local authorities are not able to check whether the carers may be disqualified persons who may have committed offences against children or whether they are suitable carers (Holman 2003).

Although studies (Owen et al 2007) show that some private foster carers do provide good enough care and offer a respite service to many parents, there are still

concerns that some private foster carers have little understanding of the loss and trauma and the cultural and racial issues that privately fostered children may face as a result of separation from their birth families.

1.4 The registration debate

Several reports, some commissioned by the government, confirm that privately fostered children are very vulnerable, and recommend that a registration system involving the approval of private foster carers would better protect their interests (Utting 1997, SSI 2002). Utting (1997) referred to private fostering as a potential '*honey pot for abusers*'. The Social Care Institute for Excellence (2003) considers the lessons learned from childminding registration which can be applied to private fostering and makes the argument for the registration of some private fostering arrangements '*based on balance and proportionality*'.

Opponents of a registration and approval system cite their concern that government should not intervene in private family life (Article 8, Human Rights Act, 1998). They argue that registration might appear to encourage private fostering by providing it with a stamp of approval. Other concerns are around the threshold criteria for approval as a private foster carer. If the threshold was lower than that applied to local authority foster carers it would effectively set up a two-tier system; however, if the same criteria were applied, it is felt that this would prevent some friends and family carers from caring for a child even when this would be the least damaging option in the particular circumstances. Some argue that registration would push private fostering further underground, since many carers would know that they would not be considered acceptable. The corollary to this is that private fostering is already an underground activity (Philpot 2001, SCIE 2003, Holman 2003).

It has also been suggested that it would not be appropriate for local authorities to have an additional regulatory burden imposed on them and that the wide variety of children and circumstances leading to private fostering means that it would be difficult to apply a single model of registration and approval.

1.5 Private fostering's interface with public care

Private fostering is often discussed alongside kinship care. Both are at the interface of state systems for the protection of children, substitute care, and the role of the extended family. Many children are kept out of the public care system because their parents arrange for relatives, friends and neighbours to look after their children when they are unable to do so. This is particularly common in some black and minority

ethnic communities. In its response to the government's consultation on private fostering, the Association of Directors of Social Services (ADSS) stated that *'private fostering can be a very positive response from the community to difficulties that families, in all sorts of different circumstances, face from time to time'* (ADSS 2005).

In practice there appears to be some confusion around definition and interpretation. In terms of kinship care, if a child is placed by a local authority with friends and family either by parental agreement, or a care order, then these carers should be approved as foster carers. Some relatives who are already looking after a child may become involved with the local authority because the child is a 'child in need'. Local authorities may make services available to children in need and their family under Section 17 of the Children Act 1989. But if the carer is a distant relative or friend, and the local authority has not placed the child there, and the arrangement is longer than 28 days, then these arrangements are defined as private fostering. In exceptional circumstances, the local authority may make payments under Section 17 to support a child's arrangement with relatives or friends for a time limited period as an alternative to receiving them into accommodation.

However, if the local authority is sufficiently involved in arranging or financing the arrangement, then consideration needs to be given to whether the child should be viewed as a 'looked after child' within the meaning of the Children Act 1989 (Section 20, provision of accommodation). In three recent legal cases¹, the courts ruled that the children were being 'looked after' by the local authority. They illustrate the local authority's duty to support the placement, and the need for clarity about the status of and accountability of the placement.

The discussion above and the case examples demonstrate the blurred boundaries and show that some privately fostered children are 'potentially children in need' (ADSS 2005), some are 'on the edge of care' (Morris 2005) and some are being cared for by friends, who are playing an increasingly important role in providing a choice of arrangement for children living apart from their families (Phillips 2007).

¹ London Borough of Southwark v D [2007] EWCA Civ 182 ; Sarah Jane Collins (by her Litigation Friend Mrs Dorothy Leyden) v Knowsley Metropolitan Borough Council [2008] EWHC 2551; Re A, R v Coventry [2009]

1.6 About this report

The purpose of the research reported here is to inform the DCSF Advisory Group on Private Fostering in making its recommendations to Ministers on increasing notifications of private fostering arrangements.

The DCSF commissioned NCB and BAAF to carry out this research in June 2009, with a requirement to report in January 2010. The short timescale inevitably imposed some restrictions on the scope of what could be achieved in terms of both breadth and depth. The methodology is described in more detail in the next chapter.

1.6.1 A note on language

Please note that for brevity we use the term ‘children’ in place of ‘children and young people’ throughout this report, and ‘practitioner’ to stand for all those who work with children. Similarly, the term ‘social worker’ refers to practitioners in a range of settings, not only those in local authority employment.

2. Research aims and methodology

In this section the overall aims of the research are outlined, together with the specific questions we have tried to address. This is followed by a description of the research methods used.

2.1 Aims and research questions

The research had two broad aims. Firstly, to collect evidence of the practices and procedures of local authorities in relation to private fostering arrangements, in order to inform thinking on how to increase notification rates; and secondly, to improve understanding of the characteristics and needs of privately fostered children, with particular reference to safeguarding issues.

In order to achieve these aims, the research focused on the following specific research questions:

Raising awareness of private fostering

- How do local authorities raise awareness of private fostering in the community; which approaches are thought to be most successful and why?
- What are the reasons for and barriers to notifications of private fostering arrangements?
- How aware of private fostering and the need to notify are practitioners working with children?

The children, families and carers involved

- What is known about private fostering arrangements locally: what circumstances lead to private fostering; what are the characteristics and needs of the children, carers and parents?

Local authority systems and structures

- What local systems are in place to manage notifications, and how does this differ among local authorities?
- What staff are involved; what training and support do they receive?
- What factors are taken into account in making decisions about risk and support levels for private fostering arrangements; what risk management and support arrangements are in place?
- What is the role of the local safeguarding children board (LSCB)?

- How do local authorities use their notification data to improve practice?

Effectiveness of different approaches and practices

- What are perceived to be the advantages and disadvantages of the current notification system?
- What are the perceived risks associated with current low notification levels?
- Is it possible to identify any promising approaches used by local authorities to deliver private fostering responsibilities?

2.2 Research methods

In order to address these research questions a range of quantitative and qualitative methods were employed to gather and analyse information from a variety of sources and informants. This included collating and analysing information already in the public domain as well as primary data collection from practitioners working in the private fostering field and the children's workforce more generally.

2.2.1 Review of UK literature on private fostering

Searches were carried out focusing on private and informal foster care arrangements. Database searches were supplemented by recommendations from the private fostering advisory group, the research steering group and by reference harvesting. A total of 56 items was generated. The majority of these consisted of statutory and policy literature and press reports.

A summary of the findings from the UK literature review is presented in chapter 3.

2.2.2 Review of international literature and comparative study

The same basic search strategy was adopted for the international literature as for the UK literature with additional searching via national library catalogues and country specific portals, and exploration of the websites of relevant organisations, government departments and research units.

We also carried out a comparison of private fostering (or equivalent) policy and practice in five other countries (Australia, Canada, Germany, Norway and Sweden). This element of the research required an additional strategy. Contact was made via BAAF with some 90 organisations, government departments, and researchers involved with foster care, child protection or the provision of children's services to ask for country, state and territory specific information on the regulation and monitoring of

informally arranged foster care placements. A list of questions was sent to respondents to ensure overall consistency and to make the task less onerous. Eight responses were received in total. Although limited in number, these were extremely detailed and provided some rich and valuable information.

A summary of the findings from the international comparative study is presented in chapter 3.

2.2.3 *Qualitative interviews with key stakeholders*

At an early stage in the research we carried out semi-structured telephone interviews with 13 national stakeholders in order to gain an overview of current issues around private fostering arrangements for different populations and ages of children in order to inform other aspects of the research. A 'long list' of around 25 individuals was identified through NCB and BAAF's networks and contacts within policy, practice and other voluntary and community organisations, together with suggestions made by DCSF officials. Due to the challenging schedule for the research it was necessary to conduct these interviews during the summer holiday period, therefore our final sample was selected according to their availability for interview. Our 13 interviewees included representatives from statutory and voluntary agencies, most having a national remit covering private fostering.

Interviews lasted approximately 45 minutes, were digitally recorded with the respondent's permission and transcribed verbatim for analysis. The data was analysed using Framework, a rigorous and systematic method that allows in-depth thematic and within case analysis. Initial broad themes were suggested by the research questions and provided a starting point for the analysis. As further themes emerged, the index of key themes was revised and refined.

A matrix was drawn up for each theme, with the columns representing key sub-themes and the rows representing individual participants or groups. Data from each transcript was summarised in the appropriate cell. The final matrices thus provided a full picture of each individual's or group's practices and views, displayed the range of views and practices described by participants and allowed the accounts of different participants, or groups of participants, to be compared.

2.2.4 *Online survey of the children's workforce*

In order to gain a greater understanding of the level of awareness of private fostering among practitioners who work with children, we devised a short online questionnaire

which was initially distributed through NCB's and BAAF's contacts and networks, including mailings to practitioners working in the following fields: bereavement, disability, early childhood, residential care, participation, sex education, anti-bullying, health and play.

We also invited our case study authorities (see 2.2.6 below) to distribute the survey to their children's workforce in order to supplement the sample. In return, each authority was offered a copy of the findings for their own authority. The survey was 'live' from July 2009 to the end of November 2009 (for the networks) and early January 2010 (for case study local authorities).

The questionnaire focused on awareness of private fostering and responsibilities around notification and also explored some of the myths and misconceptions by presenting a series of true and false statements with which respondents were invited to agree/disagree. We also explored ways in which practitioners would prefer to receive information about private fostering in the future. At the end of the survey, respondents were redirected to a website which provides further information about private fostering (www.privatefostering.org.uk). See Appendix 1 for a copy of the questionnaire.

452 valid responses were received from the networks with an additional 576 responses from six of the eight local authorities, making a total of 1,028 participants in total. While the sample is not representative of the workforce in any statistical sense (because not randomly selected), this approach nevertheless provides a useful 'toe in the water' reaching the full breadth of the children's workforce across the whole of England.

Results from the survey were imported into SPSS. Quantitative responses were analysed using descriptive statistics and open-ended questions were analysed thematically. Findings from the workforce survey are presented within chapter 5.

2.2.5 Online survey of BAAF's PFSIG

BAAF has been convening regional special interest groups for private fostering since 1992, bringing together private fostering officers from more than 90 local authorities with representatives from key stakeholder groups. We surveyed the membership of these groups in order to gain a deeper understanding of the range of private fostering practices and issues across England. The online questionnaire consisted of a mixture of structured and open-ended questions, focusing on the following topics:

- current local authority practice, procedures and structures
- approaches used to try to increase numbers of notifications, and views on how successful these have been
- numbers and characteristics of privately fostered children in their local areas
- views about risks associated with existing practices
- views about current notification system

Fifty-five responses were received, covering 48 different local authority areas, yielding a wealth of detailed quantitative and qualitative information about local policy, practice and private fostering arrangements. Data was downloaded into Excel and analysed using Framework principles (see 2.2.3 above). Findings from the PFSIG survey are drawn upon throughout this report (chapters 4 to 8 inclusive).

2.2.6 Case studies in local authorities

We conducted detailed qualitative case studies in eight local authorities. The purpose of these case studies was to understand in more depth the issues and practices around private fostering in different settings from the point of view of a range of stakeholders, and, in particular, to identify and describe examples of promising or effective practice with respect to eliciting notifications and managing cases. Case study authorities were selected primarily on the basis of good or promising practice, including evidence of high or increasing numbers of notifications. However, we also made sure that the sample included authorities of different sizes and characteristics (e.g. unitary and 2-tier authorities, urban and rural locations), and also as much diversity as possible in terms of the different groups of privately fostered children (for example, ensuring we included authorities with high black and minority ethnic populations, and those hosting language schools). In order to identify suitable case study authorities, we drew upon a range of data sources, including PF1 returns, a one-off survey of local authorities conducted by DCSF in May 2009, Ofsted ratings and our own PFSIG survey (see 2.2.5 above).

Seven of our original sample agreed to take part in the research (the eighth declining on the grounds of staff capacity, as the authority in question had recently seen a large increase in the number of notifications). A substitute authority with some similar characteristics was found to replace the eighth authority. Our final sample includes three county councils, three London boroughs and two unitary authorities outside London. See Appendix 2 for further information about the authorities.

Each authority was visited by members of the research team and semi-structured interviews were carried out with key officers involved in private fostering. These interviewees varied from authority to authority, according to local structures and arrangements, but generally included practitioners and managers with responsibility for private fostering; social workers involved in carrying out assessments or providing support; a member of the local safeguarding children board; and representatives of relevant partner organisations. As the authorities varied in size, so did the number of interviews, as shown in table 2.1 below.

Table 2.1 Number of case study interviews

Case study	No. of interviews	No. of interviewees
1	4	5
2	4	4
3	6	7
4	3	3
5	7	8
6	6	6
7	6	7
8	8	8
TOTAL	44	48

In total 48 individuals were interviewed, either individually or in pairs. All interviews were digitally recorded with participants' permission and transcribed verbatim for analysis, using Framework (as described in 2.2.3 above). Findings from the case study interviews are drawn upon throughout this report (chapters 4 to 8 inclusive).

2.2.7 Validation focus group with members of BAAF's PFSIG

When our preliminary analysis was complete, we invited members of BAAF's special interest groups to attend a focus group to discuss the findings and their implications, in order to ensure our final report was grounded in the experiences and understanding of key practitioners. Eleven members agreed to take part. However, due to adverse weather conditions, only five were able to attend on the day. The session consisted of two parts. First, the research team presented key findings. Participants then had the opportunity to reflect on the findings over lunch, before joining the focus group discussion itself, which lasted around an hour and concentrated on a few key issues arising from the research. Four members of the research team were present and notes were taken. The focus group discussions have helped to inform the content of the final section of this report (chapter 9).

2.2.8 Scoping exercise for research with private foster carers, parent and children

The voices of privately fostered children, their private foster carers and their birth parents are notably, and regrettably, absent from this research. This is not a result of oversight, but a consequence of the very short timeframe in which the research had to be conducted, during which it would not have been possible to identify, access and interview an appropriate sample. As part of this research we investigated the feasibility of such a study, and a more detailed account of the issues associated with conducting research with these groups can be found in Appendix 3.

3. Literature review

Concerns about private foster care are far from new. Finding evidence to underpin that concern has proved more difficult – Holman, writing in 1973, noted that '*Much has been said about private foster children but little is known about them*' (p30). Review of the literature concerning private foster care is therefore important and timely.

There are two parts to the literature review. Firstly, a rapid review of UK literature was undertaken. As other reviews of private foster care have also indicated (Hadley Centre 2007), the empirical research is extremely limited. It would also appear that there has been little integration of findings relating to private foster care and other bodies of literature, for example that concerning mainstream foster care and asylum seeking and trafficked children. In addition to the difficulty of a general absence of empirical studies, the search also highlighted a number of methodological problems associated with the research relating to private foster care. The key problems can be summarised as follows:

- Official statistics widely considered to be unreliable, owing to low reporting rates within local authorities;
- Contested definition of the private foster care population amongst researchers, so different groups are included;
- Samples are frequently generated through a snowballing approach, making it difficult to ensure that the breadth of experience represented in the privately fostered population is adequately represented;
- Private foster care is a sensitive issue, especially following the Victoria Climbié enquiry. This can result in reluctance to participate in research and the likelihood of unrepresentative samples (Owen et al 2007, Morgan 2005).

Secondly, the international literature on private foster care has been reviewed. This included a comparison of English private fostering practices and regulations with policy and practice in Australia, Canada, Sweden, Germany and Norway. Review of the international literature is similarly challenging. There are well-established difficulties in comparing child care systems (Freymond and Cameron 2006). The key issues identified through the process were as follows:

- An overall lack of information on private or informal foster care arrangements.

- Difficulties in penetrating differences in the classification of types of foster care, and the existence or not of 'private' foster care.
- A lack of clarity between statistics on informal kinship care and 'private' foster care.
- Difficulties in identifying state/territory variations.
- The cultural limitations of the sample – arguably, the developing world may provide more and better examples of informal foster care arrangements and associated state regulation or reasons for the lack of this.
- A lack of information about the views of children and young people and the carers directly involved in informal or private foster care.

3.1 The history of private foster care

Foster care, in the broadest sense of children living with and being cared for by adults other than their birth parents, is found throughout the world. The nature of these arrangements, and the extent to which this is regulated by the state, varies greatly. The history of foster care internationally typically involves the gradual development of formal systems, usually driven by major social and economic change including industrialisation and urbanisation. Holman (2002) provides a detailed review of the history of private foster care in the UK, highlighting an ongoing tension between the development of a professional foster care service and the lack of monitoring and regulation of foster care. At the same time, concerns about the safety and well-being of children living in private foster care have surfaced regularly in the development of child care systems in the UK.

The Children Act 1989, while recognising that this form of foster care was essentially a private matter, strengthened the regulatory framework and brought private fostering further into line with other forms of foster care. Agencies were required to ensure that private foster carers were suitable and that arrangements were satisfactory. Authorities must be notified when private fostering is being arranged and, if necessary, can prevent individuals from taking up the role of private foster care. Other principles set out in the Act also set the terms for the current debate on private foster care, namely the primacy of the child's welfare, the need to support vulnerable children outside the care system through the concept of 'children in need', the role of all services, including education and health, in meeting the needs of vulnerable children, and the importance of ongoing contact with birth families for children separated from their parents.

3.2 Characteristics of children living in private foster care

Very little evidence is available on needs and outcomes of children and young people living in private foster care. Holman's (1973) study compared a sample of 143 children living in private foster care with a matched sample of children living in local authority care. The private fostered sample had 100 foster mothers and the local authority sample 122 foster mothers. Holman found that the profile of those living in private foster care differed significantly from the local authority group. Specifically, children living in private foster care were significantly more likely to be of West African origin (though placed with white carers) and were more likely to begin the arrangement when aged under five.

More recent research identifies some similar patterns. Samples continue to indicate a high number of children from West African backgrounds (Olusanya and Hodes 2000) and smaller qualitative samples highlight a high level of transracial arrangements. Increasingly, however, commentators have argued for a definition of private foster care that incorporates a more diverse population. The groups that might be included are contested, but include teenagers living away from home following the breakdown of family relationships, language school students and trafficked children (SCIE, 2003).

Although there is variation in age of and duration of arrangement (Owen et al 2007; see also Peart, 2005), existing evidence suggests entry to private foster care is likely to take place during babyhood or under the age of five. Olusanya and Hodes (2000) sample (n=206) had typically entered private foster care under the age of five. Longpet (2000) found that 44 per cent of his sample (n=30) had been in their arrangements for four and a half years or longer, but children were frequently removed at short notice with no time to prepare for leaving. Owen et al (2007) found that their sample (n=12) had left arrangements at school transition points – that is, when children were aged five, seven and 11. The early age of entry highlights the role of health and early years services both in identifying children placed in private foster care and in monitoring such arrangements (AFAS 1997, Philpott 2001). However, if we extend the definition of private foster care to include language school students and adolescents in crisis, then the nature of individual trajectories within private foster care is much more diverse.

3.3 Private foster care and public care

Holman's 1973 research suggested that the population of children living in private foster care differed in key respects from the wider care population. Clearly, in the years since, major changes have taken place in the structure and delivery of public care and in the statutory and policy framework relating to private foster care.

An important aspect of this is the growing prominence of kinship care though this still accounts for only 16 per cent of the total number of children living in foster care, and 11 per cent of all looked after children (DCSF 2009). Recent research into kinship care suggests that the pattern of need amongst children living in kinship care is very similar to the wider population of fostered children. A significant proportion, therefore, present high levels of need, including emotional and behavioural problems. Progress in kin placements is also very similar. The key difference lies in the support – financially and in terms of services – available to kinship carers (Farmer and Moyer 2008).

3.4 Private foster carers

Findings are consistent in relation to the characteristics of private foster carers, but unfortunately samples tend to be self-selecting, suggesting a considerable degree of bias. Overall, findings point to individuals who have low incomes, live in relatively deprived neighbourhoods and have children of their own. Longpet (2000) notes that money is less a motivator than the desire to continue parenting.

As research into foster care more generally has highlighted, carers are aware of their need for support (Sinclair 2005). Clarity over their status and benefit entitlements, and help from social services when a fostering arrangement became difficult, have been identified as ways in which services could be helpful to private foster carers. Inevitably, however, a higher level of engagement between local authority services and private foster care raises questions as to how far this group of carers can be distinguished from formal foster carers and kinship carers. Too often, however, it appears that only when a private fostering situation becomes difficult or indeed a crisis occurs do councils become involved (SSI 2002). There is an absence of information on the extent to which private foster carers access other services, or the extent to which other practitioners are aware of private fostering situations.

3.5 Quality of care and outcomes for privately fostered children

Evidence on the experience of being privately fostered is limited. Where it exists, it demonstrates – unsurprisingly – the commonality of the needs and aspirations of those in private arrangements with other children in care, and all children. Children want to feel safe, and to have attention given to all aspects of their well-being. They also feel that social services should check to ensure that privately fostered children are safe, including ensuring that children can speak freely to a social worker about their arrangement (Morgan, 2005). Other research with adults who have been privately fostered suggests that the experience is viewed with some ambivalence, having frequently experienced unhappiness in these arrangements but in later life finding they need this home base or the support offered by their carers (Holman 2002, Owen et al 2007).

Safety is a major theme in the private fostering literature, but the nature of the evidence makes prevalence impossible to establish. Case studies and qualitative evidence indicate instances of abuse, sometimes taking place over many years (Holman, 2002; Owen et al, 2007) and general unhappiness in the arrangement (Olusanya and Hodes 2000).

The nature of contact between privately fostered children and their birth families is a controversial area. Olusanya and Hodes (2000), in their sample of West African families, found that visiting had taken place more frequently than might be suggested by '*popular belief*', with most children visited on a fortnightly basis and only a minority of children not visited. There is also, however, evidence of the difficulties associated with return and re-establishing family relationships (Owen et al 2007).

The research findings are patchy, but suggest that while carers may have access to this kind of practical advice, broader understanding of children's ethnic and cultural needs may be limited. Qualitative research findings highlight many instances of racism and, where interviewees are older, difficulties in reconnecting with ethnic and cultural communities (Owen et al 2007).

3.6 Private foster care in the international context

There is widespread international interest and concern at the arrangements available for children living apart from their parents. In guidelines for the alternative care of children, the United Nations Human Rights Council seeks to enhance the

implementation of the UN Convention on the Rights of the Child. The guidelines incorporate the principles that, where possible, states should endeavour to support efforts to keep children in or return them to their families or, where this is not possible, the most suitable alternative care should be identified and provided. The child's individual development and well-being are paramount. Paragraph 17 is worth stating in full:

Recognising that, in most countries, the majority of children without parental care are looked after informally by relatives or others, States should seek to devise appropriate means, consistent with the present guidelines, to ensure their welfare and protection while in such informal care arrangements with due respect for cultural, economic, gender and religious differences and practices that do not conflict with the rights and best interests of the child.

As noted earlier, the review generated almost no literature on the nature of private foster care internationally. This reflects differences in the balance that exists in different countries between formal, supervised systems of foster care that are located within legislative and policy frameworks, and the legacy of informal foster care practice that remains. Where there are strong traditions of children living with other relatives, this is unlikely to be viewed as related to state systems of child care. Research into child care systems and practice generally, and foster care specifically, also remains under-developed.

That said, where formal systems of foster care have been developed, it is clear there is considerable overlap in trends for children living away from home. These include:

- Family foster care as a preferred option for children living away from home
- Overrepresentation of some black and minority ethnic children in the care system, especially those of indigenous heritage
- Increased emphasis on permanency planning
- An emphasis on maintaining family relationships and, where possible, working to facilitate a return home
- A growing emphasis on the use of kinship care
- A growing concern, at national level, to provide family support and preventative care
- An ongoing role for a residential sector in providing care for children living away from home.

The more specific comparison of policy and practice in the UK with that of Australia, Canada, Germany, Norway and Sweden suggested that many of the same issues pertain in relation to private foster care, though the statutory frameworks are very different. Key issues to observe include the problem of definition – that is, how systems distinguish between private foster care, kinship care and other forms of foster care, the delegation of responsibility for managing private and informal care arrangements to provinces or territories and problems associated with monitoring and regulation. Overall, it proved difficult to clarify the meaning of private foster care within different policy frameworks; interestingly, the issue did not appear to have attracted the same level of public policy concern.

As in the UK, it appeared to be unclear how many children lived in private foster care arrangements and, where estimates were made, these were not considered reliable. Sweden provided an interesting example of tighter regulation, as individuals have a duty to report to the authorities if they have entered into private fostering arrangements, much as they do in England. One Swedish respondent suggested that cases of private foster care were very rare indeed, and that there might only be five or six known cases in the larger municipalities. However, even in this context, practice appeared to be highly variable and there appeared to be a low level of public awareness of the issue.

