

## ***Family and Friends Care - advice and support in Gloucestershire***

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### 1. PURPOSE

1.1. This policy sets out how Gloucestershire County Council's Children and Young People's Service may provide support or advice to family and friend's carers, whatever the legal status of the children they are caring for.

1.2. This policy has been written following the publication of the Statutory Guidance for Local Authorities 2011, Family and Friends Care, which requires the following (Chapter 4)

*"4.2. In collaboration with local partners, each local authority with responsibility for children's services must, no later than 30 September 2011, publish a policy setting out its approach towards promoting and supporting the needs of children living with family and friends carers. The policy must address the needs of children in family and friends care, whether or not they are looked after children, and should be clearly expressed, regularly updated, made freely and widely available and publicised by relevant means, such as websites and leaflets."*

1.3. This guidance emphasises the role of family and friends care as the preferred alternative to caring for children who can no longer live with their parents.

## 2. SCOPE

2.1. This policy is relevant to all staff working in GCC Children's Services within Social Care, in the Localities and with Partners in other agencies.

## 3. EVIDENCE INFORMED PRACTICE

3.1. Research indicates that where children cannot grow up with one or both of their birth parents, their welfare may best be secured if they live within their own family and friends network. Estimates suggest that the present number of children in the UK living with family and friends carers is between 200,000 and 300,000. A high proportion of these children are unable to live with their own parents because of very difficult family circumstances such as parental drug or alcohol abuse, disability or long term illness, death, child abuse or neglect, imprisonment or domestic violence.

3.2. A summary of research (DfE 2011) is attached as Annex 1. Current research, although not conclusive, is broadly supportive of family and friends care as a viable option and suggests scope for greater use. A consistent theme in the research is that family and friends care is a distinctive form of care which requires its own policy and practice guidance, systems, structures and services tailored to the particular needs of these families and a transparent and fair system where financial support may be needed.

3.3. In a survey by Family Rights Group in 2007, 69% of local authorities responding did not have a written coherent approach to family and friends. One study found that 86% of the placements made with family and friends foster carers came about because relatives or friends offered to care for the children or were already doing so, whilst only 4% were initiated by the social worker.

3.4. Another study concluded that family and friends care can enhance the behavioural development, mental health functioning, and placement stability of children, but attention must be paid to increasing levels of support. Support to family and friends carers must be based on the needs of the child. Every effort should be made to ensure that family and friends carers are provided with support to ensure children do not become or remain longer than is needed, accommodated by the local authority.

3.5. Gloucestershire Children and Young People's Service monitors requests for service in each locality. Data is used to ensure that services are developed which are relevant and responsive to local needs.

3.6. Research suggests that any form of intervention is likely to be more successful if it takes account of the views and wishes of those who receive our services. For this reason Gloucestershire is committed to obtaining and using information from service users to inform how we deliver services on the individual case level as well as the broader structures. This is underpinned by our Participation Strategy that is implemented through our participation board.

## 4. DEFINITIONS

4.1. There is very differing and sometimes confusing language used in discussions of research or practice around family and friends care.

4.2. An understanding of the differing legal frameworks is important. The Department for Education has produced a helpful chart which outlines the various options that may be considered when caring for somebody else's child. This is copied as Annex 2.

#### **4.3. The key terms:**

**Parental Responsibility (PR)** In practical terms parental responsibility means the power to make important decisions in relation to a child - for example, decisions about where a child is to live, whether a child should receive medical treatment, what religion the child should follow and which school they should attend.

Family Care (informal)

Family and Friends Foster care (formally approved foster carer provided to a child by a 'connected' person.

Unrelated foster care (or stranger foster care)

Residence Order

Special Guardianship Order

Adoption

Permanence

#### **5. LEGISLATION**

Children Act 1989

Children Act 2004

Care Planning, Placement and Case Review Regulations 2010

Adoption and Children Act 2002

Adoption Support Services Regulations 2005

Special Guardianship Regulations 2005

Fostering Services Regulations 2011

Equality Act 2010

#### **6. IMPLEMENTATION AND REVIEW**

To be published by September 2011

Reviewed 2013

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#### **7. Equalities Statement**

7.1. This policy is intended to have a positive impact on groups of carers who may benefit from easier access to advice and information. The local authority

has a statutory duty to promote equality, including on the grounds of age, gender, ethnicity, and access to services.

7.2. The Family and Friends Care policy, applied effectively, will promote individual development, psychological wellbeing, positive identity and inclusion of children in need throughout childhood and beyond. It will support children's sense of identity by enabling them, where possible, to remain within their family network.

7.3. This policy recognises the additional vulnerabilities that children and carers may have, whatever the legal status, when children are not able to be cared for by their own parents.

## **8. Values, principles and objectives**

8.1. The key principle of this policy is that children should be enabled to live within their families unless this is not consistent with their welfare.

8.2. GCC's Children and Young People's Services' policies and practice promote permanency for children. Children need to be securely attached to adult carers who can provide safe and effective care throughout childhood.

8.3. The commitment to securing permanence for children who are unable to live with their own parents is outlined in more detail in the GCC policy Permanence Planning Guidance 2013 .

