

LB Newham

Family & Friends Care Policy – Draft (September 2011)

1. Introduction

Children may be brought up by members of their extended families, friends or other people who are connected with them for a variety of reasons and in a variety of different arrangements.

This policy sets out the local authority's approach towards promoting and supporting the needs of such children and covers the assessments which will be carried out to determine the services required and how such services will then be provided. It is reflective of the recent changes to children's services in Newham and our commitment to effective Early Intervention in the community and building resilience in families.

This policy will be made available to anyone providing, or considering whether to become a provider, of care to children and young people, whether they know the child or children or are being introduced to them as part of Newham's placement services offer.

Our family & friends care policy and associated procedures will be reviewed annually in line with our performance improvement and brought up-to-date with our payment details.

2. Context

At the start of the 2010/11 financial year, Newham had 16 approved Full Kinship carers. Over the course of the year the service achieved 21 SGOs and gave approval for 15 interim kinship carers, as well as assessing for full Kinship Care arrangements. Taken together with solid performance on Fostering and Adoption recruitment, this resulted in an overall reduction in Kinship placements, though the number of "friends and family carers" across all the available placement types is estimated to have increased.

At the end of the 2010/11 Newham was monitoring and supervising 22 Private Fostering arrangements, following dedicated information campaigns and promotional activity.

3. Consultation

We value the views of our carers and are consistently seeking to ensure that they are represented in our policy. This document will be taken to formal consultation with the Children in Care Council, the Foster Carer Support Group and the Children's Trust, as well as being published on Newham's website, for any foster carers or family and friends carers to comment on. The outcomes of

consultation will remain confidential, and will be taken into account before the final policy is published.

4. Values and Principles

Newham is committed to supporting resilience and capacity-building to enable children to achieve their aspirations and families to avoid reliance on long-term interventions from local authority service. Part of this commitment recognises that wherever it is safe to do so, children should be supported to stay with their families and in their own community.

This principle applies to all children in need, wherever they may be on the child projection continuum and including those who are looked after by the local authority. Where a child cannot live within his or her immediate family and the local authority is considering the need to look after the child, we will make strenuous efforts to identify potential carers within the child's network of family or friends who are able and willing to care for the child.

We will provide support for any such arrangements based on the assessed needs of the child, not solely on their legal status, and will seek to ensure that family and friends carers are provided with support to ensure that children do not become looked after by the local authority, or do not have to remain looked after longer than is needed.

5. Legal Framework

All local authorities have a general duty to safeguard and promote the welfare of Children in Need living within their area and to promote the upbringing of such children by their families. The way in which they fulfil this duty is by providing a range and level of services appropriate to those children's assessed needs (Section 17, Children Act 1989). This can include financial, practical or other support.

It is important to note that local authorities do *not* have a general duty to assess all arrangements where children are living with their wider family or friends network rather than their parents but it does have a duty where it appears that services may be necessary to safeguard or promote the welfare of a Child in Need.

A "Child in Need" is defined in Section 17(10) of the Children Act 1989 as a child who is disabled or who is unlikely to achieve or maintain a reasonable standard of health or development without the provision of services by the local authority.

Newham's practice guide 'Building Resilience – Support and Protection for children and young people in Newham' sets out the service offer and thresholds of care. Newham has adopted a tiered, community centred and resilience-driven model which integrates local services at Universal level across schools, children's centres and youth provision, and connects to both health and police partners. At level 1, these services are expected to take the lead in providing services to children with support from professionals based in the locality.

At levels 2 and 3, however, the offer follows the 'lead professional' concept. Following case triage and allocation to Targeted or Intensive level, a single worker is assigned to supervise the case and commission other support for the child as necessary. Where the case is allocated to upper level 2 or level 3, the lead professional will always be a social worker, or YOT officer as appropriate, and will be assessed under s.17 or s.47 as appropriate before a package of intervention is put in place.

s.17 cases will be allocated to Early Intervention teams in the first instance, unless the needs are very specific, for example, if the child has a severe disability. These teams are composed of multi-disciplinary specialists, are based in the local community, and include a social work element. They are designed to work alongside universal services to offer support early and restore the family to a sustainable path of development and, where possible, to divert families away from the need for more intensive responses and, eventually from CP planning and care.

When the Early Intervention Team is made aware of a child in need that falls within their area of activity, any initial social care assessments will, if necessary and appropriate, be followed by a s.17 core assessment with the child and family to set out the level of need presenting in the family. Initial assessments will always be carried out by the safeguarding duty teams. Where this assessment indicates that a provision of services for this family will be effective in reinforcing the child's welfare and family resilience, this will be entered in their *Family Recovery Plan*.

Children in Need may live with members of their family or friends in a variety of different legal arrangements, some formal and some informal. Different court orders are available to formalise these arrangements. The Early Intervention service need to be aware of these arrangements in their local area.

Children with Looked After status will always come within the definition of Children in Need, whether they are accommodated under Section 20 of the Children Act 1989 (with parental consent) or in care subject to a Court Order whereby the local authority shares parental responsibility for the child. The local authority has a responsibility wherever possible to make arrangements for a looked after child to live with a member of the family (Section 22 of the Children Act 1989).

For a detailed summary of the meaning and implications of different legal situations, the rights of carers and parents, and the nature of decisions which family and friends carers will be able to make in relation to the child, please see Appendix A 'Caring for Somebody Else's Child – Options'. Section 4 below sets out the local authority powers and duties in relation to the various options.

In relation to financial support, local authorities may provide carers of children in need with such support on a regular or one-off basis, under Section 17 of the Children Act 1989. This may include discretionary funding based upon a financial means test. However, the status of the placement will determine the nature and amount of the financial support and who can authorise its payment. The legal status of the child may have a bearing on the levels of financial support which may be available to carers, however. There are different legislative provisions which apply to financial support for

children living with family or friends in looked after/adoption/special guardianship/residence order arrangements. The following sections of this policy set out the financial support that we may provide to family and friends who are caring for children in these different contexts.

6. Different situations whereby children may be living with family and friends carers

6.1 Informal family and friends care arrangements

Where a child cannot be cared for within his or her immediate family, the family may make their own arrangements to care for the child within the family and friends network.

The local authority does not have a duty to assess any such informal family and friends care arrangements, unless it appears to the authority that services may be necessary to safeguard or promote the welfare of a Child in Need. In such cases, the local authority has a responsibility under Section 17 of the Children Act 1989 to assess the child's needs and provide services to meet any assessed needs of the child. Newham's policy in such circumstances is to maintain the child's continuation in this setting if possible. Following assessment, a *Family Support Plan* will be drawn up and, if the needs of the child are assessed to be sufficiently serious, a package of support will be identified. This carries the legal status of the Children in Need plan and contains details of support packages. This can comprise a variety of different types of services and support, including financial support.