3.7 Conclusions

This review has emphasised the overall lack of reliable research in this area. Overall it appears that the history of child care within the UK has resulted in private fostering care assuming a higher degree of prominence than in other countries with highly developed systems of state care. Although the policy and statutory framework surrounding private foster care have been developed, and in recent years the issue has received considerable attention in the child care media and from policy makers, the knowledge base is very limited. The research findings that exist illustrate the difficulties associated with a hidden population which is also under-researched. While there are grounds for concern regarding the welfare of some children and young people living in private foster care, many others will, no doubt, have a positive experience. Understanding more about both types of experience is essential if policy and practice is to emerge from a sound evidence base. The boundaries between those living in private foster care and other forms of state care, or those living apart from their families in other forms of accommodation, also appear blurred.

Re-consideration of the meaning of private foster care in the current social context is therefore essential if effective policy, practice and research is to be developed.

4. Privately fostered children

In this chapter we outline the various private fostering arrangements that were discussed by respondents in the local authority case studies and the PFSIG survey. The chapter focuses on the circumstances surrounding the arrangements, the motivations for them and the characteristics and needs of the children.

It was clear from our analysis that private fostering arrangements are extremely diverse and the circumstances surrounding them are varied and often complex. As highlighted in the previous chapters, the available evidence indicates that some privately fostered children are vulnerable and at risk of harm (although the proportion is unknown). Our research indicates that their needs are varied and are closely linked to the nature of the arrangement and their personal backgrounds.

The chapter is divided into three main sections. In the first section (4.1) we describe the private fostering arrangements that were frequently highlighted by the participants in our research. In section 4.2 we outline additional types of private fostering arrangement brought to our attention. Finally, in the third section of this chapter we present and discuss a new typology of private fostering arrangements that emerged from our analysis. The typology is primarily built around the motivations and circumstances that lead to private fostering and the commonalities that we found across the different arrangements.

4.1 Frequently highlighted arrangements

All the arrangements discussed in section 4.1 featured in the survey and case studies. The interviewees in our case studies were generally able to provide more information about these arrangements and the children in them than the others we outline in section 4.2 (although this should not be taken as an indication of greater prevalence). This research gathered the views of a small sample of local authority practitioners who were only able to discuss the privately fostered children of which they were aware.

4.1.1 African and Caribbean children with parents and family abroad

This is a broad category, however, in most of the case studies the interviewees referred to African rather than Caribbean children. Consequently, the more in-depth case information discussed in 4.1.1 relates to African children.

Responses to the PFSIG survey suggest that these arrangements are present in London boroughs and often constitute a major category for many of these authorities. Local authorities based in more rural areas reported decreasing numbers of these arrangements in recent years; these were generally cases where black children were being privately fostered in white families.

Amongst London boroughs there was a suspicion that the prevalence of private fostering amongst this group was widely under-reported. Members of these communities were felt to be suspicious and resistant to state interference due to the lack of incentives to notify and issues around the immigration statuses of the child or private foster carer. Respondents also reported difficulties in establishing family relationships amongst this group, due to differing cultural definitions and interpretations. One interviewee, in a case study local authority, explained that private fostering amongst Africans is commonplace and that many do not understand the legislative context for private fostering within the UK, which can create problems (this issue is discussed further below).

The motivations for and circumstances surrounding these arrangements varied. It was reported that some children were being privately fostered to offer them a 'better life', by providing them with access to improved educational opportunities or for health reasons. Other parents were residing in the UK to work or study and therefore were unable to care for their children. One interviewee explained that African parents are often under pressure to send money to family and relatives overseas, or to pay off loans taken out to help them get to the UK, leaving little time to care for their children.

Due to the nature of these arrangements many of them are long-term, which can impact on the child's needs and create problems for birth families. An interviewee from a case study area explained that privately fostered African children have similar needs to those children who are looked-after, particularly around separation and attachment due to being deprived of their birth family. This issue of attachment, coupled with the longevity of some of these arrangements and some birth parents' misunderstanding of the context for private fostering within the UK, has resulted in some birth parents 'losing' their children to private foster carers. The birth parents of a privately fostered African child in one local authority case study area expected to have the child back at some point, and were in opposition to the private foster carer having a residence order.

The issue of the ability of private foster carers to meet the cultural needs of children in their care was raised by one interviewee in particular, who reported that African children privately fostered in white families often fail to have their cultural needs met and consequently struggle with identity formation and self-development.

Furthermore, it was suggested by this interviewee, the historical tendency to privately foster inter-racially with white families is based on an assumption that the child would be better off with a white family, brought on by a colonial mentality and sense of inferiority. The history of colonialism, it was argued, instils an inferiority complex in some African parents, whose children are often raised to feel like second class citizens; this sense of inferiority can be accentuated in inter-racial arrangements.

In one local authority case study area (with a large proportion of privately fostered Nigerian children) it was reported that birth families in the Nigerian community were making arrangements that were at least racially, if not culturally, matched. An interviewee in this authority explained that while they had no involvement in making these arrangements, it was felt that this cultural matching meets the aforementioned needs of these children and provides the best chance of maintaining contact with their birth families.

Children privately fostered for health reasons often require medical attention; it was reported that both the child and private foster carer could need support with this.

4.1.2 Children attending language schools

These arrangements were concentrated in particular local authorities that had language schools operating locally. For some authorities they represented a potentially large source of referrals.

These children study English while staying with local host families. In most cases the arrangements are short-term, lasting for a period that is just over the 28 day threshold, although in one case study area it was reported that some of these arrangements become long-term, with the children staying for a year or longer to gain an English education.

It was reported in the local authority case studies that the schools teach children from Europe, in particular Germany and the Czech Republic, the Middle East and Asia (children from China, Macau and Hong Kong). The schools receive applications from

the children via agencies based abroad. The ages of these children were typically between 13 and 16 years.

One interviewee in a case study area, who worked for a language school, explained that they often receive minimal information about the children prior to their arrival, and have to use this dearth of information as the basis for placing the student with an appropriate host family. The school are usually aware of the child's name, age, mother tongue and, on occasions, any allergies or dietary requirements. The school occasionally receive notes from school teachers in the child's native country. Despite this, the interviewees in the case study areas reported encountering few problems with these children.

Being in a new environment away from their birth families, some of these children suffer from homesickness and have needs around cultural adaptation. Language was reported to be an issue, particularly if the child struggled to communicate with their host family. Personality clashes between the children and their host families did happen on occasions, but were said to be rare and quickly resolved by moving the child to another family.

There was general agreement amongst most respondents that these children had low needs and were perceived as less vulnerable than children in other arrangements. It was reported that most of these children hail from privileged backgrounds and have supportive birth families in their native countries. During their stay, the children often have access to a wide support network, consisting of their host family, a guardianship organisation, language school staff and older peers at the school. It was reported that the perceived low vulnerability of these children, coupled with the frequent short-term nature of these arrangements, has resulted in resistance from some language schools to the notification process.

However, it was evident from our case studies and the survey that some local authorities are struggling to cope with the numbers of referrals for children studying in language schools. In some cases, authorities were relinquishing some assessment duties, leaving the schools themselves to conduct assessments of their host families, which some respondents felt were not as rigorous as they should be (see chapter 7 of this report for a discussion of this issue in the context of local authority assessments and safeguarding).

Support for children connected to guardianship organisations was not always forthcoming. An interviewee in one case study area explained that some children were not receiving sufficient support from their educational guardian. In one case study area, the children studying in language schools were getting younger, some aged 12, and requests from this authority to increase the ages of the children attending were largely ignored. A respondent to the PFSIG survey commented on the dangers of assuming these children are low risk, as they are often being sent away from home as punishment, due to involvement in criminal activity or behaviour considered embarrassing. Racism has been a problem for some children staying in predominantly white localities.

4.1.3 Children sent to the UK for educational purposes

These arrangements were present in several case study areas and were discussed by some respondents in the PFSIG survey. One case study local authority felt this to be a growing group of privately fostered children.

The arrangements tend to be long-term to allow the child to be educated in state or independent schools, although one case study area had received notifications for two German children taking part in a student exchange programme who were staying for a period of a few months. Children from Europe and Asia – Germany and Macau in particular - were reported to be in these arrangements. Their ages ranged from 12 to 16 years and some were older (the older children were not treated as private fostering). Like some of the children studying in language schools, these children are often connected to agents or guardianship organisations that co-ordinate the schemes and provide the children with support. Some local authorities responding to the survey reported experiencing difficulties when trying to secure the cooperation of agents and guardianship organisations.

The children's needs are, in some ways, very similar to those studying English in language schools: homesickness, language barriers and becoming accustomed to cultural differences, in particular differences in the schooling environment. One interviewee in a case study local authority explained that some children, particularly those from Germany, find the teaching style in British schools very different from the regimented approach in schools back home. This interviewee went on to explain that those children studying in boarding schools have access to a house mistress who provides support, but they often need the support of someone outside the school as well.

In one case study area, the children experienced difficulty registering with a local general practitioner (GP) due to their temporary status. After working with the looked-after children's nurse, this authority was able to give the children health assessments through a fast track system designated for children who are looked-after by the authority. Another local authority highlighted the lack of stability some of these children experience with their host families, as they can potentially stay with a different family every academic year.

4.1.4 Local children living apart from their families due to parental problems

Most of the local authority case studies reported receiving notifications for these arrangements. Responses to the PFSIG survey around this group were varied, in some authorities this was reported to be their largest category, while others reported having none at all.

The circumstances surrounding these arrangements were extremely variable, as were the reported needs of the children in them. In the majority of cases the arrangements are spontaneous and reactive rather than pre-planned, and are usually made in response to a crisis or difficult situation that arises suddenly. In some cases, the birth families were already known to social services; parents with mental health, drug and alcohol issues that affect their ability to care for their child were frequently mentioned causes for these arrangements, as were instances of parents being imprisoned or abandoning their child.

Some arrangements had come about through a deterioration of the child-parent relationship, with some older children (mainly teenagers) leaving the parental home and making their own arrangements, sometimes with a friend's family. An interviewee in a local authority case study felt that in some cases the breakdown in relationship could be attributed to exam stress or the child going through a *'hate mum and dad'* phase. Some arrangements were made following parental separation or co-habitation with a new partner and their family.

The reasons for these arrangements were not always associated with poor relationships or negative behaviours. In some cases parents had died suddenly or required hospital treatment and were unable to care for their child. In others, the parent(s) had moved away from the area, but the child wished to remain (to continue their education and stay in touch with friends).

As mentioned above the children in these arrangements had varied, often complex and multiple needs. Some were described as highly vulnerable and at risk, particularly those who have experienced abuse and neglect in the past. It was reported by some of the case study authorities that children in these arrangements have emotional needs. An interviewee working with a child whose parent was on remand awaiting sentence, reported that the child had issues with anger, emotional problems and learning difficulties. The child was also distressed and frustrated at the uncertainty of the situation, something that was also alluded to in the PFSIG survey as an issue facing children whose parents have problems that, temporarily, might make them an unsuitable carer.

An interviewee from another authority reported instances of children in these arrangements becoming involved in crime, having problems with drugs and often requiring support with their education. A respondent to the PFSIG survey reported having a large caseload of children suffering from bereavement.

Challenges were reported when parents refused to acknowledge or finance the arrangement. Some of the children were described as being on the edge of local authority care or designated as a child in need; in these instances one local authority interviewee felt it was unfair to expect a carer to finance and support a privately fostered child who should be taken into local authority care (see chapter 8 of this report for a more detailed discussion of this issue). It was also noted that privately fostered children with varied and complex needs could impact negatively upon the private foster carer and their family.

4.1.5 'Sofa-surfers'

Interviewees in the local authority case study areas reported that the majority of sofa-surfers were teenagers. These arrangements are transient in nature, and evidence from the case studies and survey highlighted the difficulties that local authorities face when trying to identify and track these children, as they frequently move around. Some authorities reported receiving notifications of sofa-surfing children from neighbouring authorities.

There were examples in the case studies of children making their own arrangements, staying with friends' families or adults. This added a layer of complexity in legislative terms, as it became unclear whether these arrangements should be classified as

private fostering or not (see chapter 8 of this report for a more detailed discussion). The issue of parental consent was also pertinent here as it was felt to be an issue that reduced notification levels; respondents to the survey reported instances of:

- parents disowning children and not wanting them to return home;
- parents not being happy about the arrangement, but not wanting to exercise parental responsibility; and,
- parents refusing to consent to the arrangement due to concerns of being seen as rejecting the child.

Children in these arrangements were considered vulnerable and at risk, as local authorities are not always aware of where the children are staying and who is caring for them. Like some of the children privately fostered due to parental problems (section 4.1.4), some sofa-surfers have histories of neglect, abuse and poor relationships with their birth families.

In one example, an interviewee in a local authority case study area reported that sofa-surfers tend to be classed as in need or subject to child protection. Another local authority reported that some of the children were from middle class families and had begun sofa-surfing following arguments with their parents. This authority had also experienced cases of adopted children entering these arrangements after the adoption had broken down during their teenage years. Young female sofa-surfers were thought to be at particular risk of engaging in under-age sex or falling pregnant when living with their boyfriend's parents.

4.1.6 Unaccompanied immigrant children

Relatively high numbers of unaccompanied immigrant children were present in some London boroughs and there was evidence that in some urban areas numbers had recently increased (whether this was through increased notifications was not clear). The added complexity brought by immigration issues (including establishing the legal status of those involved) was described as representing a barrier to increased notifications for these children and in some cases had ramifications for meeting their needs.

Interviewees from some of the case study authorities reported that the authenticity and background to some of these arrangements were often unclear and difficult to ascertain. One case study area, with high numbers of notifications for these

arrangements, reported that the children and private foster carers often displayed an intense distrust of local authority representatives and would often try to justify the arrangement with what some interviewees described as a 'cover story'. Commonly used cover stories were:

- the child's birth parents were fleeing political persecution and were therefore unable to care for the child;
- the child had been brought into the country by distant relatives and left with the private foster carer;
- the child was found abandoned and taken in by the private foster carer.

Interviewees explained that it was difficult to know the truth about the nature of some of these arrangements due to fears of deportation, but it was suspected that they often had an underlying economic motive – to provide the child with educational opportunities, a 'better life', and eventually to find work in order to support their birth families.

Children in these arrangements were said to have a broad range of needs. They require access to health services, education, and, on occasions, require support with accessing these services due to not always having the correct documentation. Some children speak little English and require support within their schools to help them adjust to the British education system. Despite this, one local authority monitored the academic achievements of these children through a private fostering panel. An interviewee from this authority reported that children in these arrangements tend to achieve better than looked-after children. Having been brought into the country from abroad, the children also need support to help them integrate into their local communities. One interviewee explained that privately fostered immigrant children benefit from living with carers that have older teenage children who act as role models, particularly if they speak good English and are 'UK savvy'.

Some interviewees in one case study authority explained that most of these children have grown up in stable families and were already acquainted with their private foster carers prior to the arrangement. In these instances, attachment to the carer was reported to happen quite quickly, although it was acknowledged that the long-term consequences of sustained separation from their birth families were unknown. However, another interviewee from a case study authority described how some

children develop emotional problems around separation and attachment as they often refuse to discuss these with their social worker, '*bottling up*' their emotions.

As pointed out by one interviewee, the nature and circumstances surrounding some of these arrangements could also be detrimental to the children's needs, particularly if the carer has their own children and the arrangement was forced upon them. In these instances, privately fostered children are at risk of not having all their needs met, as their carers only feel obliged to provide for their basic needs. One local authority area involved in the case studies had high levels of poverty and problems with poor housing. An interviewee from this authority explained that these were problems that affected some local private foster carers caring for unaccompanied children. Interviewees also reported having suspicions that some children were not as old as was claimed. This represented a safeguarding issue, as these children are at risk of becoming involved in activities not appropriate for their age (e.g. under-age sexual activity).

Contact with birth parents was variable; interviewees reported that the children would often lie about the amount of contact they had with birth parents, particularly those that claimed their parents were in hiding.

Some national stakeholders interviewed as part of the research regarded unaccompanied immigrant children as being highly vulnerable, but perceived that this vulnerability could come second to resolving immigration issues, which often take priority over their needs as children. An interviewee in one local authority case study felt authorities should focus on the needs of these children and ensuring the arrangements are safe, rather than trying to address any uncertainties surrounding their immigration status. Those children identified as unaccompanied asylum-seekers were, in some case study authorities, treated as looked-after children (see chapter 7 of this report for a discussion of these issues in the context of safeguarding).

4.2 Other arrangements

The arrangements outlined below in section 4.2 featured in the survey to a greater or lesser extent and some were also present in some of the local authority case studies, although the interviewees were not able to discuss them in detail. We acknowledge that there are similarities and overlap between some of the arrangements in this section and some of those discussed in more detail in section 4.1; however, when

describing these arrangements, our respondents talked about them as distinct types of arrangements, and we therefore present them as such.

4.2.1 Black and minority ethnic children with parents working or studying in the UK

Evidence from the survey suggests the prevalence of these arrangements is variable; some London boroughs reported this to be their largest category, other authorities reported a 'few' or none at all. Under-reporting was perceived to be an issue amongst this group due to cultural interpretations of private fostering and resistance to state interference.

Several references were made in the survey to families frequently moving around and birth parents failing to provide accurate information. There was little information available regarding the needs of the children in these arrangements, although some survey respondents had uncovered arrangements through the Section 17 route.

4.2.2 Children brought in from abroad with a view to adoption

Little information was available on these types of arrangements from the PFSIG survey. Some issues were raised around establishing the authenticity of documentation and also a lack of awareness around the differing legal systems between countries. One case study authority had experience of a case involving a baby that was brought to the UK for inter-country adoption. Initially this was not classified as private fostering; it was only subsequently identified as a private fostering arrangement.

4.2.3 Children from Chernobyl brought over by charities

This was a group of privately fostered children mentioned by some respondents to the survey. Little information was provided about the nature and circumstances of the arrangements, only that these children visited regularly in small numbers and required translators to communicate.

4.2.4 Children 'on the edge of care'

This category was mentioned in the survey and discussed by interviewees in some case study areas, with some children opting for a private fostering arrangement rather than being accommodated by the local authority. There was no evidence in the local authority case studies that this was a distinct category, although there was recognition amongst some interviewees that some of the children in private fostering arrangements may be on the edge of local authority care.

4.2.5 Children subject to safeguarding who cannot return home

This arrangement was mentioned in the survey. Information was very limited; social services were involved due to a child protection issue and the child had moved into private fostering due to their individual circumstances. No information was provided as to who had initiated the arrangement.

4.2.6 Children whose parents are serving in the armed forces

A case study local authority had received notifications for children with parents working away with the armed forces, particularly the RAF. Parents might be abroad for six months and will leave the child with a friend. This type of arrangement was also mentioned in the survey; a respondent was reportedly working closely with the Army Welfare Service.

4.2.7 Other (not African or Caribbean) black and minority ethnic children

Other ethnic groups mentioned in the survey included children from China, India, Pakistan and Afghanistan. Issues with these groups were reported to be similar to those for other black and ethnic minority groups: immigration issues, gaining parental permission for the arrangement and establishing the status of 'relatives'.

Two local authority case study areas had small numbers of notifications for privately fostered Vietnamese and Chinese children. In one of these areas historically there had been many arrangements within this group, but it was reported that this had decreased over time. Neither of these authorities was able to comment further on the needs of these children or the circumstances surrounding the arrangements. One case study local authority reported a recent growth in privately fostered children from Eastern Europe, Lithuania in particular.

4.2.8 Trafficked children

There was little information available about trafficked children. One interviewee from a local authority case study explained that children trafficked from abroad are brought in for rewards – economic, sexual or as a domestic servant. They were described as very difficult to identify, and it is possible that some unaccompanied immigrant children may have been trafficked. These children were seen to be extremely vulnerable and when detected, must be assessed quickly. Some national stakeholders interviewed for the research felt the 28-day threshold for private fostering inadvertently assists those involved in the trafficking of children.

4.2.9 UK-born children involved in vocational activities

One case study local authority referred to instances of children from a neighbouring authority who were privately fostered whilst playing for a local football club.

4.2.10 UK-born children whose parents are working abroad

This type of arrangement was present in two local authority case studies. In one authority, a parent had died and the other had gone abroad to earn money, leaving the child in the UK with friends. An interviewee in the other authority explained that the parent(s) might be abroad for up to three months. Respondents to the survey provided some additional background detail to these arrangements. Notifications are often made at short notice and, in some cases, the parent(s) had not always made alternative plans should the arrangement fail. Financial issues were reported to have arisen in some cases, including suspected benefit fraud, children being left as contacts for debt agencies and payments to private foster carers ceasing. There were also reported issues around verifying the parents' situations.

4.2.11 UK-born children whose parents are working away in the UK

Very little information was available about the prevalence and circumstances of these arrangements. One local authority case study had received notifications of privately fostered children whose parents were working on oil rigs.

4.3 A typology of private fostering arrangements

As outlined above, our research has uncovered a variety of arrangements that fall within the definition of private fostering. We have also found that the circumstances of these arrangements and the needs of the children placed in them are extremely varied, even within the same descriptive category. In addition there are clear overlaps between some of the categories.

Whilst the 'labels' used in sections 4.1 and 4.2 were adequate to describe the characteristics of children in different types of arrangements, they are less helpful when it comes to thinking about and summarising their needs, particularly given the overlap between various categories. Our analysis has therefore led us to explore other ways in which private fostering arrangements could be described and conceptualised.

The analysis has focused on drawing out the similarities between different types of arrangements. In particular, it seems that focusing on the different motivations and

circumstances for placing children in private fostering allows the arrangements to fall (fairly) neatly into (fairly) discrete categories. We propose and describe a typology which encompasses all the private fostering arrangements outlined in this chapter, and which contains four broad categories:

- 'Child-centred' arrangements (arrangements made ostensibly to improve the life-chances of the child in some way);
- 'Parent-centred' arrangements (arrangements made primarily to enable the parent to work or study);
- 'Carer-centred' arrangements (arrangements in which the carer has a major stake);
- 'Family crisis' arrangements (arrangements made in response to a parental problem, family crisis or breakdown).

These categories are not mutually exclusive, and we acknowledge that some arrangements could easily be placed into two (or more) categories, depending on the emphasis given to particular aspects of the arrangement. A diagram representing the typology and key characteristics of each of the categories is outlined on page 38. Please note that the sizes of the circles in the diagram are not intended to represent the relative sizes of each category (actual numbers of arrangements of each type are unknown).

4.3.1 Child-centred arrangements


Arrangements within the child-centred category are those motivated by a desire to provide the privately fostered child with improved 'life opportunities' of one sort or another. Most of these arrangements involve children being brought to the UK from abroad, some on a short-time basis for a specific reason² (for example a short course in English), others for a longer or open-ended stay, with broader benefits in mind (e.g. an English education).

All of these arrangements will have involved some degree of planning prior to the child being placed with a carer. Finally, as most of these children are from abroad there are some common needs applicable to most of them: potential language barriers, needs around cultural adaptation and integration, and most require support

² In the diagram on page 38 below, short-term arrangements with an overt cultural/educational objective are represented as being a discrete subset within the child-centred category.

to access services. In some cases brokers or agents are involved in finding private foster carers, who are often strangers to the child.


Thus the 'child-centred' category could include arrangements from the following descriptive categories:

- 
- Unaccompanied immigrant children
 - Children from Chernobyl brought over by charities
 - Children attending language schools
 - Children sent to the UK for educational purposes
 - UK born children involved in vocational activities
 - Other black and minority ethnic children (not African or Caribbean)
 - African and Caribbean children with parents or families overseas

4.3.2 Parent-centred arrangements

What we are calling 'parent-centred' arrangements were instigated by the birth parent(s) of the privately fostered child through a desire or need for them to work or study, thereby preventing them from caring for the child. In nearly all these arrangements there was some degree of planning involved prior to the child being placed with a private foster carer. In most cases it was reported that the child or birth parent would have been acquainted with the private foster carer prior to the arrangement being made. We acknowledge that a parent's commitments to work or study may be to enable them to better support their family and to provide for their child(ren), indicating close links to child-centred arrangements (and this potential for overlap with the child-centred arrangements is represented diagrammatically). However, we feel that there is a distinctive parent-centred category of private fostering arrangements, those which are instigated, primarily, by the changing nature of the parent's circumstances.

Arrangements made primarily for the convenience of parents include some of the following:

- 
- African and Caribbean children with parents working/studying in the UK
 - Black and minority ethnic children with parents working or studying
 - UK-born children whose parents are working abroad
 - UK-born children whose parents are working away in the UK
 - Children whose parents are serving in the armed forces

4.3.3 Carer-centred arrangements

'Carer-centred' arrangements are those which could be said to have been primarily instigated by the private foster carer for their own personal gain. A degree of planning will have taken place prior to these arrangements, and they can be expected to be long-term.

