

ASSESSMENT OF CONNECTED PEOPLE AND APPROVAL OF FAMILY AND FRIENDS FOSTER CARERS

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1. INTRODUCTION AND LEGAL FRAMEWORK

One of the key principles of the 1989 Children's Act is that children or young people should be enabled to live within their families unless this is not consistent with their welfare. It seeks to promote permanence for children and young people by enabling children and young people who cannot live with their parents to remain with their extended family and friends where appropriate as a better alternative than growing up in the care of the Local Authority. By permanence it means the framework of emotional, physical and legal conditions that give a child or young person a sense of security, continuity, commitment and identity.

1.1 SPECIAL GUARDIANSHIP ORDERS

For some children and young people permanence may be achieved through the court making the child the subject of a Special Guardianship Order (SGO), either through a Private Law Application or as the outcome of Care Proceedings.

The person in whose favour the Special Guardianship Order is made has parental responsibility to the exclusion of others with parental responsibility except another Special Guardian and is responsible for ensuring the child is safe and their care needs are met.

1.2 CHILDREN WHO ARE LOOKED AFTER

For other children and young people the route to achieving permanence may include them living with family and friends under the legal status of a Looked After Child and in those circumstances their carers have to be approved foster carers.

Children should only become or remain looked after when it is necessary to ensure that they are safeguarded and their needs are being met. When children are looked after and placed with family and friends this should be regularly reviewed and consideration given to whether an SGO would be appropriate. It is important to ensure that children and their families are not experiencing an unnecessary level of intervention and support to them can be provided under an SGO.

A child may become looked after in a number of different ways:

- a) because the Local Authority has been granted Parental Responsibility via an Interim Care Order or Care Order
- b) because the Local Authority has agreed with the person with Parental Responsibility that it is in the child's best interest to become Looked After
- c) because the child has been remanded to the care of the Local Authority by the Youth Court in respect of criminal charges.

When a child is Looked After, Worcestershire County Council (WCC) has a responsibility wherever possible to make arrangements for the child to live with a member of the family who is approved as a foster carer.

In exceptional circumstances, a child may be placed, as an immediate placement, with a relative, friend or connected person who has not been approved as a foster carer when this is seen as the best way of safeguarding the child and meeting his or her needs. (Please see Section 3)

1.3 WORCESTERSHIRE FOSTERING'S ROLE

Worcestershire Fostering undertakes the assessment of family and friends and connected people for both SGO orders and approval as foster carers. It uses its own assessment report template which has been agreed with the courts and the fostering panel and meets the requirements of the Special Guardian Regulations, The Fostering Regulations 2011 as well as the statutory guidance and the National Minimum Standards (NMS) for Fostering 2011.

This policy sets out the procedure for those assessments.

When considering approval as foster carers it takes into consideration Standard 30 of the NMS which specifically applies to family and friends foster carers.

A Connected Person is defined as “A relative, friend or other person connected with a child. The latter is someone who would not fit the term ‘relative or friend’, but who has a pre-existing relationship with the child.” Although the term connected person is used in legislation and guidance the term used by Worcestershire Fostering is family and friends. Where that term is used in this policy it covers, family, friends and connected people.

2. VIABILITIES

The need for a viability may come from a number of sources including

- As part of the Public Law Outline (PLO) process
- Where there is a plan to place a child accommodated on a voluntary basis (Section 20) with a family or friend
- Where there is a plan to place a child subject to an Interim Care Order (ICO) or Care Order with a family or friend
- As a part of Care Proceedings where birth parents have put forward family members or friends as possible alternative carers for a child or young person

Viabilities are not undertaken for Private Law applications.

The kinship teams will undertake a viability which is an initial assessment to decide whether it is likely that the family member is going to be able to safeguard and meet the needs of the child and young person or whether it is clear at this early stage that they are not going to be able to fulfil this role.

The assessing social worker will complete the Viability Template and will recommend whether a full assessment is appropriate.

The kinship team aim to complete a viability within two weeks once it is allocated to a kinship social worker.

