

## **INTRODUCTION**

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This handbook is intended to provide basic information to help you with the fostering task. It is a practical guide rather than a textbook on the art of fostering.

Fostering provides an alternative family experience for children and young people who cannot live at home with their own family. It requires a partnership between foster carers, the child's family and the local authority. It is not an easy task and we have set out a fulsome training calendar and support networks to assist carers in their task.

There are always ways in which our services and practice can be improved. Foster carers are invited to express their views through their supervisory social worker or their support group.

We welcome new carers and hope that they will find satisfaction and enjoyment in the new task.

## CHAPTER 1

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### **STRUCTURE OF THE CHILDREN'S SERVICES DIRECTORATE**

The Children's Services is responsible for the administration and provision of services to children and families. The social workers that you will most commonly come into contact with will be from the Children's Services, which encompasses the Fostering Service.

The Fostering & Adoption Service comprises 4 elements, all of which are based in Ryde Town Hall (566011).

These are: General Fostering, Family Link (which provides respite for children with disabilities), Combined Accommodation Scheme, which provides more independent accommodation for young people over the age of 16 and the Adoption Team.

The Safeguarding & Children in Care Team 1 are also based at Ryde Town Hall and they work with the majority of looked after children under the age of 16.

The Leaving Care & Young People's Team are based in Newport at 147 High Street, Newport (Tel: 823340). They work with all looked after young people over the age of 16.

The Family Support & Intervention Team are based at 4-5 St James Street (tel:814370).

The Children's Services Centre at Atkinson Drive, Newport is the main centre for Children's Services (Tel: 525790)

The teams that are based here are:

The Assessment & Intervention Team

The Safeguarding & Children in Care Team 2

Child Protection Co-ordinator and Conference Team

Children & Young People's Rights & Participation Officer

Service Manager for Joint Commissioning

Service Manager for Children's Fieldwork

Senior Education Welfare Officer for Child Protection

Data & Performance Officer

At the rear of the Children's Services Centre is Oak House, where the Children's Disability Team is based (Tel: 535370).

Social workers and social work staff are responsible to their Team Managers, who in turn are responsible to the Service Managers. The Service Managers are responsible to the Head of Children's Services, who is responsible to the Director of Children's Services. He is accountable to the elected members, in particular those with specific responsibility for Children & Families.

## CHAPTER 2

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### SUPPORT FOR FOSTER CARERS

#### CHILDREN'S SERVICES STAFF IN OFFICE HOURS

(List of office numbers in Chapter 12 *Useful Telephone Numbers*)

When problems or queries arise relating to the child or young person placed with the foster carers, the first point of contact should be the child's or young person's social worker. If they are not available then one of the following should be contacted, in this order:

Fostering support worker	<b>566011</b>
Fostering Service Manager	<b>566011</b>
Service Manager for Joint Commissioning	<b>525790</b>

#### OUTSIDE OFFICE HOURS

For issues relating to fostering, carers should ring the out of hours Fostering Service on **07970 009 824**. The Children's Services Directorate also runs an Emergency Duty Service and an Emergency Duty Filtering Officer can be contacted by phoning **821105**. (for non-fostering related issues)

#### FOSTERING SUPPORT WORKER

Every foster family has their own support worker from the Fostering Service. This will normally be the person who has completed your assessment although there are some circumstances where this is not possible. Your support worker is there to help you look at and talk over the issues that are important to you as a foster family. The focus is on the work you as foster carers are undertaking and the effect it may be having on your family, rather than with specific children, although obviously you will need more support through some placements than others. Your support worker will visit on a regular basis and will also make occasional unannounced visits. Your support worker's role is to cover the following issues:

- arrangements for training and development
- encouragement for self help groups
- supervision
- support services
- information and advice
- assistance in dealing with other relevant services, such as health and education
- respite care
- arrangements for reviews.

## **THE FOSTERING NETWORK**

The Fostering Network is the main body which acts on a national and local level to promote the best interests of fostering and offers advice and guidance for foster carers, local and national government and is a source of information on all fostering issues via seminars, written documents and booklets and a phone line. Foster carers are able to purchase individual membership, which entitles you to independent legal advice and cover for legal expenses in the event of allegations. The Children's Services Directorate will also cover you for legal expenses while you are a registered carer in the event of allegations.

## **ISLE OF WIGHT FOSTER CARE ASSOCIATION**

This is a local support network of which you are automatically a member during your registration as a local authority carer. The Association meets on a regular basis to discuss relevant issues and to participate in training activities.

## **SUPPORT GROUPS**

The Fostering Service runs support groups on a 6 weekly basis in three venues across the Island. Your support worker will provide you with details.

## **OTHER SUPPORT NETWORKS**

For younger children, health visitors will be available as they would for a child of your own.

For foster carers managing difficult behaviour, social workers may be able to arrange support from an educational or clinical psychologist. Whatever the problem, it is worth discussing it with the child's social worker or your own support worker; they may be able to help.

The Foster Family Resource worker is also available to work with carers and their families on any issues, difficulties and challenges within the household. Work can be with foster families, foster children, birth families or the foster families own children. She can be contacted directly through the Fostering Service on 01983 566011.

It is worth remembering that the fostering role puts special demands on you and your family and can be the cause of stress in family relationships. Do not hesitate to ask for help if you need it and you feel no one has noticed.

The Council also has a Confidential Counselling service, which is available to all carers. Contact PPC on 0800 282193 stating you are a foster carer for the Isle of Wight Council for details.

## **TRAINING**

There is ongoing training for foster carers arranged throughout the year. If you feel you have a particular training need, do ask your support worker, as there may be courses run nationally, which would help you. Your training needs will always be discussed at your annual review and there is an a requirement that to maintain your registration you must complete the CWDC Standards assessment and undertake all of the training identified in your Personal Development Plan.

## **OFSTED**

Ofsted is the Office for Standards in Education, Children's Services and Skills. They regulate and inspect to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. Contact details for Ofsted can be found on their website – [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

## **ALLOWANCES FOR FOSTER CARERS**

The payments to foster carers are made in the form of allowances to enable the family to care for a child or young person without financial burden. The allowances paid by the Children's Services Directorate are not taxable do not affect any benefits you may be in receipt of. The allowances can be divided into three categories:

- **Basic fostering allowances**

These allowances are paid to foster carers to cover weekly maintenance, pocket money and clothing for children and young people. Details of these allowances are included in this handbook and updated lists will be sent each year. The allowance is expected to cover all expenses in caring for the foster child. This will include mileage to get the child to local schools, dentists, doctors and youth groups. It will also include mileage to attend planning meetings, reviews and contact with the child's own family. Included mileage is subject to a maximum of 60 miles per week with any extra reimbursed at the casual user rate subject to prior arrangement with your support worker.

- **Additional allowance or reimbursement of extra cost**

These allowances are made to foster carers to cover the cost of extra identifiable expenses required for the child or young person. Requests for these payments have to be approved jointly by a senior member of staff within agreed guidelines. These payments for additional expenses do not need to be declared for income tax purposes.

(There is a list giving full details of fostering allowances at the end of this section).

## **HOW PAYMENTS ARE MADE**

Payments are which are normally made on a weekly basis by the Children's Finance Officer who is contactable on 01983 821000. The allowance is paid into your bank. Due to the necessary synchronising of paperwork and payment, there may be a delay in your receiving a payment (i.e., if a child were placed with you on a Thursday you would not be paid for nearly two weeks). If this delay is likely to cause you hardship, please mention it to the child's social worker, they may be able to negotiate an emergency payment. To prevent overpayment, you may wish to advise Children's Finance Officer that a placement has ended.

## **INSURANCE**

Most families have some form of insurance cover on accidental damage to the contents of their property. There is an element of risk in taking into your home another child or young person and therefore foster carers should notify their own insurers of their fostering activities. You need to inform your home contents insurers and also your buildings cover insurers (if you are an owner occupier). You must notify your insurers of the numbers and ages of children you will be fostering at any one time. If you are transporting children in your own car you need to check that your car insurance covers you for this.

For damage caused by a wilful or accidental act or theft from foster carers by foster children, Children's Services holds an insurance cover for all foster carers so that if foster carers own insurers will not cover the claim, then the Children's Services' insurers are used as a back up. You should discuss any such claim initially with your fostering support worker. It is expected that you would have your own suitable buildings and contents insurance. Carers themselves are not covered for personal injury caused by their foster child and may wish to look into taking up personal injury/accident cover privately.

There is a legal cover insurance scheme for foster carers. This is in case a foster carer needs to instruct solicitors to defend them against accusations made by a foster child. It only pays for legal fees, not for any awards made against the foster carer should the charges be proved. Carers must contact the Insurance and Risk department on 821000 prior to the instruction of any legal representation.

## **EQUIPMENT**

Basic equipment, i.e. cots, prams, etc. is available on loan from Children's Services. This equipment will either be delivered to you or you will be issued with an order form and asked to purchase the necessary item at a local store. In an emergency you can buy the equipment and then claim reimbursement by submitting the receipt, but always ask your support worker prior to the purchase of any equipment.

Equipment is on loan and may have to be returned between placements and certainly if you stop fostering.

Car seats should be properly fitted and appropriate for the child in placement and your particular car. If you want access to advice on this issue, ask your support worker.

## **CLOTHING**

We would normally expect the parents of newly accommodated children/young people to provide sufficient clothing for their child/young person. In exceptional circumstances the Department may provide a clothing grant but this would only be done once all other possibilities have been explored. If a child/young person has to move schools in order to stay with you, the Department can provide a uniform grant. Only one grant per school per pupil will be considered. Replacement of clothing is accounted for within the Fostering Allowance.

## **CONVERSION WORK TO FOSTER HOMES**

Any conversion work undertaken in your house needs to be covered by a Building Regulations certificate. It is unlikely that your insurance policy will cover the converted space being used as a bedroom unless Building Regulations have been involved.

The Community Fire Safety office will visit your home during assessment and check that it is safe and discuss any fire safety issues.. The Directorate will not normally fund any work required to bring the area up to safety standards including remedial work required as a result of the annual gas safety check.

## **PHONE CALLS TO MOBILE PHONES**

We realise that young people may use their carer's landline to call mobile phones and this can be expensive. Each carer will need to decide how they monitor this within their own home. If a young person needs to call a member of their family in order to keep in contact with them, we would see this as part of the requirement for us to 'promote contact'. There is provision for carers to finance contact from their fostering allowance. We would ask that children are allowed to make these calls and any excessive demands can be sorted out with the child's social worker or with your support worker. It is acceptable to limit the length of these calls or to phone at cheaper times of the day.

Different network providers have varying rates and these can be checked out as necessary.

## **'ONE CARD' LEISURE ACCESS SCHEME**

Wight Leisure and the Fostering Service have negotiated a special option attached to the One Card Leisure Access Scheme, especially for foster carers. This gives foster carers the ability to purchase a multi-activity pass for unlimited usage at Council Leisure facilities at a concessionary rate. Initial application is made through your support worker who will supply you with the relevant documentation. Your support worker will authorise renewal via email to Wight Leisure.

## **PETS AND SAFETY**

At no time should a foster child be left alone with any pets in the house when the child is newly placed and unfamiliar with them.

Should it be necessary for the carer to leave a foster child alone in the house, pets must be contained in a separate room. This should preferably be one where the pets sleep so they are not caused any distress.

All children placed for fostering should be advised that some pets have the capacity to bite. Allowing children to actively participate in the day-to-day care and feeding of the pets helps build pleasant associations for all concerned.

Should any child show any signs of provoking a pet, then the animal is to be removed to another area of the home.

If you have dogs, you should have a properly fitting Baskerville-type muzzle for each dog. These would not necessarily be for everyday use but should be on the premises in case of an emergency, e.g. when the child's behaviour might provoke the dog to unsafe behaviour.

Children being considered for placement should be asked their feelings towards various types of pet. It would not only be wrong to place a child who hated dogs for example in a home with dogs, it would be risking an accident.

As part of your annual review, a risk assessment will be undertaken with regard to pets in your home.



## CHAPTER 3

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### APPROVAL

When your assessment report has been presented to the Fostering Panel and you have been approved as foster carers, you will receive a letter of approval stating the numbers, ages and gender of children that you have been approved for.

You will be allocated a support worker from the Fostering Service. (Please see Chapter 2).

### FOSTER CARE AGREEMENT

Under the Children Act 1989, the approving Authority has to enter into a written agreement with a foster carer at the time of approval. The Agreement will be signed every year at the time of your annual review. The purpose of the agreement is to provide written information about the terms and conditions of the partnership between the Authority and the foster carer. The following clarification will help you understand this agreement:

### TRAINING

Your training needs will be identified during the CWDC online assessment. Training courses to meet these needs will be identified and prioritised with your support worker as you develop your Personal Development Plan. Continued registration will be dependant upon successful completion of these training courses.

If you are booked on to a training course and cancel without giving 2 weeks written notice, or you just don't turn up you will be charged a fee of £25 (unless you can demonstrate exceptional circumstances)

### FOSTER CARER REVIEWS

Authorities are required to review the approval of foster carers at least once a year. On the Isle of Wight we review our foster carers annually unless there is a change in their circumstances, such as, remarriage or change in health, when we would do an out-of-course review. Review of registration would also be necessary on investigation of allegations against the foster carer made by a child, a parent or other person or a significant event, breaching of Foster Carer Agreement, repeated concerns or complaints.

Reviews should focus on the foster carer and their family rather than the current placement and will be carried out by a reviewing officer or senior practitioner. The social worker for any child/young person you currently have placed or have cared for since the last review will be consulted. The social worker will also be asked to seek the views of the child/young person themselves. The Fostering Service will seek the views of the child's parents directly. A review may take place in the foster carer's home and is an opportunity for airing and discussion of a foster family's view of the service offered by the Authority and of the foster family's own experience and any difficulties arising. It is also an opportunity to look at whether the age range and number of children for whom you are approved continues to be appropriate and whether you have any special skills to offer children with particular problems and whether your family safe-caring policy needs updating.

The National Minimum Standards are clear that the safety and general cleanliness of the foster home should also be reviewed. Your home should be free of avoidable hazards and should not pose a threat to the safety of any child placed.

### **TERMINATION OF APPROVAL (DEREGISTRATION)**

Approval must be formally terminated by the approving authority when it is decided that the foster carer is no longer suitable. Notice of termination should also be given where a foster carer decides to give up fostering unless the foster carer intends to resume after a short break. 28 days notice should be given if there is a child/young person in placement. Any termination of approval would have been discussed at the Fostering Panel and you would have been given the opportunity to submit your views in writing and to attend Panel in person should you wish to. Where the Fostering Panel is minded to recommend a carer's deregistration and the carer is not in agreement with this, the carer has the right to make further representations before the recommendation is considered further. There is a right of appeal against Head of Service decisions following panel recommendation. Full details would be provided to you by the Fostering Service.

### **FOSTERING LIMIT**

The Children Act 1989 specifies that the "usual fostering limit" is three children. If we are considering placing a family group of more than three children in a family where there are no other children placed as foster children, we do not have to seek exemption. However, if there are other children already placed as foster children and the proposed new placement means that the total will exceed three, the Fostering Panel has to reach a decision on whether or not to grant an exemption. In making this decision they will consider a report prepared by the support worker for the foster family. This report must consider the following:

- How many children are proposed to be fostered and for how long.
- What arrangements will be made for the care and accommodation of the children.
- The likely and intended relationship between the children and the person concerned.
- Whether the welfare of the children living in the accommodation will be safeguarded and promoted.
- What other childcare commitments the family has.

The foster carers can also make a written submission to the Fostering Panel and can attend the Panel meeting in person to put their views. The views of social workers for any children already placed would also be sought so that the future welfare of all the children concerned can be taken into consideration.

Where exemption is granted, written notice must include the names of the children who may be fostered and any conditions which the local authority decide to attach to the exemption. Where a foster carer is exceeding, or wishes to exceed, the usual fostering limit and the Local Authority conclude that exemption should not be given, the foster carer will be treated as running a children's home and the Children's Home Regulations will apply. In an emergency the Chair of the Fostering Panel can make an interim decision pending the next Fostering Panel Meeting. Any foster carers not living on the Isle of Wight need to seek permission from the Authority where they live.

**CHAPTER 4**

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**NATIONAL MINIMUM STANDARDS FOR FOSTERING SERVICES AND COMPETENCES FOR CARERS**

These standards, together with the Fostering Services Regulations 2002, form the basis for the regulation and inspection of all fostering services under the Care Standards Act 2000. The Isle of Wight Council's Children's Services will be inspected by the Commission for Social Care Inspection to ensure it meets these standards.

- 1.1 There is a clear statement of the aims and objectives of the fostering services and of what facilities and services they provide.
- 2.1 The people involved in carrying on and managing the Fostering Service possess the necessary business and management skills and financial expertise to manage the work efficiently and effectively and have the necessary knowledge and experience of child care and fostering to do so in a professional manner.
- 3.1 Any persons carrying on or managing the Fostering Service are suitable people to run a business concerned with safeguarding and promoting the welfare of children.
- 4.1 There are clear procedures for monitoring and controlling the activities of the Fostering Service and ensuring quality performance.
- 5.1 The Fostering Service is managed effectively and efficiently.
- 6.1 The Fostering Service makes available foster carers who provide a safe, healthy and nurturing environment.
- 7.1 The fostering service ensures that children and young people, and their families, are provided with foster care services which value diversity and promote equality.
- 8.1 Local authority services and voluntary agencies placing children in their own right ensure that each child or young person placed in foster care is carefully matched with a carer capable of meeting her/his assessed needs. For agencies providing foster carers to local authorities, those agencies ensure that they offer carers only if they represent appropriate matches for a child for whom the authority is seeking a carer.
- 9.1 The Fostering Service protects each child or young person from all forms of abuse, neglect, exploitation and deprivation.
- 10.1 The Fostering Service makes sure that each young person in foster care is encouraged to maintain and develop family contacts and friendships as set out in her/his care plan and/or foster placement agreement.

- 11.1 The Fostering Service ensures that children's opinions, and those of their families and others significant to the child, are sought over all issues, which are likely to affect their daily life and their future.
- 12.1 The fostering service ensures that it provides foster care services that help each child or young person in foster care to receive health care which meets her/his needs for physical, emotional and social development, together with information and training appropriate to her/his age and understanding to enable informed participation in
- 13.1 The fostering service gives a high priority to meeting the educational needs of each child or young person in foster care and ensures that she/he is encouraged to attain her/his full potential.
- 14.1 The fostering service ensures that their foster care services help to develop skills, competence and knowledge necessary for adult living.
- 15.1 Any people working in or for the fostering service are suitable people to work with children and young people and to safeguard and promote their welfare.
- 16.1 Staff are organised in a way, which delivers an efficient and effective foster care service.
- 17.1 The foster care service has an adequate number of sufficiently experienced and qualified staff and recruits a range of carers to meet the needs of children and young people for whom it aims to provide a service.
- 18.1 The fostering service is a fair and competent employer, with sound employment practices and good support for its staff and carers.
- 19.1 There is a good quality training programme to enhance individual skills and to keep staff up to date with professional and legal developments.
- 20.1 All staff members are properly accountable and supported.
- 21.1 The fostering service has a clear strategy for working with and supporting carers.
- 22.1 The fostering service is a managed one, which provides supervision for foster carers and helps them to develop their skills.
- 23.1 The fostering service ensures that foster carers are trained in the skills required to provide high quality care and meet the needs of each child/young person placed in their care.

