



Leeds
CITY COUNCIL

Children and Young People's Social Care
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FOSTERING POLICY

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1 UNDERLYING PHILOSOPHY AND PRINCIPLES

- 1.1 The aim of the Leeds Fostering Service, is to provide a range of high quality substitute family placements for children being looked after by Leeds Children and Young People's Social Care.
- 1.2 The fostering service is operated and governed in accordance with all relevant legislation, regulations and guidance, and incorporates the requirements and expectations of the following:
- The Children Act 1989
 - Human Rights Act 1998
 - Care Standards Act 2000
 - Fostering Code of Practice: UK National Standards
 - Fostering Regulations 2002
 - National Minimum Standards : Fostering Services Regulations 2002
 - Children Act 2004
- 1.3 A Statement of Purpose has been prepared in accordance with regulation 3 of the Fostering Regulations and is attached (Appendix 1).

2 CATEGORIES OF APPROVAL

- 2.1 Most foster carers are part of the Leeds Payment for Skills (PFS) fostering scheme. Placements are financed by making maintenance payments to carers and by paying a fee.
- 2.2 Payment for Skills has four levels linked to a Task, Skills and Competency (TSC) Framework, and fees are paid to carers on levels 2, 3 and 4. The TSC framework sets out a list of competencies that foster carers must be able to demonstrate at each PFS level. It also sets out training and support group attendance requirements at each level.
- 2.3 Each level adds more to the previous level, so that Level 4 Carers develop higher level skills and competencies, and have a more demanding range of tasks that they must undertake. In return they are paid the highest level of fee.
- 2.4 The Department has a number of specialist fostering schemes where placement is made with the aim of achieving specific objectives. Scheme carers are PFS level 4 carers who give a full time commitment to fostering children with more complex needs.

3 ELIGIBILITY CRITERIA

The following criteria will be used as guidance in considering any application to foster:

- 3.1 **Age**
Applications will be accepted from all adults. However, it will be unusual for the Department to progress applications from people aged under 25 years.

08/12/2008

3.2 **Marital Status**

Applications will be accepted from single applicants (male and female) and from married and unmarried couples and those in civil partnerships.

3.3 **Sexual Orientation**

Applications will be accepted from lesbians, gay men and heterosexual applicants.

3.4 **Religious Beliefs and Practices**

Applicants to foster will be accepted from people whatever their religious beliefs and practices unless their beliefs or practices are likely to be detrimental to the welfare of a child placed.

3.5 **Employment**

The Department will seek references from all employers where an applicant's current or previous employment involves significant contact with children. Should an applicant decline to consent the matter will be referred to the Fostering Panel for guidance on whether to proceed. The Department will respect applicants desire to keep an application confidential from current employees until approval is agreed and will approve subject to satisfactory employment references.

3.5.1 Employment patterns and availability will be taken into account when assessing an applicant's suitability.

3.5.2 It will be exceptional for an applicant to be approved as both a foster carer and a registered childminder.

3.6 **Household Composition**

The number and ages of carers own children, will be taken into account when assessing suitability.

3.7 **Health**

Where there appears to be health or medical concerns regarding suitability, early medicals will be undertaken and the advice of the agency medical advisor will be sought. If contentious issues arise, fostering panel will be consulted.

Post approval, medicals will be updated at three yearly intervals, with full medicals completed every six years.

3.8 **Lifestyle**

The Department will assess applicants lifestyle with regard to the significance and impact for children who may be placed and offers the following guidance:

- (a) Alcohol Consumption - Applicants who use alcohol will be expected to keep their consumption within published, safe limits (Department of Health guidance)
- (b) Drugs - Applicants will not be approved if using prohibited drugs.
- (c) Smoking - Only exceptionally will the Department approve applicants who smoke to care for children under the age of five years or children with health problems – see Appendix 4 for guidance
- (d) Pets - No applicant who keeps a dog within the household defined as dangerous in legislation will be approved. Household pets and their care and management will be addressed using the health and safety questionnaire during the foster carers' assessment (Appendix 4c and 5).

3.9 **Criminal Convictions / Records**

Criminal record checks will be undertaken on applicants and all household members aged 16 years and older. They will be updated every three years. Checks will also be sought on regular visitors to the prospective foster home.