A copy of Worcestershire Fostering leaflet “What happens when you ask to be considered to care for child connected to you” should be given to the applicants at the start of the process and it should be made clear to those being assessed that if the child is or becomes subject to care proceeding then the viability report will be filed with the court and shared with other parties e.g. birth parents or other family members. The applicants can ask for sensitive information to be redacted and if this is agreed by the court only the judge\magistrates will receive the unredacted report with other parties receiving the redacted report.

2.1 PRE- PROCEEDINGS

When the case is in pre proceedings the birth parents will be asked to put forward the names of family members or friends, who they want Worcestershire Fostering to assess as an alternative home for the child or young person. The kinship team can assess up to 3 maternal viabilities and 3 paternal viabilities per child. The family should be involved in deciding who would be best placed to care for the child or young person and the kinship teams can share information to families about our expectations and the assessment process. This can happen through the family meeting process or through discussions between the children and families’ social worker and the family. This allows a focus on those people who are most likely to be able to provide an alternative home and prevent delay for the child.

Once completed if a case is in pre-proceedings and there is no legal advisor involved, the children and families team will be given a copy of the viability report to send to the applicants once they have read it and are happy with the recommendation. If a legal advisor has been allocated the viability report will be sent to them and they will forward with a covering letter on what happens next.



2.2 IN PROCEEDINGS

If the child is subject to proceedings and there have been no referrals for viabilities during pre-proceedings then the court will invite birth parents to put forward names at that stage and the same guidelines will apply. The same template is used and on completion should be sent to the legal advisor who will send it out to the applicants with a covering letter outlining what steps they can take if they are unhappy with the outcome of the viability.

2.3 ALREADY LOOKED AFTER

If a child is already looked after and as part of their care planning the decision is taken to explore family options the kinship team will undertake a viability and this will be sent to the children's and families and team to decide whether they want to refer for a full assessment.

3. TEMPORARY APPROVAL AS FOSTER CARERS - PLACEMENT UNDER REGULATION 24.

Regulation 24 of The Care Planning, Placement and Case Review Regulations 2010 allows for the placement of a child with a family or friend where the carers are not already approved as foster carers. In Worcestershire this is agreed by the Registered Manager for Fostering. In the absence of the Registered Manager this can be agreed by the relevant Group manager for the child.

As with any placement they must be satisfied that

- the placement is the most suitable means to safeguard and promote the child's welfare,
- that it is necessary for the child to be placed with the family and friend carers before their suitability to be a foster carer has been assessed in accordance with the Fostering Regs 2011

These provisions are to be used only in exceptional circumstances and where there are clearly defined reasons why a full foster carer assessment cannot be undertaken before a placement is made. There is a risk that if a child is placed before the full approval of the carer as a Worcestershire Fostering foster carer they may not be approved at the end of the process resulting in a further move for the child.

3.1 SUITABILITY ASSESSMENT

Before a child is placed under Regulations 24 the Registered Manager needs to have sufficient information on which to base a decision. The template used for viabilities is used to collect this information as this fulfils the requirements set out in Schedule 4 of the Care Planning Reg 2010. This will normally be complete by the child's social worker as they will be best placed to oversight of the reason for the request and an understanding of the child's needs. In completing the assessment the social worker must consider whether the applicant is suitable to be temporarily approved as a foster carer and have a child placed with them while a full assessment is undertaken.

There is no right of appeal to the Independent Reviewing Mechanism IRM of a person who is temporarily approved if the fostering service decides not to undertake a full assessment and the child's placement is ended.

Approval given for placement under Reg 24 can only be given for 16 weeks from the date of placement. This temporary approval can be extended for a further period of up to 8 weeks when this is necessary to complete the full assessment and present to the fostering panel. The full assessment will be completed by a social worker from the kinship team who will also provide supervision and support to the carers as temporarily approved foster carers. If an extension is necessary, the assessing social worker will prepare a short report for panel. The assessing social worker will attend panel to answer any questions panel may have but the applicants are not expected to attend panel at this stage. The Registered Manager in their role as Agency Decision Maker (ADM) will take into consideration the view of panel before agreeing the extension. They must be satisfied that

the placement continues to be the most appropriate placement available and that the child is safeguarded and their needs are being met. The IRO must also be informed.

If the applicants have not been approved within the 24 weeks unless the applicants have been presented to panel and are in the appeal process, the carers cease to be approved as temporary foster carers and an alternative placement should be sought for the child.