<http://gloucestershirechildcare.proceduresonline.com>

8.4. The Family and Friends Care Policy fits within this overall framework for Children's services with these key elements:

- Support should be based on needs of child, not legal status
- Children as active participants, their wishes and feelings taken into account

8.5. Children and Young People's Services are committed to developing and improving processes for listening to children and young people. Consultation and engagement with carers is also critical for the effective implementation of this policy. We will aim to further develop our policy and services with increased participation of carers and young people.

## **9. Management accountability**

9.1. The GCC Senior manager with overall responsibility for the family and friends policy is the Operational Director for Children and Young People.

9.2. Management information is regularly provided to the senior management team. This includes the number of children subject to Special Guardianship support arrangements, adoption support, the number of children in formal family and friends arrangements and data about private fostering arrangements. Information is also available about services delivered through the locality based early help teams.

9.3. The senior operational leadership team monitors needs and services in different communities across Gloucestershire. A key strategy is to direct interventions to the areas where the need is identified.

9.4. The senior operational leadership team is responsible for making sure the policy is known and publicised, and that systems are in place to monitor how it is interpreted and implemented. This is to ensure that it operates in a consistent and fair manner. The delivery of relevant staff training programmes is monitored by the senior leadership team.

## **10. Legal framework**

10.1. Children and young people who are unable to be cared for by their own parents may live with family and friends carers under a range of different legal frameworks (See Annex 2).

10.2. Informal arrangements may be made without knowledge or intervention by the local authority, for example a grandparent taking on the full time care of grandchildren. Such arrangements can nevertheless present some challenges and advice and information as outlined below can be beneficial.

10.3. The local authority may have a more active duty in other cases. This may be the statutory responsibility to monitor the wellbeing of a child in a private fostering arrangement. The private fostering regulations apply to certain categories of relatives.

10.4. If the local authority has been involved directly in arranging the placement of a child with a family and friends carer the legal context is that the carer must be formally approved under fostering regulations. In such cases the child becomes 'looked after' by the local authority and the placement is assessed and monitored as a foster placement within the framework of the children in care policies and procedures.

10.5. In other cases, a family and friends carer may apply, or has already been granted, a legal order (Adoption, Special Guardianship, or Residence Order) which gives the carer Parental Responsibility for the child.

10.6. It is very important that carers and professionals working with them are clear about the legal status of the particular arrangement as this will have a direct bearing on the level of statutory intervention that is required, and also the sources of support.

## **11. Information about services and support**

11.1. GCC has information about a range of resources available to family and friends carers. The Family Information Service can provide independent advice and information about local and national resources.

## Family Information Service:

<http://www.gloucestershire.gov.uk/fis> or

Freephone 0800 542 02 02.

### 11.2. Family Information Service (FIS)

The Family Information Service offer a free, impartial advice, information and Support service to parent/carers of children aged 0-19 (25 if with additional needs). The role of FIS in Gloucestershire is to give parents somewhere to turn to find out what resources are in the community and which they may be able to tap into to support their family unit.

11.3. Through the Gloucestershire County Council site the FIS has a webpage with links to the FIS "Guide to Childcare Options" which will support carers who need to find any type of childcare so that they can continue working. FIS also produce a regular newsletter with useful information for carers and families.

11.4. The Family Information Service directory

[www.Glofamiliesdirectory.org.uk](http://www.Glofamiliesdirectory.org.uk) is a useful resource for looking for activities/things to do to keep children occupied.

11.5. The FIS also offer a brokerage service for those carers finding that their responsibilities have increased overnight and don't know where they can go to ask for help. The FIS Adviser will talk through the problem/question with the carer and do their best to find the answer or signpost to someone who can help with the problem. As one parent described it -

***"It was lovely not to have to ring around because apart from the logistics it's very draining to have to tell your story so many times. Things are coming together nicely and I am very relieved to have received the help"***

11.6. The free impartial service which FIS offer is here to support parent/carers to be informed about the choices open to them, it operates a freephone service so that those already struggling with extra demands do not have to waste time sitting at a computer trying to fight their way through the maze of trivia which can be found on the internet. As was recently commented by a carer

***"It was lovely to hear someone's voice and know that there is someone there you can talk to and who will listen"***

11.7. The directory which FIS support contains both local and national organisations who can offer support to all parent/carers and the site is advertised in many areas of Gloucestershire, such as children's centres, libraries, GP practices and with HV's. Schools have also been contacted with details of the services which are available through FIS.

11.8. The glosfamiliesdirectory goes some way to providing the information that research has shown carers want access to.

[.www.glosfamiliesdirectory.org.uk](http://www.glosfamiliesdirectory.org.uk)

- Money & Work
- Parenting
- Education
- Childcare
- Things to Do
- Disability
- Housing
- Health & Well being.

11.9. More targeted support may be appropriate for some families and friends carers. The Common Assessment Framework (CAF) is an 'integrated' way of working with children and young people aged 0 to 19. The CAF involves listening to children, young people and their families to find out if their needs have not been met.

11.10. The CAF aims to pull together all of the information about children, young people and their families on the same form, so families do not have to repeat the same story to different professionals. An action plan, agreed with the family, is also put in place to make sure that the right sort of help is given.

11.11. Access to more specialist services such as the Child and Adolescent Mental Health Services (CAMHS) may be part of the action plan. CAMHS in Gloucestershire has a specific remit in responding to the needs of children in identified vulnerable groups.

