

RESTRICTED

FAMILIES FIRST

POLICIES & PROCEDURES

Families & Friends (Kinship) Care Policy

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Foreword

- 1.1 Staffordshire County Council believes that in the great majority of cases, children should live with their parents and where this is not possible, their families and friends should be free to make suitable arrangements for their care without the intervention of the local authority.
- 1.2 This policy sets out our approach to supporting family and friend's carers. We will work with our partner agencies and the local children safeguarding board to keep it under review and to ensure that we help family and friend's carers where our assistance is needed.
- 1.3 Further information about SCC approach to securing permanent care arrangements for children can be obtained via the [Permanency Strategy](#).

2 Introduction

- 2.1 Family and friend's carers play a unique role in enabling children and young people to remain with people they know and trust if they cannot, for whatever reason, live with their parents. Many children who live in family and friend's care do well in life, but others are vulnerable to failing to achieve good outcomes. Many family and friend's carers both want and need support to enable them to meet the needs of the children that they care for.
- 2.2 The [Family and Friend's Care Guidance \(2010\)](#) makes it clear that children and young people who are unable to live with their parents should receive the support that they and their carers need to safeguard and promote their welfare, whether or not they are looked after by the local authority. Many family and friend's carers are grandparents, who may be older, in poorer health and less well off financially than others who may be looking after children and young people. Taking on another child or young person is likely to significantly change family life both for the carers and for the child or young person.
- 2.3 In statutory guidance, a family and friend's carer means someone who is a family member or friend of a child, or has some other pre-existing relationship with the child, and with whom the child is living full time. This could be in any of the following circumstances:
 - In informal arrangements with a relative (relative is defined by section 105 of the Children Act 1989 as a grandparent, brother, sister, uncle or aunt (whether of full blood or half blood or by marriage or civil partnership) or step parent.
 - In informal arrangements with friends or other family members which last for a period of less than 28 days (if the intention is for the arrangement to last more than 28 days, then this may be private fostering).

- As a private fostering arrangement.
 - As a looked after child placed with foster carers approved by a fostering service provider.
 - Under a child arrangement order or special guardianship order or
 - In arrangements which may lead to an adoption order.
- 2.4 It has been estimated that up to 300 000 children are cared for full time by family and friend's carers, of whom over 7000 are looked after children placed with family and friend's foster carers.

3 Values, principles and objectives

- 3.1 A key principle of the Children Act 1989 is that children are best brought up within their families and, for the purposes of the Act, the term 'family' is to be understood broadly and could include relatives, friends and other significant people in the child or young person's life.
- 3.2 The child's welfare is paramount.
- 3.3 The child or young person's family should be involved in the decision making and the planning for the future of that child or young person.
- 3.4 Children should be enabled to live within their families unless this is not consistent with their welfare. The children and their families should be provided with appropriate support based on the individual child or young person's needs.
- 3.5 If the local authority does need to look after a child or young person they have a duty under the Children Act 1989 to place with relatives or with people with whom the child or young person is connected, as an alternative to being looked after by strangers, unless this is not consistent with the child or young person's welfare.
- 3.6 Children and young people have the right to have the opportunity to develop secure attachments to carers who are capable of providing safe, effective and loving care for the duration of their childhood.
- 3.7 Families First believe that everyone should be treated fairly, with respect and be enabled to be the best that they can be; this is irrespective of sex, gender identity, religion or belief, age, disability, ethnicity and sexual orientation.
- 3.8 Families First also believe that communication is at the heart of what we do. We will ensure that verbal and written information is provided in either the appropriate language / British Sign language or alternative format such as large print etc and that the need is recorded appropriately. This commitment is contained in the Families First [Working with Interpreters and Translators Policy](#).