Such arrangements include:

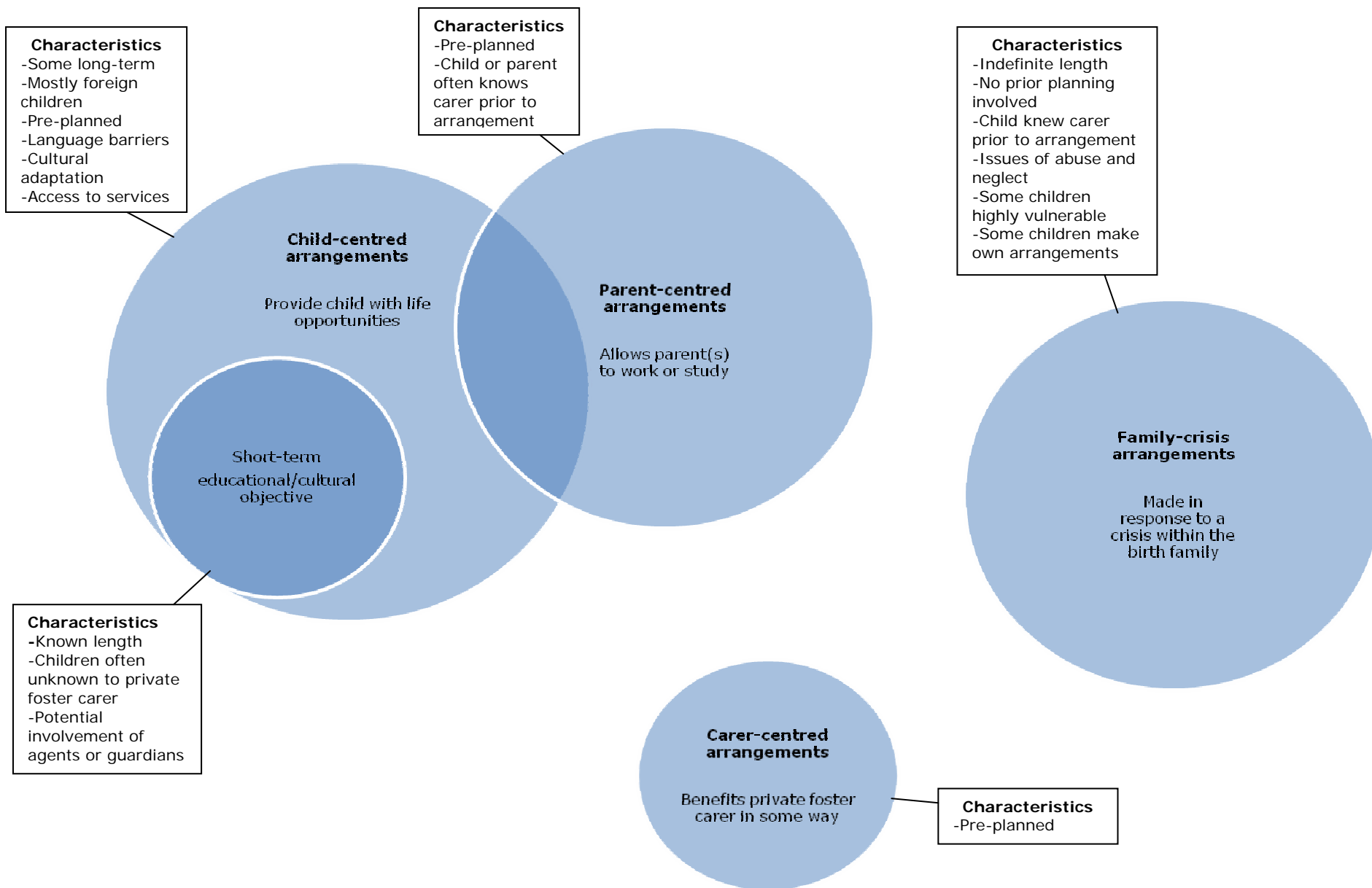
- Trafficked children
- Children brought in from abroad with a view to adoption

4.3.4 Family crisis arrangements

Finally, there is a group of arrangements which are made in response to changing family circumstances or crisis (including family breakdown, parental problems, or the child electing to live elsewhere). The duration of such arrangements is often unknown or indefinite and in most cases prior planning is not a feature, as they are a reaction to a sudden crisis. The evidence from the research indicates the children in these arrangements tend to know their private foster carers prior to the arrangement. Some of these children have similar backgrounds, with histories of abuse, neglect and poor relationships with family members, and they were often described as being highly vulnerable and at risk.

Examples of 'family crisis' arrangements include:

- Local children living apart from their families due to parental problems
- Sofa-surfers
- Children subject to safeguarding who cannot return home
- Children on the edge of care



4.4 Summary

This chapter described the different types of private fostering arrangement and the characteristics of the children involved revealed by the participants in our research.

The evidence indicates that the circumstances surrounding these arrangements were extremely diverse and varied, as were the characteristics and needs of the children in them. The main situations discussed were African and Caribbean children with parents abroad, children attending language schools or other UK educational establishments, children living away from home because of parental problems, 'sofa-surfing' adolescents, and unaccompanied immigrant children. Some privately fostered children were perceived to be less vulnerable than others; however, it was clear that others had multiple, complex needs.

Our analysis explored the similarities and differences between the numerous arrangements and a typology is proposed, focusing on the circumstances which lead to private fostering arrangements. These broad categories characterise private fostering arrangements as being primarily 'child-centred' (arrangements made in order to enhance the life chances of the child), 'parent-centred' (enabling the parent to work or study), 'carer-centred' (in which the carer themselves has a major interest in the arrangement) or as arising as a result of a 'family crisis' (including parental problems or family breakdown). It is hoped that this typology will assist in understanding and meeting the needs of the children and families involved.

5. Notification, awareness and publicity

The previous chapters have illustrated what is currently known about private fostering in a national and international context, the range of private fostering arrangements and the characteristics and needs of the children involved.

This chapter now turns to the issues of notification, awareness and understanding of private fostering and publicity strategies, drawing on data from case study interviews in eight local authorities, the results of the PFSIG and children's workforce surveys, and interviews with stakeholders.

We begin by exploring the issue of notifications, with particular reference to the sources and number of notifications. We then consider levels of awareness and understanding of private fostering among practitioners and the publicity strategies employed by local authorities. Finally, we highlight what is known about levels of awareness and understanding among those involved in private fostering arrangements and the wider public, including local authorities' work to raise awareness. Throughout this chapter, evidence of effective practice in relation to notifications, awareness-raising and publicity will be highlighted.

5.1 Notification

5.1.1 Sources of notification

Both the PFSIG survey and the local authority case studies explored the sources of private fostering notifications. Overall, most local authorities' notifications were received from statutory agencies, particularly from other social workers and education. Analysis revealed that the groups most likely to notify local authorities of private fostering arrangements are (in order):

- Social workers³ (this group was a long way ahead in terms of making 'frequent' or 'occasional' notifications)
- Teachers in state schools
- 'Others' (including agencies outside of the Children's Trust/children's workforce)
- Health workers

³ Throughout the report, the term 'social worker' is used to describe social workers in any sector or organisation; where Children's Services social workers are specifically referred to, this is indicated in the text.

Indeed, for many of the local authorities who took part in the PFSIG survey, social workers were their only 'frequent' source of notifications of private fostering arrangements. Only 14 authorities (out of 48) in the survey received frequent notifications from more than one source. Generally this involved social workers along with one or more of the following: state schools, health workers, language schools and 'others'. Other agencies and practitioners mentioned in this context included (in alphabetical order):

- Borders Agency
- CAFCASS
- Charities using host families
- Community psychiatric nurse
- Education staff (including education welfare officers, educational psychologists, school admissions staff)
- Foreign and Commonwealth Office
- Football clubs/training academies
- Guardianship organisations
- Home Office/Immigration Service
- Housing
- Looked after children's education support (LACES) workers
- Language schools
- Naval Welfare Service
- Other local authorities
- Police
- Prison Service
- Probation
- Missing from home team
- Travellers worker
- Youth Justice

The list above highlights that agencies beyond the children's workforce are also important sources of notifications for many local authorities⁴.

Some notifications are received from parties involved in private fostering arrangements, often private foster carers or young people. These notifications tended to occur once the arrangement was well underway, and often came about as a result of a private foster carer approaching the authority for general support or advice. On occasion authorities would be notified of private fostering when the arrangement was in crisis and in danger of breaking down. Reasons for such crises could be because of a breakdown in financial arrangements between the private foster carer(s) and the birth parent(s), or conflict between the privately fostered child and their carer.

Generally, notification rates from the parties directly involved in the arrangements were much lower than from practitioners and agencies. However, in the PFSIG survey, a couple of authorities reported that they were more likely to receive 'frequent' notifications from private foster carers and/or birth parents rather than from social workers or other practitioners/agencies. This was unusual.

Receiving notifications from the general public was also rare. Around a third of local authorities in the PFSIG survey said they 'never' received notifications from the general public. As far as interviewees were aware, none of the case study authorities had received any recent notifications from the general public (although there were reports of the odd notification 'here and there' in the past).

5.1.2 Numbers and under-notification

The study provided us with an opportunity to explore the issues around the numbers of notifications the local authorities receive and the extent to which they have increased since the introduction of the 2005 regulations on private fostering.

The majority of case study authorities had seen an increase in notifications over recent years. Most case study authorities reported beginning from a standing start in 2005 with low numbers and no recording systems in place. Some reported that whilst their notifications

⁴ It was interesting to note that many local authorities were not actually targeting some agencies beyond the children's workforce in their publicity work, yet they were receiving some notifications from these sources. It appeared that some agencies were proactive in making referrals to some local authorities, for example the Home Office and the Prison Service. However, it was difficult to determine what factors had raised these agencies awareness of private fostering. The issues of levels of awareness and publicity strategies are covered in more detail in sections 5.2 (with regard to practitioners) and 5.3 (with regard to those involved in private fostering arrangements and the general public) respectively.

rates had increased in recent years, figures over the last couple of years had reached a plateau.

Most 'notifications' received resulted from referrals made by various statutory bodies. Case study authorities' main explanation for any increase in notifications was their targeted awareness-raising activities, particularly with groups of practitioners and agencies. In some instances, this targeted work was to strengthen existing links with practitioners and agencies that were already raising notifications of private fostering arrangements. In other cases, new links and partnerships were developed as a result of authority staff reviewing sources of notifications and trying to target groups from whom they were receiving few notifications, but whom they suspected might 'come across' instances of private fostering (for example language schools and football training academies).

Despite this, case study authorities reported that there was room for improvement with respect to cooperation with other statutory and voluntary agencies and that a greater sense of shared responsibility was needed. A few interviewees said that other agencies perceived no advantage in referring families – until Victoria Climbié was mentioned. Whether practitioners had a legal obligation to refer to the local authority was unclear. Some interviewees stated that their authority had tried to address this by framing notification as one of a practitioner's safeguarding duties.

Local authorities varied in the degree to which they monitored sources and numbers of notifications. The majority of authorities reported on the number and sources of notifications in annual reports to their respective LSCBs. Three case study authorities reported that they had central call centres, which acted as a 'one stop shop' for all referrals, including private fostering, from both practitioners and other sources. These systems – together with trained staff and specific question pathways for call centre staff to follow if a referral appeared to be a possible instance of private fostering - enabled these authorities to have very clear evidence of sources of notifications. Such a system also enables authority staff to monitor the impact of targeted publicity work with groups of practitioners and the wider public.

Despite a reported increase in notifications, there was still a universal conviction across all parties who took part in the research that there are more privately fostered children out there 'under the radar' of local authorities. Some local authority interviewees speculated about how many privately fostered children they might actually have: one suggested a figure of 10 per cent of their looked after children population, another four times the number of notified

privately fostered children they have now. The point that nobody knows worried practitioners in the field and other stakeholders.

Furthermore, we found a universal view that the current notification system is not working and moreover that the expectations on birth families to notify, and on private foster carers to notify in advance, are idealistic, *'they don't and won't'*. The current structure was seen as unrealistic in its reliance on a wide understanding among parents and carers, a willingness to notify, and relevant parties doing so in advance or as soon as they know⁵.

5.1.3 Reasons for under-notification

A number of reasons why private fostering arrangements are not notified to local authorities were suggested to the researchers.

Lack of awareness or confusion as to what constitutes a private fostering arrangement

Several instances were cited of social workers, including those working in children's services, being confused as to what constitutes a private fostering arrangement (as opposed to informal, non-notifiable, kinship arrangements or a child being looked after by the authority). In these instances the terminology and legislation was viewed as ambiguous, leading to confusion on the part of the social workers concerned.

A few of the case study authorities also reported that some other local authorities they dealt with in relation to private fostering were also confused about the legislation, particularly how private fostering was distinct from a child being looked after. When a child was in the process of moving from one authority area to another it was reported that there was sometimes confusion as to which authority had responsibility for the assessment process. There were also reports of authorities not passing on information that a child was with private foster carers when moving into another authority area. In one instance, one authority only found out about a young person in private foster care who had moved to their area when the carer telephoned to ask for the young person to be removed as the arrangement had broken down. This highlighted the issue of how potentially vulnerable children could slip through the net when information is not shared by local authorities.

One case study authority also suggested that the private fostering legislation was being used by some other authorities and some of their own social workers, as a way of preventing

⁵ We also found that, in practice, none of the local authorities involved had punished or prosecuted parents or private foster carers for not complying with the law, regardless of the length of non-notification. Instead a supportive, encouraging approach was adopted and considered more appropriate and beneficial. Some case study authorities provided support and training to private foster carers, although take up was low. There is no way of knowing if this impacted on the numbers of notifications, which remained low from this group.

children coming into local authority care or the authority having to financially support a kinship care arrangement.

Concerns about confidentiality

Some local authorities reported low notifications from some partners in health (particularly GPs and paediatricians). It was reported that some health practitioners regarded notifying the local authority of an actual or potential private fostering arrangement as a breach of patient confidentiality in instances where they had no child protection concerns.

Agencies not aware of a responsibility to notify

It was reported that in some local authorities certain agencies did not think that notification of private fostering was their responsibility; for example some housing departments, schools, health workers and police forces. As one case study interviewee noted, a lack of awareness or a perception that private fostering was not part of the department or agency's remit meant that sometimes very simple questions about who a child was with living with and who had parental responsibility for a child were simply not asked.

Insufficient awareness among parties involved in private fostering arrangements and the general public (including a reluctance to report to the authorities)

There was a widespread perception that awareness among parties involved in private fostering arrangements and the general public was insufficient. Numerous explanations were given as to why these groups do not report including: lack of awareness, ambiguous legislation, confusing nomenclature, lack of motivation. Other issues raised included the perception that there is no advantage for families to notify, a disinclination to trigger local authority involvement and an even greater reluctance to potentially alert immigration authorities. In many arrangements advance notification is not feasible, for example when families are in a crisis situation or when informal arrangements drift, unplanned, into private fostering.

The unlikelihood of those trafficking or abusing children to notify

Stakeholders interviewed strongly emphasised that abused and trafficked children constituted one of the most vulnerable groups of children most likely to fall beneath the radar of local authorities.

5.1.4 *Effective practice in raising notifications*

Issues around under-notification notwithstanding, our analysis has highlighted some examples of local practices which appear to work well in encouraging notification, and the factors which support this.

Having a single route for notifications/referrals

Though the routes themselves varied across the authorities, having a single, simple, notification or referral route to/through a particular team was identified as being particularly effective.

Central telephone contact centres (which act as a one-stop shop for practitioners and the public to notify) were reported as being effective when staff had received detailed training on private fostering and had clear guidance on authority procedures and pathway for referrals. An example of the converse was also found (illustrating the need for the first point of contact to be well informed), whereby private foster carers trying to notify were told to ring back later, after the 28 days had expired.

Having a specialist, knowledgeable named worker (or team)

Having a named worker or team with knowledge and experience of private fostering practices and procedures was viewed as an effective means of ensuring a consistent message about private fostering and promoting the route for notification. Some of the case study local authorities highlighted how having a named person or team, in regular attendance at meetings and easily available for consultation and advice, was an invaluable resource in their authority.

Raising, and maintaining, high levels of staff awareness of private fostering

Having a workforce that is aware of private fostering was seen as key to eliciting notifications (particularly in light of very low levels of notifications from those involved in private fostering arrangements and the general public). Providing staff with the knowledge of private fostering was viewed as vital, so they can spot situations which may fall under the legislation and notify/refer. Mechanisms included incorporating private fostering in the training of newly qualified social workers and in all safeguarding training to other agencies.

Building relationships with groups of practitioners

Various examples were provided including regular contact and meetings with language schools (to try to secure their cooperation fully, enabling the assessment process to begin early) and working closely with the LACES worker (who acted as a go-between, advising schools if a child seemed to fall under private fostering and what processes need to be followed, as well as alerting the local authority if necessary).

5.2 Practitioner understanding and awareness-raising

As highlighted above, there was a general consensus that under-notification is in part a consequence of confusion or a lack of understanding about private fostering on the part of practitioners and agencies.

We now consider in more detail perceived and reported levels of awareness among practitioners and the work that local authorities have been undertaking to raise knowledge and understanding amongst practitioners.

5.2.1 Understanding of private fostering among practitioners

The issue of awareness and understanding of private fostering was a concern in all the case study local authorities. Indeed the need to increase awareness among practitioners was one of the key drivers informing authorities' awareness-raising and publicity work over the last few years.

The case studies highlighted that whilst authorities had a range of awareness-raising strategies in place, targeting particular groups of practitioners, awareness of private fostering was still patchy across the children's workforce as a whole. Reasons for this variation in levels of awareness included:

- Some social work teams and other practitioners having other priorities, resulting in low awareness and lack of focus on private fostering;
- High staff turnover, particularly among social workers, affecting efforts to ensure that all staff are fully aware of private fostering;
- Insufficient resources, particularly staff, to undertake awareness-raising across the children's workforce and beyond.

Our survey of the children's workforce enables us to explore in more detail practitioners' awareness and understanding of private fostering. At the beginning of the survey, we asked respondents how well informed they thought they were about private fostering.

Table 5.1: How well informed about private fostering, all (n=995)

	Per cent
Pretty well informed	27
Knew a little about private fostering but were unclear about the details	52
Had heard of private fostering but did not know what it was	18
Never heard of private fostering before the questionnaire	3

Table 5.1 shows that, overall, 79 per cent of respondents believed that they were either well informed or knew something about private fostering. However, there were some notable differences between sectors.

Table: 5.2: How well informed about private fostering, by sector

Sector	Pretty well informed	Knew a little but unclear about details	Heard of but did not know what it was	Never heard it of before
	%	%	%	%
Education (n=240)	13	62	21	4
Health (n=109)	18	51	24	7
Social care (n=352)	47	47	6	1
Youth/community (n=93)	18	42	34	5
Mixed/general (n=201)	16	56	24	4

Table 5.2 highlights some key contrasts between those working in different sectors:

- Forty-nine per cent of respondents who worked in social care believed that they were pretty well informed, while only one per cent of those that worked in social care had never heard of private fostering before
- Only 13 per cent of those working in education believed that they were pretty well informed
- Seven per cent of those who worked in health had never heard of private fostering before they filled in the questionnaire

Table 5.3: How well informed by employer

Employer	Pretty well informed	Knew a little but unclear about details	Heard of it but did not know what it was	Never heard of it before
	%	%	%	%
Local authority (n=756)	30	53	15	2
Primary Care Trust (n=81)	16	56	24	5
Voluntary sector (n=86)	19	44	31	6
Private or independent organisation (n=21)	10	57	29	5
Self-employed (n=15)	0	80	7	13
Other (n=31)	26	23	39	13

More than three quarters of respondents to the workforce survey were from local authorities and table 5.3 shows that, of these, only two per cent had not heard of private fostering. On the other hand, fewer than one third felt that they were pretty well informed. It is noticeable that those working in the statutory and voluntary sectors were generally better informed than those in private, self-employment or 'other' organisations.

Tables 5.1 to 5.3 report on respondents' self-assessment of how well-informed they are. In order to gauge their actual understanding of private fostering respondents were given seven situations and asked to indicate if they believed the arrangements described were cases of private fostering or not. In addition they were provided with three statements about registration, notification and visits and asked whether they thought they were true or false. Table 5.4 shows all 10 statements (together with the correct response in each case) and the percentages giving each answer. The following statements were subject to the greatest misunderstanding:

- a 15 year old looked after child whose foster placement is arranged through a private agency (46 per cent correct)
- a nine month old baby who stays with her grandparents for six months while her mother serves a prison sentence (52 per cent correct)
- a 15 year old unaccompanied asylum seeker who is living in the same house as two adults in their 20s from his village in Albania (52 per cent correct)
- private foster carers have to be registered with their local authority (this statement is false, and only 24 per cent were aware of this)

Table 5.4: Assessing statements on private fostering

Statement	Answer	Correct %	Incorrect %	Don't know %	No. of respondents
A 14-year-old girl stays with friend's parents	Private fostering	66	24	10	830
A 17-year-old Italian studying English for 3 months	Not private fostering	68	22	10	810
A 15-year-old looked after child whose foster placement is arranged through a private agency	Not private fostering	46	47	8	850
A 10-year-old Nigerian boy who has been living with an (unrelated) god-parent for the last 2 years in London while his parents are completing their studies	Private fostering	78	13	9	835
A 9-month-old baby who stays with her grandparents for 6 months while her mother serves a prison sentence	Not private fostering	52	39	9	824
A 15-year-old unaccompanied asylum seeker who is living in the same house as two adults in their 20s from his village in Albania	Private fostering	52	30	19	732
Victoria Climbié at the time of her death	Private fostering	60	24	16	762
Private foster carers have to be registered with their local authority	False	24	60	16	784
It is a legal duty for the parent or carer to inform the local authority about children or young people who are being cared for by people who are not members of their immediate family for more than 28 days	True	79	6	15	791
Local authorities are expected to visit privately fostered children and young people to check that they are safe and well	True	82	6	12	817

Using the above statements, a new variable was created to measure how informed respondents were overall. The values for this new variable ranged between 0 and 10, with 10 indicating a completely correct score. Overall, the mean for this variable was 5.98, indicating that on average respondents answered around six statements correctly. Only 16 per cent of respondents got nine or more answers correct.

Table 5.5: Number of correct answers

Number correct	Frequency	Per cent
None	3	*
1	21	2
2	47	5
3	87	9
4	96	10
5	126	14
6	140	15
7	141	15
8	127	14
9	89	10
10	52	6
TOTAL	929	100

*less than 0.5 per cent

The relationship between how informed respondents thought they were on private fostering and how they scored on their total knowledge was investigated (see the endnote on page 58 for technical details of the statistical analyses undertaken). Analysis revealed that respondents who believed that they were better informed generally did have more knowledge about private fostering. We also examined whether awareness around private fostering varied for each sector. The results of t-tests and ANOVA showed that those working in social care were indeed significantly better informed than those in other sectors.

5.2.2 Awareness-raising among practitioners

Throughout the study we explored what training, awareness-raising and publicity strategies were being used with practitioners and agencies, and the extent to which these were reported to be effective in eliciting notifications.

Our research reveals that there are a wide variety of awareness-raising and publicity strategies in use, ranging from dedicated training for practitioners, letters and leaflets to partner agencies, through to posters and leaflets in public spaces such as libraries, council offices and GP surgeries. It was also clear that many of the local authorities concerned are using a wide range of awareness-raising methods, often in combination, and therefore it can be difficult to determine what effect any specific activity has in eliciting notifications.

Despite difficulties in determining the effects of specific awareness-raising strategies, analysis of the PFSIG survey suggested that a range of training/awareness-raising activities appeared to be associated with 'frequent' notifications. Case study authorities also identified

the main awareness-raising activities which were believed to, or they anticipated would have, an impact on notification rates. The main targeted groups and activities cited were as follows:

Social workers⁶

Activities reported/perceived to have an impact on notification rates:

- Briefings incorporated into training, including core training and social work induction
- Training courses on private fostering (multi-agency)
- Inclusion of private fostering in LSCB child protection training
- Presentations to teams, private fostering officer attending team meetings
- Joint visits by private fostering officer and social workers
- Launch events for private fostering
- Information/leaflets/publications for practitioners
- Email bulletins to staff
- Information/guidance pages on authority intranets

Health workers

Activities reported/perceived to have an impact on notification rates:

- Briefing packs
- Briefing sessions and presentations
- Training on private fostering (multi-agency)
- Leaflets and posters

⁶ Mainly those working in children's services, but could also include others.