As the family member or friend will be temporarily approved as a foster carer, they will be required to sign a foster carer agreement. Those approved under these regulations will be entitled to the same support and services including fees and allowances as other foster carers and will be allocated a social worker for supervision and support. (please refer to Worcestershire Fostering's Supervision and Support to Foster Carers and Financial Support to Foster Carers)

The setting up of the placement should follow the process as set out in Worcestershire Fostering's Making Placements.

Given that there is a set timescale the matter should be booked into fostering panel once the placement under Reg 24 has been agreed.

4. FULL ASSESSMENTS

4.1 WHEN IS A FULL ASSESSMENT UNDERTAKEN?

The kinship team will undertake a full assessment when

- Notification of a Private Law Application for an SGO has been received
- Referral from a Children and Families team when the child is already looked after
- As part of the PLO process
- When the child is subject to care proceedings.
- Where the child has been placed under Regulation 24.

It is important to remember that the applicants are being assessed for a specific named child or children and the assessing social worker will need to gain an understanding of their present and likely future needs. All assessments will use Worcestershire Fostering's Family and Friend's Assessment template or the approved SGO template for private law cases.

The SGO regulations allow for one person in a partnership, living in the same household to apply for an SGO. The court will want to know why the other partner is not applying or being assessed and this will need to be covered by the assessing social worker.

Under the Statutory Guidance for Fostering the expectation is that although applicants are approved as individuals where they are in a partnership, living in the same household, both will be subject to a joint assessment.

The full kinship assessment explores the same sort of issues as a viability, but in considerably more depth. It involves a large number of supporting statutory checks including medicals, police checks and interviews with personal references of the applicant and their previous partners where possible.

The kinship social worker will organise a professional's meeting midway through the assessment to include the C&F social worker and WCC legal advisor where there is one. This is to share information, review the assessment in line and to inform the child's care plan.

Full kinship assessments are divided into the five sections outlined below and the first one is completed by the C&F social worker.

Part A - This section is completed by the Child's social worker on the child and their parents. This section needs to be emailed to the Kinship Social Worker within 10 working days so they can tailor the assessment to the individual child/children's specific needs.

Part B - The Family & Friends Assessment comprises a descriptive and evaluative report of the individuals involved in the assessment (child, applicants, and birth family) and analysis of their needs and abilities in relation to the placement in question.

Part C - Provides additional information for example: Health & Safety Check, DBS, Pet Questionnaire, address history, education and employment history, genogram, ecomap, medical information and previous partner references.

Part D - Includes personal references, adult child references, list documents seen to confirm applicants Identification, financial information and information on statutory checks.

Part E - Provides an analysis of the strengths and difficulties of the information contained in the assessment and its significance with regard to the capacity of the applicant(s) to meet the needs of the child/ren.

Unless it is following notification of a Private Law application (when no viability is required) a full kinship assessment will take place after a viability or suitability recommends further assessment and this is requested by the child's social worker, the court or the carers have been approved under Reg 24. The kinship team will normally only undertake one full kinship assessment at a time for a child, although there is more flexibility surrounding this for sibling groups. Statutory checks on a second family member where there has been a positive viability can be started as a contingency plan. Where more than one family member has had a viability with a recommendation to proceed to a full assessment the child's social worker in discussion with the family will agree which family member to proceed with and whether statutory checks should be taken up on a second as a contingency.

4.2 TRAINING DURING THE ASSESSMENT

Unless it is a Private Law application, applicants will be asked to attend the Kinship preparation course and if possible, this should be completed prior to presentation at panel. Worcestershire Fostering recognises that this is not always achievable for example because of court timescales. In those situations, if approved as foster carers they will be expected to complete the course within 6 months of being approval. The assessing social worker needs to make it clear to family and friends carers that failure to do so will affect their entitlement to the Level 1 Fostering Fee as the criteria for receiving this includes the completion of this training. (Please see Fostering Finance).

Applicants will also be asked to complete the e-learning provided by Worcestershire County Council on:

- Children's Safeguarding 2018
- Equality In The Workplace and
- Faith & Belief

4.3 STATUTORY CHECKS AND REFERENCES FOR SGO AND APPROVAL AS FOSTER CARERS.

The following statutory checks and references are taken up and meet the requirements of the SGO Regulations and Stage 1 of the assessment of foster carers as set out in the Fostering Regulations 2011. For kinship assessments leading to an application to become foster carers Stage 1 and 2 are undertaken concurrently.