4 Evidence base

- 4.1 Most children and young people would prefer their parents to be supported to continue to care for them rather than becoming looked after by the local authority. If this is not possible children and young people say they would prefer to live with members of their extended family. However, children and young people did want there to be some assessment of where they were going to be living, recognising that not all family members would be good at looking after them.
- 4.2 Research has found that family and friend's foster placements lasted longer than placements with unrelated carers.
- 4.3 Staffordshire County Council works closely with the children and families who receive services from the local authority to ensure that service provision is responsive to their expressed needs.
- 4.4 Staffordshire County Council has made a pledge to its Children in Care Council which represents children in care. This includes always listening to what the child says and actioning their wishes when possible and giving reasons if this is not possible.
- 4.5 Children in care and their parents are encouraged to express their views as part of the Looked After child review process and as part of the review of approval of foster carers and private fostering arrangements.
- 4.6 As part of the assessment of family and friend's foster carers, the local authority consults with the prospective carers and the family to ensure their voices are heard and the child's needs are met. Combined assessments seek the views of children and their family members.

5 The legal framework

- 5.1 The following legislation and statutory guidance is applicable:
 - Children Act (1989/2004)
 - Care Planning, Placement and Case Review Regs (2010)
 - Fostering Service: Regulations (2011); and the Fostering Service: National Minimum Standards (2011)
 - Private Arrangements for Fostering Regulations (2005); and the National Minimum Standards for Private Fostering (2005)
 - Adoption & Children Act (2002)
 - Adoption Support Services Regulations (2005)
 - Special Guardianship Guidance (2005).
 - Equality Act (2010)
- 5.2 There are many options for caring for somebody else's child and they all

have their own legal framework. Some of the differences between the different options are summarised in **Appendix 1** of this document. Further information about the range of options can be found in the [Permanency Strategy](#).

5.3 If the local authority becomes involved, an assessment will be undertaken as to how best to meet the child or young person's needs. A decision will be made as to the support that will be required and whether or not the child or young person would need to become looked after.

5.4 The Family and Friend's Care guidance 2.12 states:

“Local authorities and their partners should make sure that family and friend's carers are aware of relevant support services, and that these can be readily accessed by those caring for children whether or not these are looked after by the local authority. Whilst recognising the requirements which may go with a particular legal status, it is essential that services are not allocated solely on the basis of the child's legal status, and that commissioners and providers of services are aware that many children in family and friend's care have experienced multiple adversities similar to those of children who are looked after by local authorities. Where support services are identified as necessary to meet the child's needs, these should not be withheld merely because the child is living with a carer under an informal arrangement rather than in a placement with a foster carer or with a person with a child arrangement order, special guardianship order or an adopter.”

5.5 The local authority has a duty to provide support under section 17 of the Children Act 1989 to children in need, which will ensure that wherever possible children's needs are met through the best use of resources designed to safeguard and promote their welfare. This will help to ensure that, subject to meeting the statutory criteria, children do not become looked after by the local authority unless that is the most appropriate way to safeguard and promote the child or young person's welfare. Support services are available to families without the child or young person becoming looked after and therefore children should not become looked after if the only reason for so doing is to access these services. Local authorities should make the decision of whether or not a child or young person becomes looked after (or ceases to be looked after), based on an assessment of the individual child or young person's needs and circumstances.

5.6 There are some differences between the entitlement to different forms of support by informal family and friend's carers and by those who are foster carers to a child or young person accommodated by the local authority. These are summarised in Appendix 2 of this document.

6 [Financial support](#)

6.1 Parents retain their responsibility for maintenance of their children if they live with informal family and friend's carers. However, it can be a significant

burden to informal family and friend's carers who may not have the financial resources to maintain a child. Some family and friend's carers will need to give up work in order to provide care for the child.

- 6.2 Informal family and friend's carers should access benefits advice to ensure that they claim all the benefits and tax credits to which they are entitled. Further information and advice on finance and benefits can be provided by the [Directgov - Benefits Advisor](#) or by the Citizens' Advice Bureau (CAB).
- 6.3 In exceptional circumstances and where there is a clear identified need, the Local Authority children's teams may provide discretionary financial assistance to family carers (where the arrangement is informal) through the use of Child in Need Section 17 funding. This may be to support a carer with a specific item or expenditure.
- 6.4 If the child or young person does need to be in the care of the local authority (looked after) and is placed in foster care, then fostering allowances and fees would be paid to the foster carer at the appropriate rate. Further information is available in the [Foster Carer Handbook](#).