3.9.1 Regulation 27 of the Fostering Services Regulations 2002 states that a person shall not be regarded as suitable to act as a foster parent if s/he or any member of their household aged 18 or over, has been convicted or cautioned for a specified offence. There is an exception for proposed carers who are relatives and for those who are already caring for the child (Appendix 2).

3.9.2 Where the applicant/s, any member of the household, or regular visitor has:

- a criminal conviction within the previous two years;
- a serious offence;
- a long history of offending

The matter will be brought to a Fostering Panel who will make a recommendation to the Chief Officer Children whether to proceed with the application. For detail and guidance on Criminal Convictions see Appendix 2.

3.10 **Accommodation**

3.10.1 In most situations it is preferable for a foster child to have her own bedroom. However, foster children may share a bedroom (see Appendix 3 for guidance) where this is agreed and acceptable to the foster carers and the agency and a risk assessment has been undertaken (Form 001 Appendix 30).

3.10.2 The suitability of applicants accommodation will be considered during an assessment using the guidance on health and safety and the home safety checklist (Appendix 4a and 4c).

3.11 **New and Ending Relationships**

3.11.1 Foster carers who become involved in significant new partnerships, will be subject to full reassessment and reconsideration by fostering panel.

3.11.2 Where an existing relationship ends, both partners will be subject to reassessment should they wish to continue fostering.

4 **THE ASSESSMENT PROCESS**

4.1 Applicants wishing to foster will undergo a full assessment regarding their suitability.

4.2 Assessments will usually be completed within twelve months of receipt of the initial enquiry, and within six months of allocation to a fostering officer for assessment (timescales - Appendix 24).

4.3 Non-confidential sections of the assessment report will be made available to applicants who are expected to co-sign such reports.

4.4 The completed assessment report must be seen and signed by the team manager, before submission to Panel.

- 4.5 A copy of the report should be retained by applicants, but must not be shared with any other fostering agency without the consent of Leeds C&YPSC.

5 EMPLOYEES AND FOSTER CARE

Appendix 21

- 5.1 Leeds Social Care will not accept for assessment as a foster carer,
- Anyone who is an employee of the Leeds Children and Young People's Social Care Service in any role (except a volunteer working for less than 5 hours a week) or a member of their household
 - An employee of the Family Placement service (except as a volunteer working less than 5 hours a week)
 - Councillors of Leeds City Council (including members of their households).

6 FOSTERING PANELS

Appendix 6

- 6.1 The Department will maintain sufficient fostering panels to meet the needs of the service. Panels will be constituted in line with The Fostering Service Regulations 2002 and National Minimum Standards.
- 6.2 Fostering panels will consider:
- applications for approval
 - the initial review undertaken within the first 12 months of approval
 - reviews recommending a significant change in registration
 - reviews following a significant change in circumstances
 - reviews following child protection investigations or recommended by complaint investigations
 - "matchings" for proposed permanent placements including converting existing temporary placements (involving updated assessment reports)
 - disruption reports
 - reviews where PFS requirements are not being met
 - sanctions where PFS requirements are not being met
 - de-registrations
 - notifications of exemptions for monitoring purposes
- 6.3 Fostering panel recommendations will be referred to the Agency Decision Maker. The ADM's decision will be communicated both verbally and in writing to applicants / carers within seven working days from the panel.
- 6.4 Foster carers may give notice in writing to the agency at any point that they no longer wish to act as a foster carer. Their approval will be terminated with effect from 28 days from the date on which the notice is received by the agency.
- 6.5 New applicants and approved foster carers have the opportunity to attend fostering panels for approval, reviews and other matters considered appropriate.

7 NUMBER OF CHILDREN

- 7.1 The Children Act 1989 Schedule 7 states that a person may not foster more than **three** children ("the usual fostering limit") unless either :
- a) the children concerned are all siblings ; or
 - b) the local authority grants exemption based on relevant grounds (*Appendix 12*).

7.2 Young people in foster carer aged 18+yrs

When a young person reach 18yrs, for the purpose of payment, that young person will continue to be considered the first placement. However for the purposes of fostering regulations, that young person will not count as a placement, but as an adult member of the household. Should approval for further foster placements be subsequently sought, the usual review/reassessment process will be applied.