- 24.1 The fostering service ensures that an up-to-date, comprehensive case record is maintained for each child, which detail the nature and quality of care provided and contributes to an understanding of her/his life events. Relevant information from the case records is made available to the child and anyone involved in her/his care.
- 25.1 The fostering service's administrative records contain all significant information relevant to the running of the foster care service and as required by regulations.
- 26.1 Premises used as offices by the fostering service are appropriate for the purpose.
- 27.1 The agency ensures it is financially viable at all times and has sufficient financial resources to fulfil its obligations.
- 28.1 The financial processes/systems of the agency are properly operated and maintained in accordance with sound and appropriate accounting standards and practice.
- 29.1 Each foster carer receives an allowance and agreed expenses, which cover the full cost of caring for each child or young person placed with him or her. Allowances and fees are reviewed annually.
- 30.1 Fostering panels have clear written policies and procedures, which are implemented in practice, about the handling of their functions.
- 31.1 Where a fostering service provides short-term breaks for children in foster care, they have policies and procedures, implemented in practice, to meet the particular needs of children receiving short-term breaks.
- 32.1 These standards are all relevant to carers who are family and friends of the child, but there is recognition of the particular relationship and position of family and friends as carers.

## COMPETENCES FOR CARERS

The Isle of Wight Council is now working to the new Children's Workforce Development Council's (CWDC) Standards. There are 7 standards which address the continuing professional development and specialist needs of Foster Carers.

**Standard 1:** Understand the principles and values essential for fostering children and young people

**Standard 2:** Understand your role as a foster carer

**Standard 3:** Understanding health and safety, and healthy caring

**Standard 4:** Know how to communicate effectively

**Standard 5:** Understand the development of children and young people

**Standard 6:** Safeguard children and young people (keep them safe from harm)

**Standard 7:** Develop yourself

## CHAPTER 5

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### THE LAW

#### THE CHILDREN ACT 1989

The main feature of this Act is its emphasis on partnership in caring. Foster care is seen as being part of the available services for children but with the over-riding principle that wherever possible children should be brought up and cared for by their own family. Children, their parents and their wider family are to have a continuing role in determining the child's future alongside, where appropriate, the professionals and the foster carers.

As foster carers, you need to understand under what part of the Act a child falls so that you know where and with whom the responsibility lays. There follows a brief run through of the relevant parts of the Act.

The Adoption and Children Act 2002 regulates adoption agencies. The Act changes the way that adoption placements are made; makes changes in Parental Responsibility; adds a new order – Special Guardianship – and extends Residence Orders. It also allows for the timetabling of court proceedings.

#### PARENTAL RESPONSIBILITY

"Parental responsibility" (PR) is a collection of rights and responsibilities towards children. Under the Act it is possible for more than one person to have parental responsibility and they do not all have to be a biological or legal parent. As foster carers you need to know who has parental responsibility for the child/children in your care. Here is a checklist of who could have it or obtain it:

- Married parents – both have it automatically.
- Unmarried fathers jointly registering a birth with the mother have parental responsibility.
- Step-parents can acquire parental responsibility by a Court Order (but only if married).
- The Local authority acquires PR when a parent consents to placement for adoption or a Placement order is made.
- Adopters acquire PR when a child is placed with them. (N.B, parents retain PR until an Adoption order is made).
- The Local Authority determines the extent of exercise of PR by adopters and others until the Adoption Order is made.

- Relatives and other people can obtain PR via a Residence Order of Special Guardianship.
- Foster carers can also obtain parental responsibility via a Residence Order of Special Guardianship.

More than one person can have parental responsibility. Each may act independently of the other in meeting that responsibility. The only restriction on this is that no one with parental responsibility can act independently where the consent of more than one person is expressly required by statute.

## **ACCOMMODATION**

The local authority has to "look after" children either by having them in care or by accommodating them. Accommodating means arranging somewhere for them to live and be cared by, for example, a relative or friend, in a foster home or a community home.

This is meant to be a service for parents to help them through a difficult time. The idea is that parents and local authorities should work in partnership and aim to return the child to his/her family as soon as possible.

When a child is looked after in accommodation, anyone with parental responsibility for that child can remove him/her whenever they wish. However, foster carers faced with a parent turning up and demanding a child back can take reasonable steps to safeguard the child. This would include contacting a social worker who would, if necessary take action to obtain Police protection or an Emergency Protection Order.

## **EMERGENCY PROTECTION ORDER**

An emergency protection order lasts for 8 days although the Court can grant an extension of 7 days if it is felt to be necessary. The Order can be challenged in Court after a full 72 hours have elapsed.

The powers of the Order are as follows:

- Removal of the child to a place of safety designated by the local authority to safeguard the welfare of the child.
- Prevention of the removal of a child from a hospital or other place in which the child was accommodated immediately before the Order was made.
- It confers parental responsibility on the applicant although this is limited.

In addition to the above the Court can give directions with regard to contact/no contact with named persons, request medical or psychiatric examinations or other named assessment (although an older child can refuse such examination or assessment) and issue a warrant authorising any constable assisting in carrying out powers under an Order if access has been refused to child or premises.

## **POLICE PROTECTION**

Under the Children Act, the police will have the power to take immediate action to protect a child either by removal or preventing their removal from where they are living. The Order cannot last longer than 72 hours.

## **INTERIM CARE ORDER**

An Interim Care Order is made by the Court in the following circumstances:

- Where an application for a Care Order or Supervision Order is adjourned.
- Where the Court gives the local authority directions to investigate into a child's circumstances.

The first Order can last for up to 8 weeks and further Orders up to 4 weeks. There is no limit to the number of Orders that can be made.

## **CARE ORDER**

Under the Children Act, the only way a child can come into care is by a Court making a Care Order. This is distinct from a local authority "accommodating" a child at the parents' request and in partnership with them.

A Care Order allows the local authority to acquire parental responsibility, which it shares with the parents. The local authority can determine the extent to which parents exercise their responsibility in order to safeguard the child's welfare. There is a presumption that there will be contact between the child and his/her parents and the local authority can only refuse to allow contact for 7 days without going to Court for a decision. A Care Order lasts until the child is 18 unless it is ended earlier.

## **SECTION 8 ORDERS**

The Children Act introduced a new set of Orders called Section 8 Orders. They are called this because they are described in this section of the Act. They are as follows:

### **Residence Order**

This is the one most relevant to foster parents. The Residence Order is the only Section 8 Order that can be applied for when a child is in care. However, if someone has been a local authority foster carer in the last six months, they cannot apply for leave to apply for a Residence Order unless:

- They are a relative of the child.
- The child has lived with them for at least 3 years out of the previous 5 years.
- They have the consent of the local authority.



A Residence Order says where the child shall live and the person who has a Residence Order gains parental responsibility normally shared with a parent. The Order ends when the child is 16 unless there are exceptional circumstances. Under a Residence Order you cannot change the child's surname or remove the child from the United Kingdom (unless for a short break of less than 1 month), without the leave of the Court or written consent of all persons with parental responsibility. The granting of a Residence Order automatically ends a Care Order. Therefore the local authority will normally have no further responsibility for the child.

### **Contact Order**

A Contact Order provides for the child to visit or stay with or have contact with a named person or persons. It is for children who are accommodated, not children on Care Orders. If a child has lived with foster carers for 3 years and then moves to live elsewhere, the foster carer can apply to the Court for a Contact Order, which would enable them to keep in touch with the child.

### **Specific Issues Order**

Parents, guardians or anyone with a Residence Order can apply for a Specific Issues Order. These Orders are to enable the Court to settle disputes concerning the carrying out of parental responsibility between the persons with it.

### **Prohibited Steps Order**

Parents, guardians or anyone with a Residence Order can apply for a Prohibited Steps Order. The purpose of this Order is to impose a specific restriction on the exercise of parental responsibility.

### **SPECIAL GUARDIANSHIP (SG)**

- This is governed by the Adoption Children Act 2002 and inserted into the Children Act 1989.
- SG discharges a Care Order.
- Special Guardians exercise PR in preference to others (except another SG).
- Unmarried couples can apply.
- Court permission is required to change a child's surname.
- Local authority has a duty to provide SG support services and to carry out an assessment of need for support.

## CHAPTER 6

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### FOSTER PLACEMENTS

Before placing a child in a foster home, the local authority must be satisfied that is the best way of meeting their welfare duty to that child and that there is no family member or friend who could care for the child.

There are often practical limitations on choice, which mean that the ideal placement is not available. However, a child's need for continuity in life and care should be a constant factor in choice of placement. The Authority is also required to have regard to the wishes and feelings of the child subject to the child's understanding and this applies to all decisions in relation to foster care. Parents of children for whom they are seeking accommodation must also be given an opportunity to determine what sort of service they want.

### SHORT-TERM BREAK/REGULAR RESPITE PLACEMENTS

A series of pre-planned short-term foster placements of a particular child with the same foster carers can be treated as a single placement. No single placement may exceed four weeks and all the placements must occur within a period, which does not exceed one year. The total duration of time in the placement during the arrangement is not to exceed 120 days. This is meant to encompass family link and any scheme under which an Authority makes arrangements for a child who normally lives with his family to spend short periods of time with an approved foster carer. Birth parents remain central to the promotion of health and education needs in these situations.

### CONFIDENTIALITY

The information you have about a foster child and his/her family should be private between yourself, your partner, sometimes your children and the Department. You should discuss with either yours or the child's social worker what information you may pass on to other professionals such as your GP, teachers, etc.

It is easy and often extremely tempting to pass on pieces of information to relatives, friends and neighbours, but this should always be resisted. Much hurt, distress and embarrassment could be caused to the child and his family, the Department and yourself if you discuss information given to you in strictest confidence with any outside person.

You will have signed to say that you will keep any information relating to a child in your care confidential and that you will return all documentation to the Authority when the placement ends. Whilst the child is with you, you could use this file or similar, to store all information and make sure that it is kept in a safe place.

## **TAKING OF PICTURES, ETC. OF CHILDREN IN YOUR CARE**

Although as foster carers you are encouraged to help a child learn about its own identity and roots, it is also important to be aware of the confidentiality issues surrounding this. Obviously many of the children for whom you have cared will have taken their photos with them but if you keep any as a memento it is important to remember that anything that can identify the child as being a looked after child is confidential and should not be shared with outsiders any more than you would share written information about the child. The same applies to video recordings, which although children may enjoy seeing themselves on film, must be treated as confidential material.

If the occasion ever arises when you take photos of, or record on video other children in care, you must always have sought the permission of everyone with parental responsibility through the social worker. There are very good reasons why some parents have expressly forbidden any pictorial record of their child being taken and so you cannot assume that it is automatically acceptable to film or photograph children in care.

When looked after children leave your home their photographs should be stored and no longer displayed.

## **LIFE STORY BOOKS/MEMORIES**

Children in foster care need to be helped to understand and reflect upon their history according to their age and ability. As foster carers you have an important role in helping to collect and safeguard memorabilia for the children in your care. Photos, school certificates, drawings, records of achievement in clubs and other precious memories are important keepsakes to be treasured. You can help a child to keep these safe by providing a box or file which can go with the child when s/he moves on.

Photographs of you and your family, your home and pets etc. will also be helpful for children in recalling the time they have spent with you.

## **CONTACT**

The Children Act imposes a duty to promote contact between a child who is being looked after and those connected with him/her. This applies whether a child is accommodated by voluntary arrangement or as a result of a Court Order. Contact covers a wide area in that it relates to keeping in touch by telephone calls, letters, exchange of photographs, etc. as well as meetings between children and their families.

The Children Act clearly says that where a child is in care, the local authority must allow reasonable contact with a child's parents, any guardian and any other person with whom she/he was living under a Court Order immediately before the Care Order was made. To support that duty, the local authority is required to take reasonable steps to inform the child's parents and any other person who has parental responsibility for the child of the child's address. However, information need not be given if the child is subject to a Care Order and it would prejudice the child's welfare to give it.

There is no doubt that the task of helping children and families to keep in touch can be extremely difficult and potentially painful for all concerned, but it is a crucial task if children are to return home or maintain a valuable relationship with their families even where it is unlikely they will live with them again. So, how can the task be made a little easier?

- There must always be a clear understanding with the foster carer from the outset about the child's continuing relationship with his/her parents and other family members; about proposals for and the purpose of contact and about arrangements for review of the plan for the child including contact.
- The Placement Information Record should include details of contact i.e., who with, when, where, who to arrange, who settles disputes etc. Be clear that the arrangements suit you and your family before you agree to them. Contact needs to happen where the child feels comfortable. Especially for very young children this may mean contact in the carer's home and if a child is to go home this may be need several times each week and sometimes daily.
- With older children where contact is unsupervised, they may be picked up and returned to your home by family members or make their own way back etc.
- Where possible, the social worker should bring the parents to meet the foster carers and discuss the needs of the child before the placement is made. If it is clear then that the tensions between one or more of the parties cannot be quickly resolved, perhaps an alternative venue would be better.
- Be alert to the stresses and strains of contact and how this affects you and your family. Do not hesitate to discuss these issues with your support worker or the child's social worker. Agreements are not written on stone and can be re-negotiated with the agreement of all parties. Do not agree to something that does not feel right at the time.
- Carers are often asked to support contact by transporting children – taking them and collecting them. You may also need to encourage children and young people to maintain contact even when they are resistant to this. Research tells us that most fostered children eventually re-establish contact with family.
- As foster carers you need to record the outcome of contact arrangements and your observations of the impact of contact on the child. You can do this briefly in your diary and should then ensure that this information is brought to the attention of the child's social worker.
- There must always be a clear understanding with the foster carer from the outset about the child's continuing relationship with his/her parents and other family members; about proposals for and the purpose of contact and about arrangements for review of the plan for the child including contact.

## **INFORMATION ABOUT THE CHILD**

In November 2008 Children's Services adopted the Integrated Children's System (ICS) as a means to record and store information on the children and families that we work with. When a child is placed you should have information you need to care for her / him. This includes LAC paperwork (Referral and Information Record, Chronology, Placement Information Record and Care Plan), a missing child risk assessment and a Court Order if there is one. (There are copies of these forms for your information at the end of this section).

### **The Referral and Information Record**

This form is designed to hold all the important personal information about a child and their family. It should be completed before a child is placed and includes basic information such as ethnicity, home and parent addresses, other family members close to the child and key professionals that are involved.

The Referral and Information Record replaces the *Essential Information Record Part One* of the 1995 Looking After Children Materials.

### **Chronology**

The Chronology records all significant events and changes in the life of a child or young person. The Chronology is an analytical tool designed to help social workers understand the impact, both immediate and cumulative, of events and changes on the child/ young person.

This exemplar has been formatted to enable information about individual children and young people to be aggregated for strategic planning purposes and for completion of statistical returns required by the Department of Health, and other government departments.

Information about children and young people is recorded under the following headings:

- previous social services activity;
- the child's health history;
- education, training and employment history;
- changes in the child(s) or young person's legal status;
- placement history of a looked after child;
- history of any offences; and
- significant events and changes in the circumstances of the child and family.

The Chronology replaces the *Essential Information Record Part Two* of the 1995 Looking After Children Materials.

### **The Placement Information Record**

The Placement Information Record determines how best a child/young person's day-to-day needs can be met during a placement. It records arrangements for a child's upbringing where responsibilities are divided between a number of people, e.g. parents, social workers, foster carers and the young people.

The Placement Information Record contains the key information you need in order to provide care for an individual child. It also contains the parental agreements to:

- A period of accommodation under Section 20 of The Children Act 1989
- Specified medical treatments
- Delegation of a number of responsibilities including, for example, consent to overnight stays
- Contact Arrangements

The Placement Information Record replaces the *Placement Plan Parts One and Two* of the 1995 Looked after Children Materials.

## **The Care Plan**

The Care Plan ensures that all children/young people looked after have clearly stated objectives set out for their care and a strategy for achieving them. When a child becomes looked after, the core assessment is used to inform the Care Plan. It is important that the child or young person, family and the foster carers are clear about the purpose of care or accommodation from the beginning of a placement. Therefore, the Care Plan should be completed before a child or young person becomes looked after. In some cases, for example in emergencies where this is not practicable, the Care Plan should be completed as soon as possible and within 14 days of the child or young person being placed.

The Care Plan is in two parts:

- Part One - sets out the overall aim of the plan for the child, which can only be changed at a statutory child care review.
- Part Two - identifies what services and actions are required to respond to the child's identified developmental needs.

In all circumstances foster carers should be furnished with a copy of Part 1. In most circumstances you will also receive a copy of Part 2 but how much information you receive will be dependent on the confidential nature of the parental needs.

## **MEETINGS**

### **Placement meetings**

Placement meetings should be arranged at the time of placement and take place within two weeks of the placement. It involves the child, the carer, support worker and the child's social worker and sometimes the parent. The main purpose will be to ensure you have all the necessary information about the child and to complete any gaps in the Placement Information Record.

### **Reviews/Planning meetings**

Reviews and Planning Meetings are arranged to ensure that the day-to-day arrangements for the child (i.e., schooling, contact with parents and friends, health check ups and individual issues) continue to meet his/her needs, that the Care Plan for the child is still appropriate and that everyone looking after the child is undertaking their tasks. Each child person has his/her own Care Plan, which will be considered in the Review and

Planning Meeting. If any aspect needs changing, this will be discussed in the planning part of the meeting.

The first review should take place no longer than four weeks after the first date on which the child/young person begins to be looked after. The second review should take place not more than three months after the date of the first review and thereafter, subsequent reviews should take place at intervals of not more than six months after the date of the previous review. These are the minimum standards but a review can be called if it is felt that the Care Plan needs to be altered.

The social worker will arrange the meetings and invite those people to attend who have an important part to play in the child/young person's life. The child/young person will normally be invited to attend the Review and Planning Meeting and helped to present their views in the most comfortable manner. Either an Independent Reviewing Officer or a Team Manager will chair the meeting. The venue will be decided by the social worker but it may be appropriate for it to be held in the foster carer's home.

Your support worker will attend if there is good reason for you to need their support in the meeting. It may be helpful to discuss the issues with him/her in a visit prior to the meeting.

### **Child Protection Conferences and Core Group Meetings**

A Child Protection Conference is the meeting where it is decided whether a child is made subject to a Child Protection Plan or remains a Child in Need. You would be asked to attend if the Child Protection Conference was considering a child in your care. You will also be asked your thoughts on whether a child should be made subject to a Child Protection Plan.

If a child is made subject to a Child Protection Plan then a Core Group Meeting is required within 10 working days and then every 6 weeks whilst the child remains subject to a Child Protection Plan. Core group meetings are meetings of key individuals to ensure that the Child Protection Plan is on course.