The range of support available within Early Intervention Teams covers the support designed to prevent further deterioration in the family situation and provide the necessary tools to avert the risk of harm occurring to children. It is primarily a supportive rather than protective service.

Decisions will be made by the Early Intervention Team officers as the level of support for those under s.17 responsibility. This support will primarily be an extension of the targeted support offer through children's centres and youth centres, with additional elements commissioned as appropriate under s.17.

A budget for this commissioned support has been allocated and will be composed of the following elements.

- Services commissioned across Newham on behalf of all Early Intervention Teams, providing services that can be deployed across the six areas as necessary.
- Services commissioned from providers in each EI area directly from the resources of the local Early Intervention Team.
- Discretionary recovery capital allowances from the local Early Intervention team.

Any support packages under s.17 require approval by the Group Manager within the Early Intervention Team. Any package will be subject to regular review by the Early Intervention Advisor or Early Intervention social worker, the latter will supervise s.17 cases.

The packages for disabled children can be large and will be reviewed by the Disabled Children's Support Team in conjunction with EIT where a young person requires a disability care package but is also classed as a Child in Need. Benefits and tax credit status of these children and families can affect the packages offered in these circumstances.

Where the child is cared for by close family and friends, this will be taken into account both in assessment of the safeguarding status of the child and calculation support package for a Child In Need following a referral to social services. However, the fact that the child is being cared for under this arrangement does not in and of itself guarantee that any support will be made available.

6.2 Private Fostering arrangements

A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult *who is not a parent or close relative*, where the child is to be cared for in that home for 28 days or more. 'Close relative' for these purposes is defined s.105 of the Children Act as a:

- Grandparent,
- Brother or sister,
- Uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership), or
- Step-parent.

Any child considered to be looked after by the local authority cannot be privately fostered, and children in this arrangement are not considered to be looked after for the Children Act 1989. In a private fostering arrangement, the parent still holds parental responsibility and agrees the arrangement with the private foster carer.

The local authority has a duty to assess and monitor the welfare of all privately fostered children and the way in which they carry out these duties is set out in the Children (Private Arrangements for Fostering) Regulations 2005. However, the local authority may also become involved with a child in a private fostering arrangement where the child comes within the definition of a Child in Need. In such cases, the local authority has a responsibility to provide services to meet the assessed needs of the child under Section 17 of the Children Act 1989. Following assessment, a Family Support Plan will be drawn up and a package of support will be identified as necessary. As in section 6.1 above, this can comprise a variety of different types of services and support, including financial support.

Newham has a duty to publicise the regulations relating to private fostering and undertakes frequent campaigns to raise awareness of the legal implications of private fostering across the borough. GPs and other partners work in partnership with us to identify private fostering arrangements that they become aware of through their work in the community.

Following notification of a Private Fostering arrangement, assessments will be undertaken by the Senior Social Worker (Private Fostering), a specialist worker within the Fostering and Adoption service. They will make an assessment of the suitability of the carer to look after the child and make

the decision on whether the authority will approve this relationship and authorise it to continue. Where this approval is granted subject on identification of concerns under s.17, recommendations on this package of support will be provided by the specialist to Early Intervention Team for sign-off by the relevant Early Intervention Group Manager. Thereafter, responsibility for the management, review and supervision of the Family Recovery Plan will rest with the Early Intervention Team.

Given the position of the Early Intervention Team in the community, and their remit to detect children at possible risk act quickly, they have an additional responsibility to work alongside GPs, Schools and other service providers to gather intelligence on possible Private Fostering arrangements and to contact the Private Fostering specialist in the fostering team as soon as possible so that investigations can be undertaken.

Again, where the child is being privately fostered, this will be taken into account both in assessment of the safeguarding status of the child and calculation support package for a Child In Need following a referral to social services. However, the fact that the child is being cared for under this arrangement does not in and of itself guarantee that any support will be made available.

6.3 Family and friends foster carers – “Kinship care”

Where, as a result of an assessment, the Newham social services concludes that a child needs to be 'looked after' and placed in local authority care, we have a responsibility to, wherever possible, make arrangements for the child to live with a member of the family or friend who is approved as a foster carer (Section 22 of the Children Act 1989). The child can be placed with the family members or friends prior to such approval, subject to an assessment of the placement, for up to 16 weeks, but the family will go to fostering panel for recommendations and approval. This temporary approval is known as an 'Interim Kinship' placement, and can only be extended in exceptional circumstances. In this context the carer is referred to as a 'Connected Person' or 'Kinship Carer' and the process of obtaining approval for the placement is set out in the Placement with Connected Persons Procedure available on TriX. Where temporary approval is given to such a placement under the procedure, the carers will receive financial support on a regular basis.

To constitute a 'family and friends foster carer', the carer must share a prior connection with the child. This is not restricted to relatives or close friends, and may be someone who knows the child in a more professional capacity such as a childminder, a teacher, or a youth worker. The service will make a determination during the assessment as to whether the person has a sufficiently strong connection to the child and there are shared wishes and feelings to make this placement safe and effective for the child.

Children in these circumstances become 'looked after' and therefore this type of placement must be formally made by the local authority. The key element in this placement type is the approval of the carer, meaning that any family and friends carers are, in effect, applying to become Newham foster

carers but *only* in respect of the child with whom they share a prior connection. The child will have a placement plan which sets out the specific arrangements surrounding the child and the carers, including the expectations of the foster carers and the support they can expect to receive, to enable to fulfil their responsibilities for the child.

The assessment and approval process for family and friends who apply to be foster carers for a specific Looked After child will be the same as for any other foster carer except that the timescales for the assessment are different where a child is already in the placement as indicated above. In all other respects the process is the same as for any other potential foster carers and is set out in the Assessment and Approval of Foster Carer Procedure. An information pack will be available to potential foster carers about the process and they will be given the name and contact details of the social worker from the Fostering Service allocated to carry out the assessment.

Family and friends foster carers gain access to a Supervising Social Worker once approved. It is their job to ensure that the care environment continues to be secure and effective in providing high quality care for the child, and is the link between carer and local authority.

Following the 2001 judgement against Manchester City Council, Newham is required to offer training and support to family and friends foster carers and to offer a level of remuneration and allowance equivalent to 'unconnected' foster carers joining the service. Information about becoming a family and friends foster carer is available in the Fostering Service Statement of Purpose, which Newham publishes every year and is available on our website [here](#).

Once approved as foster carers, they will be allocated a supervising social worker from the fostering service to provide them with support and supervision; and they will receive fostering allowances for as long as they care for the child as a foster carer.