7 [Accommodation](#)

- 7.1 Sometimes family and friend's carers will find that taking a child or children into their home places undue pressure on their accommodation.
- 7.2 This local authority will work with local district and borough councils to ensure that whenever possible family and friend's carers living in social housing are given appropriate priority to move to suitable accommodation.

8 [Supporting contact](#)

- 8.1 Schedule 2 (Children Act 89) paragraph 10 states that "Every local authority shall take such steps as are reasonably practicable where any child within their area who is in need and whom they are not looking after is living apart from their family – a) to enable him to live with his family and b) to promote contact between him and his family, if in their opinion it is necessary to do so in order to safeguard or promote his welfare".
- 8.2 If the child or young person is looked after by the local authority paragraph 15 of Schedule 2 of the Children Act states that "the authority shall unless it is not reasonably practicable or consistent with his welfare, endeavour to promote contact between the child and;
 - a) his parents;
 - b) any person who is not a parent of his but who has parental responsibility for him;
 - c) any relative, friend or other person connected with him.
- 8.3 If there are any concerns regarding safeguarding the child or young person's welfare then there may be a need for children's services to be involved and ensure that safe contact arrangements are made.

9 Staffordshire Family Group Conference Service

- 9.1 A Family Group Conference is a decision-making meeting in which a child's parents/carers and or wider family and friend's network makes a plan about future arrangements for the child, which ensures that his/her safety and wellbeing is promoted. Family Group Conferences are intended as respectful, empowering processes. The aim is to enable those present to understand the concerns in relation to the care of the child and how their needs can be met and for those present to produce a plan which will safeguard the child and meet their needs. The expectation is that the 'Family Plan' will be agreed by the local authority provided it adequately addresses the concerns and it safeguards the child/ren.
- 9.2 This model places the child and family at the centre of planning processes and provides them with an opportunity to have their voices heard. It is a major strength of Family Group Conferences that children are supported by facilitators to participate in the conferences wherever possible and appropriate to do so.
- 9.3 Family Group Conferencing should be considered at the early stages of the care planning process i.e; during Child Protection interventions or within the PLO process. Utilising the FGC early within the care planning process will support children's social workers to identify any potential connected persons and allow time for the completion of viability assessments; thus reducing delay within the court process and supports with planning how the child's needs can be best met.

10 Other Support – Family and Friend's Foster Carers

- 10.1 Services which are offered to family and friend foster carers as appropriate include:
- All Family & Friend's foster carers will be provided with the same level of support as other foster carers approved by Staffordshire Families First, which includes access to the full range of training opportunities afforded to other approved foster carers, including online training programmes.
 - Family & Friend's foster carers (like other approved foster carers) are also required to complete the TSD 'Training, Support and Development' - Standards for Foster Care within 18 months of the approval by the Fostering Agency Decision maker.
 - Access to county wide support groups including specific support groups for family and friend's foster carers.
 - Referral to Children's Education and Health Services - e.g. speech therapy.
 - Referral to SUSTAIN+ or other emotional wellbeing/Mental Health Services

- Access to Early Interventions / Targeted Services
- The child will also have their own social worker.
- Family & Friend's foster carers will have an allocated social worker from the Fostering service / Kinship Team who will visit on a regular basis, making scheduled and unannounced visits. They will also review the approval of the foster carers, at least on an annual basis.

This is not an exhaustive list and assistance required will vary from case to case.

11 Other Support – All Carers

- 11.1 The need for support services from the Local Authority may be assessed as part of the CSWA Child Social Work Assessment. Other community based services, including CAMHS, can be accessed via other professionals such as a health visitor, GP or the child's school. Special educational needs assessments can be requested by the carer directly to Staffordshire County Council or through the child's school.
- 11.2 Staffordshire County Council have a number of Children's Centres that can be used by families and carers. Details can be found on Staffordshire County Council's [website](#).
- 11.3 In addition, **Appendix 3** contains a list of organisations that may be of assistance to any family and friend's carers.