Child Protection Review Conferences take place at 5 month intervals after the Initial Child Protection Conference.

### **Permanency planning meetings**

These meetings should take place before the second Looked After Children's Review after four months. The aim is to prevent children drifting in the care system and to be clear what is the long-term plan for the child - this might be going home, remaining in foster care or adoption. Often at this early stage parallel plans are being considered – e.g. return home if certain changes occur or permanent fostering.

### **Professionals meetings**

These tend to be called in response to a particular concern or issue when professionals involved, including yourself as the carer, need to discuss matters separately from the child and parent.

## **Disruption/breakdown meetings**

If there are problems within a placement that if not solved might lead to the placement ending a disruption meeting may be called. The aim is to offer support and to problem solve in order to maintain the placement or to plan a move if this is what is needed.

If a placement breaks down in an emergency a breakdown meeting will be called. Ideally all parties – child, carer, support and social workers - will meet to review the events leading to the breakdown and to all learn lessons from what went wrong. The intention is not apportion blame.

## **SOCIAL WORK VISITS**

Each child placed with you will have his/her own social worker. The minimum visiting requirements are laid down in the Children Act and are as follows:

- One visit within the first week of placement.
- Then at intervals of not more than six weeks during the first year of placement.
- Thereafter, visits at intervals of not more than three months.

These are the statutory requirements but the frequency of visits should be determined by the circumstances of the case and the authority must arrange a visit whenever reasonably requested by a child or foster carer. A social worker may also make unplanned and unannounced visits.

A social worker visiting a child in your care represents the child's parents and has a legal duty to know that the child is being properly cared for. The purposes of the visits are varied but include:

- A measure of child protection, to talk to the child, to safeguard and reassure a child who may feel isolated and vulnerable. The social worker may want to see where the child sleeps and will want to see the child alone. This does not imply lack of trust in you but is all part of the work to help the child.
- An opportunity to evaluate and monitor the achievement of goals with the child and foster carer and to monitor the child's educational progress.
- Monitoring the contact arrangements.
- To give support to the foster carer.

It is important that you make good use of a social worker's visit. You live with the child 24 hours a day and your views are important both for the child and for the social worker to know the effect that child is having on your family. Keeping a daily diary can be of help in jogging your memory about a child's behaviour.

Although there is a statutory requirement governing the frequency of visits, times are negotiable. Be clear about your own needs and ask for visits to be timed so that they do not disrupt your family life.

You will also have your own support worker who is there to discuss matters directly related to you as foster carers. Do not hesitate to elicit their support if you feel that your



views on the child are not being heard or you have any worries about the role of the child's social worker.

## **PROFESSIONALS WHO MIGHT VISIT YOU AND A CHILD IN YOUR CARE**

### **CHILDREN'S GUARDIANS**

Children's Guardians work for the Children and Family Court Advisory and Support Services (CAFCASS).

A children's guardian is appointed by the Court in care proceedings. His/her role is to represent the child's best interests in the proceedings and to present the Court with an independent viewpoint about what outcome is likely to be best for the child's welfare. He/she does not just present the child's view but what is in his/her best interests. She/he can disagree with the child and make a different recommendation to the Court. The children's guardian will almost certainly visit children in your care and possibly talk to you as part of their duty to ascertain what is in the best interests of that child.

Children's guardians have the right to see all information you hold about a child.

### **INDEPENDENT VISITORS**

Does a child you are responsible for need an independent visitor? Do you know what an independent visitor is and which children/young people are eligible?

A child or young person is eligible where:

- The communication between the child/young person and his parent or a person who is not a parent but has parental responsibility has been infrequent.
- Where he/she has not visited or been visited by his parents or a person who is not a parent but who has parental responsibility during the preceding 12 months.

The definition of an Independent Visitor is 'A person appointed by a local authority as an independent visitor under paragraph 17(1) of Schedule 2 to the Children Act 1989 shall be regarded as independent of the local authority supporting him in the following circumstances:

- Where the person appointed is not connected with the local authority by virtue of being:
  - i. A member of the local authority or any of their committees or sub committees, whether elected or co-opted.
  - ii. An officer of the local authority employed in the Social Services Department of that authority.
  - iii. A spouse of any such person.

Basically, this means is that where a child/young person has not had contact with someone who has parental responsibility for them for twelve months, the local authority should assess whether it would be in the child/young person's best interests to have an independent visitor. The child/young person must also be given the choice of having an independent visitor to meet with them. The person appointed as an independent visitor

cannot be employed by the local authority or be an elected member of the local authority or be married to someone who is elected or employed by the local authority.

The Youth Trust has the contract to provide independent visitors where it has been assessed as necessary and the child or young person agrees that they would like one. If you would like to discuss this with the Youth Trust please contact Eileen Monks on 01983 529569.

## **OTHER PROFESSIONALS – E.G. PSYCHOLOGISTS/INDEPENDENT SOCIAL WORKERS**

These workers may be engaged to specifically assess a child's needs. You should always be informed that such a worker would be contacting you. If you have not been advised of this and any worker contacts you direct you must politely say that you need to check first with the child's social worker before agreeing to an appointment.

## **RECORD KEEPING**

Every foster carer is supplied with a diary, which remains the property of the Department but it is the carer's responsibilities to keep it safe and to store old diaries in a secure place in their home. You never know when something that has been recorded may be significant for the child or for you and your family e.g., should an allegation be made against you in the future.

You may be asked to keep specific records about a child e.g., if you are asked to supervise contact between parent and child, you may be asked to complete a recording form. This will always be explained to you in detail and training offered if necessary.

It is *vital* for foster carers to keep a record of significant events, injuries, contact visits, unusual behaviour and a note of who was in the house and when. It is important to remember that any records kept can be used in subsequent Court proceedings and therefore judgmental and personal feelings should not be included. Social workers of the children/young people in your care should be made aware of your recording system and all information should be shared with them so that they can maintain an up to date view of the child's/young person's behaviour and needs. If you are worried about what should and should not be recorded, consult your support worker or the social worker for the child/young person. All records should be written in permanent ink and treated as confidential documents. It will also be useful to keep a record of positive behaviour, as this can be a useful tool in assessing the progress of the child/young person in placement.

You should expect that your support worker will read and sign your diary at each support visit and may wish to copy significant entries for the child's social worker and the child's file.

## CHAPTER 7

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### LOOKED AFTER CHILDREN REVIEW PROCEDURES

#### 6.19 SOCIAL WORK REVIEWS FOR LOOKED AFTER CHILDREN

- 6.19.1 The Children Act 1989 Guidance and Regulations Volume 3 states that a review is: '... a continuous process of planning and reconsideration of the plans for the child.' In other words, it is about looking back on the child's progress (reviewing) and forward to the future (planning).
- 6.19.2 The practical manifestation of the above is the review of the child's Care Plan, celebrate their achievements and plan for the next stage of their development.
- 6.19.3 The reviewing process must ensure the welfare of the child is paramount, with the review meeting being child-friendly and focussed. This will ensure that children and young people can meaningfully participate in their reviews. There should be no surprises at reviews where issues are raised that are unknown to the Chair or participants. While reviews are a key decision-making forum they are not part of line management supervision, a forum to deal with complaints or an opportunity for adults/professionals to verbally chastise children and young people or even each other.

#### THIS SECTION APPLIES TO

- 6.19.4 All children looked after by the Isle of Wight including disabled children receiving short break care for 120 days or more per year. For children receiving Short Break (overnight) care less than 120 days per year the Short Break procedures apply.

#### 6.20 THE ROLE OF THE REVIEWING OFFICERS

- 6.20.1 Reviewing Officers do not have line management responsibilities for the Social Workers and children and young people being reviewed which allows, as stated in the Guidance, for "...a degree of oversight and objectivity to the monitoring of the responsible authority's practice and decision-making in relation to the plan for the child." This Quality Assurance role includes monitoring activities such as ensuring children and young people's participation, the LAC material is completed and up to date, including the Care Plan, statutory visits are being undertaken, health and educational needs are being addressed, appropriate consultation has taken place and so on.
- 6.20.2 The other primary role of the Reviewing Officer, besides chairing the review meeting, is to ensure the Looked After Children are at the centre of any plans and that they actively participate in review meetings be it by attending, completing a consultation paper, using the "Viewpoint" software package, providing an audio tape, doing a drawing or in whatever way they want to express their wishes and feelings. As one Looked after Child recently stated, "It is not about having the say, it is about having a say."

- 6.20.3 The Reviewing Officer is also responsible for ensuring at the end of each review meeting the date, time and venue of subsequent reviews are fully discussed and, as far as possible, agreed by the key participants including the child or young person.
- 6.20.4 The reviewing service also manages the reviewing process with the administrative support worker for Looked After Children, provides consultation to professionals regarding LAC and publish an annual report focusing on areas of progress, where further work needs to take place and outcomes for this group of children and young people.
- 6.20.5 While the Reviewing Officers chair the vast majority of reviews, where a child or young person is linked to prospective adopters the Team Manager of the Adoption Service will chair those reviews.

## **6.21 THE FREQUENCY OF REVIEWS**

- 6.21.1 Reviewing within the Looking After Children framework is seen as a process rather than a one off meeting.
- 6.21.2 All Care Plans for looked after children will be reviewed within the statutory timescales:
- First review within 28 days of placement.
  - Second review within 3 months of the first review.
  - Third and subsequent reviews within 6 months of the previous review.
- 6.21.3 As noted above these are maximum statutory intervals and can be brought forward where there has been a major change in the Care Plan e.g. an unplanned change of placement. Where children/young people are in mainland agency placements it may be considered appropriate to hold reviews more frequently to avoid the child's sense of being isolated, to ensure they are well cared for and the Care Plan is being adhered to.
- 6.21.4 All review processes will be completed within the time limits set out, including completion of recording and notifications of outcome within 14 working days of the review meeting.

## **PRE-REVIEW CONSULTATION**

- 6.21.4 While making arrangements for the review meeting with the administrative worker for the LAC Social Worker, you should also discuss with her a time and venue for a pre-review consultation with the Chair. These consultations will routinely take place just prior to the review meeting. The purpose of this consultation is:
1. For the Chair with the social worker to ensure that, as far as possible, the review meeting is as positive and constructive event for the child/young person and the other participants.

2. For the Chair to view the child's file and ensure that all the LAC material has been completed and is up-to-date.
3. To ensure all the previous review decisions have been acted upon and if not when and who will take responsibility for actioning them, assuming they are still relevant.
4. To confirm the agenda and be made aware of any issues that may be contentious or need managing sensitively.

## **6.22 RESPITE, SHORT-TERM BREAKS AND FAMILY LINK**

- 6.22.1 A child/young person who visits their carer or Beaulieu for respite care of 24 hours or more at any one time is "accommodated" under section 20. Regulation 9 provides for a series of short-term breaks that should not exceed 4 weeks at any one time. Clearly, where a child/young person is receiving one of these services, as well as being looked after full time, the review will be integrated.
- 6.22.2 The arranging of these reviews will take place as described below although the first review will take place within 3 months with the subsequent reviews taking place 6 monthly thereafter.

## **6.23 REVIEW MEETINGS**

### **ARRANGING THE REVIEW MEETINGS**

- 6.23.1 It is the responsibility of the social worker/Team Manager to inform, in sufficient time, the administrative support worker for LAC (based at Children's Service Centre) of the need for a first review. If this has not already happened the Placement Planning Meeting held within 14 days of a child's placement should check that a review has been requested.
- 6.23.2 At the end of the first review meeting the Reviewing Officer will agree a date and venue for the next review, if it is needed. The reviewing service will thereafter remind and arrange with the child's social worker subsequent reviews one month before they are due.
- 6.23.3 When a review has to be arranged the social worker must contact the administrative support worker for LAC to let her know, or confirm if it is the second or subsequent review, who to invite and the venue. The administrative support worker will contact by letter, phone or fax participants for the review, with letters and consultation papers sent to children, carers and those with parental responsibility.

### **CONSULTATION AND ATTENDANCE AT REVIEW MEETINGS**

- 6.23.4 The social worker needs to consider who should be consulted as part of the review process, e.g., education colleagues, legal services, LACES team and so on and who should be invited to the review meeting. The consultation could include a

discussion about possible attendance, or providing a report for the review meeting.

- 6.23.5 If for whatever reason the social worker is unsure about who to consult or invite they should discuss this with their Team Manager and/or the reviewing officer.
- 6.23.6 It is known from research that children and young people find it harder to participate if the meeting is large with a number of professionals unknown to them. It is crucial that the right balance is struck between ensuring key participants attending the review while at the same time small enough for the children and young people not to feel intimidated and overwhelmed.
- 6.23.7 The review meeting must include members of the child or young person's key group. This would routinely include:
1. The child or young person
  2. The child or young person's carer(s)
  3. The child or young person's Social Worker
  4. Relevant family member(s)
  5. The Reviewing Officer/Chair
  6. A representative from the school.

## **THE MEETING**

- 6.23.8 The agenda for the review meeting is in accordance with the Guidance and the "Issues for Discussion" as found in the Review of Arrangements form. Other matters for discussion may also be raised with the Chair by the review participants.
- 6.23.9 While the age and particular circumstances of the child or young person being considered will influence what is discussed, the agenda will always include:
1. Has a Core Assessment been completed?
  2. At subsequent reviews have all the decisions reached at the last review been acted upon?
  3. Is the care plan being followed and/or are the Assessment and Action Records to be completed?
  4. An opportunity for the child or young person's views to be heard and considered as well as sharing their views on the child or young person's achievements, progress and what further support and guidance they may need in the future.

5. Discussion of the child/young person's health plan in a holistic manner that as well as addressing their physical needs consider their emotional, social and cultural needs. The child or young person's basic health status will be considered, i.e., immunisations, dental care and the need for Assessment.
  6. At the second review, where it is planned that the child or young person is to remain looked after, the Chair will give the foster carer a BAAF Health Booklet, which the carer should hold and complete. This allows for medical information to be held in one place and not lost. Where possible the child/young person should be actively involved in maintaining the booklet.
  7. Discussion of the child/young person education/training/employment and leisure needs.
  8. Discussion of the contact arrangements with family and friends.
  9. Consideration of the child/young person's legal status and whether they need to continue to be looked after.
- 6.23.10 The above agenda will be added to in the review if, for example, considering the needs of an older young person and developing their pathway plan.
- 6.23.11 The agenda for a child/young person receiving short-term breaks generally be narrower focussing primarily on the need for the arrangement to continue by seeking the views of the key participants including the child/young person, education and health. Clearly, if necessary, this agenda can be added to.
- 6.23.12 The review meeting will end with the Chair summarising:
1. What decisions have been made and agreed.
  2. Who will implement the decisions and within what timescales.
- 6.23.13 Following discussion a time and venue for the next review meeting, that meet the needs of the child/young person to encourage their on-going participation, will be agreed.

## **THE CHILD OR YOUNG PERSON**

- 6.23.14 Including a child at the review meeting concerning them is dependent on their age and level of understanding. Those under 8 years of age are unlikely to be able meaningfully participate or benefit from the meeting. The child or young person's participation should be as positive an experience as possible and certainly not a negative or harmful one. The Social Worker should consult with the child or young person if they wish to have someone with them, as the Guidance states to "...provide friendly support..."this maybe, for example, an advocate, Children's Rights and Participation Officer, a friend or someone to translate if English is not their first language.

- 6.23.15 There should be an assumption that the views of a child with a disability will be sought in whatever way it is felt to be appropriate given their age and level of understanding. Attendance for part or all of the review should also be considered as long as it is a meaningful and positive experience for the child/young person. An excellent example of this approach is the work undertaken by Beaulieu and Social Services staff to seek the views of the child/young person and in some cases aid the child/young person to attend all or part of the review.
- 6.23.16 The child or young person should be informed by their social worker that they can meet with the Chair prior to the review meeting, if they wish.

### **SOCIAL SERVICES STAFF**

- 6.23.17 The social worker must consider if other Social Services staff need to attend, for example, their Team Manager, Fostering Service support worker or 16+ social worker/PA.
- 6.23.18 While Team Managers are not routinely expected to attend review meetings their participation is vital if, for example, key decisions are likely to be made or if it is anticipated that the meeting will be contentious or difficult.
- 6.23.19 Similarly Fostering Services support workers are not routinely expected to attend review meetings unless they have a specific contribution to make, for example, providing key information or supporting a new or inexperienced carer(s).

### **FAMILY MEMBERS**

- 6.23.20 The Social Worker must also consider which family members should attend and if they would want support, for example, from the Advocacy Service. Family members should be offered the opportunity to meet with the Chair, especially if it is their first time at a review meeting. The Chair should ensure they are aware of the purpose of the meeting, the agenda, any issues and concerns they may wish to raise and so on. Family members who should be included are those:
1. Who have significant involvement in the care and welfare of the child or young person.
  2. Who can make a positive contribution to celebrate the child or young person's achievements and aid the planning for their future.
  3. Whose attendance is not against the child or young person's wishes. In these circumstances, other arrangements should be considered with the Reviewing Officer and social worker after the review meeting to inform the parent(s) of the main issues and outcomes.

### **EXCLUSION FROM REVIEW MEETING**

- 6.23.21 The Guidance states that attendance of children or young people and their parents should be "...the norm rather than the exception..." Professionals and other participants at reviews should be able to share information, make decisions



and focus on the needs of the child or young person in a safe, non-threatening environment. Following consultation with others, the decision to exclude a particular person(s) is the Chair's.

6.23.22 Parent(s)/Carer(s) will be excluded from all or part of the review if:

1. Their attendance would result in intimidation and/or physical threat to any person(s) attending.
2. There was evidence that they would disrupt the meeting.
3. They became verbally abusive or threatening during the meeting.
4. Attendance of one would prevent the attendance of the other.
5. There is a legal order preventing contact with others present.
6. There is a need to hear third party information.

6.23.23 Those excluded should be advised by the Reviewing Officer in writing with the reasons for their exclusion. The Reviewing Officer will note this decision in the review report. The Chair will decide, following discussion with the social worker, if the excluded person's representative, e.g. Solicitor should be allowed to attend or present a statement on their behalf and if they will receive a copy of all or part of the review report. It may be appropriate for the excluded person(s) to be asked to complete a consultation paper that could be read out at the review meeting.

## **PERMANENCE PLANNING**

6.23.24 The National Adoption Standards for England state that:  
" The second and every subsequent review of a looked after child will consider permanence. Where adoption is the plan, reviews will evaluate the success of the plan in meeting the child's needs and specify any new objectives required to meet those needs"

6.23.25 In line with these standards, even where adoption is not being considered, the Chair at the second and subsequent reviews will consider the plan, for example, be it for reunification with family or long-term fostering, or adoption.

## **AFTER THE REVIEW MEETING**

6.23.25 The Reviewing Officer will complete the 'Record of Discussion' and 'Review Decisions', keeping a copy for the records, and return this and all related documentation to the Social Worker for the-file. The social worker will check the recording for inaccuracies or disagreements, contacting the Chair if there has been any. It is the decision of the Chair what is changed or not in the report, with the Chair however noting the disagreement, for example, by adding it to the report as the views of a participant.

