Private Fostering

Westmorland and Furness Safeguarding Children Partnership

Useful Links

WFSCP Private Fostering

Coram Website: Private Fostering

Children's Act 1989: Private Fostering

Westmorland and Furness Kinship Local Offer

1. What is private fostering?

Private fostering is a form of kinship care, where a child is cared for by a family member, friend, or someone with a close connection to them when their parents are unable to provide their care. However, unlike many other kinship care arrangements, the carer in a private fostering arrangement is not a close relative as defined by law. A private fostering arrangement occurs when a child who is:

- under 16 years old (or under 18 if disabled)
- is cared for, on a full-time basis, by someone who is not a parent, person with parental responsibility, or a "close relative" (grandparent, aunt, uncle, sibling)
- and the arrangement is intended to last for 28 days or more.

Such arrangements are often made privately – between family, friends or acquaintances – and may not always be widely known to professionals.

2. Why is it important?

- Because these arrangements are often made informally and may not always be known to professionals, children in private fostering situations may become vulnerable through reduced oversight, limited contact with family, or unfamiliar carers.
- Local authorities have a legal duty to safeguard and promote the welfare of privately fostered children.
- Professionals (teachers, health workers, social care staff) play a crucial role in identifying such arrangements. If you are aware of an arrangement, it is your responsibility to check whether it has been notified to the local authority.

3. Legal responsibilities – key points

Notification requirement

- The parent, carer or anyone aware of a private fostering arrangement must notify the local authority **before** the arrangement begins (ideally six weeks in advance) or **immediately** if the arrangement is less than six weeks away.
- Failure to notify the local authority is an offence.

Duties of the local authority

Once notified, the local authority must:

- Visit the household (carer, child, parent) within a short timescale (e.g., 7 working days) to check suitability of accommodation, carer's capacity, child's welfare, contact with parent etc.
- Monitor the arrangement thereafter – visiting the child, checking welfare, addressing any change of circumstances.
- Note: The carer does *not* become the legal parent; parental responsibility remains with the parent or person who holds it.

4. The role of professionals

- Recognise the features of a private fostering arrangement (non-close relative, 28 + days, child under 16 or 18 if disabled).
- If you suspect an arrangement that has not been notified, contact the Multi Agency Children's Hub (MACH).
- Maintain professional curiosity: ask whether the local authority has been notified of the arrangement, how the child came to live there, how long they have been living there, and what support is in place.
- Ensure the child's voice and wishes are heard: part of the local authority's checks include speaking to the child alone (where appropriate) about how they feel about the arrangement.

5. What carers, parents and children need to know

Carers: They should be informed of the notification requirement. They must work in partnership with the parent, ensure child's health, education, accommodation, contact arrangements are in place.

Parents or persons with parental responsibility: They remain legally responsible for the child's welfare. They must ensure the local authority is notified.

Children: They should be supported to understand their arrangement, have their wishes and feelings considered and know how to raise concerns.

6. Practical actions and checklist

- Notification: Check whether the arrangement has been notified to the local authority.
- Initial assessment: Ensure local authority has visited and assessed the placement (carer, household, accommodation, child).
- Ongoing monitoring: Ensure the child is seen regularly, welfare duties met, contact with parent maintained.
- Record keeping: For professionals, note the arrangement, check documentation/consent, and follow safeguarding procedures if concerns arise.
- Awareness raising: Professionals should include private fostering within induction programmes and training to ensure staff understand how these arrangements can develop informally and may not always come to the attention of services.

7. Reflection

In summary, private fostering is one form of kinship care where a child lives full time with someone who is not a parent or close relative for 28 days or more. Because these arrangements are often made informally and may not always be known to professionals, awareness and professional curiosity are vital. The legal framework places a duty on local authorities to safeguard these children, and professionals have an important frontline role in identifying, reporting and monitoring such arrangements. Ensuring arrangements are notified, assessed and reviewed is key to safeguarding the welfare of the child. Reflect, review and reach out—Think Family, every time.