11.12. Children and Young People's Services are actively working to promote professional and community networks in the localities which can assess need and provide support and early help to families. This can prevent crises which risk children experiencing poor outcomes in adulthood or having to be taken into care.

11.13. Information about Gloucestershire County Council early help support and services to vulnerable children and young people is available from the following sources:

Educational Psychology service GCC website:

<http://www.gloucestershire.gov.uk/article/108322/Educational-Psychology>

School attendance and exclusions and welfare GCC website:

<http://www.gloucestershire.gov.uk/schoolattendance>

11.14. In some circumstances it may be assessed that support to a family and friends arrangement is best provided by means of short breaks for the child with another carer. This may be through the carer making their own arrangements with someone in their own network or with a childminder.

11.15. Where support is needed for the provision of short breaks, the CAF process or an assessment by Children's Social Care may identify the most appropriate way of meeting the need.

## **12. Financial support**

12.1. For family and friends carers of children who are looked after by the local authority, financial support is available through the fostering payments system. Carers in these circumstances must be approved as foster carers and are supported in the same way as other foster carers.

12.2. When the child is not looked after by the local authority, there may be other more limited circumstances where financial support may be available. These include:

- Where a child is adopted, an adoption allowance may be appropriate, subject to assessment of need and a financial means test.
- Where a child is subject of a Residence Order or Special Guardianship Order, an allowance may be appropriate, subject to assessment of need and a financial means test.
- Where a child is cared for by family and friends, either informally, or in a private fostering arrangement. In some cases financial support may be available through payments made under Section.17(6) of Children Act 1989.

12.3 .A full account of the GCC criteria for payments under Section17 is outlined below.

## **13. CRITERIA FOR FINANCIAL SUPPORT, UNDER SECTION 17, FOR FRIENDS AND FAMILY CARERS**

13.1. Financial support can be given to a placement with a friend or family member whether or not the child is looked after. However, the status of the placement will determine the nature and amount of the financial support and who can authorise its payment.

13.2. Where the placement is made under a Children in Need Plan (and the child therefore is not Looked After), payments can be made up to the financial limits agreed by the team manager. However, it must be remembered that the local authority is not an income support or maintenance agency and the parents continue to have prime responsibility for their child's maintenance.

13.3. Carers should be assisted to maximise their Income/Benefit. The main aim of any financial support from GCC Children and Young People's Service should be to assist in setting up arrangements for the placement, which will be self-sustaining in the long run. For example, emergency care provided by relatives or friends can be supported if necessary by short-term subsistence crisis payments.



13.4. Regular payments will adversely affect an individual's claim to income support.

13.5. There are three categories of payment, which may be considered:

1. **Subsistence crisis (one-off) payments.**

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

2. **Setting-up:**

These are for such items as furniture and bedding and other essential items required in exceptional circumstances. The social worker must be satisfied that the carers' financial position justifies the payment, although there is no requirement to complete a FAB (Financial and Benefits) assessment.

Assistance may be given subject to conditions, including repayment in certain situations.

3. **Weekly living contribution:**

Where family members or friends care for a child and the child is not Looked After, such payments should be seen as a short-term measure for a set number of weeks while more appropriate permanent arrangements are made.

13.6. The following criteria should be applied to all payments made under section 17:

- The purpose of the payments must be to safeguard and promote the welfare of the child.
- A worker should be actively involved with the family at least for the duration of the payments.
- There are no other legitimate sources of finance.
- Payments will be paid to the carer, not the parents.
- The payment would not place any person in a fraudulent position.

## **14. Accommodation**

14.1. Where the arrangement to look after a child by a family and friends carer is difficult because of pressure on bedroom space or another identified housing issue, the Children and Young People's Service may be able to advocate with housing authorities and/ or registered social landlords in order to secure a more appropriate accommodation.

## **15. Supporting contact**

15.1. Information about local contact centres and family mediation services is available from FIS.

15.2. Children and Young People's Service may be involved in supporting contact where it has been assessed and agreed that support or supervision is part of a specific plan to meet the needs of the child. This may be part of a

Care Plan for a child looked after by the local authority, or as part of a post adoption support plan, or special guardianship support plan.

## **16. Family Group Conferences**

16.1. In some circumstances, based on the assessment of the needs of the child, a social worker may arrange for a Family Group Meeting or Conference to be held. This meeting brings together identified members of the family network to see if the arrangements for the child can be resolved within the family. Holding such a meeting or conference is effective as an early intervention strategy and may prevent a child or young person coming into care.

16.2. Where a child is subject to care proceedings, this type of intervention helps to avoid sequences of different assessments of potential carers which can be a cause of delay in planning for the child in public law proceedings.

## **17. Support Groups**

17.1. Children and Young People's Service will work with partner agencies and voluntary organisations to support children and young people as well as their family and friends carers to be able to link with sources of support. This can include Young Carers' groups, participation groups, parenting groups, and other relevant networks. Information is available from FIS.

17.2. Because of the growing numbers of children and young people living in family and friends care arrangements, there will be a continued assessment of how services are structured. This will include consultation with local community and voluntary organisations about the provision of a range of support.