6.23.26 If the recording is accurate the Review Administrator will ensure that the report is:

1. Read and signed by the Team Manager.
2. Sent out to those who attended the review meeting, including the child/young person, as well as those who should receive a copy but could not attend, for example, those with parental responsibility.

6.23.27 Where there are concerns about accuracy or disagreements about the review report from a child/young person, their family or other professionals they will deal with by the Chair in consultation with the social worker.

## **FEEDBACK, SUGGESTIONS AND COMPLAINTS**

6.23.28 The Reviewing Service welcomes feedback and positive suggestions for improving the reviewing process be it from the child/young person, family, foster carers, Social Services staff or other professionals.

6.23.29 In line with the Authority's Complaint's procedure a child/young person and their family must be informed of what they need to do if they have a concern or wish to make a complaint.

## **6.24 INTEGRATION OF STATUTORY AND FORMAL MEETINGS**

Social Services staff, professionals from partner agencies, parents, carers and increasingly, children and young people are expected to attend a variety of meetings to comply with statutory and organisational requirements. Meetings focussing on different aspects of the needs of children and young people besides statutory reviews include child protection conferences, core group meetings, annual education statement reviews, individual education plans, pathway plans and personal education plans specifically for children looked after. While each of these processes and meetings focus on specific issues there are areas of overlapping agendas that should lead to consideration of integrating the meetings, as appropriate. A clear example of this is the annual statement reviews which could be integrated with the PEPs and reviews. Where integration of meetings could take place, the social worker and Team Manager should first discuss this possibility and get agreement from the respective Chairs, for example the Reviewing Officer and Education staff member, who will need to integrate their respective processes.

## **6.25 REVIEWS AND PERSONAL EDUCATION PLANS (PEPs)**

6.25.1 In May 2000 the DFES and DOH published Guidance requiring Local Authorities to have PEPs for all Looked After Children. The first should be prepared within 20 days i.e., in time for the first review.

6.25.2 If the PEP meeting has not taken place when the review is being set up this should be arranged to occur just prior to the review meeting. If this is not possible, for example, due to school holidays, the Reviewing Officer will ensure that a date for the first PEP is agreed at the review.

6.25.3 At the first PEP meeting consideration will be given to the possibility of integrating the review of the PEP within the subsequent statutory review meetings. The criteria for making such decisions include: -

1. The views of the child/young person about integrating these two processes. Local research shows that while some children/young people are able to manage this integration, others struggle with larger meetings and teaching staff knowing about their personal and family life.
2. The views of the child/young person's key group including parents/carers, teaching staff and other professionals.
3. The level of complexity/ contentiousness of the education plan. Clearly long involved detailed discussions of an education plan needs a separate meeting.
4. Practical issues such as availability of key staff, issues of location of meeting(s), different statutory time frames and school holidays will all impact on the possibility of integrating these two processes.

On completion of the education plan the social worker must send a copy to those invited to the meeting, including the child/young person and the Looked After Children's Education Co-Coordinator.

## **6.26 PLANNING AND ACTION**

6.26.1 The purpose of the review is to make sure that the Care Plan is still appropriate, or amend it to better meet the child's needs. Amendments are subject to the approval of the Team Manager. It is good practice to ensure that proposals to change the Care Plan are discussed with all relevant parties prior to the review meeting so that the meeting is able to recommend and approve amendments with confidence that they have the necessary support. Reviews will make decisions about Care Plans, Placement Plans including day-to-day arrangements. For this process to be effective, the decisions must be communicated to all relevant parties as soon as possible and carried out.

6.26.2 The social worker is responsible for making sure that all relevant parties know what the plans for the child are, and are clear about the action required. The social worker will check that necessary action is taking place, including their own tasks. Any delays or failure to carry out agreed action should be discussed with the Team Manager as soon as possible.

## **6.27 CARE PLANS AND LEGAL STATUS**

6.27.1 Reviews must make sure that the child's Care Plan and legal status are still appropriate. If the child cannot return to their family or relatives and friends in the long term, planning must take place for long-term substitute parenting children should only be looked after by the local authority if this is the only way effectively to meet their needs. It is essential that the Care Plan and legal status are subjected to critical scrutiny at every review.

## CHAPTER 8

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### EDUCATION

Some children whom you will be looking after may be damaged and vulnerable. They often need extra help and encouragement to compensate for early deprivation and for educational disadvantage arising from changes of placement while in care. Every effort will be made to avoid a change of school but on some occasions a move is unavoidable. In exceptional circumstances transport for certain children to and from school will be arranged by the child's social worker.

Educational requirements are included in the Placement Information Plan. It is important to remember, however, that the children placed with you are in the legal care of the local authority either by arrangement with their birth parents or by Court Order. Any requests for authorisation should be referred to the child's social worker unless it is for such relatively straightforward requests as permission for a child to go on a local school trip.

Carers have an important contribution to make to a child's educational progress and development. They are in a good position to observe and to help identify and assess both the child's real capabilities and any difficulties, fears and developmental deficits. High expectations of achievement need to be communicated to all children to help them build self-confidence and reach their full potential. With the help of the carer and through school reports and direct contacts with the school, the child's educational progress must be kept under review. This will be formally reviewed at the child's review but do not hesitate to mention any concerns you have to the child's social worker. In your Foster Care Agreement you will have signed a commitment to attend parents' evenings at school with the child's parent(s).

### PERSONAL EDUCATION PLANS

The Government has recently issued guidance on *The Education of Children and Young People in Public Care*. The purpose of the guidance is to tackle the serious underachievement of children in residential and foster care and to bring their attainment closer into line with that of their peers. Carers should take an active part in care and education planning and have a clear understanding of who to liaise with at school, local education authority and Social Services level. They should be involved in monitoring and supporting the targets set out in the young person's Personal Education Plan and should be closely involved in any assessment of special educational needs. The guidance introduces Personal Education Plans (PEPs) for all children in public care. The social worker is responsible for initiating a PEP in partnership with the child or young person, designated teacher, parent and/or family member, carer and any other person that may be relevant. The PEP should be agreed as soon as possible and at least within 20 days of entering care or of joining a new school.

Each school should have a designated teacher who understands about care and the impact of care upon education. The designated teacher should ensure speedy transfer of educational information between agencies and individuals and ensure that each child has a PEP and that a Home-School Agreement is drawn up with the primary carer. As soon as a child you care for starts school, you should be told who his/her designated teacher is. The lack of consistent parental advocacy is a barrier to educational achievement for the majority of young people in public care. They need help in making subject choices, maintaining regular attendance, completing homework and benefiting from work experience. As a carer you have a responsibility to be part of the team that supports and encourages any young person placed with you to achieve to the best of their ability within school.

## **HOMEWORK**

Children and young people need your encouragement and help to complete their homework according to the school's requirement. They need a quiet place in your home where they can work free from distractions and interruptions. We can help with the provision of computers for children in Year 10 upwards. As carers you need to be aware of the demands of coursework, study support opportunities and when public examinations and tests are to take place.

## **HOBBIES**

A child/young person should be encouraged to develop and pursue his/her talents, interests and hobbies. As foster carers you need to take an active interest in a child/young person's hobbies and offer them practical and emotional support to further their interest.

## **BULLYING**

Bullying in all its manifestations, physical, verbal, emotional, through text or computer messaging is unacceptable. Research is very clear about the potential emotional and psychological impact of bullying on a child.

### **Definition of bullying**

Bullying is defined as deliberately hurtful behaviour, repeated over a period of time, where it is difficult for those being bullied to defend themselves. It can take many forms but the three main types are, physical (e.g. hitting, kicking, theft), verbal (e.g. name calling, racist remarks) or indirect (e.g. spreading rumours, excluding someone from special groups).

Single incidents of verbal or physical attack and behaviour which is hurtful but not intentional, must also be taken seriously and dealt with according to the principles outlined in this guidance.

These are some of the ways that children and young people have described bullying:

- being called names.
- being persistently teased or ridiculed.
- being pushed or pulled about.
- being hit or attacked .
- having possessions broken.
- deliberate destruction of personal items, such as family photographs, letters and valuables.
- having rumours spread about you.
- being ignored and left out.
- being forced to hand over money or possessions.
- being attacked because of your religion, race or colour, disability, gender or sexuality.
- being sent threatening notes, e-mails or text messages.
- gang pressure, e.g. influencing others decisions such as not attending school or appointments.
- being taken advantage of; e.g. my sweets for your watch.
- being made to run away.
- being coerced into taking alcohol or drugs.
- sexual coercion.

The effect of bullying can be made worse by the contribution of bystander/collusive behaviour. This can happen by:

- choosing to ignore or deny that a bullying incident has happened.
- witnessing an incident but supporting the bullying or refusing to report it.
- being informed that an incident has occurred but do nothing about it.
- failing to report that a young person has committed or been accused of or implicated in an incident.

## **Prevention**

Foster carers and their families have an important part to play in helping to prevent problems occurring due to bullying.

First, discourage children in your care from using bullying behaviour at home or elsewhere. Show how to resolve difficult situations without using violence or aggression.

Second, watch out for signs that the child you care for is being bullied, or is bullying others. Carers are often the first to detect symptoms of bullying. Common symptoms of bullying include:

- Headaches.
- Stomach-aches.
- Anxiety and irritability.
- Fear of walking to or from school.
- Unwilling to go to school.
- Sudden changes in routine behaviour.

- “Lost” or “damaged” personal possessions.
- Asking for increased dinner money/pocket money.
- Starting to take money/belongings from other family members.
- Running away.

It can be helpful to ask questions about progress and friends at school; how break times and lunchtimes are spent, and whether the child you care for is facing problems or difficulties at school. Do not dismiss negative signs.

### **General considerations**

All incidents of bullying should be discussed immediately with the child's social worker. Consideration must be given to:

- Where did the bullying incident take place? If the child you care for is being bullied/bullying at school, ask to see the school's anti-bullying policy. Each school must have an anti-bullying policy, which sets out how to deal with incidents of bullying. You have a right to know about this policy.
- Dependent on the situation and who is involved, who is the best person to deal with the situation? e.g. is it the foster carer, parent, social worker, advocate, other?
- Does the child/young person wish to discuss the matter with someone other than the foster carer, parent or social worker?
- How is the child/young person going to be supported and given possible advice on how to handle the situation?
- Is it necessary to involve other professionals?

### **When a child you care for has been bullied**

If the child you care for tells you that they are being bullied:

- Calmly talk to the child about it.
- Reassure the child that they have done the right thing in telling you about the bullying.
- All incidents of bullying should be formally recorded using the Foster Carers Diary and a copy passed to the child's social worker as soon as possible.
- Make a note of what the child says – particularly who was said to be involved; how often the bullying has occurred; where it happened and what has happened (Use your Diary for this, accurate records are important).
- Explain that any further incidents that occur should be reported immediately. If the bullying occurs at school the child should report it to a teacher immediately.
- Make sure that the child's social worker is informed of the situation.
- In some cases counselling for the child or young person may be seen as helpful. Refer to the child's social worker for advice.
- Teaching the child/young person assertiveness skills and having the right to say no.
- Monitor the situation and check with the child whether the bullying has stopped.

## **If the child you care for is accused of bullying**

People bully for lots of reasons. It could be as a result of:

- Family problems.
- Having been bullied themselves.
- Being abused.
- Feeling unimportant.
- Needing to gain acceptance.
- Copying others e.g. hearing other people being called names.
- Wanting to belong to a particular group or gang.
- Being selfish and always wanting to get their own way.
- Not understanding that bullying is wrong.
- Not having learned other, better ways of mixing with their friends/peers.
- Being encouraged to be a bully by their friends/peers.
- Going through a difficult time and they are acting out aggressive feelings.

All forms of bullying should be challenged immediately. Discuss with your supervising social worker and the child's social worker how the situation can best be dealt with.

- It is important to try and work out with the child/young person why they are bullying and how to make things better for them.
- The child/young person should be encouraged to apologise to the victim of the bullying and helped to think of ways of making things better.
- Consider anger management techniques.
- Consider direct work as appropriate.
- The child/young person should be encouraged to consider responses and other ways of behaving where they will not feel like they are losing face.
- Any repeated incidents of bullying and how they have been dealt with should be recorded by both the foster carer(s) and the social worker and kept under review until everyone including the child feel that this is no longer a cause for concern. This decision must be made in Care Planning/Review meetings.
- If an action plan in any instance does not work, a new plan must be agreed at a Care Planning/Review meeting.

Children who have been bullied and/or those children who are bullying others must be offered help from other professionals e.g. advocate, counsellor, social worker, teacher, health professional.



## CHAPTER 9

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### **RACE, CULTURE, RELIGION AND LINGUISTIC BACKGROUND**

It is vital that children and young people in your care develop their own worth and pride as well as respect for their own families and are given role models, which reinforce the positive qualities of their own families and culture. A child's cultural and religious background is an integral part of his or her identity and maintaining a sense of identity is vital to a child's proper social and emotional development. It follows, therefore, that it is good practice that other things being equal and in the great majority of cases, placement with a family of similar ethnic origin and religion is most likely to meet a child's needs as fully as possible.

Obviously, there will be some occasions when placement with a family of different ethnic origin or religious beliefs is the best choice for a particular child. The decision to place a child in a particular family depends on so many factors that some criteria may outweigh others. In these circumstances, however, it is important that foster carers sensitise themselves to the racial, cultural and religious origins of the child and do their best to reinforce these in daily living.

Carers' own religious or cultural beliefs should not be enforced upon the child and therefore attendance at Church etc should be discussed with those with parental responsibility at the time of placement.

## CHAPTER 10

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### HEALTH

A child/young person living in a healthy care environment is entitled to: -

Be healthy  
Stay safe  
Enjoy and achieve  
Make a positive contribution  
Achieve economic wellbeing

You may think this is not about health but all these things contribute to happy healthy children and young people.

To help young people stay healthy, carers need to ensure children attend for a health assessment. Carers also need to ensure that children attend hospital appointments, are always registered with a GP, and a dentist and always have access to them both.

**The local authority has a responsibility for the health assessment to take place before a placement occurs, where this is practical, unless an assessment has been carried out in the last three months. Children under two are seen every six months and yearly thereafter. In the case of an emergency placement, the authority should arrange for the health assessment as soon as possible.**

Teenagers are often not very keen on what used to be seen as a medical, but it is important to have a discussion about their needs with a health professional at the very least annually. This discussion can sometimes be with a nurse rather than a doctor. It means we can begin to empower young people to start to take responsibility for their own health needs. This always needs to be age appropriate and would usually mean from about 13 onwards depending on the maturity of the young person. It can help them to become aware of the range of different services available to them. They may not always want to talk to their carer or social worker about health related issues.

**Two-thirds of all Looked After children were reported to have at least one physical complaint. The most commonly reported physical complaints were: eye and/or sight problems, speech or language problems, bed-wetting, difficulty in coordination and asthma (Meltzer and others 2003, Williams and others 2001). A longitudinal study (this is a study of long duration) showed 52 per cent of Looked After children had a physical or health condition that required outpatient treatment (Skuse and others 2001).**

This really underlines why the health assessment is so important for children and young people who are Looked After.

The aim is for each child/young person to have:

Healthy skin and hair

Developmental milestones that are monitored

Sensitive health and dental assessments

Prompt treatment when necessary

Access to sexual health and relationships education

Participating in physical activities

A home environment that promotes physical wellbeing and healthy diet.

## **SELF ESTEEM, SEXUALITY AND HEALTHY RELATIONSHIPS**

Young people in care may have low self-esteem and it is important to reinforce positive behaviour rather than focusing on negative activity. Positive reinforcement really works when it is frequently repeated. Part of growing up is finding out about your feelings and sometimes young people have crushes on an older person such as a teacher or bus driver. But we need to remember it is always inappropriate for an adult to take advantage of this by suggesting a sexual relationship and all carers need to be clear about these boundaries. We all need to have boundaries in place.

Sexual relationships also bring with them the risk of pregnancy and sexually transmitted infections, so it is important to seek help and advice before the event if possible. If this has not been possible it is still important to get advice from the services available. Unless a condom is used every time by a young person, there is a risk of catching HIV when a young person is engaging in a sexual relationship.

Sex Education may be provided in the school setting but young people need to have other opportunities to discuss this topic and it may not always be with the carer. Appropriate TV programmes can be a 'springboard' into discussion.

## **CATCHING AIDS**

Remember you can't catch sexual transmitted infections or HIV from:

Hugging

Kissing

Touching

Sharing a drink

Using the same toilet seat

Swimming pools

Cups, knives and forks

Being close to a person who is HIV positive or who has AIDS, or another sexually transmitted infection

## **Taken from Who Cares? about health 2006**

### **UNIVERSAL PRECAUTIONS**

Universal precautions means treating everyone (including yourself) as a possible source of infection.

Cover cuts on hands

Wash hands before and after first aid procedures

Use disposable gloves for first aid

Use rubber gloves for heavy soiled material

No sharing of toothbrushes, razors, etc

### **HEALTH INFORMATION FOR THE CHILD OR YOUNG PERSON -THE RED BOOK**

All children are given a health record book from birth; this is commonly called the Red Book. It contains health information about the individual child such as developmental assessments, immunisations and any health concerns and ensures continuity of medical information for the parent, carer, and the health professionals. The book should follow the child/young person through moves in placement including returns to home and be kept up to date.

### **HEALTH PROFESSIONALS**

Once a child is registered with a GP they are allocated a health visitor. It is important to make them aware that a child or children that are Looked After are now living with you. They can advise you on all aspects of health care such as feeding advice or sign post you to another agency if that is relevant. Many of you will already have children but you need to be aware of the current guidance particularly around infant feeding.

Once at school, all school children have a school nurse. The allocated school will tell you who they are and how they can be contacted. Remember if you do not contact them, they will not be aware that you may need advice.

### **THE IMPORTANCE OF PLANS AND SEEKING MEDICAL HELP**

#### **The Placement Plan**

In the Placement Information Record there is a section that is signed by either the parents or the Team Manager giving foster carers limited agreement to access medical advice and treatment for the child.

Foster carers must always notify the Department immediately of any serious illness or treatment required. Parents also need to be kept informed of their child's health and social workers are overall responsible for passing on this information in consultation with the individual foster carers and parents.

Young people under sixteen who are able to fully understand what is proposed and its implications are competent to consent to medical treatment regardless of age. See Fraser Ruling often termed 'Gillick Competence'. The more serious the medical procedure proposed, a corresponding better grasp of the implications is required. If a young person is not 'Gillick Competent', consent from a parent or carer with parental responsibility is necessary.

### **TAKING A CHILD OFF THE ISLAND**

If you are taking a child in your care off the Island for more than a day trip you will need a letter signed by the team leader. This gives you permission as the approved carer to take the child to the mainland.

If as a carer you are taking a child or children abroad you will need written permission from the Director of Children's Services.