8 OUT OF HOURS/EMERGENCY DUTY TEAM (EDT) FOSTER CARE – *Appendix 29*

- 8.1 The task of EDT foster carer will be undertaken by level 4 carers, except in respect of babies 0-2yrs, where level 2 carers can also provide placements.
- 8.2 Any level 4 carer (or level 2 in respect of babies 0-2yrs) with a vacancy can offer themselves as available for EDT placements, but only after consultation and agreement with their SFO/ Team Manager where a risk assessment of the circumstances, accommodation and existing placements within the household will be undertaken and 'terms of use' by EDT agreed and recorded on file (ages/gender/profiles etc). They should have a spare room available for EDT placements.
- 8.3 Carers can only be available to take EDT placements where a "vacancy" exists. Only carers with less than 3 foster children in placement can therefore take an EDT placement. They should have a spare room available for EDT placements.
- 8.4 Where there is a dispute between foster carers and SFO's about EDT availability, fostering panel should be consulted as part of the foster carer review process.

9 FOSTER CARER AGREEMENT

- 9.1 On approval, the Department will enter into a written agreement with the foster carer – see Appendix 7a and 7b
- 9.2 Foster Carer Terms and Conditions, and the signed Foster Carer Agreement, form the basis of the ongoing agreement, between Leeds City Council and its foster carers.
- 9.3 The ages, gender, numbers and categories of approval, and the PFS level of the carer, are stated on the Foster Carer Agreement.
- 9.4 There is a separate Foster Carer Agreement for *Family Placement Short Breaks* carers and a supplementary agreement for *Family Placement Professional level C* carers.

10 REVIEWS OF APPROVED FOSTER CARERS

- 10.1 Foster carers will be reviewed within one year of their initial approval and the first review must be presented to the fostering panel.
- 10.2 Where new information comes to light, where there is a significant incident, change of circumstances, or where PFS requirements are not being met, a review may be called and the review papers will be presented to the fostering panel.
- 10.3 Reviews will otherwise be held annually, undertaken jointly with carers and either referred to fostering panel (see 6.2) or approved in accordance with procedures agreed by fostering panel.
- 10.4 Written contributions will be requested from fostered children aged 8+yrs, and from social workers responsible for children who are in placement or who have been placed in the foster home since the last review (or approval), using the appropriate review consultation form. A form is also available for parents to contribute when appropriate (Appendix 17).
- 10.5 Review decisions will be communicated in writing to foster carers who will receive a copy of the Reviewing Officer's report.
- 10.6 Foster Carer Agreements must be kept up to date with current approval details.

11 TRAINING

- 11.1 The Department will produce an annual training strategy for all approved foster carers, which is in line with Children's Workforce Development Council requirements and includes PFS mandatory training opportunities. Carer training needs will also be identified via foster carer annual reviews and their Personal Development Plan (Appendix 23).
- 11.2 All applicants are required to attend group preparation sessions offered by the Department (currently 'Skills to Foster'). Exceptions to this may include applicants who are able to demonstrate they have completed a similar programme with another agency within the preceding two years.
- 11.3 Where applicants are to be jointly approved as foster carers, both are required to attend pre approval training and at least one must attend post approval training, but both would be encouraged.
- 11.4 The training strategy will pay attention to organising training courses to encourage and facilitate attendance and will include the payment of travel in excess of the weekly mileage allowance, and payment of childcare expenses.
- 11.5 Personal Development Plans will detail the applicant's anticipated future training needs and identify mandatory post approval training requirements. Completion of PFS mandatory training will be monitored through the annual review process.
- 11.6 Following training attendance, carers will complete a Reflective Learning Log, which they will keep in their Personal Development Portfolio.

12 SUPERVISION, ADVICE AND SUPPORT

- 12.1 Each approved / registered foster carer will be allocated a supervising fostering officer who will ensure that the carer is informed of and complies with all relevant standards, policies and guidance agreed by the Department.
- 12.2 The supervising fostering officer will provide supervision, advice and support in relation to the fostering task and carer development.
- 12.3 The child's social worker has prime responsibility for the child and will provide advice and guidance to the foster carer in respect of the specific placement.
- 12.4 Four supervisory visits (one of which may be the Fostering Review visit) should be arranged to ensure that in any 12 month period all household members are seen by the supervising fostering officer.
- 12.5 The supervising fostering officer will check at each supervisory visit, to ensure that foster carers have fully completed placement agreements, for all children/young people in placement.
- 12.6 Supervising fostering officers will undertake one unannounced supervisory visit each year, the pro-forma should indicate and record the unannounced nature of the visit.
- 12.7 It is a requirement of the Leeds Payment for Skills fostering scheme, that all approved PFS carers attend regular support groups.