The following information must be obtained as soon as reasonably practicable relating to the applicant and other members of their household and family:

- Full name, address and date of birth;
- Details of health (supported by a medical report);



- Particulars of any other adult members of the household;
- Particulars of the children in the family, whether or not members of the household, and any other children in the household;
- Particulars of their accommodation;
- The outcome of any request or application made by them or any other member of their household to foster or adopt children, or for registration as an early years provider or later years provider under Part 3 of the Childcare Act 2006, including particulars of any previous approval or refusal of approval relating to them or to any other member of the household;
- If the applicant has, in the preceding twelve months, been a foster parent approved by another fostering service provider, the name and address of that fostering service provider;
- Names and addresses of the people who will provide personal references;
- Details of current, and any previous, marriage, civil partnership or similar relationship;
- The views of the local authority in whose area the applicant lives

The following references and checks will be taken up

From any **Local Authority or Health Trust** that the applicants have lived in the last 10 years. In some circumstances checks will be taken up for more than the last 10 years for example when the applicant or any member of their household has been known to Children's Services even though this was more than 10 years ago.

Where applicants have recently moved to the UK (within the last 10 years) checks, where possible, may be taken up from the countries that they have previously lived in.

DBS check on all members of the household over 16. Where the applicants have lived abroad the equivalent of a DBS check will also be undertaken from the relevant country. When the DBS check contains information, records of cautions or convictions this will not necessarily preclude an application but should be discussed with the applicant and a Disclosure Report completed. This will be sent to the Team Manager for their recommendation and then forwarded to the Registered Manager to make the final decision on whether the application should still proceed. Information that has been obtained from the DBS may only be retained on the applicant's file for a limited period and should be destroyed when a decision is made on the application. The Team Manager should note on the file the date and reference number of the DBS check, that the Disclosure and Barring Service information has been destroyed and that the information led to a particular view, without citing the information itself.

Health - applicants will be provided with the relevant medical form to fill in with their details and send to their GP with a covering letter requesting that the GP complete the Form and comment on their fitness to care for children. Where there is a need for the applicant to undergo any further tests/checks this will be referred to the Fostering Panel's Medical Adviser. Any comments or advice given by the Medical Adviser or the applicants GP must be taken seriously by the applicants and will be addressed with them during the assessment process. It may be necessary for reports from other health professionals to be obtained and if the application proceeds be presented to the Medical Adviser and the Fostering Panel. Where the medical information suggests that the applicant may not be suitable for health reasons, this should be discussed in detail with the applicant and withdrawal may be advisable at this stage.

Education - where the applicant has school age children the school will be contacted for information on the applicant's ability to promote a child's education.

CAFCASS\Probation

Employment - A written reference must be obtained from each applicant's current employer regardless of the applicant's occupation. In addition, where the applicant has frequently changed jobs the fostering provider may take up additional references from past employers. Reference will also be sought from any employment where the applicant has worked with children or vulnerable adults (paid or voluntary). Where the applicant is self employed consideration should be given to taking up a reference from an accountant or client.

Previous Partner - A written reference will be sought from any previous partner that an applicant has parented children with, this may include birth children or non-related children. References may also be sought by the fostering provider from any previous partner where this is deemed necessary. In some instances, a written reference may be needed to be followed up by an interview. Any decision not to take up a previous partner reference should be agreed by the Registered Manager.

Personal References - applicants will be asked to provide the names of four non family (one of these may be the employer reference) and two family referees. Written references are sought from these six referees and two of the non family referees will be selected for interview along with the 2 family referees. The referees should have known the applicant for at least five years. All referees should be people who know the applicants well in a personal capacity and who are able to comment on the applicants' suitability to foster. Where there is a joint application, referees should know both applicants, or additional referees will be required.

Previous Applications to foster or adopt - Where the prospective applicant has made a previous application to foster or adopt, the relevant agency will be asked to confirm in writing the outcome of the application and provide a written reference.