## **18. Private fostering arrangements**

18.1. Private fostering arrangements are when a person proposes to, or is already caring for a child (under 16 years, or under 18 if the young person has a disability) for more than 27 days. These arrangements must be notified to the local authority which has a legal requirement to assess the suitability of any such arrangement. Private foster carers may at the same time be family and friends carers, and face the same issues as other family and friends carers.

18.2. The local authority is required to have a written statement which sets out its duties and responsibilities in relation to private fostering. Gloucestershire County Council's statement on Private Fostering and policy can be found on [http://gloucestershirechildcare.proceduresonline.com/chapters/p\\_private\\_fost.html](http://gloucestershirechildcare.proceduresonline.com/chapters/p_private_fost.html)

## **19. Family and friends foster carers**

19.1. In some circumstances it is necessary for a child to become accommodated by the local authority (Section 20 Children Act 1989) or to become subject to care proceedings. The reasons may include that the parent or parents are not able to adequately care for the child, or that it is not safe for the child to remain in the birth parent's home.

19.2. Where a child needs to become looked after by the local authority, either with a voluntary agreement with the parent/s, or because of a court order, the local authority will always seek to keep a child within the family network, if it is appropriate. In Gloucestershire, social workers will attempt to identify family members, and may consider holding a family meeting, or a Family Group Conference, to see if agreement can be reached for the child to be able to stay within their own family network. An initial assessment of the viability of the arrangement will be undertaken by the child's social worker.

19.3. If the social worker assesses that it is in the child's best interests for placement to be made with a person from within the child's own network (a 'connected' person), the placement will be made in accordance with legislative requirements. Approval from a senior manager must be given and the ongoing assessment and monitoring of the arrangement must take place in line with Fostering Regulations 2011 and with Care Planning Regulations 2010.

19.4. Gloucestershire Fostering Service has a Statement of Purpose, annually reviewed and available on the GCC website [www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk) This includes the fostering service's commitment to providing support and training to family and friends ('connected') approved carers.

19.5. A specialist training and support programme is in place for 'connected' foster carers. This recognises that their circumstances and their relationship with the child and the child's parents may give rise to issues that are different to non related foster carers.

19.6. Financial support arrangements for approved 'connected' carers are no different to other GCC approved foster carers. GCC Fostering Service pays all carers an allowance based on the age of the child or young person. This allowance is equivalent to the minimum recommended annually by the Department of Education. In addition foster carers may be eligible for a fee if certain criteria are met ; this recognises that caring for somebody else's child requires skill and understanding, as well as working with the social workers and other professionals who may be involved. A 'connected' carer will generally be eligible for a fee when they have completed the Training, Support and Development Standards (TSD)

19.7. The TSD standards for Family and Friends (Kinship) foster carers need to be completed within the first 18 months of approval. The six standards form part of a family and friends carers induction:

- Standard 1 - understand your role as a family and friends carer
- Standard 2 - know how to provide a safe environment and healthy care
- Standard 3 - know how to communicate effectively
- Standard 4 - understand the development of children and young people
- Standard 5 - keep children and young people safe from harm
- Standard 6 - develop yourself.

The aim is to simplify and reflect the experience of family and friends foster carers without losing the essence of what is required to meet the standards.

19.8. Foster carer fees and allowances are annually reviewed and up to date information is provided to each carer.

19.9. 'Connected' foster carers are subject to regular supervision from a qualified Fostering Social Worker. It is also a legal requirement that they are formally reviewed at least annually.

19.10. The standard of care provided by approved connected carers must be able to satisfactorily meet the needs of the child. Carers also need to demonstrate that they understand their role, responsibilities and obligations. The Fostering Service will provide advice and training about this.

## **20. Special Guardianship, residence orders and adoption**

20.1. In many cases it is appropriate and desirable for a friends and family carer to apply for a legal order which gives them Parental Responsibility for the child in their care. It is important that anyone who cares permanently for a child has legal rights and responsibilities for that child. There are a number of options which you may wish to consider

20.2. Residence Order :This is where the carer shares all aspects of parental responsibility with the birth parent or birth parents. This order lasts until a child is 18 years old, and the carers must share decision making for the child with the birth parent/s. The birth parents can go back to court to challenge the order.

20.3 .This order works best when the carers have a good relationship with the birth parent of the child and can make these joint decisions in the best interest of the child. It is expected that the child will have continuing contact with the birth parent/s.

20.4. Special Guardianship Order: This is a legal order introduced in December 2005. It is intended to give permanent carers for a child the opportunity to make day to day decisions about the child whilst still retaining some shared parental responsibility with the birth parents. The order lasts until the child is 18 years old and cannot be challenged by the birth parents without leave of the court. In most cases it is anticipated that the child will continue to have some contact with the birth family.

20.5. Adoption Order: This is the most secure form of permanence for a child where all parental rights and responsibilities are transferred to the adoptive family. Whilst it is important to consider whether the child should continue to have contact with the birth parents this very much depends on the needs of the child.

20.6.. Local authorities are required by Special Guardianship Regulations 2005 and Adoption Support Services Regulations 2005 to assess need and to provide relevant services.

20.7. GCC has commissioned an agency to provide support groups for Special Guardians and other family and friends carers. The groups are also a source of advice and some training. Information about the groups is available from the Fostering Friends and Family Team who also will give advice about the implications of applying for a Special Guardianship or Residence Order.