12 Private Fostering Arrangements

- 12.1 A private fostering arrangement is essentially one that is made privately (that is to say without the involvement of a local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more. Private foster carers may be from the extended family, such as a cousin or great aunt. However, a person who is a relative under the Children Act 1989 i.e. a grandparent, brother, sister, uncle or aunt (whether of the full or half blood or by marriage or civil partnership) or step-parent will not be a private foster carer.
- 12.2 The period for which the child lives with the private foster carer should be continuous, but that continuity is not broken by the occasional short break.
- 12.3 If a child or young person is living in a private fostering arrangement the private foster carer becomes responsible for providing the day to day care of the child or young person in a way which will promote and safeguard his or her welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility. Local authorities do not formally approve or register private foster carers. However, it is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and

promoted. It is the local authority in whose area the privately fostered child resides which has legal duties in respect of that child.

- 12.4 The Family & Friend's Team assesses all private fostering arrangements and work jointly with the area Specialist Safeguarding Units to ensure the arrangement is suitable and appropriately safeguards the child. Further information about private fostering can be found on our Private Fostering Statement of Purpose.
- 12.5 **Financial Implications:** the child's parents remain financially responsible for the child. Private foster carers may be eligible for state benefits e.g. child benefits, child tax credits etc but only if these are not already being claimed by the parents.
- 12.6 In exceptional circumstances, the Local Authority may provide discretionary [financial assistance](#) to private foster carers through S17 CA1989.

13 [Family and Friend's \(Connected Persons\) Carers](#)

- 13.1 If following assessment, the plan for the child or young person is to come into care they must be placed with an approved foster carer. Where the plan is to place a child with family or friends who are not yet approved as foster carers a viability assessment will need to be completed. In most potential family and friends carers should have been identified as part of the FGC process.
- 13.2 **NB;** The Family & Friends Team undertake viability assessments in the following circumstances;
- Care proceedings have been initiated by the children's county manager and the LA are seeking removal of the child/ren from parent's care.
 - The viability assessment is court directed and the LA are seeking removal of the children from parent's care
- 13.3 There is a requirement for the child social worker to complete the viability assessments in all other circumstances including;
- when [making a placement under Regulation 24](#)
 - when the child is placed with a connected person under S38(6) by the courts.
- 13.4 Following an initial viability assessment, family and friend's carers can be assessed to be temporarily approved for 16 weeks (this can be extended for a further 8 weeks in exceptional circumstances). During this time a foster carer assessment will be completed which also includes a number of agency checks e.g DBS, schools, health. The legal framework for formal placements of family and friend's carers (or connected persons as it is called in the legislation) is Regulation 24 of the Care Planning, Placement and

Case Review (England) Regulations 2010. Staffordshire County Council has a separate policy and procedure in relation to placements made in this way.

14 Child Arrangement Order

- 14.1 A Child Arrangement Order is an order made by a court which may be helpful in cases where it is useful for someone to share parental responsibility alongside the parent particularly in the short or medium term and potentially in the long term. Child Arrangement Order holders acquire shared parental responsibility for the child and have to consult with everyone who has parental responsibility for that child about decisions affecting the child.
- 14.2 Although the parent, family member or friend will share parental responsibility a Child Arrangement Order determines with whom the child is to live, and will prevent the parent from removing the child from the carer.
- 14.3 In circumstances where a child ceases to be looked after due to a child arrangement order being granted to a family and friends carer, Staffordshire County Council will assess the needs of the child and carer and will provide the relevant support where this is required.

15 Special Guardianship

- 15.1 A 'Special Guardianship Order', is awarded by the court. It offers more security than a Child Arrangement Order because a parent cannot request for it to be removed unless the court has given permission to do so. Parental responsibility is shared between birth parents and the family and friend's carer. However, a special guardian can exercise parental responsibility to the exclusion of others who share it, which means they can make all the major decisions about a child's upbringing, without consulting the birth parents. In practice, this means that the child is no longer the responsibility of the Local Authority, and the special guardian will have clear responsibility for all day-to-day decisions about caring for the child and for taking important decisions about their upbringing, e.g. their education. Importantly, although birth parents retain their legal parental responsibility, the special guardian only has to consult with them about these decisions in exceptional circumstances.
- 15.2 Family and friend's carers can apply for a special guardianship order if the child or young person has lived with them for three out of the last five years, or for one year immediately preceding the application (in the case of a close relative, or an approved Local Authority foster carer).
- 15.3 Any decision to apply for a special guardianship order should always be based on meeting the needs of the child. In situations where members of the child's extended family may not want to adopt the child, but need more security and clarity about day-to-day decision making, special guardianship may be the preferred option.