Previous approval as a foster carer - Where the applicant has previously been a foster carer and was approved by another fostering service provider, a reference must be requested from that other fostering service provider.

4.4 EVALUATIVE REPORT AND ADDITIONAL INFORMATION.

The following information relating to the applicant and other members of the household, together with any other relevant information must be obtained for the purpose of the SGO report. This will also meet the requirements of the Fostering Regs 2011 (Schedule 3) which sets out the information to be obtained at Stage 2 of a fostering assessment.

- Details of personality;
- Religious persuasion, and capacity to care for a child from any particular religious persuasion;
- Racial origin, cultural and linguistic background and capacity to care for a child from any particular racial origin or cultural or linguistic background;
- Past and present employment or occupation, standard of living, leisure activities and interests;
- Previous experience (if any) of caring for their own and other children;
- Skills, competence and potential relevant to their capacity to care effectively for a child placed with them.

The assessing social worker will record all appropriate factual information and address issues including the applicants' understanding of the following areas:

- Child rearing;
- Caring for children born to someone else;
- Contact between children and their families;
- Helping children to make sense of their past;
- Sexual boundaries and attitudes;
- Awareness of sexual and other forms of abuse;
- Health and health promotion;
- Promotion of education;
- Approaches to discipline;
- Awareness of how to promote secure attachments between children and appropriate adults;
- Standards of living and lifestyles;
- Experiences of disability and attitudes to disability;
- Awareness of equal opportunities;
- Understanding and dealing with young people's behaviour including encouraging children to take responsibility for their behaviour and helping them to learn how to resolve conflict.

The list is not exhaustive - other issues relevant to the individual applicant and his or her family and the needs of the child that they are being assessed to care for may need to be addressed.

As stated above the assessing social worker may contact the previous partners of the applicants (taking care not to disclose confidential personal information about the applicant). Where there were any children of the relationship or where children were cared for jointly, the social worker must arrange to interview them face-to-face wherever practicable. All adult children of the applicant living away from home will also be interviewed.

Applicants will be encouraged to be actively involved in contributing towards the assessment to evidence their capabilities and to support their application.

The home will also be thoroughly checked to ensure it provides appropriate and safe accommodation for the child, as well as safe transport.

A risk assessment must be conducted in regard to pets and a firearms questionnaire will be completed.

On completion of the full assessment report a copy should be given to applicants and they should be invited to make any observations in writing within 10 working days.

4.5 PRIVATE LAW APPLICATIONS

A prospective Special Guardian can apply to the court for an SGO once a child has been living with them for 12 months or sooner with the leave of the court. The prospective Special Guardian must give 3 months notification to WCC of their intention to apply. Worcestershire Fostering on behalf of WCC will contact the prospective Special Guardian and arrange to visit to undertake the assessment and complete the report.

The assessing social worker will use the SGO template referred to above. Where the child is already open to WCC their allocated worker will complete Section 1 – 3 which sets out the circumstances and needs of the child and this will be used to inform the assessment of the prospective Special Guardian and their ability to meet the needs of the child.

Where the child is not opened they will be referred to the Family Front Door to open and pass to the Children and Families locality team who will complete Section 1 -3 . A referral is also made to legal services and allocated to a legal assistant to provide legal oversight.

On completion of the assessment, a copy of the report should be given to applicants and they should be invited to make any observations in writing.

A Support Plan based on the assessed needs of the child will also be completed in conjunction with the child's social worker.

The SGO report along with any observations of the applicants and the support plan will be filed with the court. Applicants need to be aware that the report will be shared with all parties to the proceedings. They can ask for redaction of some information. As with viabilities if this is agreed by the court the Judge or Magistrates and the child's guardian will see the full report but any other party will only receive the redacted report.

More information on SGOs can be found at

www.worcestershire.gov.uk/info/20523/fostering/1527/kinship_care

4.6 CHILD IS ALREADY LOOKED AFTER

Unless there is a plan for the child to cease to be looked after either by the ending of Section 20 or a discharge of a care order the completed report will be presented at fostering panel and the assessing social worker needs to consider the information set out in NMS Standard 30.

If the Child's Care Plan is to discharge a Care Order then the report will be presented to court.