13 HOLIDAYS DURING TERM TIME

- 13.1 Leeds Social Care does not support foster children being taken out of school to go on holiday during school term time.

14 DISCIPLINE

- 14.1 The Department has a policy of no physical chastisement of looked after children / young people and foster carers must agree not to use corporal punishment or any measure of control, restraint, or discipline which is excessive or unreasonable.
- see Appendix 22.
- 14.2 Applicants/approved carers attention will be drawn to this policy both during their assessment and on signing the Foster Carer Agreement – Appendix 7a.
- 14.3 Foster carers will be mindful of the child's pre-case history and looked after experiences and make appropriate and informed decisions regarding their approach to discipline and behaviour management.
- 14.4 It is acknowledged that on occasions a foster child's behaviour may become out of control. In such instances, foster carers must as soon as possible after the event, inform the social worker and supervising fostering officer. The incident/accident guidance and recording form (Appendix 28) must be completed. In the event of an incident occurring out of hours, the Emergency Duty Team must also be informed.
- 14.5 Applicants who support physical chastisement of their own children will not be assessed as foster carers for the Department.

15 RECORDING

- 15.1 CCTV must not be used as a way of supervising children within the foster home. It may be used as a deterrent against criminal activity outside the home if a carer wishes.
- 15.2 Carers are expected to maintain a written record of each child's placement, recording significant events as well as the child's progress. A Foster Carer Diary is provided each year which may also be used for recording purposes. The Diary should be retained by the carer and not disposed of – see Appendix 27 for guidance.
- 15.3 Records should be made available to the social worker and supervising fostering officer, and foster carers should be advised that they may be used as part of court proceedings and assessments.
- 15.4 Carers are required to record matters relating to the child's health and development – see Appendix 8a *Medical Treatment and Medication Policy* and Appendix 8b *Health Record Form*.
- 15.5 The incident/accident form (Appendix 28) should be completed when required.

16 CONTACT

- 16.1 This Department recognises and positively promotes the importance of contact between a child and his / her family and friends.
- 16.2 Foster carers have a responsibility to promote and facilitate contact where this is part of the child care plan.
- 16.3 Arrangements for contact should take place in the foster carers home, if this is considered to be in the best interests of the child and is discussed and agreed by all parties.
- 16.4 The Department will reimburse expenses incurred in either arranging or carrying out contact. Transport costs can only be claimed when the weekly mileage element of the maintenance allowance has already been exceeded (see appendix 7b (FN16) for guidance).

17 SAFEGUARDING

- 17.1 Foster Carers are required to inform the agency immediately, if new adult members join the household or become regular visitors. CRB checks will be undertaken and assessments/approvals updated as required.
- 17.2 All carers will have a Safe Care Plan which is regularly reviewed and updated – Appendix 22b.
- 17.3 Safe caring skills and guidance on safe caring will be addressed both through the assessment process, in group preparation sessions and in written guidance – Appendix 22a.
- 17.4 The training strategy will provide for on-going training of approved carers on safe caring practices.

- 17.5 The Department has a procedure for investigating any allegation of abuse within a foster home and written information and guidance on this procedure will be provided for all carers - Appendix 19.
- 17.6 If a foster carer has concerns about any previous placements a child has experienced, s/he must inform the child's social worker immediately.
- 17.7 The investigations of allegations of abuse within foster care will be recorded and monitored by the Department.
- 17.8 Fostering Team Managers will keep a separate record of all allegations of abuse involving foster carers and strategy meetings.
- 17.9 Supervising fostering officers must accurately record all allegations and concerns on the foster carer file, and maintain the front sheet record that is on file for this purpose.
- 17.10 The investigation of any allegation of abuse will be referred back to Fostering Panel for consideration. Three issues of concern will trigger a foster carer review, which will also be referred to Panel.