20.8 Carers who adopt children placed with them also have access to a range of support groups and training. Information is available from the Adoption Team.

## **21. Complaints**

21.1. Children and young people, family and friends carers and other relevant people may make a complaint to the local authority about the service.

21.2. Foster carers have the right to make a complaint about the fostering service or any aspect of the service provided for a fostered child. Details about this are specified in the GCC Fostering Service Statement of Purpose available on the website.

21.3. Adopters and special guardians also have a right to make complaints about support services available to them.

21.4. Details of the GCC complaints policy are here outlined:

### **The Complaints Process**

#### **Our policy about Complaints and Customer Feedback:**

We want to provide quality services that meet the needs of all the people who use them. We are always looking at ways of improving, and your views give us valuable information about our services and how we provide them.

If you have any compliments, concerns, comments or complaints, we want to hear them. Using this procedure, we aim to sort out any problems as quickly as possible and learn from them. We will treat your feedback and complaints confidentially. Compliments will be passed onto the relevant member of staff and will enable us to

recognise the good services that we deliver.

If you make a complaint, we will treat you fairly and it will not affect the quality of services you receive in the future.

**You can complain about children's care services if you:**

- Are a child or young person who is being looked after by the Local Authority or who has been assessed as being in need;
- Are a parent or any person who has parental responsibility for a child or young person who is looked after by the Local Authority;
- Are a Local Authority foster parent of a child or young person who is in our care;
- Are a Special Guardian;
- Are a child or young person to whom a Special Guardian Order is in force;
- Are any child or young person who may be adopted, their parents and guardians;
- Wish to adopt a child;
- Have been adopted or are the parents, natural parents, or former guardian of someone who has been adopted;
- Are any other person whom arrangements for the provision of adoption services extend to;
- Are a child leaving care;
- Are any such person as the Local Authority considers has sufficient interest in the child or young person who is in our care or whom we have assessed as being in need.

## **What is the procedure for making complaints?**

### **Stage 1: Local Resolution**

If you are not happy about the services you receive, we want you to tell us. We will try to put things right within 10 working days, but this can be extended to 20 working days in certain circumstances and with consent. Whenever possible, the problem should be sorted out informally and quickly.

### **Complaints made by children and young people**

There are special arrangements when a child or young person makes a complaint. You will be asked if you would like an advocate to help you make your complaint and, if so, we will arrange this.

### **What will happen when we receive your complaint?**

We will email/write to you and tell you who will be dealing with your complaint, how to contact them, and when you can expect a reply.

### **Stage 2: Investigation**

If you are not satisfied with the response at Stage 1, you can ask for your complaint to be referred to Stage 2. You will have 20 working days from the date that the Stage 1 response was sent out to ask for this. The Complaints Manager, who is independent, will investigate your complaint and an Independent Person will also be appointed. This person is not a member or officer of the Council. At the end of the investigation, both the Complaints Manager and Independent Person will write a report. Using these reports, a Senior Manager will make a decision, where relevant, about what should be done to put things right and tell you when they will do it.

You will receive a reply from the Senior Manager within 25 working days of your complaint being agreed with the Complaints Manager. Wherever possible, we will respond to formal complaints within 25 working days, however in some circumstances it may take longer (this should not be longer than 65 working days). You will also receive a copy of the investigation reports.

### **Stage 3: Review Panel**

If you want a Review Panel to hear your complaint, you will need to contact the Complaints Manager within 20 working days from the date that your Stage 2 reply was sent out. The Review Panel will be held within 30 working days from the date that your request was received.

The Review Panel must consist of 3 Independent People (one of whom will act as Chair). The Independent Person who has considered the complaint at Stage 2 will not sit on the Review Panel.

The Review Panel will record its findings and notify the complainant and the Group Director within 5 working days of the hearing. The Group Director will send a response to the Review Panel's recommendations to the complainant within 15 working days of receiving the Review Panel's report.

### **Local Government Ombudsman**

If the Review Panel has considered your complaint and you are not satisfied with the Group Director's response, you can contact the Local Government Ombudsman.

**LGO Advice Team telephone:** 0300 061 0614 or 0845 602 1983

**Website:** <http://www.lgo.org.uk>

### **The Local Government Ombudsman**

Beverley House  
17 Shipton Road  
York  
YO30 5FZ

**Phone:** 01904 380200

**Fax:** 01904 380200

## **What we do with what you say**

If you have used any of our services we would like to hear your views on whether we

met your needs.

We use your feedback to find out what we are good at and how and where we can improve our services. Feedback is shared with the relevant managers and staff and recorded and reported upon regularly.