## USEFUL CONTACT NUMBERS, ADDRESSES AND WEB SITES

### NHS Direct: 24 hour. 365 Days a Year Service

0845 46 47

This is a nurse led telephone service that can advise on all aspects of health care across the age spectrum. However if you need treatment from a GP out of hours you will need to ring your own doctors surgery on the Isle of Wight and not NHS Direct.

[www.nhsdirect.nhs.uk](http://www.nhsdirect.nhs.uk)

### Emergency Contraception

Emergency contraception is available from sexual health and contraceptive clinics listed below. Most Island GP's and pharmacists also provide sexual health advice and contraception.

### Always check if emergency contraception is free at pharmacists.

Best to telephone the following places first before attending;

Boots Pharmacy (all branches)

Newport 01983 522595

Tesco's Pharmacy, Ryde 0845 677 9586

### 24-Hour Emergency Contraception

St Mary's Hospital Maternity Unit 01983 534392

It is advisable to ring first as there may be a waiting time.

### Family Planning Services

St Mary's Family Planning Clinic 01983 534202

Monday 14.00 – 19.30 Hrs

You will need to ring for an appointment.

### Connexions

29 High Street

Newport

01983 527565

Drop in, pregnancy testing, and free condoms.

Monday 9.30-16.30 Hrs

Tuesday 9.30-16.30 Hrs

Wednesday 9.30-16.30 Hrs

Thursday 9.30-16.30 Hrs

Friday 9.39-16.30 Hrs

Saturday 10-13.00 Hrs

### Youth Trust

Young People's Clinic

1 St John's Place

Newport

01983 529569

[www.greengoldfish.com](http://www.greengoldfish.com)

[email: info@iowyouthtrust.co.uk](mailto:info@iowyouthtrust.co.uk)

Drop in service providing sexual health advice, and contraception, emergency contraception, and pregnancy testing.

Doctor available Thursday 15.00 – 18.00 Hrs.

**Young Person's Clinic (GUM)**

St Mary's Hospital

01983 534202

Drop in, sexual health advice and contraception, emergency contraception, pregnancy testing.

Tuesday 13.00-14.00 Hrs

IOW College

Newport

01983 526631

These services are for students who attend the college only. Nurse led sexual health clinic, offers free condoms, emergency contraception, morning after pill, pregnancy testing and health advice.

Monday 12.00-13.00 Hrs

Wednesday 17.00-18.00 Hrs

Thursday 12.00-13.00 Hrs

01983 753433

Best to telephone first.

**Family Information Zone (FIZ)**

11 Orchard Street

Newport

01983 821999

The Family Information Zone provides independent information and guidance on children's and young people's services on the Isle of Wight.

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

**Health Advice on Emotional Wellbeing**

[www.rcpsych.ac.uk](http://www.rcpsych.ac.uk)

This is an excellent web site with printable leaflets giving advice about a range of health issues.

[www.youthinformation.com/health](http://www.youthinformation.com/health)

A general website giving information on all aspects of health.

[www.mindbodysoul.gov.uk](http://www.mindbodysoul.gov.uk)

A general health website for young people age 15yrs and above.

## CHAPTER 11

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### CHILDREN, THE POLICE AND THE COURT

#### COURT HEARINGS

Foster carers are increasingly called to give evidence in proceedings involving children. They may be called by the applicant (usually the local authority), the child (through his or her solicitor), or the parents. Typically, it is the local authority, which calls foster carers as witnesses. If you are requested by either the child's solicitor or the parents' solicitor to be a witness, you should refer them to the local authority solicitor.

If you are being called as a witness, the solicitor involved should help prepare your evidence. This is usually done in the form of a witness statement or affidavit. This contains all the information that you are able to give in evidence. You should have a copy of this statement. You cannot always read from it in Court but you will have a copy of it in front of you and you may be directed to read part of it before a question is asked. You may be asked to comment on a child's behaviour throughout the placement or to comment on contact visits. It is vital, therefore, to keep a diary or make written notes about each child in your care, as certain events may be of significance. Your evidence will carry far more weight if it is recorded at the time of any incident.

The Court hearing in care proceedings is not an attempt to apportion blame or find guilt, but is an inquiry into the welfare of the child. The magistrates or judge, who know nothing about the child will want to hear about all relevant past background and will want to know what each party thinks are the best plans for this child's future. The commonest example is of foster carers as witness for the Local Authority. In this situation you should know exactly what questions will be put to you by the Local Authority as you will already have prepared a witness statement together. What you will not know is the questions the other solicitors will ask but they should only relate to what you have actually seen and heard. You are not there to prove the case, only to provide another piece of the jig-saw for the magistrates. Your evidence will normally only cover all aspects of the child's behaviour when in your care or any disclosure that a child may have made to you. It may contain statements of what the child or parents have told you. You may be asked for an opinion, perhaps about the health and safety of the child if rehabilitation to parents were to take place. There is nothing to prevent you giving such an opinion but be prepared for questions seeking clear information to support your statements. 'Gut feelings' are not good enough. Do not be frightened to say, "I don't know", "I'm not sure" or "I don't feel qualified to answer this".

Children may not normally appear in the Family Proceedings Court but their interests are protected by a Children's Guardian. These officers of the court may wish to meet with you and/or the child through liaison with the social worker.



Court is an anxious time for everyone and most people feel nervous about giving evidence in Court. Discuss your fears and concerns with the child's social worker or your support worker who may be able to offer advice or practical suggestions. Try to remember that

you are there to ensure that the best interests of the child are met and you are not on trial. The Barristers are not being personal towards you, they are only acting on instructions from their clients and may differ from what you think is best for the child. But it is the Magistrate's/Judge's decision, not yours or the Barrister's that counts.

### **CRIMINAL PROCEEDINGS - when your foster child has been charged with an offence**

If the police believe a child aged 10 or over has committed a criminal offence, the police may interview the child. If the child admits the offence, the police, subject to the seriousness of the offence, may either give the child a 'police reprimand' or a 'final warning' or, if the offence is very serious, they may automatically commence proceedings to prosecute. These options are only available to the police providing there have not been any previous reprimands or warnings in the preceding two years although one reprimand may be acceptable. If the child does not admit the offence the police will probably prosecute although, if the alleged offence is relatively trivial and/or they have little evidence, they may take the matter no further. The police retain an element of discretion in all of these decisions.

The Court is held in private and only people who are involved in the case are allowed in. The Court requires the child's parents to attend and discussions should be held about whether or not the foster carer should attend. It is always advisable for a child to be legally represented. The child's social worker should organise this.

The Court must take into account the child's background and usually asks for a report to be prepared and this is called a pre-sentence report. This will be prepared by a member of the Youth Offending Team (YOT). The Court may also ask for the foster carer's opinions or that of the parents. There may also be other types of report requested which the social workers should discuss with you in liaison with the Youth Justice Officer preparing the reports. Foster carers are not responsible for payment of fines in the same way as the child's own parents would be.

### **POLICE**

It is anticipated that foster carers will have contacts with the police particularly those foster carers who work with the older adolescents. There are some general guidelines to help foster carers in their dealings with the police.

- a) It is important that foster carers notify the social worker or any out of hours support worker of any contacts with the police, beforehand if possible.

- b) When a young person under 17 years is interviewed by the police, an appropriate adult must be present. This appropriate adult should normally be the parent of the child. However, subject to discussion with Social Services, this may be a foster carer or a social worker. Foster carers should only be used as appropriate adults if they have had relevant training. Do not agree to do this without training.
- c) If a child or young person under 17 is arrested or charged with a criminal offence, they will either be bailed to return to the police station at a later date or to appear in Court. In this situation, it is agreed practice that no individual is asked to stand bail for a child or teenager in care, but a foster carer or social worker may be asked to sign a "release form" or "return of property form". No foster carer should be asked to stand bail.
- d) Finger printing and DNA testing of children or young people under 17 in care is now standard practice for any arrestable offence. However, the police can apply for a Court Order to fingerprint a child or young person under 17 if they believe it necessary in the course of justice. The social worker or emergency duty service must be informed as soon as possible if finger prints are requested by the police.
- e) Information held by foster carers about the children placed with them and their families is confidential and should remain so. If the police, in any line of enquiry about the child or his/her family, ask foster carers for information, it is important to be aware of this confidentiality. It is recommended that foster carers in this situation refer the police to the social worker and themselves contact the social worker straight away to seek advice and support.
- f) Children under the age of 16 should not normally be held in the police station overnight. Contact the emergency duty service if the police ask or demand to hold an under 16 year old overnight.

### **PROCEDURE WHEN A YOUNG PERSON IS ABSENT FROM THE FOSTER HOME WITHOUT PERMISSION**

If a young person is unexpectedly missing or they are vulnerable due to their age, learning difficulty or other specific problem (e.g., reliance on medication) or at risk of exploitation or abuse, the Missing Person Risk Assessment Form should indicate the course of action to be taken, otherwise the carer should contact the Fostering Service Out of Hours Service. If the Fostering Service Out of Hours worker is not available, contact Wightcare (821105) and discuss with the Filtering Officer who will advise. It may be necessary to report the young person as missing to Isle of Wight police control (0845 045 45 45).

When reporting a missing person you will need to give the following information:

- Full name.
- Date of birth.
- Sex.
- Colour.
- Height.

- Place of birth.
- Marks, scars, tattoos.
- Other points, e.g. suffers from a physical ailment, may possess drugs, epileptic, suicidal, etc.
- Eyes - colour, glasses.
- Hair - colour, length.
- Clothing, jewellery.
- Date and time of absence.
- Circumstances in which missing.
- Address from which absent.
- Type of establishment (i.e. foster home).
- Name of person in charge (i.e. foster carer).
- Home address and any other address to which a missing person may return.
- Name and address of local authority responsible.
- Nature of care to which the young person was subject.
- Photograph if available.

## **INTER-AGENCY PROTOCOL**

### **CHILDREN MISSING FROM HOME OR FROM FOSTER CARE**

#### **Children missing from home**

After a child is reported missing to the Police from their home, when found the responding Police Officer/s will discuss with the young person the circumstances of their going missing and assess what risks they might be encountering.

**If they believe the child to be at potential risk of harm they will refer them immediately to the Referral and Assessment Team (IW 525790) during the day or the Emergency Duty Service Filtering Officer (IW 821105) outside office hours.**

If assessed as a possible child in need they may discuss this with the daytime Duty Officer or out of hours Filtering Officer or, if non-urgent, refer next working day. Consideration should also be given to the possibility of referral for local follow on services, such as mediation or counselling.

In any event the responding Police Officer/s will complete a CYP/R (Child or Young Person at Risk) Form and send it to the Referral & Assessment Team next working day.

The responding Police Officer will also offer the Child / Young Person (before returning them home) the opportunity to speak with a social worker and liaise with the Referral & Assessment Team or Filtering Officer accordingly.

## **Children missing from foster care**

During office hours, foster carers should report, to the child's social worker or their manager, the absence of any child in their care whose whereabouts are unknown. A decision should then be made as to whether they should be reported missing (see below).

It is recognised that most incidents of suspected 'missing' status will occur outside office hours and may be linked to a potential breakdown in the placement. Thus, this protocol focuses mainly on this possibility.

## **CONTACT BETWEEN FOSTER CARERS AND EMERGENCY DUTY SERVICE (EDS)**

This protocol applies to all IW Registered foster carers and the children and young people placed with them by the child's 'daytime' social worker. If a placement is made in an emergency prior to Swift recording being possible, the social worker should inform the EDS Filtering Officer via Wightcare.

There are two principal reasons for foster carers to have contact with the Emergency Duty Service (previously known as the Out of Hours Service): immediate threat of placement break down or the young person being missing.

It should be common practice for the placing social worker to explore, with the foster carer, family etc., as part of the Placement Planning, the possibility of either of these situations coming about and to agree Contingency Plans to deal with them. A separate Risk Assessment form exists for the analysis of possible absence from the placement (attached) and should be kept with the child / young person's LAC file.

These plans should also be recorded on Swift by the social worker and put in place clear action plans for support of the placement that will be triggered by the foster carer out of hours.

These plans should also meet the criteria of the Memorandum of Understanding with the Police, regarding missing Looked After Children, see categories A & B below.

## **Foster Care Support**

Any other situation may not be seen as an emergency but the foster carer wishes to discuss their responses to it or explore any concerns they might have about the effects on the home or family. The foster carer should contact the Fostering Services social worker directly. This social worker can also act as an advocate for the foster carer with the Emergency Duty Service staff, if this becomes necessary.

Support from Fostering Services on **07970 009 824** is available at any time.

## **MISSING CHILDREN/YOUNG PEOPLE.**

These fall into two main categories:

### **1. EMERGENCIES**

A child or young person is unexpectedly missing OR they are vulnerable due to their age, learning disability or other specific problem (e.g. reliance on medication) or being at risk of exploitation or abuse (see Risk Assessment). In this case the foster carer should liaise, via Wightcare, **821105**, with the Filtering Officer and agree on a course of action to reduce any risk and stabilise the emergency. This will usually include a Missing Person report by the foster carer to the Police. When found, the responding Police Officer will offer the child/young person (before returning them to the placement) the opportunity to speak with a social worker and liaise with the Filtering Officer accordingly. In any event, the responding Police Officer/s will complete a CYP/R Form and send it to the Referral & Assessment Team.

### **2. PREDICTABLE ABSCONDING**

A young person is regularly late returning home/absent without permission in order to be with friends (e.g. if they have peers in another area of the Isle of Wight) and there are no concerns that they are at any additional risk to that of any other young person.

There is no need to report the young person missing to the Police unless this is dictated by the plan. They should always keep a log of such incidents and report them to the young person's social worker, or their manager, the next working day. (N.B. Nomination of this category should be discussed with parents in advance).

If the foster carer becomes aware of an increase in risk factors related to child's/young person's absence or if there is **any** doubt about any circumstances that may affect their welfare, FC's should not hesitate to share these concerns with the FS duty SW, in the first instance or with the EDS Filtering Officer directly, if urgent.

**N.B.** The designation of 'At Risk – Missing' should not be used by the foster carer or the child's social worker as a means of 'erring on the side of caution' or to attempt to impose boundaries. This risks wasting the time of the Police and Emergency Service and undermining the placement when a more considered planned approach to dealing with regular absence from placement would be more appropriate.

## **OTHER ARRANGEMENTS**

The Emergency category, requiring contact with the EDS, would also apply to placements at risk of immediate disruption. An Emergency Duty Officer may be called in by the Filtering Officer to counsel and support the young person to return to or remain at their Foster Placement or help with the implementation of any emergency plan, perhaps in liaison with the Fostering Service Out of Hours team member.

Foster carers should be aware that if they wish to formally log an event at the time (e.g. an absent child returning), but do not need to speak to anyone; any call they make to Wightcare is recorded and thus contemporaneously logged. They should, however, still speak to the child's social worker the next working day. The Fostering Service support worker and/or the child's social worker will provide follow-up advice and support and decide if further action is required to stabilise the placement.

## **DATA COLLECTION**

There is a statutory requirement that details should be kept of the number of times a child or young person is reported missing from public care. Please use the attached pro-forma for each child and place it in the child's Foster Care file as well informing the child's social worker the next working day.

## **DEATH IN FOSTER CARE**

If a child/young person dies whilst in foster care, you should immediately contact the social worker/team leader or Out of Hours Service.

Obviously this would be done after the appropriate medical personnel had been called.

## CHAPTER 12

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### ALLEGATIONS AGAINST FOSTER CARERS

**The procedures below come directly from the Area Child Protection format - hence the official language**

#### INFORMAL CONCERNS

*During the course of the placement there may well be minor concerns that arise. A 'concern' relates to any aspect of the care or poor practice by the Health Authority. The child's social worker should deal with these, at the time they arise, directly with the foster carer. The Fostering Service support worker should always be advised and will be involved in a three-way meeting, if necessary. The issues should be recorded as 'informal concerns' on the 'significant events' sheet. They should be noted as having been raised and dealt with on the child's file.*

- a) When the concern is received directly by a field social worker or a Fostering Service support worker, the worker should record all the information accurately and ask for any clarification at the time the concern is raised. With indirect referrals, the referrer should be contacted for information/clarification if required.
- b) Within 24 hours of receiving the concern the child's social worker and the Fostering Service support worker should discuss the issue(s) with their respective team managers who will agree at what level the complaint will be managed up. The Fostering Service Manager will log the concern.
- c) Within three working days the Fostering Service Manager will acknowledge the concern to the referrer, in writing.
- d) If you are subject to an investigation, an independent advocate can be appointed. The Fostering Service Manager will discuss the matter with the Fieldwork Manager and Service Manager and agree on a course of action. If a concern is raised then the Children's Directorate has a responsibility to decide how this is addressed.
- e) If appropriate the child should be interviewed, separate from the carers to seek their views.
- f) If the carers are CAS providers or registered with the Early Years Unit, the Fostering Service social worker should notify the relevant team that a concern has been raised, with details if appropriate.
- g) Within 28 days the Fostering Service Manager should inform the referrer in writing of the outcome, within the constraints of confidentiality. The referrer will be advised to contact the Fostering Service Manager if unhappy with the outcome.

- h) Within 28 days the Fostering Service Manager should write to the carers confirming the outcome and any actions required by the Directorate. Carers should be informed of any reports to the Panel that are required.
- i) The Fostering Service support worker should record the concern fully together with the outcome on the carer's file, including completing the Significant Events sheet.

*If there are any disagreements, at any stage, between the fieldwork and Fostering Service reference should be made to the Service Manager.*

**STAGE 1 IS A COMPLAINT ABOUT INAPPROPRIATE PUNISHMENT OR SERIOUS CONCERN ABOUT THE STANDARDS OF CARE OR PROFESSIONAL CONDUCT.**

- j) When the complaint is received directly by either a field social worker or a Fostering Service support worker, the worker should record all the information accurately and ask for any clarification at the time the complaint is made. A logging sheet should be completed.

Consideration should be given to whether the criteria for Child Protection Procedures have been raised.

- k) Within three working days the Fostering Service Manager should acknowledge the complaint in writing and log the complaint.
- l) The fieldwork and Fostering Service managers, in discussion with the Service Manager, will agree that the complaint constitutes a Stage 2 complaint. Decisions as to which independent staff at a Team Manager or Service Manager quality level should most appropriately visit the carers, whether the child needs to be seen alone and the time scale to be worked to.
- m) If the carers are CAS providers or registered with the Early Years Unit the Fostering Service support worker should notify the relevant team that a complaint has been made, with details if relevant, as soon as is possible.
- n) The identified manager will visit the carers as soon as is practicable to inform them of the complaint and to seek the carers' views and explanation for the substance of the complaint. A written copy of the complaint should be given to the carers. The carers should be advised of their rights and access to support/counselling throughout the process. They should be advised that a report could be presented to Panel, who may wish to review their registration.
- o) The child's social worker should inform the parents, unless there is clear justification for not doing so, which should be recorded in the confidential section of the child's file.
- p) Clear recordings should be kept throughout the enquiry process. The field social worker should maintain the child's file and the Fostering Service support worker, the carer's file.