While the child remains a looked after child, as a foster carer, they will be expected to cooperate with all the processes that are in place to ensure that the child receives appropriate care and support, for example, contributing to reviews of the child's Care Plan, cooperating with the child's social worker and promoting the child's education and health needs.

6.4 Unconnected foster carers – "Foster care"

Unconnected foster care arrangements describe the process by which an individual or couple apply to Newham to become registered foster carers for *any* child, rather than establishing a caring arrangement with a particular young person. Both task-based and long-term care may be provided, or restricted to emergency and Kinship arrangements.

Foster carers gain access to a Supervising Social Worker once approved. It is their job to ensure that the care environment continues to be secure and effective in providing high quality care for the child, and is the link between carer and local authority.

Although there is no formal prohibition on an approved carer providing care for a connected young person, the process by which the connected young person could begin their placement with the foster carer could potentially be lengthy and complex. This is partly due to the requirement to undertake comprehensive assessments of the child as they leave the initial home, and the compatibility of their needs with the carer, but additionally it is partly due to the need to manage the changes in placement arrangements for any unconnected children that may already be placed with the carer.

6.5 Residence Order

A Residence Order is a Court Order which gives parental responsibility to the person in whose favour it is made, usually lasting until the child is 18. Parental responsibility is shared with the parents.

Relatives may apply for a Residence Order after caring for the child for one year, but there is no formal requirement for the child to be connected to the individuals applying for the Order. Orders may be made without the support of either the birth parents of the child or the local authority, though they are more typical where there is frequent contact between the care and birth family.

Residence Orders may be made in private family proceedings in which the local authority is not a party nor involved in any way in the arrangements. However, a Residence Order in favour of a relative or foster carer (who was a 'Connected Person') with whom a child is placed may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

The local authority may pay Residence Order Allowances to relatives or friends, unless they are a spouse or civil partner of a parent, with whom a child is living under a Residence Order. This is set out in paragraph 15 of Schedule 1 of the Children Act 1989 however this is discretionary.

Residence orders may be discharged by the court. Leaving care services are not offered to children with residence orders, though this may be offered if the child was looked after and turned 16 before the Order was granted.

6.6 Special Guardianship Order – "SGO"

Special Guardianship offers a further option for children needing permanent care outside their birth family. It can offer greater security without absolute severance from the birth family, as in adoption, and sits between Residence Order and Adoption in terms of transferred responsibility. Contact is usually maintained under an SGO but typically less frequently than it is for Residence Orders.

Relatives may apply for a Special Guardianship Order after caring for the child for one year. As Special Guardians, they will have parental responsibility for the child which, while it is still shared with the parents, can be exercised with greater autonomy on day-to-day matters than where there is a Residence Order.

Special Guardianship Orders may be made in private family proceedings and the local authority may not be a party to any such arrangements. However, a Special Guardianship Order in favour of a relative or foster carer (who was a 'Connected Person') with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child.

Where the child was Looked After immediately prior to the making of the Special Guardianship Order, the local authority has a responsibility to assess the support needs of the child, parents and Special Guardians, including the need for financial support.

SGOs can be discharged by the birth parent but must gain court leave to do so.

6.7 Adoption Order

Adoption is the process by which all parental rights and responsibilities for a child are permanently transferred to an adoptive parent by a court. As a result the child legally becomes part of the adoptive family. Adoption is normally only considered for children who are formally looked after, either because they were relinquished as a baby or were taken into care following an assessment that it was unsafe for them to return to their family. Children assume the name and nationality of their new family and gain a new birth certificate.

An Adoption Order in favour of a relative or foster carer (who was a 'Connected Person') with whom a child is living may be an appropriate outcome as part of a permanence plan for a Child in Need or a 'Looked After' child. There is an expectation of contact between the child and birth parent, usually through a letterbox arrangement.

Newham makes arrangements, as part of their adoption service, for the provision of a range of adoption support services. They then have to undertake assessments of the need for adoption support services at the request of the adopted child, adoptive parents and their families, as well as birth relatives. The support required is then set out in an Adoption Support Plan and this may include financial support.

Newham's adoption services were rated as 'good' by Ofsted when they were inspected in 2011.

Children who were adopted have no obligation to remain in contact with social services, although their views remain important to the adoption service if they wish to stay in touch. There is no entitlement to leaving care support for adopted children.

6.8 Changing care types

It is common for carers providing non-permanent placement types such as Family & Friends foster care or Private Fostering to seek a permanent placement for the child. The main reason for this is usually court-driven and allows the care provider to take legal parental responsibility for the child. It also provides a greater sense of security for the child and birth parents if they have been assessed

as unsuitable to care for the child or are unwell.

In these situations the child will usually be able to stay in their current placement and situation whilst assessment and court process is carried out, subject to the current assessments and care plan in place for the child. There are financial implications for making such changes however, as set out in section 7.3 below.

7. Provision of financial support

The main distinction between carer payments and the care package is that children's social workers will assess and recommend care packages on behalf of the children, which may be attributed to the carer in order for them to provide support. Social workers are encouraged to think creatively about how this package can be used to prevent further deterioration in family situations where the children are being safeguarded at home, or to promote the best possible outcomes for children in care. This includes families at any point of the safeguarding continuum, so that placements with a s.17 CIN support package are monitored by the EIT if appropriate, or potentially the child's social worker from the Intensive Intervention, Threshold of Care or Looked-After children service as needed.

Carer payments made in respect of the extra cost of caring for the child on behalf of Newham, and are payable regardless of the particular characteristics or needs of the child currently in placement. The two are not interchangeable and must be recorded and audited separately.

7.1 Payment types

There are three categories of payment, which may be considered. One or more of these may be applicable, depending on the particular circumstances of the case:

i. Subsistence crisis (one-off) payments

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

ii. Setting-up

These are for such items as clothing, furniture, or bedding. The social worker must be satisfied that the carers' financial position justifies the payment through a financial assessment. Assistance may be given subject to conditions, including repayment in certain situations. However, in most situations, it will be inappropriate for the Department to seek to recover money provided under these circumstances.

iii. Weekly living contribution

It is possible for the local authority to make regular payments where family members or friends care for a child whether or not the child is not Looked After. Where regular payments are to be made, relative carers should be assisted to maximise their Income/Benefit as regular payments may adversely affect an individual's claim to income support.

In all cases where regular financial support is agreed, a written agreement will be drawn up detailing the level and duration of the financial support that is to be provided, and the mechanism for review.

The following criteria will be applied to all such payments:

- The purpose of the payments must be to safeguard and promote the welfare of the child
- As part of the assessment, a view should be taken as to whether the carers need financial support based on their reasonable requirements in taking on the care of the child
- 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.

7.2 Financial support - allowance levels for non-permanent placements

The start point for any financial support is based on the current *fostering allowance*. This is separate from any reward element or additional payments. This recognises the extra cost of looking after a foster child beyond the costs associated with bringing up a child in their birth family.