- 15.4 **Financial Implications:** The Local Authority **may** provide regular financial support to special guardians and details of this can be found in [the financial policy](#).
- 15.5 In addition to these allowances, financial support to Special Guardians e.g. help with nursery fees, expenses to manage/supervise contact, and in some cases financial help to cover legal fees should birth parents attempt to revoke the Special Guardianship Order may be available.
- 15.6 Where children were not previously looked after, but the carers go on to make an application for Special Guardianship, SCC will assess the needs of the child and the carers and in exceptional circumstances the county council may provide financial assistance and other types of support, as described above. However, this is entirely at the discretion of the Local Authority and will be subject to a financial assessment.

16 [Adoption](#)

- 16.1 In some circumstances, especially for young children it may be appropriate for a child to be adopted by family or friends. Adoption is a court order which creates a new legal relationship between a child and his/her carer. Adoption permanently ends the legal relationship between the child and their birth family, and once an adoption order is made it cannot be revoked. An approved foster carer can apply for an adoption order after caring for a child for one year. Other informal carers can apply for an Adoption Order if the child has lived with them for a period of three years. However, if this is not the case it is possible to apply for an Adoption Order if the court gives permission to do so.
- 16.2 It is acknowledged that adoption has life-long implications and Staffordshire County Council offers adoption support services for adopted people, their birth families and their adoptive families
- 16.3 Further information on adoption is available through the Staffordshire Adoption Service on 0800 169 2061 or at care4child.org/adoption

17 [Contacts](#)

- 17.1 For further information about this policy, please contact the Family & Friend's Team Manager scott.crawford@staffordshire.gov.uk
- 17.2 Additional information can be found by contacting:
- **The Family Rights Group (FRG)**
www.frg.org.uk
 - **The Fostering Network**
www.fostering.net

- **The Grandparent's Association**

www.grandparents-association.org.uk

18. **Complaints**

18.1 If a family and friend's carers wishes to make a complaint or comment about the way that Staffordshire County Council have carried out its powers and duties they can access make a complaint procedure. This is accessible online through the Staffordshire County Council website or leaflets are available in all the local offices.

18.2 To access the Comments, Compliments and Complaints page please click [here](#)

Glossary

Connected Person

A connected person is a relative, friend, or other young person connected with a looked after child. This may be someone who knows the child in a more professional capacity such as child-minder, a teacher, or a youth worker.

Family & Friend's Carer

A relative, friend, or other person (with a prior connection), who is caring for someone else's child full-time.

Foster Carer

A person who is approved as a local authority foster carer (by a local authority or an independent fostering provider), in accordance with regulation 27 (Regulations 2011), or temporarily approved under Regulation 24 of the Regulations (2010).

Informal Arrangement

An arrangement where a child is living with a family and friend's carer who does not have parental responsibility for the child

Parental Responsibility

A person with PR is one who becomes responsible for providing the day to day care of the child. In informal (private) arrangements, parental responsibility remains with the birth parent(s). This means that the birth parents remain legally responsible for safeguarding and promoting the child's welfare and they should be involved in all major decisions concerning the child. Parental responsibility remains with the birth parent(s) but the family carer may do what is reasonable to safeguard and promote the child's welfare.

Private Fostering Arrangement

An arrangement where a child who is under 16 (or 18 if disabled), and who has not been provided with accommodation by the local authority, is cared for and accommodated by someone who does not have parental responsibility for him/her and is not a relative, and the arrangement continues for a period of 28 days or more or is intended to do so.

Appendix 1: Caring for somebody else's child – The options.....