**Compliments** are used to congratulate staff

**Comments** can provide ideas for us to act on

**Concerns** these are informally investigated

**Complaints** are formally investigated and findings of the investigation and plans for action are sent to the complainant

## Have your say

If you would like to tell us about your experience of our services you can do this:

**Online:** by visiting Gloucestershire County Council website  
[www.gloucestershire.gov.uk/feedback](http://www.gloucestershire.gov.uk/feedback)

**Writing to us:** Customer Services Team  
Gloucestershire County Council  
Freepost  
Shire Hall  
Gloucester. GL1 2TG

**Email:** [cypfeedback@gloucestershire.gov.uk](mailto:cypfeedback@gloucestershire.gov.uk)

**Telephone:** Customer Feedback and Complaints Team on (01452) 427032

**Or:** Customer Services Team on (01452) 427614

**Visiting us:** at Shire Hall, Westgate Street, Gloucester GL12TG



## **Annex 1**

### **Research Evidence and Children's Views (extract from DfE Family and Friends Care: Statutory Guidance for Local Authorities)**

#### **Introduction**

1. Research about the characteristics and effectiveness of family and friends care in the UK mainly focuses on the placement of looked after children with family and friends foster carers, including comparisons with children placed with unrelated foster carers. When interpreting the relevance of research studies, care must be taken to ensure an understanding of the differing terminology used, especially the definitions used for kinship and family and friends placements. This is especially true in relation to studies undertaken outside of the UK where different legal frameworks exist, making comparison with practice in England more difficult.

2. This annex provides an introduction to some of the key research findings relevant to the requirements of this statutory guidance, but for fuller information the studies themselves should be consulted. It is largely based on a research briefing *Family and Friends Care* published in 2008 by Research in Practice, which is available from the Department for Education website.<sup>1</sup> Other useful research overviews include the kinship care special issue of *Adoption and Fostering*<sup>2</sup> (2009), chapter 4 ("Going into kinship care") of *Quality Matters in Children's Services: Messages from Research*<sup>3</sup>, and the Family Rights Group's *Family and Friends Care: A guide to good practice for local authorities*.<sup>4</sup>

3. The Campbell Collaborative systematic review of kinship care analysed 62 research studies, 57 of which were undertaken in the USA although none in the UK.<sup>5</sup> It highlights issues which will be found pertinent to family and friends carers in this country, providing notice is taken of the definitions set out on page 8 of the review.

#### **Profile of children and carers**

4. Farmer and Moyers<sup>6</sup> studied looked after children placed with family and friends foster carers and with unrelated foster carers. They found the two groups of children to be remarkably similar in terms of their characteristics and the kinds

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<sup>1</sup> <http://media.education.gov.uk/assets/files/pdf/f/family%20and%20friends%20care%20research%20briefing.pdf>

<sup>2</sup> Adoption and Fostering volume 33 number 3, Autumn 2009. British Association for Adoption and Fostering.

<sup>3</sup> Stein M (2009) Jessica Kingsley

<sup>4</sup> Family Rights Group (2009).

<http://www.frg.org.uk/pdfs/Good%20practice%20guide%20book%20final.pdf>

<sup>5</sup> Kinship Care for the Safety, Permanency, and Well-being of Children Removed from the Home for Maltreatment (2009) <http://www.campbellcollaboration.org>

<sup>6</sup> Farmer E and Moyers S (2008) *Kinship Care: Fostering Effective Family and Friends Placements*. Jessica Kingsley.

of adversities they had experienced prior to placement, and had similar levels of emotional and behavioural difficulties. The parental difficulties that had led to the children being looked after were also very similar. However, the family and friends foster carers were significantly more disadvantaged than the unrelated foster carers, with 27% being lone carers, 31% having a disability or chronic illness, 35% living in overcrowded conditions, and 75% experiencing financial hardship.

5. Hunt, Waterhouse and Lutman<sup>7</sup>, in a study of children placed with family and friends foster carers through care proceedings, also found great similarities with children placed with unrelated foster carers.

## **Attachment and placement stability**

6. Security of attachment and continuity of care are recognised as important factors in children's long-term well-being, and the capacity of family and friends placements to deliver these is a strong theme in the research. Children are generally reported to feel secure, happy and integrated into the family, with most studies reporting that this is more common than for children placed with stranger carers. Much of the research also highlights the high levels of commitment demonstrated by carers, their strong bonds with the children, the pleasure they find in the children themselves and the satisfaction they derive from caring.

7. The emerging evidence on placement stability suggests a more complex picture than previously thought, when family and friends placements were considered to fare better than stranger care no matter how stability was measured. The weight of the evidence still supports that conclusion: placements last longer, and children have fewer moves both overall and before entering placement. It is the evidence on disruption which is now less clear-cut. Reported rates in UK research range from less than 10% to around a third, the rate most commonly found in the international literature. Few studies suggest rates are higher than for non-related foster care, and the perception was that they were lower. Recent UK studies, however, suggest that rates may be very similar.

8. Farmer and Moyers found that family and friends foster placements lasted on average 4 years 9 months compared to 3 years 11 months for placements with unrelated foster carers. They judged that family and friends carers sometimes persisted with children beyond the point at which unrelated carers gave up, and showed higher levels of commitment to the children. A higher proportion of stranger foster placements were intended only as short term placements from the outset, and the majority ended for positive reasons such as a return home or a planned move. Breakdown rates were almost identical for both types of placement (18% and 17%), which is much lower than Hunt et al's follow-up of children placed through care proceedings which reports a 28% disruption rate. Both studies, however, highlight the importance of behavioural difficulties in placement breakdown. Hunt et al took the view that some of the family and friends placements could have been sustained with better support.

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<sup>7</sup> Hunt, J., S. Waterhouse, et al. (2008). *Keeping them in the family : outcomes for children placed in kinship care through care proceedings*. London, British Association for Adoption & Fostering.