Teachers in state schools

Activities reported/perceived to have an impact on notification rates:

- Briefing packs/leaflet in induction pack
- Attending meetings, making school visits, giving briefings
- Training, including multi-agency safeguarding training
- Links/meetings/events with those in relevant roles (eg designated teachers for child protection, LAC teachers and school governors)
- Use of school portals/intranets to disseminate private fostering information

Language schools

Activities reported/perceived to have an impact on notification rates:

- Regular visits/meetings with key staff in language schools
- Regular letters with information re notification procedures/pathways
- Presentations at relevant events

The children's workforce survey provided us with an opportunity to ask practitioners, who are on the receiving end of local authorities' awareness-raising work, where they get their information from and what they see as the most effective means of communicating with them.

We examined where the 'very well informed' practitioners identified in the children's workforce survey get their information about private fostering from ('very well informed' practitioners being those who answered 9 or 10 of the statements on private fostering correctly, accounting for fifteen per cent of the sample). The findings are presented in table 5.6. Respondents were allowed to indicate more than one source of information.

Table 5.6: Sources of information for the very well informed (n=135)

Source of information	No.	Per cent
In-service training, practitioner development	98	70
From other colleagues	65	46
From manager or supervisor	56	40
Posters or leaflets	42	30
Initial practitioner training	34	24
Newspapers, periodicals	29	21
Practitioner organisations or trade unions	16	11

Table 5.6 shows that 'well-informed' practitioners are most likely to receive their information through in-service training, followed by information from colleagues and from managers/supervisors. This supports our other findings, namely that 'face-to-face' approaches are probably the most effective means of communicating awareness about private fostering.

All respondents were also asked to indicate from where they would like to receive information about private fostering in the future. Again, more than one source could be chosen.

Table 5.7: Where respondents would like to receive information on private fostering (n=987)

Source of information	No.	Per cent
In-service training, continuing practitioner development	712	69
Information on websites or intranet	537	52
Posters or leaflets in the workplace	335	33
Via line management or supervision	299	29
Information in practitioner journals or newsletters	235	23
General media (newspapers, TV, radio)	191	19

In-service training and continuing practitioner development was the main way in which respondents would like to receive information about private fostering, followed by information available on websites/intranet. Analysis was also undertaken to see if there were differences between sectors, or by employer, but no significant differences were found between groups.

5.2.3 Effective practice in practitioner awareness-raising

Analysis across the data sources has highlighted some approaches which appear to be effective in raising workforce awareness and understanding of private fostering.

Continual training/awareness-raising

Some local authority interviewees reported that training and awareness-raising around private fostering with practitioners was at its most effective when part of a continual rolling programme. As one interviewee noted, practitioners' awareness of private fostering can diminish over time, particularly if they do not come into contact with any cases shortly after receiving training or attending a seminar. A continual programme of awareness-raising and training across a local authority and with children's trust partners and other agencies also goes some way to addressing issues raised around staff turnover and keeping the profile of private fostering as high as possible.

Face-to-face training/seminars

Particularly in our analysis of the case studies a clear message emerged that the most successful awareness-raising activities involved face-to-face, regular, multi-agency workshops/training (either stand-alone training, or as part of wider safeguarding training provided by the LSCB). In instances where these approaches had been adopted, local authorities were able to point to an increase in notifications from particular groups of practitioners who had been targeted to receive training⁷

Whilst many local authorities were producing leaflets, posters and other written information, on their own these did not appear to be an effective means of raising awareness of private fostering with practitioners (or, indeed, with the wider public as discussed in section 5.3 below). When this issue was explored in interviews in the case studies, the consensus was that it was face-to-face follow-up, discussions and workshops and other events which seemed to make the difference in terms of raising awareness. There was also some suggestion that this approach was effective with community groups – one local authority in particular reported success with faith and community groups as a result of going out and running seminars and presentations.

Targeting practitioners and agencies to raise awareness

A strong message was that the key to eliciting notifications is to view the children's workforce as the primary audience for awareness-raising activities. Advice from many of the case study

⁷ This was particularly the case with local authorities who had dedicated call centres which received notifications. In these instances the authorities concerned were able to monitor which groups of practitioners were notifying and examine the impact of each cycle of practitioner training in the days and weeks afterwards.

areas focused on authorities reviewing who they think are the key groups/ partner agencies in their locality who have contact with children and their families and who are therefore likely to be in a position to spot private fostering. Such targeted approaches were viewed as key to increasing notification rates.

5.3 Raising public awareness of private fostering

In both the PFSIG survey and in case study interviews, we explored the issue of awareness and knowledge of private fostering among birth parents, private foster carers and the general public. We were interested to discover what awareness and publicity strategies were being used by local authorities and the extent to which these approaches were thought to elicit notifications.

Overall, we found very little evidence that attempts to raise awareness of private fostering with those parties actually involved in the arrangements increases levels of notifications. For example only two authorities reported that they received 'frequent' notifications from private foster carers and parents of privately fostered children. These authorities reported that they had made use of leaflets, posters, local radio and local press coverage. However, many other local authorities employed the same approaches, but indicated that, despite this, they rarely or never received notifications from these groups. Some interviewees in the case study authorities were able to point to the occasional instance of a birth parent or private foster carer notifying the authority of private fostering. However, it was difficult for most to say how these parties had been made aware of their need to contact the authority.

The exception to this was in case study authorities that had dedicated call centres for all referrals, which would routinely enquire how/where the caller had found out about private fostering and whether they were a practitioner or member of the public. Whilst this data was not always routinely analysed, it gave these authorities information that whilst their activities did result in a few additional notifications, it did not, however, elicit the numbers of notifications they were seeking.

With regard to the wider public there was widespread recognition that awareness of private fostering was very low, particularly compared to other safeguarding issues. Across the board, reports of notifications from members of the public were unusual. Leaflets, posters, adshells, radio and press coverage were all frequently cited methods of attempting to raise public awareness of private fostering. There were many examples of valiant attempts to engage with the general public (and the odd story of information being well received from a community or faith group for example); however the view of many was that these activities

are not effective in raising levels of notification. Some comments were also made about the high cost of such campaigns compared with the relative gains in terms of notifications. Furthermore it was pointed out that such awareness-raising activities often depend on partner agencies displaying the publicity materials in a prominent place and for a certain length of time, and as such being beyond the control of the private fostering officer.

Due to some or all of these considerations, a few of the case study authorities had made general publicity targeted at the wider public a secondary strand of their overall awareness-raising strategy. In these instances the authorities concerned viewed raising awareness of private fostering among front line workers as key, on the basis that a better informed workforce will in turn help to raise awareness among the children and families they work with. It was envisaged that having a more informed workforce might raise the public's knowledge of private fostering via their contacts with practitioners and agencies.

5.4 Summary

This chapter examined some of the issues facing local authorities around eliciting notifications of private fostering and raising awareness among practitioners and the wider public.

Despite the legal duty for parents and carers to notify local authorities in advance about private fostering arrangements, this rarely happens in practice. No evidence was found of local awareness-raising activities conducted by local authorities and targeting the general public so far resulting in increased notifications from these sources. This may be for a variety of reasons and suggests it may be helpful for the effectiveness of different strategies to be reviewed. In fact, local authorities generally found out about private fostering from practitioners, particularly social workers, and usually after the arrangement was established.

The workforce survey revealed that awareness of private fostering is not high among practitioners who work with children. Social care workers were better informed than those working in other fields. The research suggests that the best way of increasing awareness among practitioners is through rolling programmes of training or other face-to-face methods. Having clear notification pathways and knowledgeable staff in key positions also helps to ensure private fostering arrangements are identified.

i The relationship between how informed respondents thought they were on private fostering and how they scored on their total knowledge was investigated using Pearson product-moment correlation coefficient. There was a moderate negative correlation between how well informed a person believed they were and how they scored on their total knowledge (-.519, $p < 0.001$).

The results of t-tests between different sectors and respondents total knowledge about private fostering revealed four significant differences. While on average those working in education managed to get just over half of the answers correct, mean=5.21 (2.2) this was significantly different ($p < 0.001$) to the rest of the respondents who on average got approximately six answers correct, mean=6.31 (2.3).

The second t-test that was significant highlighted that on average those respondents that worked in social care scored over seven correct answers, mean=7.12 (2.1) and this was significantly different ($p < 0.001$) from the rest of the other respondents who on average only answered five questions correctly, mean=5.22 (2.1).

The t-test run for those working in health was also significant ($p < 0.001$). Those working in health only scored on average just over 5 questions correctly, mean=5.32 (2.1) compared with the rest of the respondents who scored just over 6 answers correctly on average, mean=6.11 (2.3).

The final t-test also showed a significant difference between those working in youth and community and the remainder of the respondents ($p < 0.05$). On average, those working in youth and community answered between 5 and 6 answers correctly, mean=5.53 (2.0). While the remainder of respondents on average answered 6 answers correctly, mean=6.05 (2.4).

We then conducted an ANOVA to explore the findings from the t-tests in more detail. The results of ANOVA between all sectors and respondents total knowledge about private fostering showed that those who worked in social care significantly differed to all other sectors ($F = 27.366$, $p < 0.001$). On average those who worked in social care answered more questions correctly (mean=7.32, 2.1) than all other respondents: health (mean= 5.02, 2.1), mixed/general (mean=5.63, 2.4), education (mean=5.19, 2.1), and youth and community (mean=5.59, 2.1).

ANOVA tests were also run against the employer variable and respondents' total knowledge but this test provided no significant results.

6. Local structures and processes

In this chapter we consider a number of factors relating to local structures and processes and how they support local authorities' work on private fostering, drawing on data from the case study interviews in eight local authorities, the PFSIG survey and the stakeholder interviews.

We begin by describing the private fostering strategies and policies identified at local authority level (section 6.1) and report on the location and profile of private fostering (section 6.2). In section 6.3 we look specifically at the links between local authorities and LSCBs and the impact this has on the profile of private fostering. Finally, in section 6.4, we review the strategic partnerships which local authorities have cultivated and the challenges this has presented to date.

6.1 Strategy and policy at local authority level

This study provided us with an opportunity to explore the private fostering strategies and policies which underpinned the work of the participating authorities. The majority of authorities reported that they had a policy document relating to private fostering. When we examined this issue in more detail in interviews, all of the case study authorities stated they had a statement of purpose for private fostering, setting out the authority's duties and functions in relation to private fostering and the ways in which they are carried out in relation to the National Minimum Standards (DfES 2005).

In addition, many of the interviewees reported that their authority had a range of policy documents aligned to their statement of purpose, including procedural guides for frontline social work staff, written guidance for other authority staff or the wider children's workforce, and private fostering action or development plans. It was reported across the board that most policies and procedures were reviewed regularly; in the case of statements of purpose, this tended to be on an annual basis.

A few of the case study authorities had detailed private fostering development plans, with clearly defined actions set out and named individuals responsible for taking this work forward. One authority in particular had a group of private fostering 'champions' (consisting of senior managers and service managers) who had ownership of the private fostering development plan and took responsibility for driving work around awareness-raising, training and practice forward. In this instance, the group had been successful in developing and

maintaining an on-going programme of multi-agency training, and revising guidance for frontline staff on their Integrated Children's System (ICS) private fostering module. (The role of 'champions' is considered in more detail in section 6.1.1).

We identified a number of drivers which had shaped local authorities' private fostering strategies over recent years. These included:

- The introduction of the 2005 private fostering regulations, which had led to reviews of policy and practice;
- The Ofsted inspection process and the reporting criteria which provided local authorities with markers by which to monitor progress in relation to private fostering;
- Recommendations from Ofsted inspections which assisted authorities in identifying achievements and areas for further work and development;
- Reviews of sources of notifications and file audits of 'live' private fostering cases to ensure legislation and procedures were being adhered to by frontline workers.

Conversely, six of the 48 authorities that responded to the PFSIG survey had found the Ofsted inspection process and recommendations unhelpful in developing their private fostering services. Issues cited included inspections not being thorough, inspectors not being fully aware of the regulatory framework for private fostering, a lack of consistency between inspectors' views on what constitutes a 'gold standard' private fostering service, and no commitment to carrying out a follow up inspection within a suitable timeframe when an authority's service was deemed inadequate.

6.1.1 *Championing private fostering*

We explored whether local authorities had identified 'champions' for private fostering. Responses from the PFSIG survey suggest that generally private fostering officers considered themselves to be the main champions for private fostering. In these examples, championing was seen very much as part of the 'bread and butter' of the private fostering officers' everyday work. A couple of examples of other champions were described by survey respondents. In one very geographically spread local authority attempts were being made to develop a private fostering champion within each social work team, to support other staff who had little or no experience of private fostering cases. Elsewhere, a service manager undertook a 'classic' championing role (advocating for resources and chairing a LSCB sub-group on private fostering).

Four of the case study authorities had a champion for private fostering. In three authorities the champions were service or team managers and members of the LSCB. In the other authority, a champions group had been set up, consisting of senior managers and service managers, to take forward work on the authority's private fostering development plan. It was reported that the champions group worked particularly well because senior staff as active members of the group were in a position to 'get things done', and that named members of the group were responsible for specific areas of work including training and awareness-raising across the Children's Trust.

6.2 Location and profile of private fostering within local authorities

6.2.1 Responsibility for private fostering

The PFSIG survey and case study interviews explored who was responsible for private fostering in local authorities. Most of the respondents to the survey were designated private fostering officers. However, a few respondents seemed to be unclear whether they were the designated private fostering officer in their authority.

The job titles of private fostering officers varied considerably, with only three respondents called 'Private Fostering Officer'. The largest group (but still a minority overall) of staff undertaking the role of designated private fostering officer were social workers, many with 'private fostering' contained within their job title. Other private fostering officers were generally managers of some sort, including team managers and heads of service.

6.2.2 Location of private fostering services

In terms of the location of private fostering, a wide range of different arrangements are apparent, although specialist private fostering teams are relatively rare. Other locations for private fostering included being part of other teams, including local authority fostering, children in need, adoption and safeguarding. In some authorities, the policy and practice functions are spilt across different directorates or teams (most commonly between fostering and safeguarding).

In the PFSIG survey, respondents were asked their views on which team private fostering would be best located and their rationale for their decision. For many, a specialist private fostering team was desirable. This was the most frequently selected option, although it was acknowledged by some that a whole team approach might not be realistic in small authorities. For a few of the respondents, this option was more about having specialist workers within other teams, rather than a single private fostering team.

Specialist private fostering team – rationale

- Raise the profile of private fostering
- Avoid confusion between private fostering and fostering
- Enable more awareness-raising and hence increase notifications
- Recognition that private fostering is distinct from other roles
- Enables specialism in private fostering, would build competence
- Ensure that regulations are complied with, resulting in consistency of case work and local authority response
- Ensure quality assurance of reports, visits and reviews
- Recognition of the complexity of some private fostering situations
- Manage risk and ensure the unique needs of privately fostered children are met

Whilst many of the respondents thought a specialist team would be beneficial, there were advocates for other locations. The children in need team was the second most popular option.

Children in need team - rationale

- Acknowledge child focus (contrasted with Fostering, which has more focus on the carer)
- Recognise commonality with other children in the community living away from their parents but not looked after
- Makes sense in local authorities where the majority of the known privately fostered children are transient teenagers (who return fairly quickly to their families)
- By focusing on needs, manage the balance between safeguarding and allocation of resources

The safeguarding team was selected by a few.

Safeguarding team – rationale

- Many safeguarding issues apparent among private fostering cases
- Enable a more focused approach to safeguarding privately fostered children
- Active involvement of a wide range of agencies
- Raise profile of private fostering (safeguarding attracts more support and commitment from senior managers, and better recognition from children and families colleagues)

The local authority fostering (or kinship/family and friends) team was thought by some to be an appropriate location, as in many cases the issues were felt to be similar.

Local authority fostering team* - rationale

- Many similar issues to family and friends placements
- Compatible with the work of kinship teams, would become 'core task'
- Good 'fit' in terms of monitoring and supervising arrangements (same kinds of activities) and the expectations for all children being looked after by people other than their birth parents*

*Some respondents further explained that they felt that private foster carers should be supported by fostering teams and privately fostered children by other teams (usually children in need)

Those respondents who felt that private fostering was best placed 'elsewhere' described a range of potential locations. In some cases they described models whereby the private fostering assessment was carried out by duty and assessments teams, with cases then being transferred to other teams (for example care management or children in need teams). Other suggestions included splitting private fostering between different teams or co-working arrangements. For some respondents it was important that the carers and the children were supported by separate teams.

6.2.3 Perceived profile of private fostering

Research participants were asked to comment on the profile of private fostering in their local authority and the factors which had supported or hindered this.

A small number of PFSIG survey respondents reported that the current profile of private fostering was 'very high' in their local authority, and outlined the factors which had supported such a high profile:

- Private fostering being taken seriously at safeguarding level (eg included on safeguarding agendas and regular reporting to LSCB);
- Good support and involvement from management (e.g. head of service and team managers);
- Monitoring and auditing (eg private fostering data collected and included in quality assurance and performance data, monthly reports on referrals and other statistics);
- Specialist posts for private fostering, or designated workers;
- Effective links with other teams;
- Continuous development of service enabled by provision of separate budget.

The majority of respondents to the PFSIG survey reported that the profile of private fostering was 'quite high'. Many of the themes outlined above were mentioned (particularly safeguarding links and designated posts). Other key issues identified include:

- Publicity activities being undertaken;
- Internal social work teams being aware of private fostering;
- Increasing numbers of referrals, including consultation and enquiries received from internal staff;
- Various structures and activities in place (eg action plans, steering groups);
- Training programmes/briefing programmes for other services.

Some respondents included qualifiers to explain why they thought that the profile of private fostering was 'quite' rather than 'very' high in their authority. These largely related to a need for additional awareness-raising, including some partner agencies not being aware of private fostering and the need to notify; social work teams being aware of, but not necessarily prioritising, private fostering cases, or not following processes properly; and on-going confusion between private fostering and kinship care arrangements.

A small number of respondents reported that the profile of private fostering was 'quite' or 'very' low. Reasons for a low profile include:

- Non-strategic approach by the local authority (eg granting a *temporary* increase in hours for the private fostering officer to do some awareness-raising work);
- Low priority given to private fostering by other staff/teams (eg delays in carrying out private fostering assessments because not prioritised by social work teams);
- Pressures arising from staff shortages (in both private fostering and management) resulting in private fostering work being delayed or not being undertaken;
- Lack of understanding of the statutory requirements resulting in private fostering not being adequately resourced;
- Private fostering not seeming to ‘fit’ within existing local authority structures.

Overall, across the case studies and PFSIG survey, there was a sense that the profile of private fostering has been increasing in recent years (although some respondents reported that awareness was ‘patchy’ among some groups of practitioners and agencies within their authorities). In many cases an increasing profile of private fostering appeared to be linked to the introduction of a designated worker. Some respondents commented on the work that still needed to be done, particularly around local publicity; however this was often accompanied by a degree of optimism that things were now in place and this work was about to happen.

Stakeholder interviewees, however, did not share this overall sense of optimism, with most being of the view that the profile of private fostering was generally low. These interviewees thought that private fostering was not treated as an important enough issue within Children’s Services and that cases were not assigned to adequately experienced or trained staff.

6.3 The role of the LSCB

Overall, local authorities reported good links with their LSCB, and likewise interviewees from the LSCB commented on strong links with local authorities and other partners.

The main role of the LSCB in relation to private fostering was characterised as a ‘monitoring’ remit, with LSCB members asked to consider progress and to challenge and raise questions in relation to the authorities’ strategies. All the LSCBs associated with the case study authorities monitored the work around private fostering via receipt of the annual private fostering report. A few of the case study authorities report to their LSCB more frequently, including bi-annual or quarterly written updates.

Some authorities reported that most consideration of private fostering policy and practice tended to be focused in the meeting to consider the annual report (often a small agenda item, due to the wide range of matters on the board's agenda). In a small number of case study areas the LSCB had been able to play a more active role in promoting private fostering and notification. In one example, a LSCB, concerned about the low number of notifications from some agencies, wrote to all schools and GPs outlining their responsibilities in respect to private fostering and notification. Other LSCBs had incorporated private fostering into their safeguarding training offer.

Where there was an established link (via regular/annual reporting and/or a designated link person), PFSIG survey respondents reported that relationships with their LSCBs were very positive. We found that LSCBs can be a useful conduit for information and publicity about private fostering, particularly through LSCB events and multi-agency training. Furthermore, some respondents acknowledged that the private fostering officer's presence at LSCB meetings (and vice versa, LSCB representatives sitting on private fostering steering groups) helped to improve personal links with other agencies such as the police and health workers, thus improving partnership working.

Being proactive in making links with the LSCB was seen as an important aspect of the private fostering officer's role. Some respondents to the PFSIG survey suggested that staff changes within private fostering could lead to disruption of working links with the LSCB. These would often result in links needing to be re-built from scratch and appeared to depend on the private fostering officer being proactive in this respect.

6.4 Strategic links with partner agencies

Overall, analysis suggests that many links with other partner agencies have been developed and are highly valued by local authorities. For example, some local authority interviewees stated that their LSCB had been useful in terms of assisting them to identify, develop and nurture strategic partnerships with agencies, including Primary Care Trusts (PCTs) and the police. Local authorities had forged links with a range of partner agencies, in particular education and health (which were viewed as critical partners in identifying instances of private fostering and making notifications because of their working links with children and families).

Local authorities identified a range of other practitioners or partner agencies with whom they thought it was important to build links, including (in alphabetical order):

- Borders Agency
- Connexions
- District councils
- Education welfare officers
- Football clubs
- Guardianship organisations
- Health visitors
- Home Office/Immigration Service
- LACES workers
- Language schools
- Police
- Schools
- School nurses
- VCS/third sector organisations

The key partnerships highlighted by authorities tended to be children and young people's services within the Children's Trust. A couple of case study authorities have convened private fostering panels, bring together a wide range of agencies, which were viewed to be useful. There was also some mention in the PFSIG survey of senior managers being involved in multi-agency group meetings.

However, analysis of the survey responses suggests that multi-agency meetings of this nature did not necessarily elicit notifications from the agencies represented at such meetings. One respondent provided a possible explanation for this, reflecting that at senior level everyone was on board and supporting their authority's private fostering strategy, but this work was disconnected from frontline workers in health and education. Case study interviewees confirmed that, despite their links and awareness-raising efforts with some partner agencies, notifications from these groups had not increased. In these instances the interviewees concerned could not offer an explanation or solutions to this issue.

There was also recognition from many interviewees that links need to be continually strengthened and developed. Many of the authorities had plans to strengthen their links with partner agencies and acknowledged that more work was required in this area. In particular, some of the case study authorities reported that they were planning to develop their links

with other local authorities in a bid to increase coordination and understanding of procedures when privately fostered children move across authority boundaries.

6.5 Summary

This chapter described local authorities' strategies around private fostering, the location of private fostering services within structures, the profile of private fostering over recent years and how links with LSCBs and other partners have supported work in this area.

The introduction of the 2005 private fostering regulations and the Ofsted inspection framework were the starting point for many authorities' strategies and policy development work and research respondents reported a generally increasing profile for private fostering since 2005.

Private fostering is currently situated in a range of different locations within local authority structures, and views differed around what would be the most appropriate location. Whilst a specialist private fostering team was viewed by many to have its advantages, others could not discount the perceived benefits of placing private fostering within children in need, safeguarding or fostering teams.

Establishing effective partnerships was identified as a key issue. While links at strategic level were often described in positive terms, this did not necessarily filter down to frontline workers in partner agencies. Overall, it was reported that links with LSCBs were good, and could prove useful in providing a conduit for information and ensuring private fostering was included in multi-agency training.

7. Delivering services to children, parents and carers

In this chapter we look in more detail at the policies and processes used by local authorities to deliver private fostering related services, drawing mostly on data from the PFSIG survey and the case study interviews. We start by reporting on assessment, which was found to be closely linked to safeguarding issues. We then describe the support offered to privately fostered children, private foster carers and to birth parents. The chapter finishes by looking at cooperation and partnership working.

7.1 Assessment

7.1.1 Who conducts assessments

The role of the person doing the initial assessments and the ongoing Regulation 8 visits varied across the local authorities in the survey and case studies. Where there were dedicated private fostering social workers in post, they were normally responsible for the initial assessments. Otherwise assessments were carried out by duty or other teams, mostly being conducted by qualified social workers but in some instances by family support workers. In the case of the latter, assessments were said to be usually signed-off by a qualified social worker. In a few areas carers and children were assessed by different social workers.

Monitoring under Regulation 8 was mainly carried out by social workers, but sometimes by family support workers, depending on the perceived needs and circumstances of the child, or how private fostering was organised within the local authority. Clarification was sought by interviewees as to whether the law required these visits to be done by a qualified social worker. Visits were not always recorded, prompting the introduction in some areas of systems or tools to flag up when these were due, or overdue.