18 FOSTER CARER ADOPTION

- 18.1 The fostering task is fundamentally different to that of adoption. Any foster carer wishing to be considered as an adopter of a fostered child in their care, must inform the child's social worker verbally and in writing, and also inform the Independent Reviewing Officer as part of the child care review process.
- 18.2 If the request is considered appropriate, this will necessitate an assessment of the foster carer/s suitability as adoptive parent/s. The assessment report will normally be completed by a member of the Adoption Team, and presented to Adoption Panel for approval.
- 18.3 Foster carers who are not supported by the Department, may wish to seek independent legal advice.

19 SPECIAL GUARDIANSHIP

- 19.1 Special Guardianship is a legal alternative to adoption that foster carers may wish to consider. Information is available from the child's social worker, supervising fostering officer, or their team managers.
- 19.2 Special Guardianship Procedures are available within Children's Social Care and a Specialist Worker is available to offer guidance and advice to foster carers.

20 PLACEMENT DISRUPTION

- 20.1 The disruption of a planned and permanent placement would normally trigger a disruption meeting to explore the issues and assist planning. Such a meeting is usually held within eight weeks of the placement ending – see Appendix 10.
- 20.2 Disruption meetings should be convened at the request of the child's SDM and chaired by a non line managing SDMC.

- 20.3 The meeting may make recommendations to the next review of the foster carer, both on the carers suitability to remain registered and the detail of their registration.

21 INFORMATION FOR FOSTER CARERS

- 21.1 Foster Carer Terms and Conditions, and the signed Foster Carer Agreement, form the basis of the ongoing agreement, between Leeds City Council and its foster carers – Appendix 7a and 7b.
- 21.2 In addition, approved foster carers will also be provided with written information on the Department's policies, procedures, practices and guidelines which relate to foster care – The Foster Carer Factfile – or have access to it on the internet.
- 21.3 This information will be updated periodically.
- 21.4 Foster carers will be provided with child specific information necessary for them to safely and appropriately care for children placed with them. This will be recorded in the placement plan (parts one and two) and include information on the child's health, education, ethnic, cultural and religious identity, and details of any abuse the child is known to have experienced. The placement plan (parts one and two) must be fully completed and provided by the child's social worker at the outset of the placement.
- 21.5 Children's information is strictly confidential and must not be disclosed by the foster carer. It should be retained in a safe place and returned to the social worker when the child leaves the placement.

22 ACCESS TO RECORDS

- 22.1 Leeds City Council Social Care Department, complies with the Data Protection Act. With the exception of confidential or third party information, foster carers can examine their file or computer record on request.

23 PAYMENTS OF ALLOWANCES AND FEES TO FOSTER CARERS

- 23.1 The Department will pay foster carers a weekly allowance for each child placed in their care, the level of allowance is based on the child's age.
- 23.2 When a young person reach 18yrs, for the purpose of payment, that young person will continue to be considered the first placement. However for the purposes of fostering regulations, that young person will not count as a placement, but as an adult member of the household.
- 23.4 Fees are payable to foster carers according to their PFS approval level. Allowance and Fee levels are reviewed annually.
- 23.5 Details of allowances and other financial support will be provided in accordance with PFS Terms and Conditions, and the requirements of staff instruction - *Financial Arrangements for Foster Carers* (FN16)
- 23.6 Details of the payments made, will be provided for carers specifying the child for whom the payment is made and the purpose of the payment. An annual summary is also provided at the start of each financial year.

- 23.7 Carers will be expected to be able to demonstrate on request that allowances paid have been used for the intended purpose. Receipts for clothing and any large items bought for the child should be kept and submitted to the social worker if required.
- 23.8 Overpayment of fostering allowances must be notified immediately to Foster Carer Payments in order to prevent large overpayments occurring.

24 CHILDREN'S PROPERTY AND POSSESSIONS

- 24.1 Carers are expected to ensure that children's property and possessions are securely kept, respected, valued, and accompany the child in an appropriate holdall, when they leave the placement.

25 EQUIPMENT

- 25.1 The Department will make arrangements to provide essential and safety equipment necessary to meet the needs of each child in placement.
- 25.2 All equipment and furniture remains the property of the Department. Should the equipment be damaged by the foster child it will be replaced by the Department.

26 COMPLAINTS AND REPRESENTATIONS

- 26.1 It is the policy of the Department to attempt to resolve any foster carer complaint or representation promptly, at a local level and to mutual satisfaction. Where this cannot be achieved, the *Complaints and Representations Procedure* can be pursued via the Complaints Manager at Leeds Social Care Services.