Allowances are meant to cover, for example, transport costs, household costs such as furniture or structural wear and tear, and item replacement costs. They should also cover the costs associated with fostering duties such as travel to meetings, conferences, court and contact.

Any inflationary uplift can only be applied by Newham and is not linked to any increases determined externally.

Payments can be terminated or put on hold by the service in certain circumstances, as set out in section 7.6.

- ***Unconnected Foster care – standard placements***

Fostering payments include two primary components; a maintenance rate and a reward element. There are also additional circumstances in which a bonus payment may be made.

The **maintenance rate** is driven only by the age of the child, where older children typically attract higher costs and therefore a higher weekly rate.

The **reward element** is driven by the progress of the carer through their training competencies and therefore the level of complexity of the child's needs which the carer will be competent to meet. This is set out over three "levels" of reward. The reward element is discretionary and Newham is not obligated to make any such payments.

Additional payments include allowances for holidays, cultural festivals important to the child's faith or identity, or birthdays.

- ***Unconnected Foster care – non-standard placements***

Maintenance rates can change where the carer is providing care for a **mother and baby**, or where the carer is able to offer **emergency placements** for children removed from families who need to be placed at short notice. This is most common outside of working hours. The carer may also qualify for an additional payment where they can provide short-term **respite care** to a child where their normal carer is unavailable for a period of time.

- ***Family and Friends foster care***

Providers of family and friends foster care are eligible for **maintenance rate** payments only and will not receive a **reward element**. Additional support packages may be approved for carers in these circumstances but this will depend on the assessed needs of the child and Newham will only pay the necessary amount to meet these needs.

- ***Private foster care***

All payments in respect of private fostering arrangements are discretionary and attract no maintenance or reward elements. Any financial assistance to families offering private foster care will become part of the care package and are contingent on the requirements of the Family Support Plan.

- ***Informal family and friends care***

As above, all payments in respect of private fostering arrangements are discretionary and attract no maintenance or reward elements. Any financial assistance to families offering private foster care will become part of the care package and are contingent on the requirements of the Family Support Plan.

7.3 Financial support - allowance levels for LAC moving to permanency in their current placement

It is accepted that, where a child achieves permanency in their care setting, for example a Family and Friends foster carer who is granted an SGO, additional expenditure may be required to continue after permanence Orders have been made, but that in general the nature of permanence will make these payments unnecessary. Once a child has left the care system it is expected that they will settle into their permanent setting and the costs associated with providing care will begin to equate to a child in their birth family.

Therefore, over time, the payments offered to families providing permanent placements will decrease – through it will not stop altogether until the conditions in section 7.4 are met.

- ***Adopting a child in placement***

Again, the start point for such payments is the basic maintenance rate for fostering. There can be no bonus payments of any sort for holidays, birthdays etc.

Unlike fostering placements, permanent arrangements are subject to two calculations.

- Firstly the **Maximum Payable** calculation is made. This is a function of how long it has been since the Order was made.
 - o Year 1: Fostering **basic maintenance rate** only.
 - o Year 2: Fostering **basic maintenance rate** -11.11%.
 - o Year 3: Fostering **basic maintenance rate** -22.22%.
 - o Years 4 and onward: Fostering **basic maintenance rate** -33.33%.

Therefore by the beginning of year 4, the maximum amount payable will be 2/3 of the fostering maintenance rate, and will hold here for as long as the carer is eligible. See below.

If the child moves into a new age band whilst payments are reducing, the new maintenance rate will be used as the basis for the percentage reduction.

Only in *exceptional* circumstances relating to the specific needs of the child will the reduction in maximum payable amount be waived. Where this is done, the 100% of the basic maintenance rate will represent the maximum payment.

- Secondly, there is a **means testing** requirement for these payments.

Where the carer is looking after a disabled child, it is anticipated that the carer will be eligible for the Disability Living Allowance to meet any additional costs associated with their care. Where this is not the position and the child has a disability, Newham will consider additional payments to support their care.

Carers for children in these types of placement will therefore receive a maintenance sum if, as the result of these calculations, they are deemed eligible. These calculations do not affect the size of any support packages awarded in respect of the children being adopted.

- ***Special Guardianship Orders and Residence Orders for children in placement***

Calculations are made in the same way as they are for Adoption.

7.4 Financial support – allowance levels for permanency in other situations

- ***Special Guardianship Orders and Residence Orders for non-LAC***

It is possible that SGOs and Residence Orders can be granted in respect of children who are not in foster care and still living at home. Where their parents have become seriously ill or are disabled, or following their death.

In such cases, a report to court Must be completed, and show that but for the carer taking care of the child, social services would have become involved with the child's care. Where this test is met, payments can be made according to the mechanism set out in section 7.3 using the child's age to calculate a year 1 figure.

- ***Adopting an unconnected child***

Where a family are approved to adopt a child with whom they have no prior connection, the support plan will contain the details of financial support on offer to the family and how this is intended to 'taper off' over time to avoid financial difficulties in the short term. Again, adopters are expected to apply for benefit as appropriate.

A 'settling in' grant is available, and consideration will be given to covering other one-off costs associated with placing the child with an adoptive family.

7.5 Financial support – leaving care

- Leaving Care categories

As a young person approaches their 16th birthday, the local authority must ensure that a 'pathway plan' is created for them which sets out the arrangements for their leaving care at 18. This plan is then kept up to date as the child moves towards 18.

The level of support the child is entitled to from the age of 16 will depend on their circumstances;

- i. Still in care, 16 or 17 years of age and had been in care for at least 13 weeks since the age of 14. ('eligible' under section 19b of the Children Act 1989)
- ii. No longer in care, 16 or 17 years of age but had been in care sometime whilst 16 or 17. Required to have been in care for at least 13 weeks since the age of 14. ('relevant' under section 23a of the Children Act 1989)

In both of these categories, the local authority must appoint a personal advisor to support the young person, though in category (ii) there is no longer a requirement that this be a social worker. This advisor will stay in regular contact with the young person and continue to be their 'lead professional'. Newham retains a duty to stay in contact and a general duty to promote the child's welfare as they move to adulthood, including providing the child with suitable accommodation and financial assistance as required by the pathway plan.

- iii. No longer in care, 18 to 21 years of age and formerly in one of the first two categories. ('former relevant' under section 23c of the Children Act 1989).

The local authority must take 'reasonable steps' to maintain to stay in touch with the child and re-establish contact if lost. A personal advisor must be offered and support this children as requested, and the pathway plan must stay under review. Where the local authority

Packages of support required by the young person's Pathway Plan must remain in place, though Newham has the discretion to make additional payments to support the care leaver to access education or training, or contribute to expenses incurred in seeking employment. This assistance may be offered up to the age of 21, or in exceptional circumstances to the age of 24.