4.7 PUBLIC LAW OUTLINE PROCESS

Following the completion of the full assessment the kinship team will discuss with the child's social worker whether the assessment should be presented to fostering panel to seek approval of the family members as a contingency plan. In some cases if WCC has issued proceedings the report may be filed with court either to as part of a proposed Care Plan for the child to be made subject to a Care Order or when an SGO is being sought.

4.8 CARE PROCEEDING - CARE PLAN FOR SGO

When the child is subject to proceedings and the Care Plan following the mid-way meeting is for an SGO the report along with and SGO support Plan will be filed with the court. Applicants need to be aware that this will be shared with all parties.

Worcestershire Fostering will fund a one-off legal advice session for the applicants to allow them to have independent advice.

4.9 CARE PROCEEDINGS - CARE PLAN FOR CARE ORDER

When the child is subject to proceedings and the Care Plan is for the child to become subject to a Care Order then the applicants should be booked into fostering panel on completion of the assessment.

When considering an application to foster the assessing social worker will need to consider whether the applicants are likely to meet the requirements of foster carers as set out in the Fostering regs 2011. Statutory Guidance and NMS.

In particular reference to Standard 30 – Family and Friend as Foster carers, should inform the assessment. The assessing social worker is required to take into consideration

- The needs, wishes and feelings of the child and the carers capacity to meet these
- Support which could be provided by WCC, the Local Authority and agencies such as housing which could mitigate any limitations to the carers capacity to care for a foster child
- Capacity of wider family to contribute to the child's long term care

Assessing social workers need to remember that they are assessing the family member for a specific child and not a range of children as with mainstream carers. The family members existing relationship with the child and their knowledge of the concerns, behaviour and background of the child should help inform the assessment.

There are some criteria which would usually rule out a mainstream carer which would need careful consideration before ruling out a family and friends carer.

Criminal Convictions - Applicants to foster would not normally be considered if they or any adult member of the household has committed harm or an offence against a child which could pose harm to a child (as set out in the Fostering Regs 2011). However, the Fostering Regs do allow consideration to foster a specific child if the child who is already living with the applicant(s) or at least one of the applicants is a relative of the child. In these situations, the caution/conviction will not automatically preclude the application but will be considered when assessing the suitability of the applicant.

If the applicant or any member of the household has been cautioned or convicted of any of the offences set out in the Fostering Regs 2011, Schedule 4 – Specified Offences then the application must be discussed with the Children and Families team and the legal advisor for a decision on whether the assessment should continue.

If the applicants have other cautions or convictions that are not classed as a specified offence unless they are minor driving offences (dealt with by penalty points) they should be referred to the Registered Manager who will decide whether an assessment will continue.

Smoking – Worcestershire Fostering will not place children under 5 or with disabilities with mainstream carers who smoke. This would not automatically rule on at family and friend carer. When assessing a family and friend carer for a child in one of these categories which are considered high risk the assessing

social worker needs to consider the health risks to the child against the benefit of the family placement. WECCF has a Smoking and E- Cigarettes Policy for Foster Carers and Staff which sets out expectations of foster carers who smoke. This should be discussed during the assessment as family and friends carers who smoke would be expected to meet those expectations.

Accommodation – Wherever possible Looked after children should not be expected to share a bedroom with applicants own children. When considering an application from a child's family or friends this should not preclude approval. The benefits of the child remaining within their extended family needs to be taken into account. If the proposal is for a looked after child to share with the applicant's child a Sharing Bedroom Risk Assessment should be completed. (Please refer to Making Placements Policy)

4.10 BRIEF REPORT TO FOSTERING PANEL

If during the assessment to approve applicants as foster carers information comes to light that the applicant is unlikely to be suitable to foster and the applicant wishes for the assessment to continue the Team Manager can decide that the assessing social worker should produce a brief report to the Fostering Panel setting out details of the assessment that has been completed so far and the reasons for considering the applicant unsuitable.

The applicant must be

- Informed that a brief report is to be presented to panel
- Be provided with a copy of that report
- Be given 10 working days for them to provide any observations on the report and these should be shared with panel.
- Has the right to attend panel

In making a decision on whether the assessment should continue the ADM must take into account the brief report, the observations of the applicant and the recommendation of panel.