Authorities employing specialist private fostering social workers felt that this role was essential given the range and complexity of private fostering cases and the potential overlap or conflict with other local authority duties if their time for private fostering was not ring-fenced. Reliance on non-specialist staff to conduct visits or assessments was said to create a risk of private fostering cases having to compete with other priorities, such as emergency safeguarding.

7.1.2 What is assessed and how

A standard approach was not found. Stakeholders commented that the comprehensiveness of the assessments could be a matter of luck and in the case studies we found that the extensiveness and thoroughness of the initial assessments varied across authorities. However, many reported conducting very broad and rigorous assessments, covering emotional and practical aspects of a carer's ability to provide for the child and adopting safeguarding criteria more or less from the outset. A few used the core assessment and several assessed private fostering in the same way as they would local authority foster care placements. Some approached the assessment in progressive stages, or employed a triage system.

As mentioned in chapter 4, in one area with numerous language students, the private foster carers were not visited nor homes assessed by the social worker. This was said to be due to the volume of students and resource limitations within the authority. Instead assessments of the living arrangements were left in the hands of the language school. We did not obtain details of the assessment methods or criteria used. However students were interviewed privately at their school and any concerns were followed up. In other authorities that also had numerous language students, the private foster carer, other residents, the house and sleeping arrangements were all treated as essential aspects of the assessment.

Case study authorities routinely required Criminal Records Bureau (CRB) checks on anyone aged 16 or over in the household, including older students and regular visitors. Guidance was desired by interviewees on how 'regular' a visitor needed to be before being subject to a CRB check. In some areas with language students, the same CRB was allowed to hold for that private foster carer if they had successive students, to a maximum of three years. However CRB delays created anxiety, and difficulties were reported in getting CRB checks on older language students from abroad, who were living in the same household.

Many authorities tried to establish the wishes of birth parents in the assessment and one had developed a pro-forma contract for birth parents and private foster carers to agree to the arrangement. A couple of instances of assessing the birth parents, or the prospects for reuniting the family were mentioned in interviews.

We found great diversity in the tools used for assessment. PFSIG responses suggest that the ICS system is not being used by all local authorities, and not all those who did use it found it useful. For example both it and the PFAAR and PFAA forms were criticised for not

being thorough enough, nor enabling flexibility in how they were used. PFSIG survey returns suggested they could be useful for assessment but of limited use in case management. In exploring this further with case study authorities, we found most had adapted these forms to a greater or lesser extent to suit their own needs. A few authorities had created additional tools, such as a database to flag up and record monitoring visits and to track the sources of notifications and where a child goes after leaving private fostering or turning 16. Those authorities with private fostering panels found them extremely useful in assessing arrangements, approving them (or not), identifying information gaps and enabling a consistency of approach.

Only a few local authorities reported disqualifying people from being private foster carers, but several had removed and accommodated children from arrangements assessed as unsuitable.

7.2 Safeguarding

7.2.1 General safeguarding issues

Safeguarding emerged as a key challenge from the stakeholder and case study interviews. It was felt that children living away from home, often with distant relatives or people they do not know well, if at all, are intrinsically vulnerable and more so if they are in a foreign country. Particular concerns were expressed for babies and very young children, and those who had little contact with their birth parents. All privately fostered children were felt to potentially face difficulties around separation, abandonment, attachment and re-attachment, cultural identity and general psychological and physical welfare. Many said that all children separated from their birth family, should by default be treated as 'children in need' and that children's welfare was being jeopardised, or neglected, under the current system. Some asserted that a lesser standard of care was applied to privately fostered children.

Greatest unease and concern was expressed regarding children in private fostering arrangements, living 'under the radar' and unknown to the authorities.

However interviewees felt that even in regard to children who are known, working in private fostering involved complex and sometimes nerve-racking tensions, balancing the time rules, the duty to protect children and respect for individual rights and privacy.

However, discussions about safeguarding were not entirely negative. Interviewees were able to offer plenty of examples of positive practices which they believed promoted the safeguarding of privately fostered children, for example where all key staff and managers

had previous child protection or safeguarding experience, where private fostering panels were in place, and when private fostering was incorporated into all safeguarding training to all partner agencies. We heard about thorough assessments and close relationships with safeguarding teams, enabling easy and rapid cross referral where concerns arose. Other good practices included assessments being conducted promptly on notification of intention and children being interviewed alone and within 24 hours of first referral. Some authorities reported close liaison with GPs and schools in relation to assessment (eg regarding attendance rates, how child appears, health records). Numerous instances were also provided of children being removed quite quickly, or private fostering arrangements being terminated in cases of serious concern.

7.2.2 Specific concerns about particular groups of children

Diverse concerns and degrees of concern were expressed in relation to different groups of children, but specific safeguarding concerns emerged fairly consistently regarding certain groups. These echo some of the issues identified in the literature.

It was reported that children entering the UK face additional and specific welfare risks, including psychological and cultural issues, potential exploitation, immigration law and policies and the risk of deportation at 18. Some have no immigration rights and may have the 'no recourse to public funds' rule applied, which means that their private foster carer is unable claim benefit for them. Some immigrant children are allegedly 'found' on the street by adults who say they are from the same area and are then accepted as private foster carers. The prevalence of this worried many.

Trafficked children are by nature difficult to identify. Specific groups were mentioned as being at greater risk of trafficking and it was emphasised that UK born children are also trafficked. Domestic servitude was described as a much larger problem than sexual exploitation, but one that attracted less attention.

Language students may often be perceived to be at low risk, but present discrete needs and risk factors, including staying with people who have no knowledge of their cultural norms, language barriers, homesickness, being expected to share bedrooms with older language students and, in some cases, spending years in continuous temporary situations. In one area the social worker convinced the parents to take their child home again because of such concerns. However it was said to be difficult to convince parents that the arrangement might

not be in the best interests of their child. Some authorities made efforts to ensure that younger or longer-stay language students stay with better known families.

It was noted that young people may face homelessness, destitution and exploitation if their private fostering breaks down, or when they turn 16 and any support hitherto provided comes to an end. This group was felt to be inadequately protected at present.

7.2.3 Regulations and processes

The 28 day's grace and the expectation of voluntary notification were felt to undermine safeguarding and both rules, individually and combined, were said to provide a convenient legal cloak for traffickers to help evade official detection. As many interviewees said, where there is no cause for concern, 28 days is fine, but if there are any risks to the child's welfare or safety then 28 days could be much too long. Unfortunately there is no way of knowing until the case is assessed. Private fostering rules were also described as providing local authorities with less control over the arrangement than with foster or kinship care.

In terms of processes, most local authority interviewees believed their systems had improved and were now working better to protect children, and that the relatively new assessment and monitoring procedures helped them to identify and address issues within a defined timeframe. Moreover there now existed a clear line of responsibility for these children, when previously no-one was responsible.

However we found many disparities in practice. For instance local authorities varied in their timing and breadth of assessment and degree of monitoring, impacting on the potential to detect safeguarding issues. While several took the notification of intention to privately foster as sufficient to start an assessment, most waited for 28 days. Some stated that it was the responsibility of other agencies to protect children during those first 28 days. Not all authorities insisted on CRB checks in relation to language students. There were many examples of discretion being exercised and risks being balanced, for example arrangements continuing where the CRB check on a private foster carer's boyfriend showed previous history, such as a history of domestic violence or sexual abuse. Specific guidance was desired on the extent of the assessment and who to require CRB checks on.

Authorities using a private fostering panel found them invaluable in assessing risk to children and taking responsibility for decisions, so that these did not rest totally on one social worker. The breadth of expertise within the panel and occasionally their knowledge about individual

private foster carers was also appreciated. The LSCBs were also said to play a useful role, especially in highlighting the relationship between private fostering and safeguarding. See 6.3 for further discussion of private fostering and LSCBs.

As mentioned in section 7.1.2, we were told of cases where children were removed and accommodated by local authorities when serious concerns were identified on the initial visit. Occasionally a need for local authority intervention was identified at a later point, in light of the child's emergent needs and/or the private foster carers' perceived inability to meet them. Often the private fostering arrangement was treated as a 'holding' place during subsequent investigations.

However the interplay with safeguarding policies and procedures varied. Some interviewees believed that many individual cases should perhaps have been treated as child protection cases and that lower, 'parallel,' standards of care were applied in respect to private fostering. It was argued that assessments too often started from the wrong juncture, given that the vast majority of children - excluding language students - were already in private fostering arrangements when initially assessed. This arrangement was therefore often taken as a given. It was suggested that if assessments took a longer, retrospective, view of the child's history and the circumstances which prompted private fostering, such as being unable to live at home, or their parents' (in)capacity to care for them, then a normal safeguarding assessment might have been prompted.

We found inconsistent interpretations of the rules within and between local authorities. Many case study authorities complained about other councils not assessing children thoroughly and sometimes incorrectly treating cases as private fostering (eg accompanied asylum seeking children).

Numerous instances were described of children falling into a nebulous area between private fostering and other local authority powers to support and/or accommodate children.

Examples included:

- Children coming from difficult home backgrounds, or with a history of neglect, often having had long-standing social work input as children in need; indeed some were said to be unable to return home because of risks to their safety. However once in private fostering arrangements, neither they nor the private foster carers have entitlement to much support.

- Abandoned children and children whose parents were serving long prison sentences, where the subsequent chances of adequate family re-unification were possibly remote.
- A disabled child classified as both a child in need and privately fostered, but in an inaccessible house. Help was provided with the latter, but the child remained privately fostered.
- Long-term financial support being provided to individual children. However it was not clear to what extent this pre-dated or continued after recent case law⁸. Conversely, it was indicated that some local authorities were inclined to treat children as privately fostered to minimise resource demands. However we had no way of assessing the extent of this.

The critical issue emerging here was not so much who the child lived with, but their lack of entitlement to support - regardless of need - which follows from the legal designation or interpretation of their living arrangements as being private fostering. Some interviewees desired additional guidance covering policies and procedures to follow when safeguarding concerns arise.

7.3 Supporting private fostering arrangements

Both carers and children were described as having emotional, practical and financial needs. Typical examples include children being distressed, bullied or homesick; contact with birth parents being unreliable, difficult or non-existent; difficulties communicating with carers; children living in cramped conditions or lacking clothes, beds or school equipment. Indeed, section 3.4 suggests that most private foster carers are themselves on low incomes.

We found a degree of commonality in how local authorities responded to these needs and the type of support provided. But variations in responsiveness were also described; some said it was up to carers to request support, while other authorities were pro-actively asking private foster carers and children what support they needed and identifying support requirements.

Despite the various overlaps in circumstances and needs with looked after children, in particular the close similarities with local authority arranged kinship care, less support is available to either private foster carers or to children. It was particularly noted that some children in private fostering arrangements were likely to need the same amount of support

⁸ For example London Borough of Southwark v D [2007] EWCA Civ 182

with education as those in the care system, for example help to do homework or course work and to continue in school beyond the age of 16. Upper age limits were generally felt to restrict the support available. A number of instances were given of young people turning 16 and needing ongoing financial and emotional support, while we only heard of a few cases in which this had been provided. Many young people were said to find this transition and loss of support difficult.

7.3.1 Support provided to children

A range of practices were evident across the case studies and PFSIG survey. These included emotional, practical and financial support, each of which is described here.

Emotional support

Many social workers provided children with their direct telephone number and said they were available whenever the children wanted to get in contact. Some described having supported children around difficulties with their birth parents, including inconsistent or no contact; bullying; or feeling lonely or homesick; as well as taking children out to celebrate important occasions such as birthdays or school achievements. It was noted that counselling support was felt to be necessary for many children.

Practical support

Numerous interviewees said they would provide whatever was necessary to prevent a child standing out and being earmarked for bullying at school, typically money for clothes and equipment. Young people approaching their 16th birthday sometimes got advice on their entitlements and rights and where to get further help. One case study authority gave housing support to 16 year olds leaving private fostering.

Financial support

In a small number of cases, some long-term or regular financial help was provided, including to young people over 16. More detail on financial support provided directly to private foster carers is described in 7.3.2 below.

Other support

A few authorities specifically mentioned assisting young people nearing their 16th birthday and at the end of local authority involvement. Information packs were commonly provided and other after-care services occasionally offered to young people turning 16.

7.3.2 Support provided to private foster carers

Practical support

Some local authorities provided carers with benefit advice (such as getting the child benefit signed over to them), support to get re-housed to a larger house and legal advice, for instance on residence orders.

Financial support

Many authorities provided financial support under Section 17 criteria, although others gave none. As many of the private fostering teams did not have their own Section 17 budgets these amounts had to be 'begged' from other departments, restricting what could be provided. Most payments were described as one-off and relatively small amounts, typically for clothes, beds, household equipment, travel passes, school uniforms or other educational needs and often only provided until child benefit was transferred to the private foster carer. One example was given of a relatively significant sum (£1,000) paid to help the private foster carer move house and in a small number of cases, long-term, or regular, financial assistance was provided.

It was pointed out that child benefit is the key to many other state financial and practical entitlements and while child benefit can be claimed by private foster carers, it is not paid in respect of children with no immigration status and to whom the 'no recourse to public funds' rule has been applied, thus disadvantaging this group of children and their carers.

Emotional support

A few authorities had tried running support groups for private foster carers and some invited carers to attend the same training as their local authority approved foster carers. However take up for either of these opportunities was reported to be low to non-existent. We were unable to explore why.

7.3.3 Support provided to birth parents

While support was provided predominantly to children and private foster carers, a few examples were given of assisting birth parents. This included advice on how to stabilise contact with their children, be consistent, help to plan reunifying the family, and one example of practical and emotional support provided to a disabled parent.

7.4 Partnership working

It was striking how many other agencies or practitioners could potentially be involved in a private fostering case; however the extent of effective partnership working varied across case studies.

Most examples of partnership working related to working with other social care or children's services teams, especially around assessment and potential safeguarding. Health practitioners were also mentioned. Those authorities with private fostering panels had, by definition a multi-agency approach to this stage of the assessment and this input was described as being extremely beneficial.

Other agencies mentioned for useful cross-agency work, mostly relating to referrals and occasionally assessments, included the UK Borders Agency, the joint Home Office/ Metropolitan Police Paladin Unit, schools and LAC education support staff. Cooperation with language schools and education guardians was generally, but not universally, experienced as smooth and positive, although some appeared resistant to local authority involvement.

Cooperation across local authority boundaries was described as essential where children had moved local authority area or had siblings privately fostered in other areas. A coordinated approach was undermined by different interpretations and application of private fostering rules.

7.5 Summary

This chapter explored the delivery of private fostering services to children, carers and parents, focussing on assessment, support and partnership working.

With respect to assessment, we found a degree of variation in the breadth, processes, timing, methods and roles of those involved. Some authorities started assessing on the basis of an intention for the arrangement to persist for 28 days, while others waited. Assessment tools varied, but CRB checks were routine. Some private fostering arrangements associated with language schools were not thoroughly assessed. Private fostering panels, clear lines of responsibility and close cooperation with other practitioners, particularly those with a safeguarding remit, were reported to assist effective assessment.

Safeguarding emerged as intrinsically linked to assessment. Children in private fostering arrangements were viewed as inherently vulnerable and more so if they were young, or far from home, or had little contact with their birth parents. Specific concerns were also voiced in relation to teenagers, immigrant children, trafficked children and language students. But the greatest anxiety was expressed regarding those privately fostered children as yet unknown to the authorities.

Support provided to children, carers or birth parents varied. Many children were offered emotional support and they and their private foster carers were sometimes provided with one-off payments to assist with the purchasing of school uniforms or beds, under Section 17. Regular, or larger, payments were rare and case study authorities complained that they had no specific budget for this. Carers also received practical advice relating to benefits or housing and were sometimes offered training, although take-up was low. Few examples were provided of support for birth parents or family re-unification.

Numerous agencies were found to be involved in private fostering cases, most typically health, education, police, UK Borders Agency and housing, although the extent of inter-agency cooperation varied. Different interpretations of the rules were found to undermine effective collaboration across local authority boundaries.

8. Reflections on current arrangements

This chapter aims to provide an overview of opinions and insights on current legal definitions, emerging from the PFSIG survey and interviews with stakeholders and case study authorities. We start by examining the nomenclature of private fostering and go on to explore key issues in relation to the existing legislation, notably the time limits and the interface with other local authority responsibilities for children not living with their birth parents. Notification was covered in some detail in chapter 5; here we discuss more general themes arising on this subject. Lastly we explore views on a potential registration system.

8.1 The term ‘private fostering’

Stakeholders, case study interviewees and PFSIG survey respondents reported that the term was confusing and caused misunderstanding among both practitioners and the public. The most commonly raised issue related to the word ‘fostering’, which was frequently confused with local authority approved or independent agency foster care. A few case study interviewees said this in turn could lead to a sense of status for private foster carers as well as an expectation of generous payment by and support from the local authority. It also resulted in some private foster carers telling schools that they were local authority foster carers and being accepted as such, often with no further questions asked. However one case study interviewee perceived the use of the term ‘fostering’ as being useful in that it could prompt the carer’s status to be checked on the local authority system. Another said that teenagers in these arrangements did not think of themselves as, nor want to be called, ‘fostered’. Confusion with childminding was also mentioned, but less often. The word ‘private’ similarly emerged as meaning different things to people.

What was clear was that ‘private fostering’ is not in itself intuitively clear to anyone. We were told that both practitioners and members of the public only grasped it after a lengthy explanation, and that a clearer name might make understanding easier and explanations less time consuming. Moreover the terminology becomes even more confusing for minority communities; one case study interviewee reported that the meaning was completely lost when they tried to translate it into community languages.

Alternatives were not so easy to find and some interviewees thought that it might be too late to change it now. On the whole most were lost for a useful, all- encompassing substitute. The few suggestions made were: ‘looking after someone else’s child’ for family arrangements and ‘extended stays’ for language students. Indeed ‘looking after someone

else's child' was frequently used in leaflets, posters and other publicity employed by local authorities.

In practice cases study interviewees felt that an individual explanation was required to explain the concept to each family, in a way that they could comprehend, including any cultural nuances, and that greater understanding and a uniform approach across practitioners would be most beneficial.

8.2 Timing issues

8.2.1 The 28-day rule

We found that consideration of the time rule required balancing three major concerns: children's welfare, local authority resources and intrusion into family affairs.

Views on whether the time limit should be reduced were divided across both case study and stakeholder interviewees. Even those in favour of a reduction were equally aware of the dilemmas associated with in any potential change, particularly balancing safeguarding worries against increased demands on resources. No clear solution was offered. But the overwhelming concern was for children's safety and well-being and there was a clear fear that another Victoria Climbié would be found, too late.

Stakeholders and many case study interviewees felt that 28 days was too long in situations where there were potential risks to a child's safety, for very young children, or where children were being trafficked. Clearly a local authority can intervene if they are aware of the child and have any indication of risks. But this is a chicken and egg situation: the local authority may not know of the child's existence, let alone that they no longer live 'at home', and furthermore no-one is obliged to notify them for 28 days. If there is a serious risk, 28 days is long enough or may be too long. Within that time window trafficked children could easily 'disappear'; even if traffickers are not that aware of the precise law they are able to take advantage of the 28 day leeway.

On the other hand 28 days was considered just right or even a bit short in other situations, such as language students and when teenagers and their families need a short break from each other. But even with these two groups, often portrayed as less vulnerable, views were split. Some felt that teenagers were a group who needed local authority intervention and assessment sooner, in order to help address any problems within the family and prevent family breakdown. Similarly there was concern about the welfare of many, if not all, language

students, who were sometimes very young and living far from their families. We heard of one example of local authority involvement being deliberately avoided by moving students on the 27th day.

Equally there was widespread concern that reducing the timescale would impose a huge burden on local authorities and would result in many ultimately unnecessary assessments being initiated in situations which turn out to be short-lived. Moreover a shorter time limit was seen to risk drawing in children staying with friends or extended family for short holidays and to be excessively intrusive.

Some case study interviewees felt that the current 28 day rule was largely irrelevant in practice, as, besides language students, most cases come to light retrospectively. The main issue is therefore trying to identify children already in private fostering, conducting the assessments as quickly as possible and taking any necessary action arising.

Confusion and different interpretations of the current 28 day rules were evident, as mentioned in section 7.2.3. For example in one local authority notifications were not accepted until the 28 days had passed, while two said that the intention for the arrangement to last at least 28 days was adequate for them to initiate assessments. Generally, national guidance on interpreting the 28 day rule was requested.

8.2.2 Other concerns about time

At the other end of the scale, we found unease about the overall length of some private fostering arrangements: many were long-term, indefinite, or potentially permanent. Case study authorities reported arrangements which had persisted for 10 years or more, sometimes since the child was a baby. Despite this length of time the private foster carers usually did not have residence orders or parental responsibility, although in one case study authority these were pursued in cases of very young children where arrangements had persisted for at least a year. Some interviewees wondered whether there should be a maximum time limit placed on private fostering arrangements.

A number of local authorities requested clarification on how to treat repeated consecutive short stays, each lasting less than 28 days, but totalling more than 28 days in total. Those dealing with language students reported that there was a degree of duplication of effort and potentially a waste of resources. For example when language students go home for the school holidays but return to the same private foster carer afterwards, local authorities must

re-assess those arrangements from scratch, although many allowed for the CRB report to be used for up to three years, regardless of breaks.

8.3 Definition boundaries and blurred interfaces with other forms of care

A number of issues were raised about the similarities, and distinctions, between private fostering arrangements and other forms of formal and informal care outside the home.

8.3.1 Scope

Many case study and stakeholder interviewees questioned the appropriateness of the current wide diversity of circumstances experienced by children being adequately covered by the one private fostering mantle. It was described as over-ambitious for it to adequately encompass the range of situations where private fostering arose. It was suggested that differentiation of groups of children in private fostering – possibly with different rules for different groups - would assist in identifying and protecting those who are more vulnerable.

8.3.2 Clarity of distinctions, inconsistencies and overlaps in practice

It appears that the law is not clear, at least to many practitioners, and that help with interpretation is regularly required. Moreover, many arrangements called private fostering were found to overlap with other state provisions, while on the face of it, others may go beyond what the legislation possibly intended. For these reasons it was criticised as lacking clarity of purpose, legislating retrospectively, and serving as a default category, to cover a variety of situations which do not fall under any other classification. We were told that private fostering was frequently confused with other arrangements by the public and practitioners, including social workers. The major overlaps were with local authority powers to accommodate, especially within kinship care or ‘friends and family’ arrangements.

Given numerous similarities, the legal interface between private fostering and local authority approved kinship foster care was perceived by some as particularly arbitrary. Advice was regularly sought to clarify who counted as an eligible relative, especially around step relations and where the birth parents were not married. Moreover friends of the family or child can also be accepted as kinship foster carers. The two significant contrasts drawn between private fostering and local authority approved kinship foster care were the latter’s more thorough assessment and the greater availability of support. While children in private fostering are not legally entitled to the same degree of support or assistance from the local authority, we found that some private foster carers and children can access a degree of

financial and practical support. Similarly while local authorities' assessments of private fostering arrangements vary, many appear to be very detailed and thorough.

Inconsistencies in how local authorities interpret the rules created difficulties and undermined cooperation when children moved into private fostering in another local authority area, where their situation was assessed to be other than private fostering. Similarly case study authorities complained that some other local authorities did not take proper responsibility for unaccompanied asylum seeking children. We heard that children had reported that they were told different things about their status by different practitioners.

Numerous safeguarding concerns were discussed in chapter 7. A recurrent theme was a variation in approach to children in need and to some who might, in similar circumstances or in another authority, become looked after. Although recent case law⁹ was said to have helped clarify the boundaries somewhat around what is or is not private fostering vis-à-vis the type and extent of local authority involvement, concerns were widespread that a parallel, lower rate, care system was developing via private fostering. This was attributed to both the confusion over interpretation and a pressure on local authority resources. In turn this was said to create a perverse incentive to minimise the numbers of looked after children and to treat arrangements as private fostering, despite potential safeguarding issues.

Certain arrangements exemplify this including: abandoned children, where there is no parental involvement, or contact, and the arrangement is indefinite; children whose parents are in prison long-term and who may have equally little prospect of re-unification; and children unable to return home because of known risks to their well-being or safety. An interviewee mentioned two cases where the private foster carers themselves had had to point out that this meant that the children should not be treated as in private fostering.

Similarly, some teenagers were known to social or children's services and already receiving support prior to leaving home and entering private fostering arrangements. Under Section 17, social workers are expected to support children in need and their families and help keep families together. However if they enter private fostering they may receive less support, or none at all. Moreover teenagers who are unable to live at home, whether runaway or thrown out, and are sleeping on someone else's sofa technically count as 'homeless'. If they had not taken themselves to a friend's house they would be homeless and be the responsibility of children's services. Furthermore their designation as privately fostered expires for most on

⁹ Such as *LB Southwark v D* [2007] EWCA Civ 182, and *Sarah Jane Collins v Knowsley Metropolitan Borough Council*, High court Queens Bench Division 28.Oct 2008 [2008] EWHC 2551

their 16th birthday, after which they are not entitled to support. Many interviewees felt that this group were particularly vulnerable and potentially at risk and that it should be easier for local authorities to provide support .

