

## CHAPTER 4

### FOSTER PLACEMENTS

#### CHOICE OF PLACEMENT

CYPA 2001  
s.24(3)

Regulation 3,  
Placement of  
Children  
(General)  
Regulations 2002

- 1 The general duty to safeguard and promote the welfare of the child set out in the Act applies to all decisions by the Department in relation to foster care of a child.
- 2 The Department is required to make immediate and long-term plans for the child before placing him or her in foster care, whenever possible. The child's needs should be carefully considered and a full plan developed, so as to ensure as smooth a transition to foster care as possible and a successful placement.
- 3 If there is only time to produce a short, partial plan, this should be developed fully as soon as possible after placement.

See p 76 for immediate placements and p.128 onwards for the review of plans

CYPA 2001  
s.26(2)

- 4 The considerations to be taken into account in choosing the most suitable placement include:
  - a. so far as practicable and consistent with the child's welfare he or she should be placed with:
    - i. a parent,
    - ii. someone else who has parental responsibility for him or her,
    - iii. if he or she is in the Department's care, and a residence order was in force immediately before the care order was made, the person with he or she was living under the residence order,
    - iv. a relative, friend or other person connected with him or her,
  - b. the accommodation provided should be:
    - i. as near as possible to the child's home,
    - ii. with his or her siblings,
    - iii. for a child with a disability, as suitable as possible for meeting his or her needs.
- 5 When deciding on a foster placement, and unless there are reasons for choosing a placement at a distance, every effort should be made to promote continuity in the child's life and care.
- 6 This may be achieved by:
  - a. placing the child with a family of the same race, religion and culture,

- b. in a neighbourhood within reach of his or her family, school, day nursery, church, friends and leisure activities, and by
- c. choosing a placement which the child will find familiar and sympathetic in terms of his or her social background, attitudes and expectations.

- 7 Responsibility for making the placement decisions lies with the authority, but in making any decisions the Department is required to have regard to the child's wishes and feelings (subject to his or her level of understanding):
- a. An older child should be given information and explanation so that he or she is in a position to develop views and make choices,
  - b. The social worker should attempt to communicate with a younger child and discover his or her real feelings.

### **NUMBERS OF CHILDREN IN FOSTER HOMES**

- 8 The "usual fostering limit" is three children.
- 9 This limit applies in all but the following circumstances:
- a. the children are siblings,
  - b. the Department has provided the foster carer with an exemption

See paragraph 13 onwards below

- 10 In many cases the welfare of a child needing placement will be best served by being the only foster child in the family.
- 11 Where more than one child is to be placed, the interests of all the children must be carefully considered, especially where the children to be placed are not related.
- 12 The needs of the foster carers' own children must also be considered.

### **Exemption to the "usual fostering limit"**

- 13 The factors to be taken into account when considering whether or not to grant an exemption are:
- a. the number, ages and circumstances of children the carer proposes to foster,
  - b. the arrangements which the foster carer proposes for the care and accommodation of the children,
  - c. the intended and likely relationship between the carer and the foster children,
  - d. the period of time for which he or she proposes to foster the children,

- e. whether the welfare of the fostered children (and of any other children living in the accommodation will be safeguarded and promoted.

- 14 When an exemption is granted by the Department the foster carer must to be informed in writing as follows:
- a. that he or she has been exempted,
  - b. the names of the children whom he or she may foster, and
  - c. any conditions attached to the exemption.

- 15 The Department may:
- a. vary or cancel an exemption at any time, or
  - b. impose, vary or cancel a condition attached to the exemption.

### **When Children's Homes Regulations apply to the "usual fostering limit"**

- 16 When a foster carer is exceeding, the usual fostering limit and the Department decides that exemption should not be given, the individual will cease to be regarded as a foster carer and be treated as running a children's home unless the children are all siblings. The Children's Homes Regulations will then apply.
- 17 This will also apply if the foster carer has been exempted but he or she fosters a child not named in the exemption and in doing so exceeds the usual foster limit.

### **DECIDING WHETHER AN ESTABLISHMENT IS A FOSTER HOME OR NOT**

- 18 In reaching a decision as to whether to regard an establishment as a foster home or as a children's home, the following questions should be considered:
- a. Is a fixed number of 'places' offered?
  - b. Must all places ideally be filled, to achieve viability?
  - c. Have investments been made in the fabric of the premises to accommodate a larger number of children?
  - d. Has a voluntary organisation arranged for people to run an establishment with a view to providing care for a fixed number of children?