- q) When the enquiries are completed a meeting involving the workers involved in the enquiries their Team Managers and the Service Manager will be called to seek agreement regarding the outcome or decide to progress this Stage1 to a Stage 2 complaint.

### **COMPLAINT WHICH IS SUBSTANTIATED OR UNSUBSTANTIATED**

- a) When all are satisfied that the complaint is substantiated or unsubstantiated, it will be the investigating Team Manager or Service Manager who will compile a complaints report. The investigating manager will write to the complainant, parents and carers informing them of the outcome within 28 days.
- b) The letter to the foster carers should include a clear statement of the recommendations to the Panel regarding the future registration of the foster carers and any actions or follow up required by the Directorate.
- c) The agreed solutions/outcome should be recorded on both the child's and foster carer's file. A report on the outcome and recommendations for further use (including placement history and the carer's views about the outcome of the complaint and wishes for the future) should be taken to the next available Fostering Panel. Following the Panel meeting the Chair will write to the carers with the Agency decision.

### **COMPLAINTS WHICH ARE UNRESOLVED**

- a) The Service Manager should jointly decide whether the complaint should be investigate under IW LSCB procedures. The decision should be recorded by the Service Manager on both the child and the foster carer's file.
- b) A report on the outcome and recommendations for further use (incl. placement history and the carer's views re: the outcome of the complaint and wishes for the future) should be taken to the next available Fostering Panel by the Fostering Service support worker. Following the Panel meeting the Chair will write to the carers with the Agency decision.

*If there are disagreements, at any stage, between the team managers, reference should be made to the Service Manager.*

**STAGE 2 COMPLAINT RELATES TO EITHER PRESENT OR PAST ABUSE, OR POTENTIAL ABUSE OR NEGLECT BY THE FOSTER CARERS OR MEMBERS OF THE FAMILY.**

*There must be circumstances which would trigger a Section 47 CA '89 under the IW LSCB procedures. This also includes a situation where the child is no longer in placement in which the alleged abuse occurred but where the carers are still registered.*

**THIS GUIDANCE FOLLOWS THAT ISSUED IN THE LSCB PROCEDURES.**

- a) Any complaint received by the Directorate will be referred directly to the child's team manager who will consult with the child's social worker and the Fostering Service before making a decision whether or not the complaint constitutes a child protection referral.
- b) The child's social worker should make the usual initial enquiries and bring the information available at this stage to the discussion with the Team Manager.
- c) Any allegations/suspensions of abuse/neglect will be brought to the attention of the Service Manager by the Team Manager at the first available opportunity.
- d) Consideration needs to be given to how and when the child's parent, or anyone with parental responsibility, is to be informed and involved at each stage of the process.
- e) If the allegation warrants an enquiry under Section 47, within 24 hours the Service Manager will be asked to take responsibility for the enquiry and will appoint an appropriately independent social worker to undertake further enquiries. The normal Child Protection Procedures will now apply, with a strategy discussion arranged promptly.
- f) The Strategy meeting will consider areas outlined in the Joint Investigation Strategy Discussion Proforma:
  - Is the child safe? Plan to protect made?
  - Does the child need immediate medical treatment?
  - Is a crime alleged? Crime scene to be examined? Forensic evidence to be secured?
  - Have there been previous referrals on this child/family?
  - Have the parents/carers been informed?
  - Is one of the parents/carers a suspect?
  - When should the parents/carers be informed?
  - Have all the necessary background enquiries been made?
  - Are there likely to be any communication difficulties?
  - When and where to see the child?
  - Joint interview required?
  - Accompanying adult? Should the extended family be involved?

- Medical examination required? Consent? Emergency Protection Order/Child Assessment order?
- Staff involved from each agency?
- Who will co-ordinate the investigation and be responsible for feedback to family?

The following issues should additionally be addressed in the strategy discussion:

- Fostering Service support workers must be consulted for their knowledge of the carers, of the placement details and history of previous placements.
  - The risk to other children placed and carers' birth children.
  - Define the roles and responsibilities of workers.
  - Set clear timescales and agree how carers, parents and complainants will be kept informed of the progress of the investigation.
  - Consider whether the alleged perpetrator could move out.
  - Consider whether previous foster children need to be contacted.
  - Consider the preparation and timing of moving children out of the home, having regard to how frightening this may be for children who may have previous experience of such events.
  - Particular attention should be given to the breadth of the enquiries, the child's investigation should avoid an over-narrow approach.
  - All decisions must be recorded.
- g) There will be situations where delay is inevitable, e.g. police investigations. Where delay occurs, the Service Manager must be kept fully informed and she/he in turn must inform the Head of Children's Services.
- h) In parallel with the investigation the Fostering Service support worker should support the carers and members of the household as follows:
- Ensure that the carers have an understanding the procedures relating to allegations against foster carers and a copy of them in writing.
  - Ensure that the carers understand the allegations and the steps that are being taken and how updates and outcomes will be conveyed.
  - Offer access to additional support, e.g. counselling, another support worker, legal advice through Fostering Network 24-hour help line.
  - Inform the carer of the Directorate's complaints procedure.
  - Represent the carer and their views and opinions to those responsible for the investigation.
  - Ensure the carers understand that when children have been removed from their care as a result of an allegation being made, they should - if instructed - cease all contact with the children, as much to protect themselves as the children, until the process is concluded.

- Advise carers that when children have been removed from their care, the fostering allowance will continue for a further week and then cease while enquiries continue.
- i) On completion of the investigation, the Principal Advisor/Child Protection Case Conference Chair must decide whether a Child Protection Conference is necessary. This may necessitate a further strategy discussion. The decision to call a CPC will be given the same consideration as in any child protection situations.
- j) If a decision is made to hold a Conference, the LSCB procedures should be followed. In addition, the following issues should be addressed:
- Due to the extreme sensitivity of the issues under discussion, great care must be taken in planning the format of the meeting, given the likely presence of both the carers and the parents.
  - If carers are to be invited to the CPC, they should be prepared in the same way as parents for attendance at this meeting and should be advised of the possible legal implications of their participation. This preparation should be undertaken by the Fostering Service support worker. The field social worker will share any written reports before the conference and the CPC will meet with the carers.
  - Parents should be invited unless there is good reason for exclusion for all or part of the meeting.
  - A representative of the Fostering Service should be invited to attend.
- k) Decisions to be made at the CPC can be found in the CPC procedures, in addition the following must be addressed:
- Registration, or not, of any child still in the foster home.
  - The setting up of a Child Protection Plan.
- l) The investigating social worker's team manager will clarify in writing the outcome of the investigation. The letter will advise what decision and recommendations are being forwarded to the Fostering Panel. If an allegation has been made against another adult member of the carer's household, she/he should also receive a letter explaining the outcome.
- m) Carers should receive minutes of the conference as parents would receive in the same situation, subject to any restriction on the grounds of confidentiality. In addition the Service Manager and the Fostering Service Manager should receive a copy of the minutes and any letters sent. The Fostering Service Manager should place a copy of the letter sent to the carers on the carer's file.

- n) Following the CPC, the child's social worker will ensure that the child understands the outcome as fully as possible. In the event that the young person's name is placed on the Child Protection Register, there will be a review within three months and a core group established to prepare the final protection plan. Parents, unless unaware of the allegation, should be visited and the outcome explained and confirmed in writing by the investigating social worker.

Fostering Service support worker should visit the carers as soon as possible after the investigation and the Child Protection Conference to explain the procedure of the Fostering Panel reviewing the carer's registration in light of the recommendations and decisions of CPC.

- o) The Fostering Panel will consider the carer's registration in light of the report of the allegations and events as submitted by the Fostering Service support worker, which will have been seen by the carers, and a statement from the carers if they wish to submit one. Carers will be invited to attend Panel, in line with Panel procedures.
- p) Following the Panel meeting the Chair will write to the carers with the Agency's decision.
- q) There is no appeal against the decision of the Fostering Panel. However, carers have the right to complain if procedures have not been followed. A letter of complaint should be addressed to the Complaints and User's Rights Service Manager, 46 Sea Street, Newport, Isle of Wight.

## **THE ROLE OF THE FOSTERING PANEL IN COMPLAINTS**

The Fostering Panel's role is to oversee of the actions, activities and quality of practice of registered foster carers. The Panel will receive regular reports of the number of concerns and complaints at Stage 1 and 2 being dealt with. Panel will only consider individual foster carers when the enquiries/investigation indicates that the carer's registration approval should be reviewed. As recommended by the Fostering Regulations, Panel should require an automatic review of a foster carer's registration presented to its members when there is a pattern of repeated complaints at the rate of three in any one year.

## **REPEAT OF COMPLAINTS**

Dissatisfaction with the outcome of the complaint by the complainant is the subject of progression of a complaint through the Complaint's Procedure and is taken forward by the Complaints and User's Rights Manager.

A repeat complaint that is the same complaint about the same circumstances will only be reopened if the complainant has new and specific factual information to add to the case. With no further information the submission of a repeat complaint will not be accepted and the complainant will be informed of this in writing.

## **PLACEMENTS WITH OTHER LOCAL AUTHORITIES OR VOLUNTARY/PRIVATE AGENCIES' FOSTER CARERS**

When an IW child is placed in another local authority foster home, or with a private company or other organisation, and concerns or a Stage 1 complaint is made against the agency carer, the child's social worker, with the agreement of the team manager, must ensure that the local authority or others complaints procedures are invoked and the proper vigilant enquiries/investigations are carried out. The Project Board must be informed.

If a Stage 2 allegation is made against the carers, the team manager responsible for the child, with the agreement of the Service Manager, must ensure that the relevant local authority's LSCB Procedures are invoked and followed. The Project Board must be informed.

## **RECORDING**

It is important that all informal and formal concerns and complaints are logged at the time they are received. Records should be maintained that account for enquiries, actions and decisions taken.

A report on the outcome and recommendations for further use (including placement history and the carer's views regarding the outcome of the complaint and wishes for the future should be taken to the next available Fostering Panel by the Fostering Service support worker. Following the Panel meeting the Chair will write to the carers with the Agency decision.

## **SAFE CARING**

Each child should have an individual care plan and each household should have a general safe care plan.

It is important that foster carers keep a regular record of events and feelings about anxiety-provoking or 'uncomfortable' situations and inform the child's social worker or their support worker. Here are some ideas about making your family 'safe'.

- Be aware of everyone's need for personal space
- Trust your judgement
- Give appropriate information
- Respectful communication, no ridiculing
- Respect for privacy in own rooms

- Children do not observe sexual activity between adults
- Adults do not indulge in seductive behaviour/have sex with children/young people
- Do not touch each other's private parts
- The knowledge that what you say is important.

The following are key points that you should consider including in your family's safe-caring policy:

Rules about when going/who goes into bedrooms, i.e.

- doors shut when in bed or after gone to bed
- do not enter bedrooms without permission
- be aware of protocol about sharing bedrooms
- children do not get into an adult's or other's bed
- foster carers do not get into a child's bed
- no locks on bedroom doors (fire risk) but lock on bathroom

NB: If property needs to be protected and locked away in bedroom then a hasp should be fitted with a padlock outside so that people are unable to enter during the day, but the door should not be locked if person is inside.

- Consideration about transport, i.e. males avoiding driving alone with foster child
- Consideration about carers being alone with children, i.e. if you go camping, take a friend.
- Appropriate ways to show affection.
- Videos - make sure they are age-appropriate.
- Photographs/videos - get parents' permission if child accommodated, ask social worker if child on court order.
- Do not have photos displayed in public areas once the child has left.
- Personal care (particularly for children with disability), i.e. who, how, when, must be discussed with social workers and parents.
- Ways of managing sexualised behaviour.
- Consideration of, and protection of, animals.
- Use of diary.
- Carers should ask for written information about any past abuse including perceived implications for children and grandchildren visiting the home.
- It is your responsibility to understand the implications of the information and seek any clarification on the detail of what safe caring strategies need to be implemented.

Finally, it is important that you are aware of your own and your partner's strengths and weaknesses. Talk to your support worker about behaviour that is causing you a problem, be aware of your family's emotional needs and do not overstretch yourself.

## CORPORAL PUNISHMENT

As carers you will have signed an undertaking not to administer corporal punishment to foster children in your care. Under the Children Act 1989, the undertaking not to do so is included in the agreement which you are required to sign before you can begin the fostering task. The Act is quite clear that *"corporal punishment should be taken to cover any application of force as punishment, including slapping, pinching, squeezing, shaking, throwing missiles and rough handling. It would also include punching or pushing in the heat of the moment in response to violence from young people. It does not prevent a person taking necessary physical action where any other course of action would be likely to fail, to avert an immediate danger of personal injury to the child or another person, or to avoid immediate danger to property. It is well established that the enjoyment of eating and drinking is fundamental to a child's healthy physical and emotional development. Meal times are an important social occasion in the life of a child and it would be quite inappropriate for a child to be refused meals. Deprivation of food and drink should be taken to include the denial of access to the amounts and range of foods and drink normally available to children in the home but would not include instances where specific food or drinks have to be withheld from a child on medical advice. Similarly, restriction of contact, i.e. visits to and from the family and friends, should not be used as a punishment."*

Grounding, if it is used, must not interfere with our duty to promote contact with family or friends. It must also not interfere with any structured school activities the child/young person is involved in. Carers cannot withhold pocket money from a foster child/young person unless this has been agreed with the social worker as an appropriate sanction. Any monies withheld must be put into a bank account and returned to the child/young person when the placement ends, or annually if a long-term placement. No more than 25% of the weekly pocket money should be withheld. Deducting an agreed amount from pocket money to compensate for deliberate damage or breakage should be discussed with the child/young person's social worker and your support worker.

Whether or not you believe that smacking your own children is okay, there are very good reasons for you not to smack children who are fostered with you. You may not know all the details of the child's history and therefore, can have no idea of what physical punishment may represent for him/her. You may purely be feeding into what the child expects from life (i.e. violence, deprivation) rather than achieving any kind of discipline. You are making yourselves vulnerable to allegations and it is also worth thinking about the thin line that divides "reasonable punishment" and "cruel abuse". One final thought is this, if your children were being looked after by someone else would you want that person to smack your child?



Our message on managing difficult behaviour would be, talk to your support worker or the child's social worker if you are finding it is causing you problems. We want to know before things get out of hand and certainly whilst there is still time to salvage some good from your relationship with the child.

### **ACCEPTABLE MEASURES OF DISCIPLINE, CONTROL AND RESTRAINT**

[from FOSTERING SERVICE REGULATIONS - PROCEDURAL MANUAL]

When a young person is placed in a foster home, consideration should be given to the types of behaviour s/he is likely to present, to each member of the household and agreement given to acceptable measures of discipline.

It is important that a foster carer is not left on his/her own to determine the most appropriate form of discipline or sanction to be used. Sanctions that may be quite appropriate for children within the carer's own family may be experienced as frightening or even abusive to a child from another family.

When the behaviour presented by the foster child is likely to put that child or a member of the foster family at risk, the social worker and carer together should seek guidance from the Team Manager. It should be set out in writing what forms of control or restraint are acceptable for the carer to use and endorsed by the Directorate. Wherever possible the parent will be fully involved in the making of these decisions. The carer will inform the social worker when restraint has been used.

Should a carer use any method of restraint on a young person fostered with them, without prior agreement, they should contact the Directorate immediately afterwards when it is safe to do so and pass on the circumstances and details of what occurred, either during working hours or out of hours. Full details of the incident should be recorded in the diary by the foster carer. Reporting and recording the information is essential. It serves to protect the carer should the young person report the incident himself or herself either the time or in the future.

### **NAME CHANGE**

If a child placed with you wishes to use your surname, the social worker will need to obtain permission from all those with parental responsibility. This permission needs to be in writing. It would need to be carefully considered by all parties and would not be considered in placements other than those deemed to be permanent.

With regard to allegations of physical abuse, it is important to remember that all small children fall and hurt themselves and some collect a large number of bruises that may be difficult to explain later. The practice of keeping a diary which also records accidents, fights and squabbles which result in cuts or bumps may go some way to providing answers should questions be raised.

Whilst foster carers may not expect allegations of abusing children to be made against them, it is vitally important that they acknowledge that such a possibility does exist. Only then will foster carers be in a position to build safeguards into their fostering practice, which will help to minimise the inevitable trauma, which must accompany such accusations.

## **BEDROOMS**

- Any child over the age of 1 year should not sleep in his/her carer's bedroom.
- Any child aged 2 years and over should not share a bedroom with a child of the opposite gender who is unrelated.
- All children over the age of 2 years, where it has been known or suspected they have been involved in sexually related incidents, should not share a bedroom.

## **VISITORS TO CARERS' HOMES**

- When members of the carer's extended family or well-known close family friends visit the foster home for a holiday, i.e. no longer than three weeks, it is not necessary for the visitors to be police checked. The foster carer will need to feel certain that they are prepared to take full responsibility for the visitor's behaviour in relation to any young person fostered in the home.
- Any friend or family member over 18 remaining in the home for longer than three weeks will need to be police checked and interviewed by the Fostering Service support worker who will need to support the visitor remaining in the home.
- Before any full-time lodgers move into the home police checks and an interview with the support worker will need to take place.
- It is not acceptable for foster carers to provide bed and breakfast accommodation to unknown visitors. The nature of bed and breakfast is usually last minute and does not always allow for police checks to be sought. We are also aware that police checks do not always indicate unsafe people. It is felt that the risk involved in inviting unknown people into the home when foster children are staying is an unacceptable risk.
- It is unlikely that agreement will be given for visitors who have been police checked, but are unknown to the carer to stay in the foster home while children or young people are in placement. The needs of most of the young people with the Looked After system are such that it is not in their best interests to have strangers coming into the foster home when suitable preparation cannot take place. Should this situation arise, a final decision will be given by the child's social worker after consultation between the Fostering Service Manager and the team manager of the young person in placement.
- Where carers are seeking to take foreign students in the summer it is necessary for the social worker of the child in placement to approve the period of stay, having consulted with the young person in placement. The carer would need to undertake responsibility for the safety of the fostered young person for the duration of the stay.

## **PROCEDURES ON OVERNIGHT STAYS WITH FRIENDS FOR YOUNG PEOPLE LOOKED AFTER BY THE AUTHORITY**

### **LEGAL FRAMEWORK**

Whenever a young person is looked after by the local authority, the authority has a duty to promote and safeguard the welfare of that person [CA89 S22]. This is the overriding legal principle, which must inform all decision-making in respect of any young person.

In terms of overnight stays, there is no specific legal framework and it appears that authorities operate different regimes. These reflect a level of basic 'checks' approximating the absolute minimum standards required of an immediate placement made under Regulation 38 of the Fostering Services Regulations 2002.

The Children Act 1989 recognises that once young people reach 16 years of age, they have the right to exercise greater control over their future and that decision-making in respect of young people can be delegated to foster carers and shared with parents. Policy needs to reflect these principles.

### **PROCEDURE**

#### **Parental consent**

In all cases the young person's plan must clearly state the arrangements for allowing a young person to stay away from their carers and the extent to which decision-making is delegated.