8.3.3 Situations treated as private fostering despite not meeting the legal definition

Across the case study authorities we were told about examples of situations which were treated as private fostering, despite not actually satisfying all the rules. The most common was where there was no agreement between the birth parents and the private foster carer, or indeed where the birth parents opposed their child living with the other family. This was said to regularly occur with teenagers leaving home and with some children from abroad, especially those who immigrated alone. Even with language students there was frequently no direct contact or agreement between the parent and the private foster carer and the only contracts existed with the brokers. We found a desire for clarification of the expectations on different parties. For example birth families were reported to be frequently uncertain about their role when their child is in private fostering.

Stakeholders voiced alarm that private fostering was used as a default categorization for any situation where children neither live with their parents nor get looked after by the state, and that as a result this practice unwittingly provides a legal status for situations such as domestic servitude and trafficking.

8.3.4 Situations falling within the spirit of the law, but outside it technically

On the other hand, certain situations are not covered by the legislation as it stands, despite being very similar on the face of it to private fostering. This included families having successive children staying, but each for short periods of time, as is commonly the case with language students. The converse was also found in one case study, whereby the students were moved from one family to another but never stayed with one family for 28 days or more. This situation could also potentially arise for teenagers and others moving around, but away from their homes for more than 28 days. Safeguarding was the key concern around such set-ups. In the context of the language students, safeguarding controls and monitoring are voluntary, unregulated and at the behest of the school or guardianship organisation.

8.3.5 Other legal difficulties

The inter-relationship with 'special guardianship' or parental responsibility were also problematic, especially where arrangements persisted for years and the private foster carer was carrying out all normal parental duties with little or no parental involvement but without the power to consent to, for example, health treatment or school trips, or get a passport. In

practice the problem had mostly been circumvented by health and other bodies simply not asking if the private foster carer was the parent. The interface with immigration presented another range of barriers and issues, as discussed in chapter 4.

8.3.6 Suggested changes to private fostering regulations

There was an across the board request for the introduction of clearer, national, statutory, guidelines or augmented regulations to get consistent policies, practice and procedures across the country. One case study interviewee felt that whilst the current regulations require very minimal input from local authorities, a good Ofsted inspection rating relied on much greater intervention and support and that this should be supported legally. A few felt that private fostering should be made a performance indicator to enhance practice. Many case study authorities felt that a dedicated private fostering budget was essential for local authorities to be able to develop their services and provide necessary support.

8.3.7 Other possible changes suggested by interviewees

Language schools were felt to need improved regulation and a more holistic inspection framework to close current loopholes, as well as reduce the resource demands on local authorities. Some case studies authorities working with language students questioned the role of education guardians and brokers, especially in terms of the support they provide to international students. It was suggested that language schools may require discrete legislation, inspection arrangements and standards. Some case study interviewees suggested that they should come under Ofsted.

Several stakeholders recommended the creation of guardians to promote the interests and well-being of unaccompanied immigrant children. A few case study interviewees also requested removal of their legal obligation to notify immigration authorities if they find someone with questionable immigration status.

8.4 The current notification system

Chapter 5 provided a detailed discussion of the reasons believed to lie behind the low levels of notification of private fostering arrangements, and reported a widespread belief that the system wasn't working. Interviewees were also asked how the current system could be improved.

A shifting or sharing of the legal obligation to inform the authorities was a common recommendation. Some stakeholders felt that the legal onus should transfer from a duty on

private foster carers and parents to notify into a requirement on local authorities to identify children in private fostering arrangements. Many case study interviewees felt that local authorities that are aware of, or help a child move into, private fostering in another local authority area, should be legally obliged to inform the second local authority. Many case study interviewees and PFSIG respondents felt there should be a statutory duty on other practitioners and agencies to refer cases which appear to be private fostering. Those repeatedly mentioned included schools, language schools, health practitioners and GP practices. There was also a widespread call for admission and registration forms for universal services, especially for schools and GP practices, to include standard questions about who the child lives with and their relationship to the child.

In terms of awareness-raising among practitioners, many PFSIG survey respondents and case study interviewees favoured making private fostering an intrinsic part of all children's workforce training. In addition there were numerous requests for a government-sponsored national publicity drive, to raise awareness more widely.

It was suggested that incentives for parents and private foster carers in the form of offers of help and support might increase notifications. More specifically, notification and referral need to be portrayed as positive, potentially helpful actions, rather than simply as a legal obligation.

8.5 A potential registration system

In the past registration of private foster carers has been mooted as a possible system for addressing safeguarding concerns and improving standards. We were asked to explicitly seek views on a potential registration scheme in our case study and stakeholder interviews and found that they were quite split. However given that no specific model has yet been proposed, any views gathered relate to the idea of registration in general and will for that reason be subject to the interviewee's own framing of such a system.

In favour of registration, some felt it would help reduce local authority resource input overall (by removing repeated assessments of the same carers), help protect children and improve certain issues. The clearest example where registration could be beneficial was of households who take in successive language students, term after term, or year after year.

Some stakeholders drew parallels with small residential homes, first required to register two decades ago, and with childminders; it was noted that public attitudes to childminding have

changed since their compulsory registration. However both of these examples involve businesses which implicitly intend to look after a series of children, so the similarities are limited. In private fostering this may only apply to a proportion of families, predominantly those catering for language students.

Much of the opposition was pragmatic, focusing on how such a system could be implemented and made to work. It was feared that a requirement to register might exacerbate the low numbers of notifications and further deter private foster carers from making themselves known to the local authority, and that the system or requirements might prove too onerous for many short-term private fostering situations. Many informal arrangements drift into private fostering, largely unintentionally, having started by helping a family or young person out on a short-term basis. Interviewees worried that a registration scheme could deter people from offering such acts of kindness.

Others felt that a registration scheme would bring private fostering closer to formal local authority fostering and indeed perhaps remove any need to distinguish between the two. However, it was said that many carers who may just about 'come up to scratch' for private foster carer would not be considered acceptable local authority foster carers. Thus this would either create another two-tier scheme, or the need for children to be accommodated elsewhere.

8.6 Summary

This chapter gathered together opinions and insights into current legal rules and definitions and practice issues arising from these.

Virtually all interviewees felt that the term 'private fostering' was confusing although there was no agreement on a useful alternative. The current onus on private foster carers and parents to notify was viewed as unrealistic by interviewees, given the lack of awareness among the general public. There was little support for a formal registration system for private foster carers; most interviewees felt it would not help to detect currently unknown arrangements, and ran the risk of pushing private fostering further underground.

Views about the 28 day threshold varied, depending on the perceived risks associated with different types of arrangement. At the other end of the scale disquiet was expressed about the lack of an upper time limit for private fostering arrangements, given that some private fostering arrangements persisted for many years on a 'temporary' basis.

The interface with local authorities' duty to look after and/or accommodate children emerged as quite complex, particularly in relation to children who cannot live at home, or families who need extensive support. Inconsistent practices across authorities emerged, despite recent case law. Practitioners requested additional guidance and clarification about aspects of private fostering law.

9. Discussion and conclusions

In this section we revisit the findings and issues raised in each of the previous chapters (chapters 3 to 8 inclusive) and consider their implications when taken as a whole.

9.1 Discussion

9.1.1 Literature

The review of literature reveals that the body of research on private fostering is, as we suspected, very small, much of it qualitative, and in most cases focusing on specific sub-groups of privately fostered children. The literature (both research and other documentation considered) confirms our initial impression that very little hard evidence exists about private fostering, and what knowledge or understanding we do have must be regarded as piecemeal and partial. It seems that the UK is not alone here as the international study also suggests a paucity of relevant research in this area. Cultural, policy and conceptual differences mean that the varying arrangements for 'informal foster care' in the five countries we focused on proved to be largely of intellectual interest, as opposed to providing possible models for replication.

Moreover, given the inevitable time-lag between research and its publication, much of the research that does exist is already out of date, given changes to policy and practice over recent years, not to mention what appear to be developments in patterns of private fostering, as revealed by the empirical research we carried out.

9.1.2 Privately fostered children

In reviewing the literature we first encountered the difficulties associated with describing and defining the boundaries of the broad field encompassed by the term 'private fostering'. There is a clear tension between the extremely diverse characteristics of children being privately fostered and the circumstances which lead to such arrangements, and the single term 'private fostering' which describes their legal situation (and in doing so suggests a certain homogeneity or commonality of experience).

Nevertheless, in planning our empirical research we followed previous studies, and the language used by practitioners, and sought to discover more about these different 'populations' of children known, or believed, to be living in private fostering arrangements. Thus in our surveys and interview schedules, we asked practitioners to tell us about 'West African children', 'language school students', 'sofa-surfing teenagers' and so on. This was a

useful starting point, and enabled us to understand more about the privately fostered children in the authorities in question. However, during the fieldwork, not only did we unearth yet more categories of children ('attending football clubs', 'parents working on oil rigs', 'Vietnamese children'), we also heard that – not surprisingly – there was considerable diversity within each of these groups, and a degree of overlap between them. In trying to make sense of the data, and gain a better understanding of the range of different private fostering arrangements, we increasingly found that these descriptive labels served as a barrier to more analytic thinking.

By focusing on the nature of the private fostering arrangements themselves, and more particularly on the circumstances in which they come about, rather than on the characteristics of the children involved, a smaller number of fairly discrete categories emerged, which we believe may provide a framework to guide future thinking about private fostering. We identified four broad categories of arrangement which we have labelled rather crudely 'child-centred', 'parent-centred', 'carer-centred' and those being initiated as a response to a 'family crisis'. While each category of arrangement has certain key characteristics, there is nevertheless a degree of overlap between categories, and diversity contained within each. This is inevitable, given the range and complexity of situations covered by private fostering.

The purpose of developing such a typology is ultimately to provide a framework for thinking about private fostering which may help to safeguard the children involved, protect those who are potentially most vulnerable, and to ensure the needs of all parties are met. Currently the tension between considering all privately fostered children as a single homogenous group (driven by the legislative framework), yet having to raise awareness about and case-manage extremely diverse individual needs and circumstances is causing difficulties for all concerned, particularly in a climate of scarce resources. If it is possible to identify within the privately fostered population meaningful sub-groups with certain common characteristics, then it should, in theory, also be possible to allocate resources and direct activities in a more focused way. (This is not to suggest that an individual child's needs can be determined simply by considering which category of arrangement they are living in; this would be simplistic and wrong. However, it is clear that the *range* of needs of those visiting the UK to achieve specific short-term educational objectives are likely to be different from those children in private foster care as a result of a sudden crisis affecting their birth family.)

9.1.3 Notification issues

To be successful, the current notification system (whereby the local authority is informed in advance of any private fostering arrangement) ideally requires the following:

- An understanding and awareness of both the concept of private fostering, and the duty to notify, among those likely to enter into such arrangements (parents and/or carers)
- A willingness amongst these parties to notify and engage with the local authority
- Advance notice of forthcoming private fostering arrangements.

Our research confirms anecdotal evidence that awareness and understanding of private fostering among the general public (and even some of those who are actually engaged in private fostering) remains very low. Private fostering officers in local authorities have made valiant attempts – despite limited resources and often lacking relevant marketing skills - to raise awareness among parents, potential foster carers and the wider public using a range of different strategies and approaches, none of which were reported to have yet had any impact on the rate of direct notifications from any of these groups. There may be a number of factors at play, of course, in this inability to generate notifications from private foster carers and parents: the publicity may have failed to reach its target audience(s); the messages may not have been effectively communicated; or the target audiences may have received and understood the messages, yet been unwilling to notify the authorities. Finally, there is the – admittedly unlikely – possibility that there are simply no unnotified private fostering cases to be elicited. Unfortunately it was beyond the scope of this research to investigate these issues. Nevertheless, the limitations of such ‘blanket’ publicity strategies suggest that other approaches should also be pursued.

Given the lack of direct notifications from parents and carers, local authorities are therefore reliant on receiving intelligence about possible private fostering arrangements from other sources, in particular practitioners who come into contact with the children, their parents, or their carers. The workforce survey suggests that awareness of private fostering is extremely patchy. Those involved in social care are – not surprisingly – the best informed; however the research revealed examples of social workers failing to recognise private fostering arrangements, and even providing misinformation to enquirers. Private fostering officers have had most success in raising awareness among the workforce when information has been provided ‘face-to-face’, for example through training or presentations; furthermore, it seems such efforts need to be part of a rolling programme, not a one-off exercise.

Multi-agency safeguarding training initiated by LSCBs appears to offer promising opportunities to promote messages about private fostering to a range of agencies and practitioners, including those not directly part of the children's workforce. It should be noted that many other organisations, which may or may not be represented at such multi-agency events, are well-positioned to identify private fostering arrangements during the course of their work, and indeed agencies such as – for example - the Borders Agency, the prison and probation service, adult mental health services, housing authorities and the police can be important sources of referrals. Again, thinking about the types of circumstances which may lead to private fostering (rather than focusing on the characteristics of the children involved) may help local authorities to focus their awareness-raising efforts, and generate a higher proportion of advance notifications (as opposed to arrangements being uncovered after the event).

The rarity of receiving advance notification of private fostering arrangements was a recurring theme and in some circumstances it is quite clear why this doesn't or cannot happen, for example arrangements arising out of family crisis situations, such as the hospitalisation, incarceration or death of a parent, all of which may occur unexpectedly and without warning. The current regulations with respect to advance notification appear to be ill-suited to such situations, many of which – in any case – may not be expected at the outset to last for 28 days.

There is also the issue of reluctance of parents and/or carers to engage with the local authority. A range of suggestions have been put forward as reasons for this, although in the absence of direct data from parents and carers, we cannot be sure how valid or generalisable these are. Having said that, there is a clear prima facie reason for traffickers of children not to wish to bring their activities to the attention of the authorities. Similarly other arrangements in which the carer has a strong personal stake in the arrangement (for example surrogacy and children brought in with a view to adoption) may well remain deliberately hidden, for fear of further investigation and potential loss of the child. In all these situations, the birth parents are unlikely to notify either, as they may be either unaware of their child's whereabouts, or believe that they have relinquished parental responsibility. Such arrangements are likely to prove difficult to identify and assess.

Other purported reasons for failing to notify appear to fall into the broad categories of privacy, culturally-related suspicion of the authorities (individuals from countries without state-provided welfare support), immigration issues (relating to child, parent, or carer), and a wish to avoid inconvenient bureaucracy (language schools). Effective targeting of

information about private fostering together with clear statements about the availability of support may go some way towards addressing reluctance in these cases. Given that direct publicity on its own has not been shown to be particularly effective, however, it is likely that such messages would be best delivered by well-informed practitioners from appropriate agencies.

9.1.4 Structures and processes

As discussed earlier, well-informed practitioners appear to be fairly thin on the ground, even within children's social services, let alone in partner agencies or other (adult) services, so while more general awareness-raising takes place throughout the workforce, it is important to ensure that those who currently have the necessary knowledge and understanding are deployed strategically to ensure that potential private fostering arrangements are identified and assessed appropriately. One ingredient of a successful local private fostering service – regardless of local team structures - appears to be having a single route for enquiries and notifications/referrals, operated by a well-informed individual or team. How they are dealt with beyond that point is likely to vary greatly from authority to authority.

A wide range of different local structures were described by which private fostering was supported within local authorities, and a range of arguments put forward to defend these arrangements or to promote alternatives. Given that private fostering as presently defined is a complex and multi-faceted issue, it is hardly surprising that it can be made to 'fit' (albeit more or less imperfectly) into, or across, a number of different social work teams. In addition, the fact that such teams are themselves organised in different ways in different authorities renders comparison inappropriate. It is impossible to say which structure or location works 'best', instead we need to acknowledge that each location will have its own strengths and weaknesses, relative to its local context. It could also be argued, given the range of different types of private fostering arrangements, and the overlap or commonalities of some of these with other living arrangements for vulnerable children, that a dedicated private fostering team might not actually be the optimum set-up in all authorities.

Wherever private fostering is located within local structures, it appears to represent a small, and potentially insignificant, part of the social work remit of children's services. It was relatively unusual for there to be more than one member of staff with a dedicated private fostering remit. In such circumstances, the role of champion can be crucial in raising the profile of the issue, and where a sufficiently senior figure (or group) had taken on such a role this appeared to be influential in ensuring that private fostering was kept on the agenda of relevant bodies and partnerships. The role of the LSCB also plays a vital part in monitoring,

challenging and promoting private fostering, and ensuring that relevant agencies are aware of, and actively engaging with, their role and responsibilities. Given the current climate, the safeguarding angle is probably the most effective lever by which awareness of private fostering can be raised in agencies. (However, it should also be noted that messages suggesting that privately fostered children are at risk are precisely those least likely to persuade carers to come forward and notify, reinforcing the importance of ensuring that information is carefully targeted and audience-specific).

9.1.5 Assessment and support

The recurrent themes of complexity, confusion and variety really come to the fore when examining how the system plays out in practice as private fostering officers and other social workers attempt to interpret the regulations, identify what is and isn't private fostering, and ensure the needs of children, carers and parents in an often bewilderingly wide variety of different circumstances are assessed and addressed. Numerous examples were provided to the research team about arrangements on the margins of private fostering, and children whose needs suggested perhaps a greater level of support than could be provided under the auspices of private fostering. Such concerns were particularly voiced in relation to the types of arrangements we have described as arising as a response to 'family crisis'. These families were often already known to social services, and the child recognised as being vulnerable and 'on the edge of care'. Many participants in the research noted that the needs of children, parents and carers in such situations were often numerous and entrenched, and not readily addressed within the private fostering remit. Fears of private fostering representing a parallel, yet inferior, care system for cases such as these, were frequently expressed. The 'line' drawn between private fostering and other arrangements such as kinship care can sometimes appear to be indistinct and arbitrarily drawn (for example in relation to what constitutes a 'close' relative, the role of the local authority in helping to arrange or support placements, and aspects of the 28 day rule). While a private fostering panel can help make decisions in individual cases, this does not remove the need for boundaries to be more clearly defined.

It is evident that practitioner discretion is widely used in making decisions around private fostering, and for a variety of reasons. In some cases, perceived ambiguities in regulations or guidance are exploited in order to justify particular decisions or actions. In other cases, scarce resources and limited staff capacity mean that judgements about the level of risk associated with different types of private fostering arrangement are used to prioritise activities. As a result, assessments of homes are simply not undertaken in relation to language school students in one authority. There is also variation in the way in which CRB

checks are carried out and interpreted for different members of the carer's household. This not only reveals confusion about what local authorities are required to do, but clear differences in the perceived level of need and risk associated with different types of arrangement. It appears that some hard-pressed social workers and private fostering officers are, by default, creating sub-categories within the broad private fostering field, with some arrangements receiving lower levels of assessment and support than others.

9.1.6 Final reflections

Thus the discussion returns yet again to the tension between the broad 'catch-all' definition of private fostering and the multiplicity of different types of arrangements, issues and needs to be addressed. Our observation (above) that practitioners are, whilst nevertheless making valiant attempts to fulfil their duties with respect to private fostering, in their everyday practice making their own pragmatic de facto distinctions between different types of arrangement, and providing different types and levels of service suggests that fault lines are developing.

But as yet, we have no useful language to describe the different types of arrangement. We have already noted that the broad term 'private fostering' is felt to be unhelpful and confusing¹⁰ ; however, no viable alternatives have been suggested during the course of this research. Furthermore the descriptive labels currently used as a shorthand are also not fit for purpose if used to justify differential treatment or support. For example, the local authority that applies different standards of oversight to 'language school students' surely does it on the grounds that there is something inherently lower-risk in the nature of the *arrangement* (not in the fact that the young people are studying languages). For example, what characterises such arrangements is that they are – typically - short-term, of fixed duration and with a clear objective; the children are teenagers, their parents are abroad, and there is a clear plan for the child to return to their parents; consent and contact with parents can be expected to be relatively unproblematic. Yet this broad group of characteristics is not unique to language school students; they also fit (more or less) cultural exchanges, holidays for children from Chernobyl and children attending football academies. Identification of the key characteristics of this broad type of arrangement could help to determine the likely safeguarding risks inherent in the situation, and indicate the expected range of needs of children, carers and parents.

¹⁰ An illustration of this: if the phrase 'private fostering' is entered into a Google search, the first sponsored link shown is for an independent foster care provider.

One observation whilst undertaking this research is that reference to outcomes for children has been strikingly absent; outcomes cropped up in the literature, but were rarely mentioned by our interviewees. Partly, of course, this must be attributed to the fact that investigating outcomes for privately fostered children was not part of the remit of this research and we were therefore not explicitly exploring this issue. Nevertheless, when discussing other services for children, reference to outcomes is never far away. We wondered why private fostering should be so different.

Government guidance on private fostering refers in general terms to the local authority's duty to promote the welfare of the child. While outcomes are referred to in the national minimum standards for private fostering, these mainly refer to local authority processes, and ensuring that relevant parties have access to information. The outcomes for children refer to their welfare being safeguarded and promoted, and that they should participate in decisions. Whilst recognising that these are 'minimum' standards, they are nevertheless notably unambitious with respect to enhancing children's quality of life or life chances more generally.

One option would be to develop specific outcome indicators for privately fostered children¹¹, in the same way that they have been for looked after children. However, it is clear that the diversity of children and situations covered by private fostering means that this would be challenging, both in terms of identifying appropriate indicators, and in measuring them. For those in very short-term arrangements, the current duty to promote safety and welfare might seem adequate. However, for those in longer-term arrangements (however defined), additional specific considerations such as health and education should perhaps be referenced?

More broadly, in the absence of such child-focused indicators or agreed outcome measures, it is difficult to judge the effectiveness of private fostering services; that is, whether and how they actually 'make a difference'. Obviously the regulations and minimum standards outline acceptable practices and processes, and provide a useful checklist against which services can be monitored, audited and inspected. However, there is at present no common understanding, supported by relevant evidence, as to what constitutes effective practice. Regarding awareness-raising, for example, Ofsted has itself recommended that research should be undertaken into the effectiveness of different strategies.

¹¹ We were told that one of the case study authorities had recently developed its own indicators; unfortunately, however, none of our interviewees were able to supply details.

While it is important that authorities continue to try and raise notifications, in order to ensure the safety of potentially vulnerable children, it should nevertheless be recognised that the notification numbers themselves are clearly – and certainly if taken out of context – a relatively meaningless indicator of performance. Given the unknown size of the population of privately fostered children, either nationally or locally,, it is impossible to assess – or even estimate - how well or badly any given authority is doing in eliciting notifications. The raw numbers also require contextual interpretation. For example, an apparently dramatic increase in notifications for an authority may simply reflect the fact that a new language school opened in the area; all credit to the authority for gaining their cooperation, but how can this meaningfully be compared with the performance of another authority that successfully identifies and safeguards a single trafficked child within a private fostering arrangement?

9.2 Concluding summary

In this research study we set out to do two things. Firstly, to collect evidence of the practices and procedures of local authorities in relation to private fostering arrangements , in order to inform thinking on how to increase notification rates; and secondly, to improve understanding of the characteristics and needs of privately fostered children, with particular reference to safeguarding issues.

Our evidence reveals a great deal of variety in the ways in which local authorities fulfil their statutory duties in relation to private fostering. This variety in part stems from the way in which authorities structure their teams, but also reflects differing interpretations of the requirements. Therefore, in some authorities assessments may not be carried out by qualified social workers, or may be carried out after the initial 28 days have elapsed. Elsewhere, different teams may be responsible for assessing and supporting the child and the carer. A few authorities have small dedicated private fostering teams and in some smaller authorities, a single worker carries responsibility for everything to do with private fostering. No approach appears to be intrinsically better than any other, although many practitioners would welcome clarification about certain aspects of the regulations.

In addition to ensuring the safety and welfare of the child by carrying out initial assessments and ongoing monitoring visits, local authorities have a duty to raise awareness of private fostering in their local area, with a view to increasing the rate of notifications. This is something that authorities have struggled to achieve. We could not find any evidence that broad-based public awareness-raising activities undertaken by local authorities had as yet had any effect on direct notifications from either parents or private foster carers. This may be

for a variety of reasons and suggests it may be helpful for the effectiveness of different strategies to be reviewed. Indeed it seems that very few authorities receive any (or many) notifications from those sources, despite the legal duty on parents and carers.

More fruitful approaches to awareness-raising were those directed at practitioners and agencies working with children and families, for example schools and providers of universal health services. We heard many examples of how targeted awareness-raising activities (for example delivering training or providing briefings) had been followed by increased referrals of possible private fostering arrangements by the agencies or practitioners concerned. Some authorities had monitoring systems in place which enabled them to track referral sources, and thus measure the effectiveness of their targeted awareness-raising efforts. It should be noted that such attention should not be confined to those delivering services to children and families; other agencies also have important part to play in identifying private fostering arrangements and bringing them to the attention of the local authority (these may include, but are not confined to, adult mental health services, prisons, probation, housing authorities, police and immigration).