If the ADM decision is that the fostering assessment should not continue this is called the Qualifying Determination and the applicant can appeal. The appeal process is set out in Section 6

5. APPROVAL AS FOSTER CARERS

5.1 PANEL

The applicants and assessing social worker will attend the Panel meeting. Applicants should be fully prepared by the assessing social worker as to the procedure prior to their attendance.

The Panel will consider the reports together with all the supporting documentation and make a recommendation to the Agency Decision Maker regarding the suitability of the applicant for fostering.

The recommendation, with reasons, will be recorded in writing and, where approval is recommended, the category of fostering for the named child. If there are ongoing assessments or proceedings it may only be appropriate to approve as short term at this point although panel can give a view on whether they consider the applicants a long term option for the child if this is required. The terms of approval will be reviewed at the foster carers first review and consideration can be given to approval as long term carers if this is the child's care Plan.

5.2 AGENCY DECISION MAKER

The Agency Decision Maker (ADM) will make a decision as to the suitability of the applicant, based on the reports presented to the Fostering Panel and the minutes detailing the Panel's recommendation. Where the decision is to approve the applicants as foster carers, the ADM will specify the terms of the approval.

The decision must be made within 7 working days of the recommendation and panel minutes being received by the ADM and must be recorded, together with reasons.

Applicants will be given verbal notification of the decision within 2 working days and written notice of the decision, with reasons, signed by the ADM, within 5 working days of the decision.

Upon approval, foster carers will be issued with an agreed form of identification to enable their role as a foster carer to be verified.

6. APPEALS

If ADM proposes not to approve the applicant as foster carers either as a result of a full assessment or a brief report being presented to panel they will set out their reasons for this decision and this is known as the Qualifying Determination.

The applicant will be given verbal notification of this within 2 working days of the ADM proposing not to approve and written notice of the decision, with reasons, signed by the ADM, within 5 working days.

The written notice will advise applicants how to appeal. There are two ways of appealing,

1. Applicants will be advised they have a right to submit representations to the ADM within 28 days of the date of the written notice of the decision to the ADM. In those circumstances the ADM will refer the matter back to Fostering Panel asking them to review their recommendations taking into consideration the representations made by the applicant.
2. Or, they may exercise the right to apply to the Secretary of State to request a review of the decision by an Independent Review Panel set up under the Independent Review Mechanism (IRM). Any such application must be made in writing within 28 days of the decision and supported by reasons. Applicants will be advised in their written notice of the contact details of the IRM.

The foster carer will not have the right to request a review by an Independent Review Panel if he or she is regarded as disqualified as a result of a conviction or caution for a specified offence

Applicants must choose between making representations to the ADM or applying to the IRM. They are not able to do both. Applicants will also be given details of the Independent Advice and Mediation Worker who they can contact for support.

If no written representations or notification of a request for a review are received within this period, the Agency Decision Maker will decide whether or not to approve the applicant as a foster carer (following a full assessment) or continue the assessment (following a Brief Report).

If written representations are received within the period, the Panel Adviser will arrange for the reports and other documentation to be reconsidered by the Fostering Panel, taking into account the written representations, and make a new recommendation to the Agency Decision Maker (Fostering).

The Panel Administrator will advise the applicant within 7 days of the date of the Panel meeting when they can attend and their written representations will be considered.

In these circumstances the applicant can arrange for the Advice and Mediation Worker, friend or supporter to accompany them.

After considering the representations, the Panel will make a recommendation, which the ADM will consider before a final decision is made.

If the decision remains not to approve the application, the ADM will arrange for the applicants to be informed verbally within 2 working days. Written notice of the final decision, together with reasons, must be sent to the applicant within 5 working days of the ADM decision. A copy of the report to the Panel, the Panel's recommendation and the decision, with reasons, must be retained on the applicant's case file.

If the applicant decides to refer the matter to an Independent Review, the relevant Panel reports, any new information obtained since the Panel meeting, a record of the decision made and reasons, a copy of the written notification of the decision, if different, will be sent to the Independent Review within 10 working days of their written request.

The applicant and if they wish the Advice and Mediation Worker, friend or supporter and two representatives of Worcestershire Fostering will be invited to attend the Independent Review.

After considering the representations, the Independent Review may make a recommendation, which the Agency Decision Maker will consider before a final decision is made.