	Private Fostering	Family Care (informal)	Family & Friends Foster Care	Unrelated Foster Care	Residence Order	Special Guardianship	Adoption
Route into the caring arrangement	<p>This is a private arrangement whereby the child is being cared for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative.</p> <p>Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent.</p> <p>The child is not a looked after child.</p>	<p>The relative has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the Local Authority.</p> <p>The child is not a looked after child.</p> <p>Relative may perceive the parents to be unable to care for the child; or the parents may have died, or otherwise not available (e.g. in prison); or there may be an agreement between relatives due to difficult family circumstances.</p>	<p>The child has been placed with the relative or friend by the Local Authority, because the person who had been caring for the child was deemed not to be providing suitable care.</p> <p>The child is a looked after child and the Local Authority must approve the relative or friend as a Local Authority foster carer.</p> <p>The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.</p>	<p>The child is a looked after child being accommodated by the Local Authority under s20 or because the child is subject to a care order; but has been placed with a foster carer by the Local Authority.</p> <p>(Alternatively, the Local Authority may choose to place a child into residential care where this is considered to best meet the child's needs).</p>	<p>The child may be at risk of becoming 'Looked After' and a friend or relative applies for an order, or</p> <p>The child may have been 'Looked After' and their foster carer or other relative/friend applies for an order.</p> <p>In either circumstance, application can be made without the support of the parents or the Local Authority. Relatives may apply for an order after the child has lived with them for one year.</p> <p>Or, there can be benign reasons, e.g. after parents' death and in line with a prior agreement between the birth parents and the carer.</p>	<p>Looked After Children: the Local Authority may decide that the child should be placed for adoption. They can only do so with the consent of the birth parent or under a placement order made by a court.</p> <p>An approved foster carer can apply for an Adoption Order after a year of caring for the child.</p> <p>Other informal carers could apply for an Adoption Order if the child has lived with them for a period of 3 years.</p>	

Parental Responsibility (PR)	Remains with birth parents.	Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare.	Remains with birth parents if the child is accommodated under s20. If the child is subject to a Care Order or Emergency Protection Order the Local Authority will have PR and will determine the extent to which it may be exercised by others.	Shared by parents and the holder of Residence Order.	PR shared with parents and anyone else with parental responsibility for the child. The Special Guardian may exercise parental responsibility to the exclusion of all others with PR, apart from another Special Guardian.	Transfers to adopters and the relationship with the birth parents is severed.
Approval basis	The arrangement is assessed by the Local Authority but the carer is not 'approved' as a Local Authority foster carer is. The arrangement may be prohibited if assessed by the Local Authority as unsuitable.	None	Approved as Local Authority foster carers in accordance with Fostering Services Regulations. (If the child is Looked After, carers must be approved as foster carers even if they are a close relative).	Appointed by Court following application.	Appointed by court following application from the applicant. The Local Authority must investigate the matter and prepare a report for the Court, dealing with the suitability of the applicant to be a Special Guardian.	Local Authority assesses and approves the prospective adopters. The Court makes the order regarding the specific child. If the child is not looked after then 'notice of intention to adopt' must be given to the Local Authority who then carry out an assessment / report for the Court.
Duration	Subject to discretion of person with PR and readiness of private foster carer.	Subject to discretion of person with PR	So long as placement remains in line with the child's Care Plan, as determined by the Local Authority.	Age 18	Age 18 unless varied or discharged by the court before the child reaches 18	Permanent lifelong relationship

