



7 Minute Briefing: Private Fostering

[Bury Safeguarding Partnership](#)



1 Background

Under the Children Act 1989, there is a legal requirement for local authorities to be notified of any private fostering arrangements. Children's Social Care, within the local authority, has a duty to undertake assessments and checks, and also provide support and advice to the child and to the private foster carer.

2 Definition

Private fostering is when a child under the age of 16 (or under 18 if the child is disabled) is cared for by someone who is not their parent or a 'close relative'. This is a private arrangement made between a parent and a carer, for 28 days or more. Parents are expected to continue to financially support their child. 'Close relatives' are defined as step-parents by marriage only, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half blood or by marriage).

3 Information

People become private foster carers for all sorts of reasons. Private foster carers can be a friend of the child's family or be willing to care for a child of a family they do not know. Private Fostering is different to a Local Authority Foster Care Placement made under S20 of the Childrens Act 1989.

4 Legislation

The duties of local authorities in relation to privately fostered children are laid out in Part IX of the Children Act 1989. The Act places a duty on parents and private foster carers to notify the local authorities of a private fostering arrangement. It also states that the local authority has a responsibility to satisfy itself that the child is being safeguarded and their welfare promoted, and that their carers are given appropriate advice and support.

5 Examples of private fostering arrangements

- A child from overseas who is sent to live with a family in this country for health care or education.
- A teenager living with a friend's family due to a breakdown in relationship with their own family.
 - Teenagers living with the family of a boyfriend or girlfriend.
- A child staying with friends because their parent is in hospital without anyone else to look after them.
 - Children living with a family due to parental separation/ divorce.

6 Information

Most private fostering arrangements will not place a child at risk; however, some will not ensure that a child is properly safeguarded. Therefore, the Children Act 2004 made amendments to the Children Act 1989 to tighten up notification requirements and the duties of local authorities. This now includes promoting awareness in their area of the notification requirements and monitoring their effectiveness in responding to notifications.

7 What to do

Any parent or private foster carer, proposing to have their child looked after by someone other than a close relative for more than 28 days must notify Children's Services at **least 6 weeks before the arrangement is due to begin, or as soon as arranged if less than six weeks.**

If the Private Fostering arrangement is in existence or an emergency arrangement has been put in place the **Private Foster Carer or parent should tell Children's Services within 48 hours.**

If not already open to Children's Services, contact with MASH should be made. There is a template notification form carers should complete. **A Social Worker must visit the child and household within 7 working days.**

Professionals who become aware of Private Fostering arrangement should encourage the child's parent or Private Foster Carer to notify Children's Services. However, **professionals have a duty to make this referral if the parent/ Private Foster Carer has not done so.**

Please contact: **Children's Social Care MASH Team on:**
0161 253 5678