Written notice of the final decision, together with reasons, must be sent to the applicant within 7 working days of the receipt of the Independent Review recommendation.

7. FOLLOWING APPROVAL

Once approved the foster carer will be allocated a supervising social worker who will visit and request that the foster carer sign the Foster Care Agreement between Worcestershire Fostering and the foster carer.

The Foster Care Agreement will contain the following information:

- a. The terms of the foster carer's approval;
- b. The support and training to be provided to the foster carer;
- c. The procedure for the review of the foster carer's approval;
- d. The procedure for placements of children;
- e. The procedure for making representations and complaints;
- f. The requirement to inform the fostering service of any change of circumstance, address or in the household composition, or of any registration as a childminder or application to adopt or of any offence;
- g. The requirements in relation to confidentiality and internet usage;
- h. The procedures for behaviour management and unauthorised absences of children placed with the foster carer including the ban on corporal punishment;
- i. The procedures for informing the supervising social worker of the child's progress and any significant events relating to the child;
- j. The need to give 28 days' notice in writing of they wish to cease fostering or for a child's placement to end
- k. The need to allow access to any child or young person placed with them by a representative of Worcestershire Fostering or WCC if requested
- l. The need to allow access to Ofsted if requested.

The foster carer will be given two copies for signature and will retain one signed copy. The other will be kept on the foster carer's file, together with the report and supporting documents presented to the Fostering Panel, a copy of the Panel's recommendation and a copy of the approval decision.

New foster carers will also be given information on how to access Foster Carer's Hand-Book, which contains information about fostering in the local authority and covers policies, procedures, guidance, legal information and insurance details. They can request a hard copy but they will be informed that the most up to date version will be available on Worcestershire Fostering's website.

Information about training and local foster carer support groups will also be provided.

The supervising social worker will continue to provide support and supervision to the foster carer up to, during and after all placements. (Please see Supervision and Support to Foster Carers)

Worcestershire Fostering is required to keep a register of all approved foster carers which will contain the following information

- The name, address, date of birth, sex and ethnic origin of each foster carer;
- The date of approval and of each review of the approval;
- The category and current terms of the approval;
- The name, address, date of birth of each Connected Person with whom a child is placed under Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010 and who has been granted temporary approval as a foster carer, together with the date and terms of the temporary approval.

Once approved the foster carers' approval details will be entered on the Fostering Register database.

8. CHANGES TO THE FOSTERING HOUSEHOLD

The supervising social worker will ensure that any newly approved foster carer is clear about his or her responsibility to notify the fostering service before any change in the composition of their household occurs or where there is any significant change in their circumstances which affects their fostering, for example any new relationship, pregnancy or bereavement.

Where new members are joining the fostering households foster carers this should be discussed with their supervising social worker prior to them joining the household. A DBS will be required on any new member of the household who is aged 18 years or more and an assessment at the appropriate level will need to be undertaken before the change in household composition occurs. The required detail of the assessment will depend on the extent to which the new member of the household will undertake a caring role in relation to any child placed. Where the new member is a child or a vulnerable adult for whom the foster carer will have a caring or support role an assessment may be required to demonstrate how the foster carer proposes to meet the needs of all those in the household.

Failure to inform the supervising social worker that there has been a change in the foster carer's household may lead to an immediate review of the foster carer's approval and a suspension of the foster carer's approval may have to be considered until that review has taken place.

8.1 NEW PARTNERS

Where the proposed new member of the household is a partner of the foster carer, there will be a presumption that he or she will have a part to play in caring for any child in the placement and therefore a full assessment of his or her suitability for this role will be completed. The same procedure for this assessment will be carried out as for any foster carer applicant and it will be presented to the Fostering Panel and the ADM in accordance with the preceding paragraphs of this policy. There will be no presumption that any such assessment will be approved.

IF the new partner has become a member of the household before the assessment procedure has been completed a Disclosure and Barring Service enhanced check must be carried out, and a risk assessment must also be completed to determine the level of additional checks required. The risk assessment should take account of, amongst other things, the number and ages of the children in the placement, their views about the foster carer's partner, the significance and stability of the relationship (including how long they have known each other) and the foster carer's history of fostering.