## **Continuity of experience and the maintenance of relationships**

9. Family and friends care is also likely to contribute to a children's sense of security and personal identity through minimising the degree of disruption they experience in other ways. Children usually go to people they know, with whom there is a shared culture, and are more likely to remain in the same neighbourhood and school. Although carer attitudes towards parents are not necessarily favourable and relationship difficulties are more common than in placements with unrelated carers, studies typically report that contact is more likely, though not necessarily with both parents and often involving complex arrangements without independent supervision.

## **Quality of care and child safety**

10. There is little research focusing on child safety issues in family and friends placements, and that is contradictory as to whether rates are higher or lower than for unrelated foster placements. There is little evidence to support concern about the quality of care provided by family and friends carers in more than a minority of cases. Standards may be variable and lower than the average for unrelated foster carers, and carers may be more inclined to use physical punishment. 11. A US government investigation reported that in more than 90% of family and friends arrangements almost all parenting tasks were carried out adequately. In the UK Farmer and Moyers found that family and friends carers were more likely to have poor parenting skills and substantially more were struggling to cope, although 73% of placements were judged to be positive for the child, 14% adequate and only 10% detrimental. Hunt et al found that while few placements were entirely free of concerns about quality, only 20% raised major issues.

## **Child well-being**

12. The evidence about child functioning, although quite limited and mixed, is broadly positive. On a range of measures – health, education, emotional and behavioural development - children appear to do about as well as those in unrelated foster care placements with some studies suggesting they may do better. In the UK, Farmer and Moyers' findings for children placed with family and friends carers were remarkably similar to those for children placed with unrelated carers, whilst Hunt et al reported most children in family and friends placements as doing reasonably well with 47% displaying no emotional and behavioural problems.

13. Based on a preponderance of the available evidence, the Campbell Collaborative review concluded that children living with family and friends carers appeared to experience better outcomes with regard to behaviour problems, adaptive behaviours, psychiatric disorders, well-being and placement stability than did children with unrelated foster care. Furthermore, there was no detectable difference between the groups on reunification, length of stay, family relations, or educational attainment. However, children being brought up by family and friends were less likely to be adopted or make use of mental health services.

## Assessment of foster carers

14. In Farmer and Moyers' study most family and friends carers understood the need for assessment as foster carers, but a number felt that the approach adopted did not fit their circumstances very well, especially when they had been 46 caring for the child for a considerable period. 65% of the carers were assessed when the child was already living with them which meant that whilst the child's progress and attachment could be assessed, it could be harder to deal with shortcomings or to withhold approval from an ongoing placement.

15. Doolan et al<sup>8</sup> found that carers resented the concentration on risk when their suitability to care for children was being assessed and wanted a sensitive, inclusive respectful process that valued their skills and knowledge. Hunt et al emphasise the need to focus on parenting capacity rather than specific concerns, which often fail to evidence themselves on follow up.

## Supporting family and friends placements

16. Family and friends carers have said that they are often uncertain as to what help is available and how to access it, reluctant to press their case, find the response variable and are frustrated by changes of worker. They also complain that social workers tend to under-estimate their needs; help may not be given sufficiently early or tail off too soon. Farmer and Moyers reported that significantly more family and friends carers had little or no social work support compared with unrelated foster carers, and that placements were significantly more likely to survive if the child had an allocated social worker. Hunt et al reported gaps in provision of support services even when the local authority was still involved, and that better provision could have prevented some placements from ending prematurely.

17. The help which family and friends carers reported they wanted includes financial and practical support, information and advice, opportunities to meet with other carers, access to universal and targeted services, help to the child, and help for the child's parents to get their lives together again. Workers are likely to need help and training to fully understand the particular support needs of family and friends foster carers.

## Local authority policies and structures

19. A consistent theme in research is that family and friends care is a distinctive form of care which requires its own policy and practice guidance, systems, structures and services tailored to the particular needs of these families and a transparent and fair system of remuneration. In a survey by Family Rights Group in 2007, 69% of local authorities responding did not have a written coherent approach to family and friends care.<sup>9</sup>

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<sup>8</sup> Doolan P, Nixon P and Lawrence P (2004), *Growing up in the care of relatives or friends: delivering best practice in family and friends care*. Family Rights Group.

<sup>9</sup> *Report on freedom of information survey of local authority policies on family and friends care conducted by Family Rights Group and University of Birmingham*. Family Rights Group (2009).

## Children's views on care by friends and families

20. Few children or young people want to become looked after by the local authority; most would prefer their birth parents to be supported to continue to care for them, or if that is not possible to be able to live with members of their extended family. Of young people consulted by the Children's Rights Director for England in response to *Care Matters*, 75% thought that families should be given a chance to suggest other ways of looking after children before they go into care.<sup>10</sup>

21. In 2009 focus groups were held for children and young people who either were looked after or had been so previously. Nearly half of the young people consulted felt that if possible a child should be placed to be looked after by someone from their own family, but many did not agree with the idea of special rules for making placements of looked after children with family members or family friends.<sup>11</sup> One stated "Just because they are family doesn't mean to say they are good at looking after us." One group was very clear that family members or friends should be "checked out" and fully approved as foster carers before a child was placed with them, rather than a placement being made with temporarily approved carers who are still being checked out. They said "An assessment should be done first in all cases before you move there by social services – even if the person's a 'connected person', you can't just assume they're safe." In contrast, a few children and young people thought that unless a placement was known to be unsafe, family members and family friends should not be checked at all. Some said how important it is for the child to have a say, especially when somebody they know is being considered. One said "They try and place you with families first but it is always relatives you don't like."