If the young person is accommodated under Section 20 of the Children Act 1989, consent to overnight stays is most appropriately given by the parent. This can be:

- a) delegated to the Department for all occasions
- b) requested on each occasion
- a) given for specific named individuals in advance (e.g. for a friend known to the parent for some time)

In all cases the consent must be given in writing (this can include parental signature to the young person's plan setting out the consent arrangements).

Where parental consent is forthcoming there is no requirement to obtain police checks. However, where possible the Department will check its own records in the way that a reasonable parent would use information available to make a reasoned judgement.

If the Department considers the withholding of consent is unreasonable or that the granting of consent places the young person at risk and it is not possible to renegotiate with the parent, then the Department can institute legal proceedings to obtain parental responsibility for the young person.

If the young person is subject of an Interim or Full Care Order then the local authority will have parental responsibility as well as the parent. The care plan for the young person will determine the extent to which the child's parents will exercise their parental responsibility. Although parental views should be obtained, the local authority will have the right to determine overnight stay arrangements.

If the young person is remanded to local authority accommodation, then consent should be granted as though the young person were accommodated under Section 20, subject to any conditions and expectations imposed by the court designed to minimise the risk of re-offending.

Once the young person reaches 16 years, parents are no longer able to give or withhold consent in recognition of the right of young people to take a more active role in determining their lives. However, parental views will continue to be significant in any decision-making.

All decisions and reasons for them will be recorded on the young person's file. Foster carers will be required to keep a record and to share that information with the young person's social worker.

### **Organised trips**

Where a young person wishes to stay away with a recognised organisation for young people (e.g. school, scout and guide movements) and the local authority is satisfied that the organisation has recruitment practices which will ensure the safety of young people, then consent can be given by the social worker.

If the local authority is not satisfied that the organisers of the trip have recruitment practices which will ensure the safety of young people then appropriate checks must be made before consent is given.

Advice about what constitutes acceptable practices can be obtained from the commissioning and contracting senior practitioner.

All decisions must be recorded and confirmed in writing to the provider, the young person and his/her parents.

## Agency consent

In all cases the young person's plan must clearly state the arrangements and process for allowing a young person to stay away from his/her carers.

The guiding principle is that the young person's carers will know the young person best and will know his/her friends best. This means that the carer will usually be in the best position to judge the suitability of any overnight stay. Clearly this will depend on the young person and the length of time the young person has been in that placement.

Where the granting of consent to overnight stays rests with the authority, then the young person may be allowed to stay overnight where the following applies:

- the period of stay is no more than 24 hours
- the young person is staying with a friend of similar age who is under 18 years of age
- the young person will be in the care of a responsible adult
- the young person's carer would permit the arrangement for a child of their own

A responsible adult is defined as someone over the age of 18 years or over who is deemed to have sufficient knowledge and experience of child care/parenting to be trusted with the care of someone else's child.

In deciding whether to permit the arrangement, the carer or social worker would need to consider how the arrangements are likely to meet the needs of the young person including:

- the likely behaviour of the young person
- the influence the friend and family may have
- the risk the young person may pose to others
- the risk the young person may face
- the young person's vulnerability
- the young person's own wishes and feelings
- the views of the young person's parents

The responsibility of carers is no different from what would be expected of a reasonable parent and would include in every case:

- the carer had previously met the friend
- the carer had agreed the arrangement with the friend's parent/carer
- the carer knew the name, address and telephone number of the friend's home
- the carer had been given some indication of what the young person would be doing
- the carer had ensured that any health needs would be met during the stay, including medication

- the carer had advised the responsible adult of whom to contact in the event of an emergency
- the carer, where appropriate, enquired during the stay how the young person was getting on

The granting of consent to stay overnight is designed to assist children and young people in their social development and help them lead lives similar to their peers. Carers may therefore wish to promote such arrangements, including permitting friends of the young person to stay with them. [There will be no remuneration from the Department for doing this]. However, carers should not promote such arrangements as means of respite for themselves.

If the carer had any doubt about the suitability of the arrangement, they should refer the matter to the young person's social worker. The carer will always have the right to refuse consent where they do not consider the arrangement suitable, unless overruled by the local authority.

If the arrangement for an overnight stay will exceed 24 hours or becomes, or is likely to become, a regular feature (e.g. on average, monthly), the Department will arrange for a simple assessment of the suitability of the responsible adult to take place. This will include a visit to the home and the completion of police checks. The reason for this is that children are often more vulnerable in circumstances of familiarity.

Overnight stays will not be suspended pending the outcome of an assessment and police checks (since the process is likely to take up to two months) unless the Department has grounds for suspecting that the young person may be at risk if they continued.

Irrespective of the age of the young person, the local authority will always have the final decision about the appropriateness of allowing overnight stays so long as the young person is looked after. However, as young people grow in maturity and social development, it is expected that the local authority will demonstrate appropriate flexibility, reflecting the young person's need for greater social independence.

Whenever a carer allows a young person to stay overnight the carer must notify the young person's social worker. This allows for monitoring of the patterns of overnight stays by the social worker, particularly in circumstances where the young person has had more than one previous carer.

### **Overnight stays with other young people**

No young person under 16 years of age will be allowed to stay overnight with a young person under the age of 18 years unless a responsible adult is also present. Parental consent does not affect this policy position.

Young people aged 16 or 17 years who are looked after may, in very exceptional circumstances, have overnight stays with other young people aged 16 or 17 without a responsible adult being present. Such consent can only be by a Team Manager following an assessment report by the young person's social worker.

In deciding whether the circumstances are exceptional, the following factors must be taken into account;

- the nature of the relationship between the young people and whether either young person may be at risk (physically, emotionally or sexually)
- the social and emotional development of the looked after young person and the extent to which the friendship promotes, or continues to promote, the young person's social and emotional development
- the reason for the overnight stay
- the views of the young person's parents and carers
- the circumstances of the proposed stay.

Consent will not normally be given where either young person concerned has a history of alcohol, drug or substance misuse, or a history of offending.

## **YOUNG PEOPLE PLACED WITH EXTERNAL PROVIDERS (FOSTERING OR RESIDENTIAL)**

The rules governing overnight stays for young people placed with external providers are in accordance with the above policy unless the provider operates a more restrictive policy. The external provider cannot practice its own policy (unless more restrictive) without prior written consent from the Department, which will only be granted in very exceptional circumstances.

When arranging a placement with an external provider it is the responsibility of the placing social worker to bring this policy to the attention of the provider and to ensure that the necessary arrangements are made and included in the young person's plan.

## **ACCESS TO RECORDS**

Foster carers should, if they so wish, see the information on their file, which relates specifically to them. A request to see your file has to be forwarded in writing to the Director of Social Services for a decision. Foster carers do not have the right to see information on the file belonging to the child placed with them or third party information relating to yourself as a carer.

## **DISCLOSURE OF ABUSE BY A FOSTER CHILD TO A FOSTER CARER**

When a child in your care discloses that they have been abused, carers are advised to be extremely cautious about what they say. This is because the Department and the police will consider the possibility of a criminal investigation and this will be governed by the rules of evidence. The Home Office and Department of Health have issued guidelines to people who are involved with a child who has made a disclosure. The following suggestions will be of help to you as foster carers in that situation.

- Listen to the child rather than directly question him/her.
- Never stop a child who is freely recalling significant events.
- Make a note of the discussion, taking care to record the timing, setting and people present, as well as what was said.
- Record all subsequent events up to the time of the substantive interview.

We would advise you to reassure the child, tell them they are not to blame, make sure you do not ask questions or probe the child, do not make any promises or agree to keep secrets. You will need to explain to the child that you will have to tell someone.

As soon as possible the child's social worker will need to be told. If it is out of hours, phone the Emergency Service and ask to speak to the Filtering Officer. If the decision is made to begin an investigation the child will be interviewed at the Children's Services Centre by a social worker and a police officer. There are stringent guidelines for this type of interview. It is called a 'Achieving Best Evidence Interview'. The police and social worker will have had special training in this technique. It is designed to elicit information without asking direct or leading questions. The interview will be recorded on video. If direct questions are asked, this can mean that the case will not stand up in criminal proceedings. Similarly any "coaching" of a child prior to interview can contaminate evidence. This is why the interviewers cannot visit the child prior to the Best Evidence Interview. If the non-direct interview is clearly not working, the interviewers can begin to ask more direct questions. This usually means that they will not get a criminal conviction but the information can still be used in the civil courts (i.e. for a care order).

If you are told that the child is to be interviewed at the Children's Services Centre you may be asked to attend a strategy meeting followed by the interview. Be prepared for quite a long stay, you will possibly be there for half a day.



## CHAPTER 13

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### ENDING A PLACEMENT

To qualify for a service under the Leaving Care Act 2000, a young person must either:

- Have been looked after for 13 weeks since their 14<sup>th</sup> Birthday and still being looked after on their 16<sup>th</sup> Birthday.
- Be cared for in a variety of other settings including Private Fostering.

Classification of an individual child's entitlement to a service should be sought from the child's social worker.

### PLANNED ENDINGS

These occur where the objectives of the placement have been achieved or partly achieved, or it has been decided that the objective cannot be achieved and the plan has been reviewed. Where the child goes to can include:

- A move to another placement or adoption
- Return to the child's family
- Return to the family but with continuing support
- Leaving the placement for independent life

The aim should be to achieve a planned ending to a placement with careful preparation and transition, whether back to the family, to another placement or to an adoptive placement. Foster carers have an important role to play in introductions by taking the child on visits to the new carers and receiving visits from them and by helping the new carers to understand the child's habits, routines and needs.

A child's return to his/her family may need equally careful preparation and the child and family may need support over the settling in period until the child is reintegrated into the family. A period of gradual reintroduction may be needed, depending on the length of time in the Looked After system and the extent of changes in the family. The need for continuity is equally critical at the end of a placement at the beginning. Children often return to different addresses, new babies in the family, new step-parents and step-brothers and sisters. Sometimes a child must change schools and leave behind friends and interests acquired during placement. Parents, too, need to be prepared for changes in the child's habits, interests and routines, and for the possibility of disturbed behaviour while the child is settling in.

It is sometimes appropriate for contact between foster carers and child to continue for a time through visits, telephone calls or letters. The timing of this should be built into the planned ending.

## **UNPLANNED OR DISRUPTED PLACEMENTS**

These occur for several reasons:

- The child's parent may insist on removing the child.
- The authority may consider the child to be at risk.
- Unacceptable behaviour of the child.
- Personality clashes with the foster family.
- Lack of attachment.
- A need to preserve the foster family's stability.
- Unusual family events or crises.

The authority may remove the child immediately or the foster carers ask for the child to be removed or the child insists on leaving. Where a child is accommodated by agreement with the parent under voluntary arrangements, a parent may remove the child without notice. See Chapter 4 for Emergency Orders available to prevent totally inappropriate and unplanned removals where this would be likely to cause significant harm to a child.

Placing children into new families is a risk, particularly if the children are emotionally damaged. It is inevitable that a certain number of placements will not work out. When a disruption does occur it is hard to bear and feelings need to be faced together and shared. The child will feel most of all the pain of being moved and may well blame him/herself. She/he will feel angry, scared and bewildered at what has happened. Foster families will feel hurt, guilty and confused. They may also blame themselves or feel angry towards the social worker that they blame for not providing support. Disrupted placements should be considered with the foster carer in a positive and forward looking way, without apportionment of blame, but with the aim of understanding and learning by all parties concerned.

Carers must give 28 days notice to end a placement (unless the placement is planned to be less than 28 days – when an appropriate period will be negotiated), unless there is significant risk to the child or other children within the placement. 28 days notice cannot be given until a Placement Stability Meeting has been held, unless there is a significant risk to the child or other children in placement. Failure to give 28 days notice may result in a report being submitted to the Fostering Panel. If this happens more than once in a year then the Fostering Panel may be asked to re-consider the carers registration.

### **PLACEMENT STABILITY INITIATIVE (full policy found in section 16)**

When a placement is breaking down or ends unexpectedly and in an unplanned way, a placement stability meeting will be called. This should include all the people who had some part to play in the placement and should be chaired by someone with management responsibility but not for that particular case. These meetings are not to apportion blame but to look at what everyone can learn from what has happened and how we can go forward (in the existing placement or a planned move). They can be extremely positive and constructive meetings which should be seen as helpful to all concerned, rather than a post mortem to be dreaded.

## **AFTER CARE**

The purpose of the Children (Leaving Care) Act 2000 is to improve the life chances of young people living in and leaving the Looked After system. Its main aims are to delay young people's discharge from the Looked After system until they are prepared and ready to leave, to improve the assessment, preparation and planning for leaving the Looked After system, to provide better personal support for young people after leaving accommodation or care and to improve the financial arrangements for young people leaving the Looked After system. It incorporates the key principles of the Children Act which include taking into account the views of young people, consulting with them and keeping them informed, giving due consideration to young people's race, culture, religion and linguistic background, the importance of families and working with parents, safeguarding and promoting the welfare of looked after young people and the recognition of interagency responsibility.

The legislation will apply to all children and young people aged 16 and over who have been looked after by a local authority for at least 13 weeks since their 14<sup>th</sup> birthday. These 13 weeks can be continuous or made up of separate episodes of care excluding short-term placements made by way of respite care.

Well before a young person leaves the Looked After system, a continuing care plan should be formulated with him/her. This should develop into his/her Pathway Plan, which will be pivotal to the process whereby young people map out their future, articulate their aspirations and identify goals along the way to realising their ambitions. It should look ahead as far as the young person's 21<sup>st</sup> birthday and will be in place beyond that where the young person is in a programme of education or training which takes them past that age. Positive pathway planning should involve all the potential supports that are available to young people and foster carers will have an important role to play. Young people leaving the Looked After system need to have knowledge of self-care skills, practical skills and interpersonal skills. Particular attention may also be necessary to meet the special needs of young people with learning or physical disabilities. Services for young people must take account of the lengthy process of transition from childhood to adulthood, to reflect the gradual transition of a young person from dependence to independence. The support provided should be, broadly, the support that a good parent might be expected to give.

## **THE COMBINED ACCOMMODATION SCHEME**

Under the umbrella of the Children (Leaving Care) Act 2000, we have set up the Combined Accommodation Scheme. This includes carers for young people aged 14+ where the carers are willing to support the young people until they are ready for independence, which may be beyond their 21<sup>st</sup> birthday.

The Combined Accommodation Scheme (CAS) has been set up to better meet the needs of young people, foster carers and supportive lodgings providers in the community. The CAS works in partnership with other teams in Children's Services to support young people.

The Combined Accommodation Scheme strives to provide a consistent and stable experience for young people in the community who are or have been in foster care by offering continuity of care and accommodation. To provide accommodation and support to young people (aged 16-18 years) in the community who find themselves homeless.

The Combined Accommodation Scheme aims to recruit, assess and provide ongoing support to people in the community who wish to provide foster care/supportive lodgings for young people. The CAS works in partnership with other agencies that support foster carers/supportive lodgings providers in their role, focused on the best interests of the young people. The CAS aims to improve the health, education and lifetime opportunities for these young people.

The Combined Accommodation Scheme welcomes couples, families and single people, who are able to value, respect, encourage and listen to young people and be approachable for them. The Combined Accommodation Scheme needs people who can promote young people into independence and care for them at the same time.

## CHAPTER 14

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### USEFUL TELEPHONE NUMBERS

The Fostering Network (*previously* NFCA)  
87 Blackfriars Road  
London SE1 8HA  
Tel: 020 7620 6400

Support Group for Foster Parents and link person for Isle of Wight Foster Care Association  
Tel: via The Fostering Service - 566011

British Agencies for Adoption and Fostering (BAAF)  
Skyline House  
200 Union Street  
London SE1 0LX  
Tel: 020 7593 2000

### ISLE OF WIGHT CHILDREN & YOUNG PEOPLE'S SERVICES DIRECTORATE

County Hall  
High Street  
Newport  
Tel: 821000

Social Services Centre (Ryde)  
Town Hall  
Lind Street  
Ryde  
Tel: 566011

Children's Services Centre  
Atkinson Drive  
Newport  
Tel: 525790

Emergency/Out of Hours Service  
Tel: 821105

### POLICE

All Isle of Wight Police Stations  
Tel: 0845 045 45 45

## HEALTH

St. Mary's Hospital  
Newport  
Tel: 524081

Child and Adolescent Mental Health Services  
Pyle Street Health Clinic  
Newport  
Tel: 523602

Department of Community Paediatrics  
2-4 Pyle Street  
Newport  
Tel: 821388

Cranstoun Drug Services  
71 Pyle Street  
Newport  
Tel: 825841

Island Drug and Alcohol Service  
102 Carisbrooke Road  
Newport  
Tel: 526654

Isle of Wight Youth Trust  
1 St John's Place  
Newport  
Tel: 529569

## GLOSSARY

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This glossary is reproduced by the kind permission of the Open University.

It is intended to provide relatively simple explanations of the most important terms and phrases used. There are basically three kinds of entry. First, we have included phrases given a specific meaning within the Children Act 1989 (such as 'accommodation'). These are intended to be generally useful to aid familiarisation with the new terminology. Where appropriate we have added cross-references to the Act itself; where we quote directly from the Act we use quotation marks. Secondly, we have included some legal terms, which may be unfamiliar to non-lawyers (such as 'affidavit'), in order to make the legal terminology more comprehensible. Finally, we have included terms, which have specific meanings in childcare work (such as 'assessment'), to clarify what these mean in the context in which we have used them. We have tried to be as comprehensive as practicable, without overburdening our text. You may wish to add to the glossary yourself, to make it more suited to your needs.

### **Accommodation:**

Being provided with accommodation replaces the old voluntary care concept. It refers to a service that the local authority provides to the parents of children in need, and their children. The child is not in care when s/he is being provided with accommodation; nevertheless the local authority has a number of duties towards children for whom it is providing accommodation, including the duty to discover the child's wishes regarding the provision of accommodation and to give them proper consideration.

### **Adoption:**

The total transfer of parental responsibility from the child's natural parents to the adopters.

### **Affidavit:**

A statement in writing, and on oath sworn before a person who has the authority to administer it, e.g., a solicitor.

### **Appeal:**

An appeal in care proceedings will now be heard by the High Court or, where applicable, the Court of Appeal. All parties to the proceedings will have equal rights of appeal. On hearing an appeal, the High Court can make such orders as may be necessary to give effect to its decision. [Section 94].

**Assessment:**

A complex and skilled process of gathering together and evaluating information about a child, his/her family and their circumstances. Its purpose is to determine children's needs, in order to plan for their immediate and long-term care, and decide what services and resources must be provided. Childcare assessments are usually co-ordinated by Children's Services, but depend upon teamwork with other agencies (such as education and health). Detailed information about conducting assessments in child protection cases is provided in *Protecting Children: a guide for social workers undertaking a comprehensive assessment* (Department of Health 1987).

**Authorised person:**

In relation to care and supervision proceedings, a person other than the local authority authorised by the Secretary of State to bring proceedings under section 31 of the Act. This covers the NSPCC and its officers. Elsewhere in the Act there is a reference to persons who are authorised to carry out specified functions, e.g., to enter and inspect independent schools. You should refer to the sections of the Act and the Regulations for further information on the powers of such authorised persons.