Participants in the research all acknowledged that there almost certainly far more children in unnotified arrangements in their area than the official figures suggested. However, our research was only able to focus on those known to the authorities and we were not particularly surprised to find a very wide diversity in terms of age, ethnicity and nationality among the children known to be in private fostering arrangements. The nature of the arrangements described were also very varied, some being short-term and time limited, whilst others continued for indefinite periods, in many case years. Some children already knew their carers in that they were distant relatives, neighbours or the family of friends (with some children effectively making their own arrangements), whilst others were living with erstwhile strangers. The degree of advance planning also varied tremendously from case to case.

In trying to make sense of this diversity, and consider the different safeguarding issues, we found it useful to focus our analysis on the characteristics of the arrangements, rather than the characteristics of the children. This led to the development of a typology based on the circumstances or motivations which prompted the private fostering arrangement. We believe that this approach may prove helpful to those who need to make policy recommendations.

Finally, it should be remembered that this research, while throwing additional light on a seriously under-research subject, is only able to provide partial illumination. We still know

worryingly little about the actual scale of private fostering, or the numbers and characteristics of children involved in those arrangements which lie 'under the radar' of local authority scrutiny. This uncertainty surely underlies many of the concerns expressed by stakeholders and practitioners. While many of these arrangements may well be safe and positive, until demonstrated otherwise, an assumption of potential vulnerability is, understandably, being made.

Another important facet is missing from this research: the voices of those most directly involved in private fostering. As explained elsewhere in this report, it was not possible within the timescales involved to meaningfully include the perspectives of children, families and carers within this study. However, we are aware that this is a significant omission. In order to fully understand the motivation and expectations of those who enter into private fostering arrangements, and the experiences of those living in them, it is important that research is conducted directly with privately fostered children, their parents, and their private foster carers.

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Glossary

ADSS	Association of Directors of Social Services
BAAF	British Association for Adoption and Fostering
CAFCASS	Children and Family Court Advisory and Support Service
CAMHS	Child and Adolescent Mental Health Services
CRB	Criminal Records Bureau
DSCF	Department of Children, Schools and Families
GP	General Practitioner
ICS	Integrated Children's System
LAC	Looked after children
LACES worker	Looked after children's education support worker
LSCB	Local Safeguarding Children's Board
NCB	National Children's Bureau
PF1	Private fostering returns. Data about notified private fostering arrangements collected by DCSF from local authorities since 2005
PFAA	Private Fostering Arrangement Assessment (ICS forms)
PFAAR	Private Fostering Arrangement Assessment Record (ICS form)
PFSIG	Private Fostering Special Interest Groups run by BAAF
Regulation 8	Regulation 8 of the Children (Private Arrangements for Fostering) Regulations 2005. Requirement to visit privately fostered children every 6 weeks during their first year of private fostering and every 12 weeks subsequently/
SCIE	Social Care Institute for Excellence
Section 17	Section 17 of the Children Act 1989 which places a duty on local authorities to safeguard and promote the welfare of children in need by providing appropriate services
PCT	Primary Care Trust
VCS	Voluntary and Community Sector

Appendix 1: Workforce questionnaire

Introduction

The National Children's Bureau (NCB) in partnership with the British Association of Adoption and Fostering (BAAF) has been commissioned by DCSF to carry out research on private fostering.

Part of this research involves finding out what people who work with children and young people actually know about private fostering, and what more they need to know.

So don't worry if you feel a little vague about this issue at the moment - the purpose of the research is to find out how you and your colleagues can be kept better informed in future.

On completing the survey you will be re-directed to a website which gives you information about private fostering.

This survey is completely anonymous and should only take a maximum of 5 minutes to complete.

Please click 'next' to start.

About you and your work

***1. This survey is for people who work directly with children and young people, and their line managers or supervisors.**

Do you work directly with children or young people yourself?

Yes

No, but I manage people who do

Neither of the above

2. What is the main focus of your work?

Education

Health

Social care

Youth/community work

Other (please specify)

3. What is your job?

4. How old are the children and young people that you (or your staff) work with? (Tick as many boxes as apply)

0-5

5-11

11-16

16-18

18+

5. In what kinds of setting(s) do you (or your staff) work with children and young people? (Tick as many boxes as apply)

Family homes

Residential care or secure settings

Community settings

Schools or educational settings
Children's centre or other early years settings
Hospital, clinic or other health settings
Other (please specify)

6. What kind of organisation are you employed by?

Local authority
Primary Care Trust (PCT)
Voluntary sector (charity or community organisation)
Private or independent organisation
Self-employed
Other (please specify)

7. In which local authority does your work with children and young people take place? (If more than one, please write them all down on separate lines)

What do you know about private fostering?

We are aware that many people working with children and young people don't know very much about private fostering. This survey is trying to discover where the gaps are.

This survey is completely anonymous, so please respond honestly and try and resist the temptation to look up the answers in advance!

***8. How much do you feel you know about private fostering? (Tick the statement which most closely applies)**

I think I'm pretty well informed
I know a little, but I'm not clear about all the details
I've heard of it, but don't really know what it is
I'd never heard of it before I started this questionnaire

9. From where, or whom, did you get your information about private fostering? (Tick as many as apply)

Initial professional training
In-service training, continuing professional development
Newspapers, periodicals or journals
Posters or leaflets
Through a professional organisation or trade union
From my manager or supervisor
From other colleagues
Other (please specify)

***10. Private fostering can cover a range of different circumstances. Which of the following children and young people do you think are being privately fostered? (respondents asked to state 'Yes', 'No' or 'Don't know')**

A 14 year-old girl who had a row with her parents and spends a couple of months staying with her best friend's family

A 17 year-old Italian who is taking a 3 month English Language course and lodging with a local family

A 15 year old looked after child whose foster placement is arranged through a private agency

A 10 year old Nigerian boy who has been living with an (unrelated) god-parent for the last 2 years in London while his parents are

A 9 month old baby who stays with her grandparents for 6 months while her mother serves a prison sentence

A 15 year old unaccompanied asylum seeker who is living in the same house as two adults in their 20s from his village in Albania

Victoria Climbié at the time of her death

***11. For each of the following statements, please indicate whether you think they are true or false (respondents asked to say 'True', 'False' or 'Don't know')**

Private foster carers have to be registered with their local authority (in the same way that childminders are)

It is a legal duty for the parent or carer to inform the local authority about children or young people who are being cared for by people who are not members of their immediate family for more than 28 days

Local authorities are expected to visit privately fostered children and young people to check that they are safe and well

Below are the 'right answers' to those questions.

A 14 year-old girl who had a row with her parents and spends a couple of months staying with her best friend's family (YES)

A 17 year-old Italian who is taking a 3 month English Language course and lodging with a local family (NO)

A 15 year old looked after child whose foster placement is arranged through a private agency (NO)

A 10 year old Nigerian boy who has been living with an (unrelated) god-parent for the last 2 years in London while his parents are completing their studies (YES)

A 9 month old baby who stays with her grandparents for 6 months while her mother serves a prison sentence (NO)

A 15 year old unaccompanied asylum seeker who is living in the same house as two adults in their 20s from his village in Albania (YES)

Victoria Climbié at the time of her death (YES)

Private foster carers have to be registered with their local authority (in the same way that childminders are) (FALSE)

It is a legal duty for the parent or carer to inform the local authority about children or young people who are being cared for by people who are not members of their immediate family for more than 28 days (TRUE)

Local authorities are expected to visit privately fostered children and young people to check that they are safe and well (TRUE)

On the next page you will find a definition of private fostering.

Definition of private fostering

Children* are privately fostered when they are cared for and provided with accommodation in the carer's own home, by a carer who is not their parent or a close relative**, for a period of 28 days or more.

* children under 16 (or 18 if disabled)

** a close relative is defined as grandparent, brother, sister, step parent or uncle (brother of one's father or mother, an aunt's husband) or aunt (sister of one's father or mother, an uncle's wife).

***12. Based on the definition above, do you know of any children or young people who are, or have been, privately fostered? (This may or may not be through your work)**

- Yes
- Not sure
- No

Knowledge of private fostering arrangements

13. To your knowledge, was the local authority aware of these private fostering arrangements?

- Yes
- No
- Not sure

Please briefly tell us more if you can...

14. Did you speak to anybody at all about the private fostering arrangement(s)? (Please tick all that apply)

- No
- Yes - the child(ren)
- Yes - the parent(s)
- Yes - the private foster carer
- Yes - the relevant person within the local authority
- Yes - my manager or supervisor
- Yes, other (please specify)

Knowledge of private fostering arrangements

We are keen to have the voices of children, parents and private foster carers represented in the research, if at all possible. We are therefore exploring the feasibility of speaking directly to those who are, or have been, involved in private fostering arrangements.

If you think you might be able to put us in touch with private foster carers, children or their parents we would be interested in discussing this with you further. Full confidentiality would be provided to anyone agreeing to talk informally to us about this.

15. If you think you may be able to support the research in this way, please provide your own contact details below so that we can get in touch for an informal chat. By giving us your details you are not committing yourself in any way, and your contact details will not be used for any other purpose.

Name:
Phone:
Email address:

Informing the workforce

DCSF is aware that professionals and practitioners working with children and young people require access to information about private fostering, in order to ensure that children in such arrangements are effectively safeguarded.

16. From your point of view, which of the following would be the most appropriate means of ensuring you receive up-to-date information about private fostering? (Please tick the two or three that would be most useful for you)

In-service training, continuing professional development
Via line management or supervision
Information in professional journals or newsletters
General media (newspapers, TV, radio)
Posters or leaflets in the workplace
Information on websites or intranet

Please give specific examples, or other suggestions

Further information

You have reached the end of our questions. Thank you for participating in this important research.

17. If you have anything else you wish to say about private fostering, please use the space below.

Now please press 'done' to submit your responses.

You will be redirected to a website containing information about private fostering, which you can bookmark or add to your favourites list.

If you would like further information about this research, please contact Anthony Ellis at NCB (aellis@ncb.org.uk). We are keen to gain as many responses as possible to this survey so please feel free to send the link to colleagues within your organisation. If you belong to any relevant professional networks we would also be grateful if you would bring this survey to their attention.

Many thanks for your support.

Appendix 2: Case study authorities

Local authority case study 1 – summary

Type of local authority: Unitary authority

Profile of children and young people in private fostering arrangements

With a large number of language schools operating in the area the majority of notifications were for international students studying English, usually over a period of several weeks.

Other arrangements included:

- young people from abroad staying with local host families while studying in the UK education system;
- children and teenagers living away from home due to family breakdown, also referred to as 'sofa-surfers';
- a previous notification for a baby brought to the UK for inter-country adoption.

The authority had recently received notifications for unaccompanied immigrant children. After investigation these were found not to be private fostering arrangements; however, it was felt that with local demographic changes this maybe an increasing group.

Policy and practice

The authority has one dedicated full-time private fostering officer with sole responsibility for private fostering. This member of staff is based in the authority's fostering service and is responsible for conducting initial assessments, supporting privately fostered children, monitoring arrangements and raising awareness. The fostering service was recently awarded £50,000 capital to fund a new fixed term post. Half of the time for this post will be spent supporting the private fostering officer during the summer months when large numbers of foreign students arrive to study English in the local language schools.

The private fostering officer provides both quarterly and annual reports to the LSCB. The quarterly reports outline recent activities and numbers of referrals. The annual report is structured around the five *Every Child Matters* outcomes and contains details of the numbers of arrangements locally, the local situation for private fostering, a definition of private fostering, how outcomes for children have been improved and any plans for service development. The board has and encourages a critical approach to deficient service areas and encourages improvements in practice. However, it was reported that there was a lack of awareness of private fostering amongst the board. It was felt that this was not likely to improve in the immediate future following the impact of the Baby P case; while the current

economic conditions and the resulting pressure to reduce expenditure may lead to the prioritising of other safeguarding agendas.

Main sources of notifications

The authority receives some advance notifications from local language schools and a guardianship organisation, which supports foreign students studying in the UK education system. Occasionally the authority receives notifications from private foster carers.

Publicity and awareness

The local authority has focused its awareness-raising activities on practitioners and organisations that have contact with children and young people. It was felt that there was little awareness amongst the general public and that it was difficult to get the concept of private fostering across to this group. A lack of awareness was identified amongst the authority's social services, which was attributed to these practitioners being over-worked and too absorbed in child protection cases to identify an arrangement as private fostering. The private fostering officer now attends monthly meetings with social work practitioners to discuss their cases.

The private fostering officer had built up over time a contacts database containing the details of: faith groups, childminders, nurseries, schools, Connexions teams, youth offending teams, the probation service, mental health service, and drug and alcohol services. All contacts receive letters, posters and leaflets developed by DCSF. Through contact with the Local Authority Designated Officer the private fostering officer has attended meetings with designated child protection teachers in local schools. Updates on private fostering are provided to elected members. The private fostering officer has also issued press releases and discussed private fostering during radio interviews.

Following a meeting with the authority's safeguarding officer, private fostering has been included as part of the authority's multi-agency child protection training.

Support provided to privately fostered children and young people, private foster carers and birth parents

Privately fostered children are eligible for the authority's fast track system to allow them to be health-checked quickly. This was provided after some GP surgeries refused to register international students due to their temporary status. Privately fostered children are also given information on sexual health services. Local children in private fostering arrangements are initially assessed by the children in need intake service; Regulation 8 visits are then conducted by the private fostering officer. Local children in long-term arrangements can

access the authority's leaving care team once aged 16, although they are not eligible for the same level of funding as children formerly in local authority care.

The private fostering officer visits the international students studying in local language schools. These young people also receive support from school staff and have access to an older student known as a 'group leader'. The international students studying full-time in the UK receive support from a local co-ordinator if they are being supported by a guardianship organisation. The authority were unsure how much contact international students had with their birth parents; phone cards and free internet access were available at schools to enable contact with birth parents.

Private foster carers are informed of healthy eating and smoking cessation services and can also access child protection training delivered by the authority.

Local authority case study 2 - summary

Type of local authority: London borough

Profile of children in private fostering

Private fostering arrangements include cases of extended family being asked to take care of young children and teenagers; parents absent for various reasons, including in prison; teenagers leaving family; children being abandoned; children with private foster carers during the week while parents work, or parents working shifts; parents living abroad sending children for 'better life' and education; and parents who cannot live in the UK for immigration reasons, so their children are here alone. To date there have been few white working class children. The service normally works with approximately 20 children at any one time. A few years ago they had four children on their books.

Policy and practice

The authority has a written policy on private fostering. The profile and awareness of private fostering and staff time devoted to it has increased considerably over the past few years. There is a discrete private fostering team, comprising one full-time social worker and a portion of their manager's time. The team is situated within fostering, which itself is within the safeguarding section. Before the specialist worker was employed, private fostering cases were said to compete for attention with child protection cases. Now, assessments, monitoring and day to day decisions are made by the private fostering social worker and their line manager. All the team have safeguarding experience and there are good links with the main safeguarding team. Any safeguarding concerns are dealt with quickly, with children referred to the safeguarding team and given a core assessment. A private fostering panel vets all arrangements and gives final approval, or makes recommendations for action. Representatives from a range of departments and agencies, and with diverse expertise, sit on the panel, including a representative from the council's legal department, the LSCB chair and a manager from the safeguarding team.

Main sources of referrals or notifications

Referrals have increased over recent years. Nearly all come from practitioners, including the housing department, primary and secondary schools, social workers, GP receptionists and prisons. To date no referrals have come from practitioners working with pre-school age children. The authority has had one notification from a private foster carer. All referrals and notifications have been retrospective, after the 28th day.

Publicity and awareness

The authority has carried out a large-scale publicity campaign across the area, using professionally produced posters and leaflets. Information is available on the local authority internet. Talks have been given to and meetings held with various groups and practitioners, including GP receptionists, faith groups, school head teachers and governors and nursery staff. Private fostering is now included as part of the safeguarding training provided by the local authority. Help has been provided to some local faith groups include sections on private fostering in their safeguarding policies. The private fostering social worker serves as an 'expert' to other practitioners who need to query if an arrangement counts as private fostering or not. It was felt that awareness-raising needs to be ongoing.

Support provided to privately fostered children and private foster carers

The private fostering team often provide set-up and other practical items for privately fostered children and young people, such as beds, school clothes and school items, but has no specific budget for Section 17 money for private fostering. The social worker provides social security advice to private foster carers and support to get child benefit or make other benefit claims, as well as supporting evidence for re-housing. The social worker also provides emotional support to the children and young people and has helped to establish and maintain contact with birth parents.

Local authority case study 3 - summary

Type of local authority: County council

Profile of children and young people in private fostering

There are two main groups of children in private fostering arrangements: teenagers living away from their families and language students. The authority currently has approximately 60 cases at any one time. Language students form the largest group. Numbers have steadily increased over recent years and younger students are arriving. Most of them stay for several years. Local teenagers tend to enter private fostering due to family relationships breaking down, typically following step family formation and parents moving from the area. The needs of both groups are quite different.

Policy and practice

Private fostering has been given a much higher profile over the past four years. Private fostering lies within safeguarding and there are strong links with the LSCB. Reports on private fostering were previously provided twice annually to the LSCB, but are now made once a year.

The responsibility for implementing the private fostering regulations falls to a team that also works with unaccompanied asylum seeking and trafficked children. The team is made up of a social care manager, a senior practitioner, two social workers and two family support workers.

The senior practitioner is employed to undertake assessments and generally oversee the authority's private fostering operational remit. Other social workers in the team can be called upon to help with assessments if there are large numbers, for example when numerous students arrive at one time. In addition, other social workers and family support workers provide support and Regulation 8 visits once the private fostering arrangement has been assessed, is running smoothly and there are no outstanding concerns. Sometimes private fostering cases come to light in other teams, such as those working in adolescent outreach; in such cases, social workers in the responsible team then carry out the assessments, support and visits, overseen by the private fostering team.

Assessment of private fostering arrangements begin as soon as it is clear that there is an intention that the arrangement may last for 28 days or longer. All arrangements go to a private fostering panel for discussion, recommendations and approval.

The private fostering team has created a database to flag up when Regulation 8 visits are due. This also records the reasons why children and young people enter and leave private fostering.

All unaccompanied asylum seeking children are automatically treated as children in need and are supported under Section 20 of the Children Act 1989.

Main sources of referrals and notifications

The local language schools now refer all students entering private fostering arrangements as a matter of course. In relation to teenagers, most referrals are made by social workers already working with the young person before they left home and by the LACES worker. The latter works closely with schools to identify all children being looked after and those who may be privately fostered, sometimes picking up cases where the private foster carers describe themselves as 'foster carers.' To date the authority has had no referrals from the public and few from health practitioners, primary schools or pre-school settings.

Publicity and awareness

The authority has an ongoing, rolling programme of publicity, but it is felt that awareness is still low, even among social workers, and that the issue competes with many others. They regularly send out leaflets, posters, and letters to schools, health practitioners, housing offices, local council offices and other bodies. There is information on the local authority's internet site and in its newsletter. Training provided by the LSCB chair includes private fostering and it is also included in their newly-qualified social workers' training. The LACES worker has helped raise awareness within schools, through training, liaising with admissions and Designated Teachers. The private fostering social worker serves as an expert to advise if a situation falls within the private fostering definition.

Support provided to children and young people and/or to private foster carers

Generally short-term help is provided under Section 17, for items such as beds, clothes, school uniform or equipment. The private fostering team does not have its own Section 17 budget and so they have to seek this money from other teams. The private foster families of language students are paid by the language schools or via brokers on the parents' behalf.

Training has been offered to private foster carers on the same basis as that provided to foster carers, but to date there has been no uptake. The team often liaise with the birth parents and try to ensure that there is a signed written agreement between them and the private foster carer.

Local authority case study 4 - summary

Type of local authority: Unitary authority

Profile of children and young people in private fostering arrangements

There are on average approximately 16 notifications a year in the authority, most of which fall into two main types of arrangements:

- Children who are left behind or choose to remain when families move away;
- Older teenagers who choose to live somewhere else.

There are also a small number of migrants, children whose parents are in prison or hospital, and a very few African children who are privately fostered while their parents are studying. The majority of children in these private fostering arrangements are older teenagers. Most return home after approximately 15 months. Types of arrangements and characteristics of children do not appear to have changed over the years.

Policy and practice

The local authority has a private fostering policy statement which has been circulated to all service providers in the authority.

Private fostering is located within the adoption team, with a part-time (24 hours a week) dedicated social worker post, directly managed by the adoption team manager. The private fostering social worker undertakes assessments of foster carers, has responsibility for young people, and provides support to carers and families, while working towards returning children home wherever possible.

The adoption team manager writes and presents a bi-annual report to the Quality Assurance Committee, feeding into an annual report to the LSCB which monitors compliance around private fostering. The manager of the adoption team attends the LSCB and takes up relevant issues around private fostering with the management group of children's services. It is planned that the private fostering social worker will attend the LSCB in future to shift discussion from procedural to actual issues around private fostering. While private fostering is not a standing agenda item at the LSCB, it is raised where necessary in relation to current events, or issues arising in the report. Procedures are felt to be working well in the authority, which is reflected in the fact that private fostering is rarely raised with the LSCB.

The LSCB has provided useful links to other agencies, for example, the police and health practitioners, set up training events and included private fostering in existing multi-agency safeguarding training. The Board supports general awareness-raising campaigns and outlines private fostering on its website.

Main sources of notifications

Most notifications of private fostering arrangements come through carers, via the frontline customer services section. Other referrals come through social workers based in the area teams. A few notifications are received from schools, the Home Office, and a very few from the police. Levels of notifications are reportedly slowly rising.

Publicity and awareness

A key feature of the authority's communication strategy is publicity and communication with other agencies and the public around private fostering. This includes:

- writing annually to schools and GPs;
- devising and distributing posters and leaflets to agencies;
- placing advertisements in newspapers and on local radio;
- talking to staff in other agencies, such as youth workers, library staff, probation, health visitors, NHS employees;
- speaking at team meetings of local authority staff and social work teams;
- taking part in training sessions for nursery nurses, pre-school staff and health visitors.

Private fostering is also included in the LSCB driven multi-agency training to the wider children's workforce.

Further awareness-raising work is planned with community groups, but is limited by resources. While a small proportion of the private fostering officer's time is targeted for publicity and awareness-raising, this part of the role is often takes a low priority in relation to the more pressing needs of case work.

Awareness is thought to be low to medium in social services, mixed within the general children's workforce and low among the wider public. The authority feels that although none of the strategies seem to have resulted in direct notifications they are nonetheless successful because people now understand more about private fostering and come forward to ask questions about possible arrangements. It also believes that changing perceptions about private fostering is a longer term process. The most successful strategies are felt to be those which involve direct contact, such as training sessions or meetings, which allow

questions and answers to drive the messages forward. The private fostering social worker strongly feels that messages about private fostering need to be positive, focusing on how well carers are doing rather than perpetuating negative perceptions of children's needs.

Support provided to privately fostered children and young people, private foster carers and birth parents

Once a private fostering notification is received, assessments and visits are carried out by the private fostering social worker. She works to address and support a variety of children's needs, including issues around conflict or contact with parents, emotional issues, financial, educational and health related needs. She will refer to other services where needed, such as CAMHS, and will establish another social worker for the child in cases where more support is required. She will also contact birth families where possible, and on occasion facilitate visits with parents and/or siblings.

The private fostering social worker is clear that looked after children should not be in private fostering arrangements, and has addressed this in the past as a referral issue from some social workers. However, there are sometimes similarities in the characteristics and needs of children and young people, whether privately fostered or looked after. Currently the authority has three private fostering arrangements where young people have emotional and behavioural needs which would perhaps be better addressed if they were looked after. However, because neither the young people nor carers wish this, and given strong commitment and dedication from carers, the social worker is able to support them to address the young people's needs within the existing private fostering arrangements

The authority feels that all children living away from home have needs, and should be supported with Section 17 money wherever necessary. Most private fostering arrangements in the authority are financially supported to varying degrees by Section 17 money. This ranges from a minimum of provision for school uniforms and clothing allowance, to arrangements whereby carers receive an allowance to enable them to care emotionally for the child rather than having to work extended hours to provide financial support.

Local authority case study 5 – summary

Type of local authority: London borough

Profile of children and young people in private fostering arrangements

There are a variety of different groups of privately fostered children within the authority. However, the majority are unaccompanied immigrant children staying with their parent's friends or distant relatives. Others include:

- local young people living away from home due to parental problems or family breakdown;
- small numbers of foreign children studying in language schools and staying with host families in the borough;
- small numbers of African children;
- a very small number of privately fostered Vietnamese and Chinese children.