### **INFORMATION FOR FOSTER CARERS**

- 19 Successful placement and effective partnership between parents, foster carers, the fostering service providers and the Department require that essential information be clearly communicated. The foster placement agreement must include a statement of the information which the Department considers necessary to enable the

	<p>foster carer to care for the child.</p> <p>20 The social worker should discuss the information which is to be given to a foster carer and why with:</p> <ol style="list-style-type: none"> <li>a. the parents,</li> <li>b. any other previous carers, and</li> <li>c. the child, according to his or her understanding.</li> </ol> <p>21 The following points should be included in a written statement to be provided to the foster carer:</p> <ol style="list-style-type: none"> <li>a. the plans for the child and the objectives of the placement,</li> <li>b. the child's personal history, racial origin, religious persuasion, and cultural and linguistic background,</li> <li>c. his or her the state of health,</li> <li>d. his or her safety needs, including the need for any special equipment or adaptations,</li> <li>e. his or her educational needs,</li> <li>f. any needs arising from a disability.</li> </ol> <p>22 If there is a special reason why significant information should be withheld the reason should be recorded on the child's case record.</p> <p>23 Less information, about the child's history for example, may be needed if the placement is intended to be very short-term.</p> <p>24 Foster carers must undertake to treat as confidential any information about a child or his or her family given in confidence in connection with a placement.</p> <p><b>PREPARATION AND INTRODUCTION</b></p> <p>25 The aim of the placement and the expectation in relation to it on the part of parent, the Department and the foster carer must be understood by all parties.</p> <p>26 The introduction of the child to the foster placement is an important part of preparation for the placement. Wherever possible the social worker should bring a parent or previous carer to share in the introduction, so that they can provide information about the child's day-to-day routines, capabilities, habits, fears, likes and dislikes, and help the foster carer to provide continuity of care for the child and help her or him to settle in.</p> <p>27 The expected role of the parent in the day to day care for the child (such as who will be in contact with the school) should be clarified during preparation for the placement.</p> <p>28 The financial arrangements for the placement should also be settled at the outset:</p>
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- a. They should certainly cover maintenance payments,
- b. Particular costs arising from the placement may also need to be met, such as:
  - i. bedding, bedroom furniture, equipment, clothes, and
  - ii. providing for children with special needs.

## **SUPERVISION OF PLACEMENTS**

- 29 The Department should satisfy itself that foster carer continues to provide suitably for the child's welfare.
- 30 Visits by the social worker to supervise the placement, and work with the child and the foster carer towards achieving the objective of the placement and the plan for the child.
- 31 These visits are separate to any visit for the purpose of reviewing approval of the foster carer.

### **Frequency of placement visits**

- 32 The frequency of visits to the home where the child is placed should depend on the circumstances and any reasonable requests from the child or the foster carer. However:
  - a. during the first year visits should be made:
    - i. within a week from the start of the placement, then
    - ii. not less than every six weeks,
  - b. subsequently, the child should be visited in the foster home not less than every three months,
  - c. advice, support and training should be provided for the foster carer whenever appears necessary in the child's interests.
- 33 During an emergency or immediate placement the Department should arrange for the child to be visited at least once a week.
- 34 The smooth running of the arrangements made at the time of placement for schooling and contact should be checked on visits made during the first weeks of the placement.
- 35 In the following circumstances more frequent visits may be necessary:
  - when the role of the child's parents is changing,
  - when the child's needs have changed,
  - when the foster carer is under particular stress, or
  - a lone foster carer has not been allocated a social worker of his or her "own".

Visits should not be neglected because a placement is going well.