Placement Supervision	It is not a placement, but there are statutory visits to the child by the Social Worker (min 6 weekly in first year, then 12 weekly) See Staffordshire's Private Fostering Policy.	None	Statutory: visits to the child by the Social Worker and supervision of foster carers by the Supervising Social Worker. See Staffordshire's Visits to LAC and Supervision & Support of Foster Carers	None		When child is placed for adoption by the Local Authority, the placement is supervised and there are statutory reviews. Preparing, Assessing & Reviewing Adopters . Once the Adoption Order is made, none.
Review	It is not a placement, but the Local Authority may do formal reviews in addition to ongoing assessment.	None	Statutory reviews of child's Care Plan (min 6 monthly); and annual reviews of LA Foster Carers approval. See Staffordshire's Standards for Stat Care Plan Reviews	None		See above
Support Services	Provision of advice and support as determined necessary by the Local Authority.	No entitlement but the Local Authority may assess the child as a 'child in need', with a Child in Need Plan, and provide services and support for the child/family under s17.	Support to meet the child's needs inc health plan and PEP. Training and support to foster carers (in accordance with Fostering Regulations, NMS and CWDC standards	No entitlement although Local Authority has discretion to provide services/support for child/family under s17	If child was looked after prior to making the Special Guardianship Order the Local Authority must assess for need for Special Guardianship Support Services. Local Authority has discretion whether to provide support. Young person may be entitled to leaving care support services if they were a Looked After Child prior to the making of the order	

Financial support (entitlement)	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holder of PR. Guardian's Allowance payable if both parents have died; or the only surviving parent cannot be found or serving 2 years or more prison sentence.	Child benefit and child tax credit not payable. Weekly allowance to meet the costs of caring for the child. See Staffordshire's Foster Carer's Finance policy. This should meet at least the national minimum rate set by DCSF. (Manchester City Council judgement ruled that allowances must be the same for all foster carers, whether or not family & friends).	Can claim child benefit and child tax credit if not being paid to parent		Can claim child benefit and child tax credit if not being paid to parent. Entitlement to assessment for financial support (part of adoption support) if child was looked after prior to order.
Financial support (discretionary)	LA has discretion to make one-off or regular payments under s17		Some fostering providers pay their foster carers a fee to recognise the carers' skill, experience and judgement (See Staffordshire's Foster Carers Finance Policy) Statutory guidance for Fostering Services requires that any policy in relation to payment of fees must apply to all foster carers who meet the criteria in the same way and must not discriminate on the grounds of a pre-existing relationship with the child.	Local Authority has discretion to pay residence order allowance - usually if the child was previously fostered, by the carers, or exceptionally if making Residence Order prevents the child becoming Looked After. Any allowance must be reviewed annually.	Entitled to an assessment for financial support under the Special Guardianship Regs (2005) if child was Looked After prior to the order and meets the criteria in the regs. Subject to an assessment as above and for former foster carers can include an element of remuneration. Regular one-off payments. Any allowance to be reviewed annually	Subject to assessment, one-off payments or regular Adoption Allowance may be paid

Appendix 2 - Entitlement to support by family and friend's carers under Children Act 1989 Section 17 and Section 20

- Child in need supported under section 17 (in an informal arrangement)
- Child accommodated under section 20
- The child is not looked after by the local authority.
- The child is looked after by the local authority.
- The child will not have a care plan but there may be a child in need plan or child protection plan.
- The child must have a care plan (including health plan, personal education plan and placement plan) which will be reviewed by an independent reviewing officer.
- If there is a child in need plan or a child protection plan a social worker or other worker may visit the child and carers.
- A social worker will visit the child and carers and oversee the child's welfare.
- The child must be offered access to an advocacy service where they make or intend to make representations under section 26 of the 1989 Act.
- The child must be offered access to an advocacy service where they make or intend to make representations under section 26 of the 1989 Act.
- The carers will not usually have a separate social worker.
- A supervising social worker will be appointed for the foster carers.
- The local authority has discretion to give financial assistance (which can be on the basis of regular payments) but there is no entitlement and family income may be taken into account since the local authority must have regard to the means of the child and parents under section 17(8) of the 1989 Act.
- A weekly fostering allowance will be paid.
- Child Benefit and Child Tax Credit may be payable.
- There is no entitlement to Child Benefit or Child Tax Credit.
- Support may be offered to the carers and/or child but is discretionary.
- Training and support must be offered to the foster carers.
- There is no entitlement to leaving care support.
- On leaving care the young person may be eligible for ongoing support under the 1989 Act (as amended by the Children (Leaving Care) Act 2000).
- Any support offered will cease when the young person becomes 18, unless criteria are met for support from adult services.
- The local authority is able to offer continuing support (including financial support) to the carers until the young person is 21, and to support the young person in respect of education and training until they become 25.