- iv. No longer in care, 16 to 21 years of age, but between the ages of 16-18 was looked after for any period. This category also covers children who were LAC before being cared for under an SGO. ('qualifying for advice and assistance' under section 24 of the Children Act 1989)

Support may be offered to children in this category, in the same way as section (iii), but the local authority is under no obligation to do so.

- Homelessness support

The local authority has a duty to support care leavers under any category who will be homeless, because term-time accommodation is not available, by providing accommodation or financial support to enable them to secure their own accommodation.

Regardless of which category the care leaver is in, the local authority has a duty following the *G v. LB Southwark* to ensure that any child aged 17 or below who is homeless has the right to an assessment under s.17 and the right of accommodation and assistance under s.20 of the Children Act 1989. Children who are accommodated under this heading are not considered to have 'looked after' status.

- Further and Higher education

It is Newham's policy that all children expressing the wish to continue their education to further and higher education settings will be financially supported to do so. This is a primary feature of the child's pathway plan and will cover all course fees and term-time accommodation. The young person will be expected to make full use of student support finance.

Newham is not obligated to provide support for postgraduate study, but may do so on a discretionary basis.

- Disabled children and young people leaving care

The particular and specialist needs of disabled children will be articulated in their pathway plan. The

social worker will co-operate with other services and where necessary begin arrangements with adults social services to ensure a positive transition.

7.6 Financial support – termination of payments

Foster carers will cease receiving payments only when they de-register themselves from the service. Payments may be put on hold in certain circumstances, for example if the carer takes a break from providing placements in order to go on holiday, for example.

If an allegation is made about a carer, it is appropriate for the service to hold payments to that carer until an investigation into the allegation is completed. Payments will be restarted once the investigation is complete if the plan is to recommend to panel that the carer should be re-approved.

Friends and Family Foster carers will cease receiving payments in respect of a child when they child turns 18, unless the child is disabled.

Termination of **Adoption, Special Guardianship Orders and Residence Orders** occurs when any of the following take place;

- The carer no longer meets the means testing criteria
- The child no longer lives with the carer
- The child reaches the age of 16 and engages in full-time employment
- The child reaches the age of 18 (unless the child is **adopted** and in full time education at their 18th birthday, in which case the carer will receive an allowance until the following 30th of June).
- The carer moves outside of UK jurisdiction. (see Appx D)

7.7 Financial Support - approval process

It is very important that Newham be transparent, fair and consistent regarding financial support arrangements. This means that a clear timescale, level of support, plan for re-assessment and means-testing must be discussed with the relevant group manager and authorised with the Head of Service. Social workers must *not* give verbal or written promises or assurances to families before this approval is given. This includes the signoff of support packages, which must be documented for approval at panel.

Whilst any allowance is being paid, *all carers* will have annual reviews (unless more regular visits are required by the child's care plan) to ensure that the child is still living in the home and that means-testing and benefits calculations are being properly applied.

For the permanency arrangements, families must be means-tested before payment levels can be calculated. This means that potential carers be advised of the income and state benefit they will receive and how this will be impacted by assumption of parental responsibility, since the level of benefit received will affect the means test.

The aim of any financial support for permanence is to remove any resource obstacles to finding a happy and successful placement for the child, allowing them to find permanency outside of the care system.

The service is required to issue a schedule of payments to all carers each year, setting out what they have been paid and consulting them on any planned changes to the system in the following year (this will give the service a chance to set out any planned changes to inflationary uplifts, for example).

8. Accommodation

The authority works with landlords to ensure that, whenever possible, family and friends carers living in social housing are given appropriate priority to move to more suitable accommodation if this will prevent the need for a child to become looked after. Social services have agreed a joint protocol with the housing service to amend the allocations policy to support better housing for care providers in Newham.

In addition, Newham is measured on its ability to ensure that care leavers have access to suitable accommodation. Our performance in this area has been very good over the past three years, and we recognise the importance of supporting all types of family and friends care placements in achieving this aim. The fostering service offers training and some support both in foster and permanent settings to enable children to stay on in the home once they turn 18, or move out, or go on to further education.

9. Supporting contact with parents

Newham is under a duty to promote contact for all Children in Need, although this differs depending on whether or not the child is Looked After.

Where the child is not Looked After, we are required to promote contact between the child and his/her family 'where it is necessary to do so in order to safeguard and promote his or her welfare'. As part of the support arrangements, it may be identified that specific assistance is required to ensure that any such contact can be managed safely. If necessary, information will be made available to family and friends carers about local contact centres and family mediation services, and how to make use of their services. We offer training on carers to live with contact and offer help through our social workers to families if there are any difficulties.

We have acted on feedback from children about wanting better support around contact with birth families, and to improve arrangements between the adoptive and birth families. This is evidenced by the work of the in house Contact Co-ordinator. Services are now arranged to make them more accessible to young people who wish to make such contact, and our letterbox functions are highly proactive and responsive to the demands of children, carers and birth families.

The contact co-ordinator facilitates both written and face-to-face contact, and supports both parties to write where they ask for help with literacy or in the approach to contact. We engage with the adopted and birth families early in the process and explain clearly to the child the importance of contact and the intermediary service we provide.

Where a child is Looked After, we are required to endeavour to promote contact between the child and his or her family 'unless it is not practicable or consistent with the child's welfare'. The overall objective of the contact arrangements will be included in the child's Care Plan and the specific arrangements will be set out in the child's Placement Plan.

10. Family Group Conferences

Family Group Conferences are meetings held between professionals and family members, which aim to achieve the best outcomes for children. They promote the involvement of the wider family to achieve a resolution of difficulties for Children in Need, and may help to identify short-term and/or permanent solutions for children within the family network.

We will offer a Family Group Conference or other form of family meeting at an early stage. If a child becomes Looked After, perhaps following an emergency, without a Family Group Conference having been held, then (where appropriate) we will arrange one as soon as possible.

Newham is creating an information leaflet for families who are considering a Family Group Conference as a way of dealing with issues in a safeguarding context. It will be made available to families who have expressed that this might be a suitable option for them, and sets out in detail the history of the FGC, the legal implications, what circumstances it might be suitable for use in, and how it can help support children by agreeing for their care within an extended family network setting. Although not compulsory and not always the best option for families, an FGC can be useful and can help facilitate the making of family and friends placements.

11. Complaints procedure

Where a family or friends carer is not satisfied with the level of support provided to enable them to care for the child, then they have access to the local authority's complaints process. Newham's aim is to resolve any such dissatisfaction without the need for a formal investigation but where an informal resolution is not possible, then a formal investigation will be arranged. The timescales and process are set out in the corporate [Complaints Procedure](#).