**Care order:**

An order made by the court under section 31(1)(a) of the Act placing the child in the care of the designated local authority. A care order includes an interim care order except where express provision to the contrary is made. [Section 31(11)].

**Child Protection Conference:**

In a child care context, a formal meeting attended by representatives from all the agencies concerned with the child's welfare. Increasingly this includes the child's parents, and the Act promotes this practice. Its purpose is to gather together and evaluate all the relevant information about a child, and plan any immediate action, which may be necessary to protect the child (e.g., seeking a court order). Where the meeting decides that the child and family need support, a key worker will be appointed to co-ordinate an interagency plan for work with a child and the family, and the child's name (plus those of any other children living in the same household) may be entered on the Child Protection Register.

**Child:**

This is a person under the age of eighteen. There is an important exception to this in the case of an application for financial relief by a 'child' who has reached eighteen and is, or will be, receiving education or training. [Schedule 1, paragraphs 2, 6 and 16].



**Child assessment order:**

An order under Section 43 of the Act. The order requires any person who can do so to produce the child for an assessment and to comply with the terms of the order.

**Child Protection Register:**

A central record of all children in a given area for who support is being provided via inter-agency planning. Generally, these are children considered to be at risk of abuse or neglect. The register is usually maintained and run by Children's Service's departments under the responsibility of a custodian (an experienced social worker able to provide advice to any professional making enquiries about the child). Registration for each child is reviewed every six months.

**Childminder:**

A person who looks after one or more children under the age of eight for reward for more than two hours in any one day. [Section 71]

**Children in need:**

A child is 'in need' if:

- He is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining a reasonable standard of health or development without the provision for him of services by a local authority
- His health or development is likely to be significantly impaired or further impaired without the provision for him of such services; or
- He is disabled [section 17(10)].

**Children living away from home:**

Children who are not being looked after by the local authority but are nevertheless living away from home, e.g. children in independent schools. The local authority has a number of duties towards such children, e.g. to take reasonably practicable steps to ensure that their welfare is being adequately safeguarded and promoted.

**Complaints procedure:**

The procedure that the local authority must set up to hear representations regarding the provision of services under Part III of the Act from a number of persons, including the child, the parents and 'such other person as the authority

consider has sufficient interest in the child's welfare to warrant his representations being considered by them'. [Section 26(3)]. This procedure must contain an independent element.

**Concurrent jurisdiction:**

By virtue of section 92(7) the High Court, a county court and a magistrates court (Family Proceedings Court) will have jurisdiction to hear all proceedings under the Act, with some clearly limited exceptions. It is also possible for all proceedings involving the same child and family, irrespective of where they started, to be heard in the same court.

**Contact:**

Between a child and another person includes visits, stays, outings and communication by letter and telephone. Under section 34 of the Act the local authority is under a duty to allow a child in care reasonable contact with a number of persons, including the child's parents.

**Contact order:**

An order requiring the person with whom a child lives, or is to live, to allow the child to visit or stay with the person named in the order, or for that person and the child otherwise to have contact with each others [section 8I].

**Court welfare officer:**

An officer appointed to provide a report for the court about the child and the child's family situation and background. The court welfare officer will usually be a probation officer. The court may request either the local authority or the court welfare officer to prepare a report [section 7(1)].

**Day care:**

A person provides day care if s/he looks after one or more children under the age of eight on non-domestic premises for more than two hours in any day [section 71]. In relation to the local authority provision of day care, it refers to any form of supervised activity provided for children during the day [section 18(4)].

**Development:**

'Physical, intellectual, emotional, social or behavioural development' [section 31(9)].

**Disabled:**

A child is disabled if 'he is blind, deaf, or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed' [section 17(11)].

**Disclosure interview:**

A term sometimes used to indicate an interview with a child, conducted as part of the assessment for suspected sexual abuse. It is misleading (since it implies, in some people's view, 'undue pressure on the child to disclose') and therefore the preferred term is 'investigative interview'.

**Duty to investigate:**

The local authority is under a duty to investigate in a number of situations. The general investigative duty arises where the local authority has 'reasonable cause to suspect that a child who lives, or is found, in [its] area is suffering, or is likely to suffer, significant harm'; it must make such enquiries as it considers necessary to enable it to decide whether it should take any action to safeguard or promote the child's welfare [section 47(1)].

**Educational psychologist:**

A psychology graduate who has had teaching experience and additional vocational training. Educational psychologists perform a range of functions, including assessing children's educational, psychological and emotional needs, offering therapy and contributing psychological expertise to the process of assessment.

**Education supervision order:**

An order under section 36(1) which puts the child under the supervision of a designated local education authority.

**Education welfare officer (EWO):**

Provides support to children in the context of their schooling. While EWOs main focus used to be the enforcement of school attendance, today they perform a wider range of services, including seeking to ensure that children receive adequate and appropriate education and that any special needs are met, and more general liaison between local authority education and social services departments. Their approach is primarily supportive and directed towards children's educational entitlements.

**Emergency protection order:**

An order under section 44 which the court can make if it is satisfied that a child is likely to suffer significant harm, or where enquiries are being made with respect to the child and they are being frustrated by the unreasonable refusal of access to the child. The effect of the order is to operate as a direction to any person in a position to do so to comply with any request to produce the child, and it authorises the removal of the child or the prevention of the child's removal. The order gives the applicant parental responsibility for the child [section 44]

**Evidence:**

Section 96 of the Act allows a child who does not in the opinion of the court understand the nature of an oath to give evidence if the court considers that the child understands that it is his/her duty to speak the truth and that s/he has sufficient understanding to justify the evidence being heard. Sections 7 and 41 permit the inclusion of what would be hearsay evidence (i.e. evidence of a fact not directly seen or heard by the witness) in reports written by social workers, court welfare officers and Children's Guardian.

**Family assistance order:**

An order under Section 16 of the Act requiring either a probation officer or a social worker to 'advise, assist and befriend' a named person for a period of six months or less. The named person can be the child's parents, guardian, those with whom the child lived or who had contact with the child, and the child him/herself.

**Family centre:**

A centre which the child and parents, and any other person looking after the child, can attend for occupational and recreational activities, advice, guidance or counselling, and accommodation while receiving such advice, guidance or counselling [Schedule 2 paragraph 9].

**Family panel:**

The new panel from which the magistrates who sit in the new Family Proceedings Court are selected. These magistrates will have undergone specialist training on the Act.

### **Family proceedings:**

These are defined in section 8(3) as any proceedings under the inherent jurisdiction of the High Court in relation to children; and under parts I, II and IV of the Act, the Matrimonial Causes Act 1973, the Domestic Violence and Matrimonial Proceedings Act 1976, the Adoption Act 1976, the Domestic Proceedings and Magistrates' Courts Act 1978, sections .1 and 9 of the Matrimonial Homes Act 1983, and Part III of the Matrimonial and Family Proceedings Act 1984. Note: proceedings under Part V of the Children Act 1989, i.e. orders for the protection of children, are not family proceedings.

### **Family Proceedings Court:**

The new court at the level of the Magistrates Court to hear proceedings under the Children Act 1989. The magistrates will be selected from a new panel, known as the Family Panel, and will be specially trained.

### **Fieldworker (field social worker):**

Conducts a range of social work functions in the community and in other settings (e.g. hospitals). Most fieldworkers carry their own case-load, and, following career progression, undertake supervision of others and/or specialise either with a particular group (e.g. older people) or in a particular function (e.g. running the home-help service). In many (but by no means all) local authorities specialist social workers have been appointed to co-ordinate child protection work and offer particular expertise (e.g., in conducting joint investigative interviews with police officers).

### **Foster carer:**

A foster carer provides substitute family care for children. A child looked after by a local authority can be placed with a local authority foster carer under section 23(2)(a). Under the Act, Part IX regulates the private foster-care of children for more than 27 days. Foster carers are subject to the usual fostering limit of three children unless they are siblings or the local authority grants them an exemption. Short-term care of children under eight may be subject to the childminding provisions in Part X.

### **Guidance:**

Local authorities are required to act in accordance with the Guidance issued by the Secretary of State. However, Guidance does not have the full force of law but is intended as a series of statements of good practice and may be quoted or used in court proceedings.

**Harm:**

Defined as 'ill-treatment or the impairment of health or development' [section 31(9)].

**Health:**

Physical or mental health.

**Ill-treatment:**

Includes sexual abuse and forms of ill-treatment which are not physical.

**In care:**

Refers to a child in the care of the local authority by virtue of an order under section 31(1)(a) or an interim order under section 38 of the Act.

**Independent visitor:**

The local authority in certain sets of circumstances appoints such a visitor for a child it is looking after. The visitor appointed has the duty of 'visiting, advising and befriending the child' [Schedule 2, paragraph 17].

**Inherent jurisdiction:**

The powers of the High Court to make orders to protect a child which are not based on statute and which are outside the established ward ship jurisdiction.

**Injunction:**

An order made by the court prohibiting an act or requiring its cessation. Under the Domestic Violence and Matrimonial Proceedings Act 1976 the county court has the power to make injunctions. Injunctions can be either interlocutory (i.e., temporary, pending the outcome of the full hearing) or perpetual.

**Interagency plan:**

A plan devised jointly by the agencies concerned in a child's welfare which co-ordinates the services they provide. Its aim is to ensure that the support offered meets all the child's needs, so far as this is practicable, and that duplication and rivalry are avoided. The plan should specify goals to be achieved, resources and services to be provided, the allocation of responsibilities, and arrangements for monitoring and review.

**Interim care order:**

An order made by the court under section 38 placing the child in the care of the designated local authority. There are complex provisions as to its duration, with a special initial period of eight weeks. There is no limit to the number of interim care orders that can be made.

**Interim supervision order:**

See Interim care order.

**Investigative interview:**

The preferred term for an interview conducted with a child as part of an assessment following concerns that the child may have been abused (most notably, in cases of suspected sexual abuse). In many areas these interviews are conducted jointly by specially trained social workers and police officers, in order to reduce the number of times children are expected to tell their story and for information to be gathered in ways that make it acceptable as evidence, if the need arises.

**Judicial review:**

An order from the divisional court quashing a disputed decision. The divisional court cannot substitute its own decision but can merely send the matter back to the offending authority for reconsideration.

**Key worker:**

A social worker allocated specific responsibility for a particular child. In residential settings, this will be the person who will maintain an overall interest in the child's welfare, and will often undertake specific work with the child on a day-to-day basis. In a fieldwork child care setting, the key worker is appointed at a Child Protection Conference, and is responsible for co-ordinating the work done with and for the child by the different agencies (e.g. health, education, housing).

**Legal aid:**

Available in proceedings under the Act. There is neither a merits nor a means test in relation to proceedings under section 25 relating to secure accommodation.

**Looked after:**

A child is looked after when s/he is in local authority care or is being provided with accommodation by the local authority [section 22(1)].

## **LOCAL SAFEGUARDING CHILDREN'S BOARD [LSCB]:**

Based upon the boundaries of the local authority, it provides a forum for developing, monitoring and reviewing the local child protection policies, and promoting effective and harmonious co-operation between the various agencies involved. Although there is some variation from area to area, each committee is made up of representatives of the key agencies, who have authority to speak and act on their agency's behalf. LSCB's issue guidelines about procedures, tackle significant issues that arise, offer advice about the conduct of cases in general, make policy and review progress on prevention, and oversee interagency training.

### **Monitoring:**

Where plans for a child, and the child's safety and wellbeing, are systematically appraised on a routine basis. Its function is to oversee the child's continued welfare and enable any necessary action or change to be instigated speedily, and at a managerial level, to ensure that proper professional standards are being maintained.

### **Official Solicitor:**

An officer of the Supreme Court who acts on behalf of children in certain cases. When representing a child the Official Solicitor acts both as a solicitor as well as a Children's Guardian.

### **Paramountcy principle:**

The principle that the welfare of the child is the paramount consideration in proceedings concerning children.

### **Parental responsibility:**

Defined as 'all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property' [section 3(1)]. Parental responsibility can be exercised by persons who are not the child's biological parents and can be shared among a number of persons. It can be acquired by agreement or court order.

### **Parties:**

Parties to proceedings are entitled to attend the hearing, present their case and examine witnesses. The Act envisages that children will automatically be parties in care proceedings. Anyone with parental responsibility for the child will also be a party to such proceedings, as will the local authority. Others may be able to acquire party status. A person with party status will be eligible for legal aid in order to be legally represented at the hearing. If you have party status you are also able



to appeal against the decision. Others who are not parties may be entitled to make representations. For further information on this, refer to the Rules of Court.

**Permanency planning:**

Deciding on the long-term future of children who have been moved from their families. Its purpose is to ensure them a permanent, stable and secure upbringing, either within their original family or by providing high-quality alternative parenting (e.g. living permanently with grandparents or other relatives, or being adopted). Its aim is to avoid long periods of insecurity or repeated disruptions in children's lives. Hence it should be completed speedily, preferably within six months of a child first moving away from home.

**Police protection:**

Section 46 allows the police to detain a child or prevent his/her removal for up to 72 hours if they believe that the child would otherwise suffer significant harm. There are clear duties on the police to consult the child, if this is practicable, and to notify various persons of their action, e.g. the child's parents and the local authority.

**Preliminary hearing:**

A hearing to clarify matters in dispute, to agree evidence, and to give directions as to the timetable of the case and the disclosure of evidence.

**Probation officer:**

A welfare professional employed as an officer of the court and financed jointly by the local authority and the Home Office. In addition to taking on a caseload, most probation officers undertake some specialist work, such as conducting group work with offenders or helping to run a phone-in service. An important role is the provision of welfare reports of various kinds.

**Prohibited steps order:**

An order that 'no step which could be taken by a parent in meeting his parental responsibility for a child, and which is of a kind specified in the order, shall be taken by any person without the consent of the court' [section 8(1)].

**Recovery order:**

An order which the court can make when there is reason to believe that a child who is in care, the subject of an emergency protection order or in police protection has been unlawfully taken or kept away from the responsible person, or has run away or is staying away from the responsible person, or is missing. The effect of the recovery order is to require any person who is in a position to do so to produce the child on request, to authorise the removal of the child by any authorised person, and to require any person who has information as to the child's whereabouts to disclose that information, if asked to do so to a constable or officer of the court [section 50].

**Refuge:**

Section 51 enables 'safe houses' legally to provide care for children who have run away from home or local authority care. However, a recovery order can be obtained in relation to a child who has run away to a refuge.

**Regulations:**

Refer to the supplementary powers and duties issued by the Secretary of State under the authority of the Act. These cover a wide range of issues, from secure accommodation to the procedure for considering representations (including complaints), and have the full force of law.

**Rehabilitation:**

In a child care context, the process of working with children and parents, and providing resources and support to enable children to return home to be brought up in their families, for the children's needs to be met, and to help overcome the problems that led to their needing to live away.

**Representations:**

See Complaints procedure.

**Residence order:**

An order 'setting the arrangements to be made as to the person with whom a child is to live' [section 8(1)].

**Residential social worker:**

Provides day-to-day care, support and therapy for children living in residential settings, such as children's homes. Until recently most residential social workers were unqualified. As the importance and demands of their work have become increasingly recognised, more training opportunities are being provided.

**Respite care:**

A service giving family members or other carers short breaks from their caring responsibilities. It is intended to support the care of people (e.g. those with disabilities or infirmities) in the community who might otherwise need to be placed in full-time residential care.

**Responsible person:**

In relation to a supervised child, 'any person who has parental responsibility for the child, and any other person with whom the child is living'. With their consent the responsible person can be required to comply with certain obligations [Schedule 3, paragraphs 1 and 3].

**Review:**

Under Section 26 local authorities are under a duty to conduct regular reviews in order to monitor the progress of children they are looking after. When holding reviews local authorities must comply with their duties as given in Section 22. Reviews are opportunities to consider progress and any problems and changes in circumstances, and to resolve difficulties, set new goals and plan for the future. They are usually attended by all those with significant responsibilities for the child. The child and his/her parents should also attend, and be given help and support to participate in the decision-making and to make sure their views and wishes are known [Section 26].

**Rules:**

Rules of Court produced by the Lord Chancellor's Department and the Home Office. These lay down the procedural rules, which govern the operation of the courts under the Children Act 1989.

**Section 8 orders:**

The four new orders contained in the Act which, to varying degrees, regulate the exercise of parental responsibility.

**Secure accommodation:**

Section 25 provides for the circumstances in which a child who is being looked after can be placed in secure accommodation. Such accommodation is provided for the purpose of restricting the liberty of the child.

**Significant harm:**

Section 31 (10) states: 'Where the question of whether harm suffered by the child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child'.

**Social worker:**

A generic term applying to a wide range of staff, which undertakes different kinds of social welfare responsibilities. These include advising and supporting individuals and families during periods of trouble, both within the community and in residential settings; accessing resources, benefits and services; conducting assessments and investigations and monitoring standards of care. Social workers may be employed by local authorities, courts or voluntary organisations (see Residential social worker, Fieldworker, Education Welfare Officer and Probation officer).

**Specific issue order:**

An order 'giving directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of parental responsibility for a child' [Section 8(1)].

**Supervision order:**

An order under Section 31(1)(b) and including, except where express contrary provision is made, an interim supervision order under section 38 [section 31].

**Supervisor:**

The person under whose supervision the child is placed by virtue of an order under sections 31 and 38. The powers and duties of the supervisor are contained in Section 35 and Schedule 3.

**Timetables:**

Under the Act the Court, pursuant to the principle of avoiding delay because it is harmful for the child, has the power to draw up a timetable and give directions for the conduct of the case in any proceedings in which the making of a Section 8 order arises, and in applications for care and supervision orders [Sections 11 and 32].

**Transitional arrangements:**

The arrangements relating to children who are the subjects of existing orders under legislation prior to the implementation of the Children Act 1989. The general rule is that where this is the case, the child will be treated as if s/he were the subject of the nearest equivalent order in the Act.

**Ward of Court:**

A child who as the subject of ward ship proceedings, is under the protection of the High Court. No important decision can be taken regarding the child while s/he is a ward of court without the consent of the ward ship court.

**Ward ship:**

The legal process whereby control is exercised over the child in order to protect the child and safeguard his/her welfare.

**Welfare checklist:**

Refers to the innovatory checklist contained in Section 1(3) of the Act. This checklist applies in all contested Section 8 proceedings and all proceedings under Part IV of the Act. It does not apply in proceedings under Part V of the Act on child protection.

**Welfare report:**

Section 7 of the Act gives the court the power to request a report on any question in respect of child under the Act. The report can be presented by either a probation officer or an officer of the local authority. Section 7(4) provides that regardless of any rule of law to the contrary, the court may take account of any statement contained in the report and any evidence given in respect of matters referred to in the report as long as the court considers them relevant.

**Written agreement:**

The agreement arrived at between the local authority and the parents of children for whom it is providing services. These arrangements are part of the partnership model that is seen as good practice under the Act.