[Appendix 3: Useful organisations and information for family and friend's carers.](#)

Action for Prisoners' Families: Works to reduce the negative impact of imprisonment on prisoners' families. Produces publications and resources, and provides advice, information and training as well as networking opportunities. www.prisonersfamilies.org.uk

Addaction: Offers a range of support developed for families and carers affected by substance misuse. www.addaction.org.uk

Adfam: Works with families affected by drugs and alcohol, and supports carers of children whose parents have drug and alcohol problems. www.adfam.org.uk
Advisory Centre for Education (ACE) Offers free independent advice and information for parents and carers on a range of state education and schooling issues, including admissions, exclusion, attendance, special educational needs and bullying. www.ace-ed.org.uk

Children's Legal Centre: Provides free independent legal advice and factsheets to children, parents, carers and professionals. www.childrenslegalcentre.com

Citizens Advice Bureau: Helps people resolve their legal, money and other problems by providing free, independent and confidential advice through local bureau and website. www.citizensadvice.org.uk

Department for Education: Lists details of telephone help lines and online services to provide information, advice and support on a range of issues that parents and families may face in bringing up children and young people. www.education.gov.uk/childrenandyoungpeople/families

Family Fund Trust: Helps families with severely disabled or seriously ill children to have choices and the opportunity to enjoy ordinary life. Gives grants for things that make life easier and more enjoyable for the disabled child and their family. <http://www.familyfund.org.uk/>

Family Rights Group (FRG): Provides advice to parents and other family members whose children are involved with or require children's social care services because of welfare needs or concerns. Publishes resources, helps to develop support groups for family and friend's carers, and runs a discussion board. <http://www.frg.org.uk/>

The Fostering Network: Supports foster carers and anyone with an interest in fostering to improve the lives of children in care. Publishes resources and runs Fosterline, a confidential advice line for foster carers including concerns about a child's future, allegations and complaints, legislation and financial matters. <https://www.fostering.net/>

The Grandparents' Association: Supports grandparents and their families,

especially those who have lost or are losing contact with their grandchildren because of divorce, separation or other family problems, those caring for their grandchildren on a full-time basis, and those with childcare responsibilities for their grandchildren. <http://www.grandparents-association.org.uk/>

Grandparents Plus: Champions the role of grandparents and the wider family in children's lives, especially when they take on the caring role in difficult family circumstances. <http://www.grandparentsplus.org.uk/>

Mentor UK: Promotes the health and wellbeing of children and young people to reduce the damage that drugs can do to lives. <http://www.mentoruk.org.uk/>
Family Mediation Helpline Provides information and advice about family mediation services and eligibility for public funding.
<http://www.familymediationcouncil.org.uk/>

National Family Mediation (NFM): Provides mediation services to support couples who are separated, and their children and others affected by this.
<http://www.nfm.org.uk/>

Partners of Prisoners and Families Support Group: Operates helpline and provides a variety of services to support anyone who has a link with someone in prison, prisoners and other agencies. <http://www.partnersofprisoners.co.uk/>

Prison Advice and Care Trust (PACT): Provides practical and emotional support to prisoners and to their children and families. The Kinship Care Support Service provides support and advice to family members and friends who care for children whose parents are in HMP Holloway. <http://www.prisonadvice.org.uk/>

Parents Against Drug Abuse (PADA): Delivers support and services to the families of substance users, including a national helpline.
<http://www.pada.merseyside.org/>

Parentline Plus: Provides help and support in all aspects of family life, including information, an online chat facility and a 24 hour helpline.
<http://www.familylives.org.uk/>

TalktoFrank: The government's national drugs helpline which offers free confidential drugs information and advice 24 hours a day. Information and advice is also available via the website. <http://www.talktofrank.com/>
Voice Advocacy organisation for children living away from home or in need.
<http://www.coramvoice.org.uk/>

Young Minds: Works to improve the emotional wellbeing and mental health of children and young people and empowering their parents and carers.
<http://www.youngminds.org.uk/>