If the complaint cannot be resolved at this first stage, it may become necessary for the complaint to be formally registered with the complaints team using the following details:

Customer Relations Team

London Borough of Newham
Newham Dockside
1000 Dockside Road
London E16 2QU.

Telephone: 020 3373 4461

Email: customerrelations.team@newham.gov.uk

12. Further information and contact details

If you have any further questions about the content of this policy or would like more information about the options available to provide care for a child you know or are related to, please contact Newham Fostering Services using the following details:

Newham Fostering Service

London Borough of Newham
Newham Dockside
Second Floor, East Wing
1000 Dockside Road
London E16 2QU

Telephone: 020 8430 2000

Email: fosteringsupportteam@newham.gov.uk

Policy Approved by

Date

Draft - For Consultation





Appendix A: Caring for someone else's child – Options framework

	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 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. 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.	The child is 'looked after' and the local authority must apply for an order, or The child has 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.	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 must be approved as foster carers even if close relative.)	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If child is looked after, carers must be approved as foster carers even if close relative.)	Appointed by court following application.	Appointed by court following application. 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.	None	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 NMS.	

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)	Adoption
Financial support – entitlement	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Financial responsibility to maintain the child remains with holders of PR</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Financial responsibility to maintain the child remains with holders of PR.</p> <p>Guardians Allowance payable if both parents have died, or the only surviving parent cannot be found or serving 2 years or more prison sentence.</p>	<p>Child benefit and child tax credit not payable.</p> <p>Weekly allowance to meet the costs of caring for the child. This should meet at least the national minimum rate set by DCSF.</p> <p>The Manchester City Council judgment ruled that allowances must be the same for all foster carers, whether or not family & friends.</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>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.</p> <p>Subject to assessment as above and for former foster carers can include an element of remuneration.</p> <p>Regular or one off payments.</p> <p>Any allowances reviewed annually.</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.</p>	<p>Can claim child benefit and child tax credit if not being paid to parent.</p> <p>Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.</p>
Financial support – discretionary	<p>LA has discretion to make one-off or regular payments under section 17 Children Act</p>	<p>LA has discretion to make one-off or regular payments under section 17 Children Act</p>	<p>Some fostering providers pay their foster carers a fee to recognise the carers' skill, experience and commitment.</p> <p>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.</p> <p>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.</p>	<p>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</p>	<p>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</p>	<p>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.</p> <p>Subject to assessment as above and for former foster carers can include an element of remuneration.</p> <p>Regular or one off payments.</p> <p>Any allowances reviewed annually.</p>	<p>Subject to assessment, one off payments or regular adoption allowance may be paid.</p>