22. The advice of most children and young people in the focus groups was summed up as:

- "try families and friends, but assess first"; and
- "use the same judgement as when moving to live with another family member as social workers would when moving to a foster carers."

23. Children interviewed by Hunt et al in their research mainly considered themselves as close to their family and friends carers and reported "a sense of ordinariness" in the arrangements. Doolan et al reported children living with family and friends carers as being happy and well cared for, often relating this to their pre-existing relationship with the carers.

## Maximising the appropriate use of family and friends care

24. The research evidence, although not conclusive, is broadly supportive of family and friends care as a viable option and suggests scope for greater use. Farmer and Moyers found that 86% of the placements made with family and

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<sup>10</sup> *Care Matters: Young people's responses*, DfES 2007.

<sup>11</sup> *Planning, Placement and Review: A report of a children's consultation to the DCSF by the Children's Rights Director for England*, 2009.

friends foster carers came about because relatives or friends offered to care for the children or were already doing so, whilst only 4% were initiated by the social worker. The Campbell Collaborative concluded that family and friends care can enhance the behavioural development, mental health functioning, and placement stability of children, but attention must be paid to increasing levels of support.

## **Annex 2**

Insert Table – extract from guidance P.41 - landscape orientation



	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
Route into the caring arrangement	This is a private arrangement whereby the child is being cared for for 28 days or more (or the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative. Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent. The child is not a looked after child.	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. The child is not a looked after child. Relative may perceive the parents to be unable to care for the child; or the parents may be dead or otherwise not available (e.g. in prison); or there may be an agreement between relatives due to difficult family circumstances.	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. The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer. The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.	The child is a looked after child being accommodated by the local authority under section 20 Children Act 1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority. (Alternatively, the local authority may choose to place a child into residential care where this is considered to best meet the child's needs).	The child may be at risk of becoming 'looked after' and a friend or relative applies for an order, or The child may have been 'looked after' and their foster carer or other relative/friend applies for an order. 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. 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.	Looked after children: The LA 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. An approved foster carer can apply for an adoption order after a year of caring for the child.  Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years.	
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 child accommodated under section 20 CA, or if the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others.	Shared by parents and holder of residence order.	PR shared with parents and any one 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 relationship with birth parents is severed.	
Approval basis	The arrangement is assessed by LA, 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 child is looked after, carers <b>must</b> be approved as foster carers even if close relative.)	Appointed by court following application.	Appointed by court, following application from the applicant. LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian.	Adoption agency assesses and approves prospective adopters, court makes order regarding specific child. If the child is not looked after then notice of intention to adopt must be given to the LA who then carry out an assessment / report for the court	

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
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 child's care plan, as determined by LA		Age 18.	Age 18 unless varied or discharged by the court before the child reaches 18 years.	Permanent lifelong relationship
Placement supervision	It is not a placement, but there are statutory visits to child by social worker (minimum 6 weekly in first year, then 12 weekly)	None	Statutory: visits to child by social worker and supervision of foster carers by supervising social worker		None	None	When child is placed for adoption by the LA, the placement is supervised and there are statutory reviews. Once the adoption order is made, none.
Review of placement	It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits.	<b>None</b>	Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of local authority foster carers' approval		None	None	See above



Support services	Provision of advice and support as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989	No entitlement but the LA may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989	Support to meet child's needs including health plan and personal education plan. Training and practical support to foster carers in accordance with the Fostering services Regulations, NMS and CWDC standards. Young person may be entitled to leaving care support services	No entitlement (But LA has discretion to provide services / support for child/family under section 17 of the CA)	If child was looked after prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to provide support. Young person may be entitled to leaving care support services if was a looked after child prior to making of the SGO.	Entitlement to assessment for adoption support services, which may be provided at discretion of LA in accordance with Regulations and National Minimum Standards.
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 holders of PR. Guardians 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. This should meet at least the national minimum rate set by DCSF. The Manchester City Council judgment 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.	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 looked after prior to order.
Financial support – discretionary	LA has discretion to make one-off or regular payments under section 17 Children Act	LA has discretion to make one-off or regular payments under section 17 Children Act	Some fostering providers pay their foster carers a fee to recognise the carers' skill, experience and commitment. The Manchester City Council judgement (which requires allowances to be paid on the same basis regardless of the relationship of the carer to the child) did not consider fees. However, Statutory Guidance for Fostering Services requires that any policy in relation to the payment of fees must be applied 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.	LA has discretion to pay residence order allowance – usually if child was previously fostered by the carers, or exceptionally if making residence order prevents child becoming looked after. Any allowance reviewed annually.	Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child looked after prior to order and meets the criteria in the regulations. Subject to assessment as above and for former foster carers can include an element of remuneration. Regular or one off payments. Any allowances reviewed annually.	Subject to assessment, one off payments or regular adoption allowance may be paid.