Policy and practice

The authority has a protocol on private fostering closely aligned with the national regulations. However, it was reported that this has been slightly changed to improve the process: following notification an initial visit is conducted within 24 hours, followed by an assessment within seven days. Monitoring of the protocol is conducted using the PF1 returns and an annual review report (submitted to the Private Fostering Panel, described below) which provides evidence of how the children in private fostering arrangements are performing in school and their health.

There is a consensus within the authority that private fostering is a specialist area and a safeguarding issue. As a result, the authority has a dedicated private fostering team, which is responsible for assessments, safeguarding and awareness-raising. This team reports to the authority's Private Fostering Panel – a multi-agency group, with representation from Education, Health, the legal team, the authority's child protection manager and the African Families Service. The private fostering team submits assessment evidence and reports to the panel. The panel then decides upon the suitability of an arrangement and reviews it annually.

The LSCB is responsible for monitoring the performance and progress of the private fostering team, which reports to the board annually on notification numbers, the breakdown of privately fostered children by age, ethnicity and gender, the team's awareness-raising activities and its future priorities.

Main sources of notifications

Previously the main source of notifications for private fostering came from the Home Office. However, it was reported that this has changed recently with most referrals now coming from schools and health centres, although after investigation by the private fostering team some of these arrangements were revealed not to be private fostering. It was unclear why numbers of notifications from the Home Office had decreased, but awareness-raising activities amongst education and health service practitioners were said to have contributed to increased notifications from these sources.

Referrals have also been made by GPs, health visitors, children's centres, solicitors and one came from the probation service. Some notifications have also been received from neighbouring authorities about young people living away from their families who had moved into the area.

Publicity and awareness

The authority's private fostering team have engaged in a variety of awareness-raising activities targeted at those practitioners working with children and specific community groups where private fostering is common.

Members of the team have delivered presentations to school teachers, health visitors attached to children's centres and adult mental health units. The team has also presented to those teams within children's services that conduct assessments of children such as youth offending, child disability service, family support teams and frontline advice and assessment. Private fostering is covered in the authority's child protection and sexual exploitation training. Private fostering within the authority has received coverage in local newspapers and magazines, and the team was involved in a children's sector publication. Posters and leaflets have been placed in medical centres and school receptions.

The authority has also been able to draw on the expertise of the African Families Service and the Muslim children's safeguarding co-ordinator, who have both raised awareness amongst religious leaders and members of their respective communities.

Support provided to privately fostered children and young people, private foster carers and birth parents:

Children in private fostering arrangements receive an information pack and a regular newsletter that is fun, educational and contains information on local services. The private

fostering team takes the children on days out, which provides respite for their carers and allows the team's social workers to develop better relationships with the children. In most cases, privately fostered children have the same social worker throughout the duration of the arrangement to ensure continuity.

The authority runs a support group for private foster carers, which meets three times a year. Recently the authority invited a guest speaker from the Home Office to give a presentation on immigration to a group meeting.

Carers and children can access Section17 funds when needed; in the past the authority has used these funds to purchase school uniforms and beds for privately fostered children.

Local authority case study 6 - summary

Type of local authority: London borough

Profile of children and young people in private fostering arrangements

There are currently 18 private fostering arrangements identified in the borough.

- The majority of children in private fostering arrangements are from black and minority ethnic groups, and approximately half of these are Nigerian. Most are arrangements where parents have left children with friends when they needed to return to home countries or were deported, and have been unable to return. Some send children to UK for education, and a smaller number for health reasons. Nearly all of these arrangements are racially, if not culturally, matched (where both child and carer are from the same ethnic group/tribe).
- Another significant group of arrangements relate to teenagers, usually white, who have fallen out with their parents and are living with friends' families.
- A small number of arrangements are for younger children whose parents are in prison.

The borough has a very culturally diverse population. It appears the private fostering population has changed from a similarly diverse range of arrangements in the past to mainly Nigerian children at present. A number of privately fostered children have experienced multiple placements, with carers finding alternative carers when they are unable to continue the arrangement themselves. Many arrangements are long term and only come to the attention of the authority after having been in place for some time, often when the child is approaching the age of 16.

Policy and practice

The local authority has a private fostering policy statement and specific written private fostering procedures.

Private fostering is located within Safeguarding and Social Care. Responsibility for assessment is split between a supervising social worker in the fostering team who undertakes assessments and checks of carers, and social workers in the care planning team who act as the children's social workers and complete the standard ICS exemplar assessing the overall arrangement. Most referrals come through the frontline Initial Response and Assessment Service team. Approximately half of one supervising social worker's full-time

role is dedicated to private fostering, supported by her manager (who champions private fostering).

There is a working group focusing on private fostering, which meets quarterly and includes the service manager, two senior managers from safeguarding and social care, the fostering manager, the frontline private fostering social worker and a representative from the LSCB dedicated to private fostering. The group is responsible for developing the private fostering work plan, and planning work in areas including multi-agency training and publicity.

The LSCB plays a key role in relation to reviewing private fostering, through the annual report on private fostering and within the Board's own annual report, as well as through the roles of a project development officer and training officer who have taken on a particular responsibility for private fostering. The project development officer attends the working group and is actively involved in coordinating multi-agency training, supporting publicity campaigns and awareness-raising, and acting as the strategic link to partners in other agencies. The LSCB training group coordinates and delivers training on private fostering.

Main sources of notifications

Most notifications of private fostering arrangements come through practitioners, particularly social work, education, probation service, and some health colleagues. Most arrangements come to the attention of the borough after having been in place for some time; it is rare to receive advance notification. Very few notifications come from parents or carers, and where these do occur it is usually when an arrangement requires financial support.

Notifications increased substantially a few years ago when the newly introduced regulations prompted the authority to instigate a rolling programme of awareness-raising workshops for partner agencies, supported by the LSCB.

Publicity and awareness

A key focus of the local authority's publicity and awareness-raising activity is the programme of awareness-raising workshops mentioned above, undertaken with practitioners from a range of agencies working with children, and including local authority staff. This is facilitated through links to agencies provided by the LSCB and supported by the LSCB training group. This group includes private fostering in general safeguarding training as well as running a rolling programme of multi-agency private fostering workshops, in conjunction with the senior manager and social worker in the fostering team. The authority delivers training on request and targets specific agencies where notifications are low, and does this on a rolling basis in order to avoid the risk of knowledge being lost through staff changes.

The authority attributes a recent increase in rates of notifications from schools to a specific letter written by the Director, in conjunction with awareness-raising workshops with education practitioners, as well as raising the topic with designated teachers in their training.

The authority has found it difficult to engage housing services, third sector organisations and GPs. The authority suggests that these groups may have specific attitudes around areas such as statutory involvement and patient confidentiality. There are continuing attempts to engage these groups, both through the LSCB and directly. The authority has had limited success in carrying out awareness-raising with faith groups, limited by the lack of established links in the community. Generally, awareness-raising activities are constrained by limited resources.

Raising awareness with the public is a secondary priority for the local authority as there has been no evidence of notifications resulting from local or national awareness-raising activities. While they do advertise in newspapers, radio, free newspapers and at a range of ward-based community events, such campaigns have not generated notifications and the authority believes raising awareness with practitioners who are themselves in contact with the public to be the most effective practice.

Support provided to privately fostered children and young people, private foster carers and birth parents:

Once a private fostering notification is received, assessments and visits are carried out by both the child's social worker and the supervising social worker who assesses the carer. Case responsibility lies with the child's social worker and manager.

The supervising social worker's assessment of the carer includes identifying their support needs, as well as judging whether the arrangement meets the needs of the child; this information is fed back to the child's social worker. A range of support and information is provided to carers, parents and children, in conjunction with the child's social worker, such as:

- signposting to other services, e.g. library, children's centres;
- financial support where necessary (from Section 17 funds);
- actions to resolve conflict and maintain contact between children and parents;
- access to additional support for children, such as extra lessons for GCSEs, language classes and working with schools around bullying incidents;
- BAAF Guide for children in Private Fostering Arrangements.

Local authority case study 7 - summary

Type of local authority: County council

Profile of children and young people in private fostering arrangements

The characteristics of privately fostered children are very diverse. However there are more privately fostered children in the first two groupings below:

- Teenagers who have fallen out with their parents, a group which appears to be on the increase;
- Children living in difficult family circumstances, for example parent(s) who have issues with drug or alcohol misuse and need someone to look after their child whilst seeking help;
- UK-based teenagers attending a football club academy for a few weeks;
- Exchange students from abroad who are living with host families;
- Children living with other families whilst their parent(s) works away from home.

A small number of cases involve children on the verge of being a 'child in need' or on the edge of local authority care. Local authority monitoring has highlighted a growing number of notifications of Asian children in private fostering arrangements. Numbers of notifications are around the 30 to 40 mark each year, with the authority experiencing an increase in notifications in the last two years.

Policy and practice

The local authority has a private fostering policy statement and development plan. In addition, the authority has written policies and procedures for frontline staff and team managers. Responsibility for implementation and review of private fostering policies rests with the local authority's Targeted and Early Intervention Service. Implementation is reviewed regularly by the policy team and champions group.

Private fostering has an affinity with the fostering, safeguarding and fieldwork functions of the Children and Young People's Directorate. The local authority has recently restructured and discussions are underway as to where private fostering would be best placed within the new structure. The authority does not have a central team working full time on private fostering. The cornerstone of the authority's private fostering policy is that private fostering should be viewed as a short term arrangement, subject to children in need plans and reviews, culminating in family reunification or another permanence arrangement. To support this work, a private fostering champions group has been set up to coordinate the authority's

work in this area, comprising of senior and service managers. This group oversees the implementation of the authority's private fostering development plan and coordinates work in areas including multi-agency training and publicity around private fostering. The local authority reports good links with the LSCB. The annual report on private fostering to the LSCB acts as a driver and supports the authority's annual review of private fostering policies, procedures, training and publicity and assists in highlighting whether further work or resources are required. The LSCB has engaged with issues around private fostering and has supported the authority in its awareness-raising work, including writing to all head teachers, general practitioners and the PCT to highlight their responsibilities in relation to private fostering and eliciting notification.

Main sources of notifications

Notification rates have increased in recent years, which the authority attributes to its development work in relation to training, awareness-raising and the development of private fostering assessment processes.

The authority receives few advance notifications of proposed private fostering arrangements. Instead, the authority tends to be notified once an arrangement is underway. These notifications come from a range of sources including private foster carers themselves, schools and health visitors.

Publicity and awareness

The local authority's publicity and awareness-raising activities have mainly focused on targeting practitioners, particularly those in education and health, who work with children and families and are likely to come across private fostering through the course of their work.

The authority has developed a rolling programme of training. This has involved both service-specific training for practitioners involved in the assessment and reviewing of private fostering arrangements and multi-agency training for partners across the Children's Trust. The on-going training programme is credited with raising awareness of private fostering and the local authority's policies and procedures among practitioners.

The local authority also has an ongoing poster and booklet campaign targeting schools, libraries, GP surgeries, dentists and local universities. The authority has also published a series of articles about private fostering in publications including local newspapers and the school governors' newsletter. A public awareness campaign using Adshells at bus stops and poster sites across one district did not generate a measurable increase in notifications from the general public.

The local authority makes extensive use of electronic media, including its intranet, to advise authority staff about policy and procedures, to advise schools (via their web portal) of requirement to notify the local authority and to advise the public, via the internet, of requirement to notify.

Support provided to privately fostered children and young people, private foster carers and birth parents

Once a private fostering notification is received and an assessment undertaken by the social work team, a multi-agency planning meeting is held and Regulation 8 visits commence. In addition to Regulation 8 visits, frontline practitioners offer a range of support for all parties involved in the private fostering arrangement. Support includes:

- planning for reunification or other permanence arrangements by facilitating contact between the child and the birth parent(s);
- supporting the private foster carer in meeting the needs of the child; including financial support (from Section 17 funds), the invitation to access mainstream private fostering training and help with parenting skills or signposting to other services;
- individual work with the child, for example dealing with issues around separation and loss.

Local authority case study 8 - summary

Type of local authority: County council

Profile of children and young people in private fostering arrangements

There are a number of different groups of privately fostered children within the authority including:

- young people who are not getting on with their parents and move out to live with another adult, including young people who 'sofa-surf' (one of the largest groups of privately fostered children in the authority);
- children living with another adult/family whilst their parent(s) work away from home for a defined period, including parents working on oil rigs and those in the armed forces who are posted abroad;
- children of African parents who come to the UK to study and arrange for their child to be privately fostered;
- children who come from abroad to study' and stay with a host family (a small group within this authority);
- unaccompanied immigrant children (a very small number).

Historically, some parts of the local authority have seen a number of private fostering arrangements involving African children (although this has decreased considerably over the years). The authority reports that the majority of private fostering arrangements currently involve white males. In addition, there are an increasing number of Lithuanian and eastern European children in such arrangements, reflecting the changing demographics of the area. The local authority on average receives around 30 notifications a year.

Policy and practice

The local authority has a statement of purpose for private fostering, written procedures and an action plan for the service, arising out of the authority's last Ofsted inspection.

Currently private fostering is located within the safeguarding directorate. Responsibility for private fostering will shortly be moving to regulated services and cases will be managed by the children in public care team (who will support the children in private fostering arrangements) and the fostering team (who will support private foster carers).

An annual report on private fostering is presented to the LSCB, along with performance reports which are circulated every 3 to 6 months. The local authority reported the profile of

private fostering at LSCB level is improving, despite the large number of competing issues the board covers in its meetings. The LSCB has recently developed a set of quality indicators for private fostering to monitor progress. In addition, the heads of services have their own indicators which relate to private fostering, which is reported to be an effective way of monitoring the private fostering service.

Main sources of notifications

Most notifications are received from schools, doctors or nurses who have come into contact with a child who appears to be in a private fostering arrangement. Typically the local authority is notified once a private fostering arrangement is in place. These arrangements are often 'discovered' by practitioners in contact with the private foster family, although there are a few instances in which notifications have been received from birth parents or private foster carers.

In a small number of cases notifications have been received from other authorities, when a child has moved into the area and is in a private fostering arrangement. However, on occasion the authority has come across cases which involve private fostering and where a previous authority has failed to pass on information.

Publicity and awareness

The local authority has implemented a training programme which involved training for team managers, supervising social workers and frontline social workers on private fostering. The training is complemented by an electronic training tool which the children's workforce can access online. Private fostering module training has also been devised for ICS. Training has raised the profile of private fostering with practitioners, although there is recognition that this is an area for further development.

Over the last year to 18 months the authority has also developed a publicity strategy. This work has included developing publicity leaflets and posters in a range of languages for children, private foster carers and birth parents, and placing them in key locations including GP surgeries, schools, libraries, faith groups and Citizen's Advice Bureaux. In addition, the local authority has published information about private fostering in a county-wide newspaper which is delivered to all households and been involved in an interview on local radio. To date the publicity has not increased notification rates from the general public, although it was acknowledged that this could take some time.

Support provided to privately fostered children and young people, private foster carers and birth parents:

Once the assessment has been made all parties involved in the private fostering arrangement are offered support and Regulation 8 visits commence. Support includes:

- supporting contact between the child and the birth parent(s) and, if appropriate, facilitating a return to the birth parents;
- assisting the private foster carer, including extra social worker support, training/skills development, financial support (from Section 17 funds) and signposting to support groups;
- individual work with the child, for example working to build up a good relationship whereby the child feels able to express their views and wishes.

Appendix 3: Researching the views of privately fostered children, birth parents and private foster carers

DCSF asked the research team to investigate and report on the feasibility of including the views of privately fostered children, their private foster carers and their birth parents in the research. A brief summary of our approach to the feasibility study, its findings and our conclusions is presented below. This is followed by suggestions as to how the views of these important stakeholders could be researched in future.

The feasibility study

Approach

In assessing feasibility, our starting point was to consider what a worthwhile study of these groups would entail, in methodological, ethical and practical terms. It was clear that a number of conditions would need to be satisfied:

- This element of the research would need to be methodologically sound, clearly contributing to the overall aims of research.
- Ethical and research governance procedures would need to be complied with.
- An appropriate sample would need to be identified and recruited, tools developed, data collected and analysed.
- All of the above would need to be completed within the timescale of the funded research.

The feasibility study was carried out alongside, and was informed by, other elements of the research. For example, we drew upon the literature, considered PF1 returns, and probed the views of national stakeholders during their interviews. We also asked respondents to both the workforce and PFSIG surveys whether they might be able to support such a study by introducing us to potential interviewees.

Findings

Twenty respondents to the PFSIG survey indicated that they might be able to help put researchers in touch with parents, carers or privately fostered children, as did three stakeholder interviewees and seven respondents to the workforce survey. This amounted to 30 'leads' in nearly as many local authority areas. The dispersal of the potential sample meant that it would not be possible to focus data collection in our eight selected case study areas. Moreover, it should be noted that these leads were far from being guaranteed

introductions, and many came with caveats and warnings, for example, that previous attempts to engage with these groups had not been successful or that colleagues would need to be consulted. In addition it was clear that several respondents only had a single private fostering arrangement in mind. No suggestions were made with respect to accessing non-notified private fostering arrangements.

Conclusions

Our conclusion was that it would not be feasible to include the views of privately fostered children, their birth parents or their private foster carers within the commissioned research study, even if additional resources were made available.

Ultimately, time was the deciding factor. Given the vulnerability of the population concerned and the sensitivity of the subject matter, ethical review would be required, delaying the start of the research for several weeks (minimum). It was also clear that considerable time would be required to identify, access and gain the cooperation of potential interviewees, working through various gatekeepers. The fact that the 'leads' were scattered across the country suggested that considerable travelling time would be associated with carrying out the fieldwork, and that we would not be able to combine this with our planned case study visits. We were already working to a tight timeline; it was apparent that this element of the research would barely be underway before we had to produce the final report.

Moreover, we were concerned that using a sample identified in this way (essentially an opportunistic or convenience sample) would provide insufficiently comprehensive or robust data. In order to further the aims of the commissioned research, we would need to be confident that our sample not only included informants from a range of different types of private fostering arrangements, but, in addition, were in a position to comment on different local authority practices and approaches. We would be in no position to ensure that either of these conditions were met. It is also likely that this approach to sample selection – interviewees being nominated by self-selecting practitioners - would introduce a positive bias into the findings.

Designing research to gather the views of privately fostered children, private foster carers and birth parents

It is clear, both from the feasibility study, and also from reflecting on the findings of the research that we did undertake, that designing a research study to gather the views of these key stakeholders would present numerous challenges. However, these challenges are not

insurmountable, given sufficient time and resources. Moreover the undertaking would certainly be worthwhile, going some way to address one of the major gaps in the evidence-base.

Many of the potential difficulties referred to in our account of the feasibility study were compounded by the sheer breadth and scale of the proposed task, and the very limited time available in which to accomplish it. The main study confirmed that private fostering embraces a wide variety of different types of arrangement, and the children and families involved vary tremendously in both their characteristics and needs. Similarly, variation in local authority structures, policies and practices mean that broadly similar types of arrangement may be assessed and supported in quite different ways, potentially leading to contrasting experiences and outcomes. This variety has implications for the sample size, as, in order to fully understand the issues, it would be necessary to include the views of those involved in a range of different types of private fostering arrangement across different local authorities. Below, we outline the key features of such a study.

Aim of the study

Following the original brief from DCSF, the overall aim of such a study would be to ascertain views about private fostering of those most closely involved. More specifically, the research would explore:

- Reasons for entering into this private fostering arrangement
- How the arrangement was negotiated
- Experience of the current arrangement
- Plans for ending the arrangement
- Other private fostering experiences
- Understanding of the notification system
- Views about notification and reasons for notification (or not)
- Views and experiences of assessment by local authority
- Support needs and provision
- Positive aspects of private fostering arrangement
- Concerns about private fostering arrangement

Methodology

Given that so little is currently known about private fostering, and what little is known points to a high degree of complexity, the study would need to be qualitative, enabling participants to tell their stories and give their views in their own terms.

Key informants

We would recommend that – wherever possible – the three principal parties involved in a sample of private fostering arrangements were all interviewed: birth parent(s), private foster carer(s) and child(ren). This would enable a full and rounded exploration of the issues involved in each arrangement (triangulation)¹².

We would recommend individual, face-to-face in-depth interviews (where possible), allowing each interviewee to freely describe their circumstances, motivations and experiences, and the interviewer to probe and ask follow-up questions as required.

Sample size

In the main study we identified four distinct categories of private fostering arrangement (based on the circumstances or motivations leading to the arrangement being made). In order to understand the broad issues associated with each type of arrangement it would probably be necessary to ensure that a *minimum* of eight arrangements of each type were included in the study, though more would be preferable (making a minimum of 40 in total).

The research also revealed a great variation in the way in which local authorities approached private fostering, although we did not attempt to create a typology. However, in order to ensure that the key variants were included in the study (size of authority, location of private fostering within structures, arrangements for assessment and support), a minimum of eight authorities should also be included. In practice, it is likely that more than this number would need to be involved in order to access the target number of private fostering arrangements of each type.

Given the fact that there would typically be three parties to each arrangement, such a design could be expected to yield in excess of 100.

Identifying a sample

First of all a sample of around a dozen local authorities would be selected. The sample would need to cover a range of relevant characteristics (size, type, location of private fostering, arrangements for assessment and support). For obvious reasons, only authorities with substantial numbers of notified private fostering arrangements would be included. In selecting authorities it would also be necessary to take into account issues such as the location of language schools and border entry points to ensure different types of private fostering arrangement were captured. As a result of undertaking the main study we now

¹² Realistically, such triangulation will not be possible for every arrangement (some parents might not wish to take part, or be contactable, some children would be too young to participate in any meaningful sense).

have the necessary information about local authorities to enable a suitable sample to be identified.

Within each sample authority, a number of current (or forthcoming) private fostering arrangements would be purposively selected to ensure all the different categories of arrangement were represented in the sample, and that furthermore, as much variety as possible was included within each category (for example age of children involved, length of arrangement, family circumstances). It would be necessary to over-sample, as it is likely that some potential interviewees would be either unable or unwilling to take part in the research.

Insight into unnotified private fostering arrangements

A sample selected in this way would consist entirely of private fostering arrangements that had been notified to the local authority, and in that respect it might be expected that informants would be able to throw little light on *unnotified* private fostering arrangements. However, this is not necessarily the case. Our research revealed that very few private fostering arrangements were notified in advance, and furthermore that the birth parents and private foster carers were very unlikely to do the notifying themselves. It seems that most arrangements are 'discovered' after the event by practitioners who then refer the case to the local authority. Therefore it is likely that a substantial proportion of the private fostering arrangements currently known to the local authority were initially 'unnotified' and birth parents and private foster carers in the sample should, accordingly, be able to explain, from their own perspectives, the reasons behind their original failure to notify.

Accessing the sample

Private fostering officers (or other third parties) would then need to seek permission from the individual(s) concerned to be contacted by the research team. Information about the study would be provided in accessible formats and other languages (if required). This initial process could take some time; in particular it may prove difficult to access some birth parents. The researchers would then need to contact potential interviewees directly to discuss the research in more detail, gain informed consent, arrange and conduct interviews. Interpreters would almost certainly be required for some interviews, and this would need to be arranged (and paid for).

Qualitative interviews

It is likely that most interviews would take place in the carer's home, though some individuals (particularly children) may choose to be interviewed elsewhere. Parent interviews may have to be conducted by telephone (particularly if they are abroad). Interpreters would need to be secured to enable some interviewees to participate in the research. All interviewees would

receive a 'thank-you' in the form of high street vouchers (or equivalent if abroad) in recognition of their contribution to the research.

Interviewers would use a broad topic guide as an aide-memoire during the interview, rather than a rigid set of set questions. Interviews would probably last up to 90 minutes and be digitally recorded (with participant's permission) and transcribed verbatim. Data would be analysed thematically.

Ethical and research governance issues

A number of bodies would need to be contacted in order to gain permission to undertake such a study. Depending on the research team concerned, this could involve an application to an institutional research ethics committee or via the National Research Ethics Service. Before carrying out fieldwork the ADCS research committee would need to approve the project in principle, and individual Directors of Children's Services would also need to be approached. Local authority research governance procedures would need to be complied with. Securing such permissions could be expected to take several months.

Timescale and cost

Such a study would probably take around 2 years from inception to completion and probably cost in excess of £200,000.

3. Smaller-scale studies

It would of course be possible to carry out smaller-scale research focusing, for example, on the views of those involved in specific categories of private fostering arrangements (eg those associated with short-term educational or cultural objectives). However, it should be noted that focusing on just one of the four categories could not be expected to reduce the timescale or cost by a factor of four! It would still be necessary to carry out the research in a range of authorities, and to go through all the procedures required to gain ethical approval. However, the costs associated with fieldwork and analysis would be considerably reduced.

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