Appendix B: Family & Friends care financial calculator

FOSTERING ALLOWANCES 2010/2011 (1st April 2010 to 31st March 2011)																																																						
<table border="1"> <thead> <tr> <th colspan="2">Fostering Maintenance Rate</th> </tr> <tr> <th>Child's Age</th> <th>Weekly Rate</th> </tr> </thead> <tbody> <tr> <td>0 to 4</td> <td>£140.94</td> </tr> <tr> <td>5 to 10</td> <td>£160.68</td> </tr> <tr> <td>11 to 15</td> <td>£200.08</td> </tr> <tr> <td>16 to 17</td> <td>£243.00</td> </tr> </tbody> </table>		Fostering Maintenance Rate		Child's Age	Weekly Rate	0 to 4	£140.94	5 to 10	£160.68	11 to 15	£200.08	16 to 17	£243.00		<table border="1"> <thead> <tr> <th colspan="4">Fostering maintenance rate + Reward element</th> </tr> <tr> <th></th> <th>Level 1</th> <th>Level 2</th> <th>Level 3</th> </tr> </thead> <tbody> <tr> <td>0 to 4</td> <td>£222.54</td> <td>£242.94</td> <td>£268.44</td> </tr> <tr> <td>5 to 10</td> <td>£242.28</td> <td>£262.68</td> <td>£288.18</td> </tr> <tr> <td>11 to 15</td> <td>£281.68</td> <td>£302.08</td> <td>£327.58</td> </tr> <tr> <td>16 to 17</td> <td>£324.60</td> <td>£345.00</td> <td>£370.50</td> </tr> </tbody> </table>			Fostering maintenance rate + Reward element					Level 1	Level 2	Level 3	0 to 4	£222.54	£242.94	£268.44	5 to 10	£242.28	£262.68	£288.18	11 to 15	£281.68	£302.08	£327.58	16 to 17	£324.60	£345.00	£370.50													
Fostering Maintenance Rate																																																						
Child's Age	Weekly Rate																																																					
0 to 4	£140.94																																																					
5 to 10	£160.68																																																					
11 to 15	£200.08																																																					
16 to 17	£243.00																																																					
Fostering maintenance rate + Reward element																																																						
	Level 1	Level 2	Level 3																																																			
0 to 4	£222.54	£242.94	£268.44																																																			
5 to 10	£242.28	£262.68	£288.18																																																			
11 to 15	£281.68	£302.08	£327.58																																																			
16 to 17	£324.60	£345.00	£370.50																																																			
<table border="1"> <thead> <tr> <th colspan="2">Fostering Reward Element</th> </tr> <tr> <th>Carer Level</th> <th>Weekly Rate</th> </tr> </thead> <tbody> <tr> <td>Level 1</td> <td>£81.60</td> </tr> <tr> <td>Level 2</td> <td>£102.00</td> </tr> <tr> <td>Level 3</td> <td>£127.50</td> </tr> </tbody> </table>		Fostering Reward Element		Carer Level	Weekly Rate	Level 1	£81.60	Level 2	£102.00	Level 3	£127.50																																											
Fostering Reward Element																																																						
Carer Level	Weekly Rate																																																					
Level 1	£81.60																																																					
Level 2	£102.00																																																					
Level 3	£127.50																																																					
<hr/>																																																						
		<table border="1"> <thead> <tr> <th colspan="2">Holiday Allowance</th> <th colspan="2">Birthday Allowance</th> <th colspan="2">Festival Allowance</th> </tr> </thead> <tbody> <tr> <td>0 to 4</td> <td>£281.88</td> <td>0 to 4</td> <td>£140.94</td> <td>0 to 4</td> <td>£140.94</td> </tr> <tr> <td>5 to 10</td> <td>£321.36</td> <td>5 to 10</td> <td>£160.68</td> <td>5 to 10</td> <td>£160.68</td> </tr> <tr> <td>11 to 15</td> <td>£400.16</td> <td>11 to 15</td> <td>£200.08</td> <td>11 to 15</td> <td>£200.08</td> </tr> <tr> <td>16 to 17</td> <td>£486.00</td> <td>16 to 17</td> <td>£243.00</td> <td>16 to 17</td> <td>£243.00</td> </tr> </tbody> </table>		Holiday Allowance		Birthday Allowance		Festival Allowance		0 to 4	£281.88	0 to 4	£140.94	0 to 4	£140.94	5 to 10	£321.36	5 to 10	£160.68	5 to 10	£160.68	11 to 15	£400.16	11 to 15	£200.08	11 to 15	£200.08	16 to 17	£486.00	16 to 17	£243.00	16 to 17	£243.00																					
Holiday Allowance		Birthday Allowance		Festival Allowance																																																		
0 to 4	£281.88	0 to 4	£140.94	0 to 4	£140.94																																																	
5 to 10	£321.36	5 to 10	£160.68	5 to 10	£160.68																																																	
11 to 15	£400.16	11 to 15	£200.08	11 to 15	£200.08																																																	
16 to 17	£486.00	16 to 17	£243.00	16 to 17	£243.00																																																	
<hr/>																																																						
<table border="1"> <thead> <tr> <th colspan="7">Respite Care Rates</th> </tr> <tr> <th rowspan="2"></th> <th colspan="3">per day</th> <th colspan="3">per week</th> </tr> <tr> <th>Level 1</th> <th>Level 2</th> <th>Level 3</th> <th>Level 1</th> <th>Level 2</th> <th>Level 3</th> </tr> </thead> <tbody> <tr> <td>0 to 4</td> <td>£31.79</td> <td>£34.71</td> <td>£38.35</td> <td>£222.54</td> <td>£242.94</td> <td>£268.44</td> </tr> <tr> <td>5 to 10</td> <td>£34.61</td> <td>£37.53</td> <td>£41.17</td> <td>£242.28</td> <td>£262.68</td> <td>£288.18</td> </tr> <tr> <td>11 to 15</td> <td>£40.24</td> <td>£43.15</td> <td>£46.80</td> <td>£281.68</td> <td>£302.08</td> <td>£327.58</td> </tr> <tr> <td>16 to 17</td> <td>£46.37</td> <td>£49.29</td> <td>£52.93</td> <td>£324.60</td> <td>£345.00</td> <td>£370.50</td> </tr> </tbody> </table>							Respite Care Rates								per day			per week			Level 1	Level 2	Level 3	Level 1	Level 2	Level 3	0 to 4	£31.79	£34.71	£38.35	£222.54	£242.94	£268.44	5 to 10	£34.61	£37.53	£41.17	£242.28	£262.68	£288.18	11 to 15	£40.24	£43.15	£46.80	£281.68	£302.08	£327.58	16 to 17	£46.37	£49.29	£52.93	£324.60	£345.00	£370.50
Respite Care Rates																																																						
	per day			per week																																																		
	Level 1	Level 2	Level 3	Level 1	Level 2	Level 3																																																
0 to 4	£31.79	£34.71	£38.35	£222.54	£242.94	£268.44																																																
5 to 10	£34.61	£37.53	£41.17	£242.28	£262.68	£288.18																																																
11 to 15	£40.24	£43.15	£46.80	£281.68	£302.08	£327.58																																																
16 to 17	£46.37	£49.29	£52.93	£324.60	£345.00	£370.50																																																
<table border="1"> <thead> <tr> <th colspan="2">Fostering Maintenance Rate (Mother and Baby)</th> </tr> <tr> <th>Mother's Age</th> <th>Weekly Rate</th> </tr> </thead> <tbody> <tr> <td>11 to 15</td> <td>£270.55</td> </tr> <tr> <td>16 to 18</td> <td>£313.47</td> </tr> </tbody> </table>		Fostering Maintenance Rate (Mother and Baby)		Mother's Age	Weekly Rate	11 to 15	£270.55	16 to 18	£313.47																																													
Fostering Maintenance Rate (Mother and Baby)																																																						
Mother's Age	Weekly Rate																																																					
11 to 15	£270.55																																																					
16 to 18	£313.47																																																					
<table border="1"> <thead> <tr> <th colspan="2">Fostering Maintenance Rate (Emergency Placements)</th> </tr> <tr> <th>Child's Age</th> <th>Nightly Rate</th> </tr> </thead> <tbody> <tr> <td>0 to 4</td> <td>£40.27</td> </tr> <tr> <td>5 to 10</td> <td>£45.91</td> </tr> <tr> <td>11 to 15</td> <td>£57.17</td> </tr> <tr> <td>16 to 17</td> <td>£69.43</td> </tr> </tbody> </table>		Fostering Maintenance Rate (Emergency Placements)		Child's Age	Nightly Rate	0 to 4	£40.27	5 to 10	£45.91	11 to 15	£57.17	16 to 17	£69.43																																									
Fostering Maintenance Rate (Emergency Placements)																																																						
Child's Age	Nightly Rate																																																					
0 to 4	£40.27																																																					
5 to 10	£45.91																																																					
11 to 15	£57.17																																																					
16 to 17	£69.43																																																					

Note: This does not include one-off payments, for example the £750 adoption 'settling in grant' or the bonus £500 payment for carers providing placement for a baby for the first time.

Appx C: Financial approval process for Family and Friends carers

CARE PACKAGES

- Social Worker or Early Intervention Advisor completes assessment of the child's needs.
- The package is discussed with Social Care Team Manager or Early Intervention Group Manager.
- If this is a package for a disabled child, the DCYPS team must be consulted in order to ensure that the package will be effective.
- Get approval for new / move package
 - IF package is worth = <x, a Group Manager may sign off this package.
 - IF package is worth = >x, Head of Service review and sign off is required.
- Package is discussed with the family & friends carer so that they understand the payment and audit requirements and the limitations of the package.
- Any partner organisations notified if they will be commissioned as part of this package, including Early Intervention service providers within the EIT if necessary.
- Authorisation request sent to PAMS to authorise payments.

CARER SUPPORT

- The process begins once the prospective carer has applied to become a registered foster carer or family and friends foster carer. The applicants must have entered a formal application and therefore this process cannot begin until preparation groups have been completed.
 - IF the carer is a prospective adopter, foster carer or family and friends foster carer, but does not currently have a child in placement, Supervising Social Workers must contact the commissioned provider of carer assessments, Outcomes UK, informing them that a carer under assessment is seeking to claim payments.

The SSW must inform Outcomes UK that as part of the assessment, proofs are required, to cover all categories within the means-testing model (Appx E).

- IF the carer already has a child in placement, and is seeking permanency for the child, the Supervising Social worker must inform the PAMS team that they are seeking a permanent arrangement and must gather the necessary proofs to send to PAMS.

These are the same types of proof set out within the means-testing model (Appx E).

- THE ONLY OTHER circumstance in which a carer could access payments relating to their care status is if they satisfy the SGO or Residence Order "but-for" requirement that the carer, through their connection with the child, has averted the need for care.

In these situations the Child's social worker must ascertain the family's wishes regarding support and acquire proof as necessary.

- Once the materials and proof is available, there is an assessment form which the Social Worker can fill in, available from the PAMS team. This can then be sent to PAMS with copies

of proof for means-testing.

Note: the assessment is based upon household income so we would also need the details of a partner/spouse living with the prospective carer if a carer is applying on their own.

- PAMS will then approve payments and have the payments signed off before informing the social worker of the outcome so that the family can be informed.
- Payments will begin.
- There is an annual schedule of payments which will set out carer payments each year and give carers the chance to comment on any planned changes.

Note: Newham authorises all payment changes specifically, including inflationary uplifts, so it is important that carers understand that inflation will not be automatically added to their maintenance allowance.

- Subsequent children entering care
- End placement procedure

Appendix D: Carers moving outside the UK

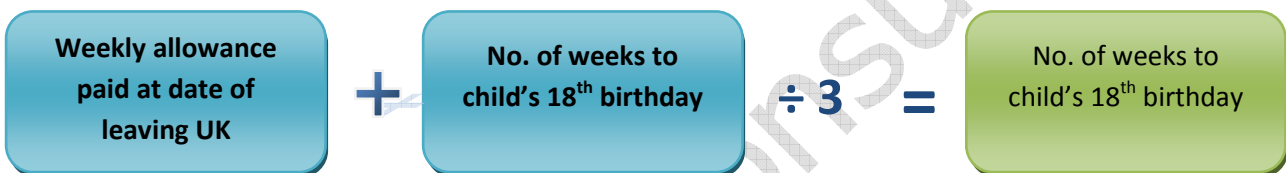
1. Calculation

This section applies to carers with a Special Guardianship or Residence Order or an Adoption Order on a child who was previously looked after by Newham.

Newham will make the following provision where an Adoption, Residence Order or Special Guardianship Order has been granted, an allowance is being paid, *and* the adopters/carers relocate to live outside the jurisdiction of the U.K.

All Adoption allowance, Special Guardianship allowance or Residence Order allowance payments cease.

A one-off lump sum payment will be made in relation to each adopted child or child subject to a Residence or Special Guardianship Order, calculated on the following basis:



2. Context

- There is no legal requirement to continue to pay an Adoption , Special Guardianship or Residence Order Allowance when the child lives outside the jurisdiction of the UK.
- Residence Orders, Special Guardianship Orders and Adoption Allowances reflect the cost of living within the UK.
- The Local Authority is not able to easily ascertain that the child still lives with the adopter/carer or is attending full time education when living abroad.
- This is a compromise solution to provide a reasonable sum of money which can be invested and from which adopters/carers and child can receive benefit
- Cost of living increases are not included in the calculation as these are not guaranteed or predictable.
- Allows for cost of living differences between UK and other countries.
- No restrictions are placed on how the Adopters/Carers use the lump sum payment.

The legal background for this policy is set out in the Adoption & Children's Act 2002

In certain exceptional circumstances additional lump sum payments may be agreed - for example to support contact with birth families.

Appendix E: Means-testing model

1. Benefit types

The following benefit types will be accounted for when awarding payments. Note that this list is not exhaustive:

- Disability Living Allowance,
- Child Tax Credit,
- Working Tax Credit,
- Guardian's allowance,
- Child support maintenance.

2. The means testing process

The means-testing model is based on the DFES model. The principle is that the weekly income is calculated first, and then deduct this from weekly expenditure.

If the income is less than expenditure, no deduction is made from the maximum allowance on offer. If the income exceeds expenditure, the amount in excess is deducted from the available allowance.

Income	Expenditure
Wage or Salary of Carers	Rent (after housing benefit is deducted); or
All benefits received by this household (see part A)	Mortgage payments plus endowment payments
Income from lodgers / investments or similar sources	Council Tax
<p><i>Note: All income must be evidenced by full documentation. For earned income this requires a minimum of 3 wage or salary slips.</i></p> <p><i>Wages or salary are calculated as gross earned income less tax, NI calculations and pension contributions.</i></p>	Water Rates
	1.5x Income support for carers
	1.5x Income support for each child aged under 18
	Other forms of income, such as dividends
	Allowance paid for the child concerned.

Appendix F: Glossary

'Accommodation' means that a child is being looked after by the local authority either with the agreement of the parents or those with parental responsibility (s20 Children Act 1989).

'Child' means a person under the age of 18. Where the policy refers to older children the term 'Young Person' is used.

'Child in Need' (CIN) means a child whose vulnerability is such that 'they are unlikely to reach or maintain a reasonable level of health, or development or their health or development would be significantly impaired, without the provision of services by the local authority, or they are disabled' s17, Children Act 1989.

'Child Protection' (CP) means that the local authority is proceeding with investigating the case where they "have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm" (s47 Children Act 1989). This investigation carries different procedural guidelines and is used in more serious cases. It can lead to a Child Protection plan being put in place for the child and their being entered on the CP register.

'Connected person' means a relative, friend or other person connected with a 'looked after child'. This person may be someone who knows the child in a more professional capacity such as a childminder, a teacher, or a youth worker although these are not exclusive categories.

'Family and friends carer' means a relative, friend or other person with a prior connection with somebody else's child who is caring for that child full time. An individual who is a 'connected person' to a looked after child may also be a family and friends carer. A child who is cared for by a family and friends carer may or may not be looked after by the local authority.

'Foster Carer' means a person who is approved as a foster parent (by a local authority or an independent fostering provider).

'In care' means the child is the subject of an interim or full care order or an emergency protection order.

'Informal arrangement' means an arrangement where a child is living with a family and friends carer who does not have parental responsibility for the child. These arrangements are not made by the local authority but are agreed between the carer and the person(s) with parental responsibility. These arrangements do not include children who are looked after by the local authority or where the child is privately fostered, placed for adoption or subject to a residence order or special guardianship order.

'Looked after child' ("LAC, CLA") means a person under 18 who is subject of a care order including an interim care order (s31 Children Act 1989), or is accommodated on a voluntary basis (s20 Children Act 1989).

'Parent' includes anyone who has parental responsibility for the child.

'Parental responsibility' means all the rights, duties, responsibilities and authority, which by law a parent of a child has in relation to the child and his property (s3 Children Act 1989).

'Private fostering arrangement' means an arrangement where a child 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 them, and is not a

close relative, and the arrangement continues for a period of 28 days or more or is intended to do so.

'Relative' means grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or stepparent. (Children Act 1989 s105). "Close relatives" for the purpose of ascertaining whether the relative can provide informal care or must register the arrangement as a private fostering placement are set out in section 6.2 of this policy.

Draft - For Consultation