### **Seeing the child alone**

	<p>36 The child should be seen alone on each supervisory visit. The only exceptions are if:</p> <ol style="list-style-type: none"> <li>a. the child is of an age and understanding to do so and refuses to see the social worker alone, or</li> <li>b. the purpose of the visit is to discuss the foster carer's need for support or is made at the foster carer's request.</li> </ol> <p><b>The purpose of visits to foster placements</b></p> <p>37 The purposes of visiting the child in the foster home include child protection, monitoring and evaluation of achievement of goals, monitoring the contact arrangements, and providing the foster carer with support.</p> <p><i>Child protection</i></p> <p>38 The purposes are to:</p> <ol style="list-style-type: none"> <li>a. talk to the child,</li> <li>b. safeguard and reassure a child who may feel isolated and vulnerable and who is away from family and friends,</li> <li>c. observe the standard of care.</li> </ol> <p>39 To achieve this:</p> <ul style="list-style-type: none"> <li>• some visits should be unannounced,</li> <li>• the child's bedroom should be seen sometimes,</li> <li>• occasional visits should be made when all members of the household are present,</li> <li>• sometimes the child should be seen alone outside the foster home, to help child and social worker to build up a relationship of trust.</li> </ul> <p><i>Monitoring and evaluating the achievement of goals</i></p> <p>40 The purpose is, with the child and foster carer, to:</p> <ol style="list-style-type: none"> <li>a. contribute to the review of the plan,</li> <li>b. monitor the child's educational progress, and</li> <li>c. identify where help is needed.</li> </ol> <p>41 Ongoing review of the plan for the child requires that visits take place at least at the frequency set out above.</p> <p><i>Providing the foster carer with support</i></p> <p>42 Foster carers' training should include advice on:</p> <ol style="list-style-type: none"> <li>a. the maintenance of confidentiality and dealing with questions from family and friends,</li> <li>b. the safekeeping of documents concerned with the child and</li> </ol>
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	<p>the placement, which should be returned to the Department when the placement ends.</p> <p>43 Visiting unannounced may enable the social worker to see beyond a foster carer's "brave-face" to recognise the need for support in a particularly stressful time in the placement.</p> <p>44 The foster carer should feel free to get in touch with the social worker at any time.</p> <p><b>Visit reports</b></p> <p>45 The social worker who makes a visit to a foster placement should produce a written report. The report should include the following statements:</p> <ul style="list-style-type: none"><li>a. that the child was seen or, if not, why not,</li><li>b. whether or not the child was seen alone.</li></ul> <p>46 It should also comment on:</p> <ul style="list-style-type: none"><li>i. the child's welfare</li><li>ii. the success of the placement, including any comments made by the child or the carer,</li><li>iii. any matters of concern or difficulties.</li></ul> <p>47 Any necessity for action should then be discussed by the social worker with his or her supervisor.</p> <p><b>PLACEMENT OUTSIDE THE ISLAND</b></p> <p>48 The Department may arrange (or assist in arranging) for a child for whom it is providing accommodation by voluntary agreement to live outside the Island, provided that every person who has parental responsibility for the child approves.</p> <p>49 In the case of a child who is in care, the court's approval must be sought. This may only be given in certain circumstances:</p> <ul style="list-style-type: none"><li>a. living in the other country would be in the child's best interests,</li><li>b. suitable arrangements have been made for the reception and welfare of the child in the new country,</li><li>c. child him or herself consents, or if he or she does not have sufficient understanding to give or withhold consent the court is satisfied to disregard this requirement, and</li><li>d. everyone with parental responsibility for the child consents, or his consent is dispensed with by the court under paragraph 6(5).</li></ul> <p>50 If the child is moving to Northern Ireland, England and Wales or Guernsey the effect of the care order may be transferred to the</p>
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	<p>relevant public authority in the receiving jurisdiction.</p>
51	<p>If the Department makes a placement outside the Island, the area authority must be notified.</p>
52	<p>The circumstances in which the question of a placement outside the Island may arise include those in which:</p> <ol style="list-style-type: none"> <li>a. it would be in the interests of a child to be placed with a relative or other person elsewhere in the British Isles: Scotland, Northern Ireland, or the Channel Islands,</li> <li>b. a foster carer moves to a new address elsewhere in the British Isles and there are reasons in favour of continuing the placement, and</li> <li>c. a foster carer is required by an employer to go overseas and there are reasons in favour of continuing the placement.</li> </ol>
53	<p>The Department should assess the advantages and disadvantages of continuing the placement if it is:</p> <ol style="list-style-type: none"> <li>a. clearly in the child's interests,</li> <li>b. consistent with the plan for the child to be placed elsewhere in the British Isles, and</li> <li>c. If a foster carer plans to move permanently or temporarily elsewhere in the British Isles.</li> </ol>
54	<p>The factors to be considered include:</p> <ol style="list-style-type: none"> <li>a. the parents' views,</li> <li>b. the plans for the child,</li> <li>c. the objectives of the placement and</li> <li>d. the implications for contact.</li> </ol>
55	<p>The child's wishes about the move will be a critical factor.</p>
56	<p>The consent of the parents, or those with parental responsibility, is essential if the child is not in care.</p>
57	<p>The parents should be involved in the decision-making process, whether or not the child is in care.</p>
58	<p>Other factors which may arise when the proposed move is overseas include:</p> <ol style="list-style-type: none"> <li>a. the increased difficulty of continuing any contact arrangements, and</li> <li>b. the difficulty of supervising and reviewing the placement.</li> </ol>
59	<p>If the foster parent is in the armed services, it may be possible to arrange supervision through the Soldiers, Sailors and Airmen's Families Association (SSAFA).</p>

- 60 If the Department decides that supervision is not required, consideration can be given to an application by the foster parents for a residence order, which would bring any conflict between the child's interests and wishes and the parent's wishes before the court.
- 61 A decision to allow a foster parent to take a child overseas (except for a holiday) should only be made if:
- a. there are exceptional circumstances,
  - b. adequate and realistic arrangements can be made to safeguard the child's welfare, and
  - c. the stay overseas is for a definite and limited period.

## **THE END OF THE PLACEMENT**

- 62 A placement may end in the following ways:
- a. the objective of the placement has been achieved or partly achieved, or
  - b. it has been decided that the objective cannot be achieved and the plan has been reviewed.
- 63 Placement may end in:
- a. a move to another placement,
  - b. the child's return to his or her family, with continuing support and services provided e.g. further periods of respite care,
  - c. leaving the placement for independent life.

### **Planning the end of the placement**

- 64 The aim should be to achieve a planned ending with careful preparation and transition.
- 65 Foster parents have an important role to play in:
- a. preparing and reassuring the child,
  - b. assisting gradual introductions to the new carers, and
  - c. helping the new carers to understand the child's habits, routines and needs.
- 66 Careful preparation should be made if the child is returning to his or her family:
- a. support should be made available to both child and family until the child is re-integrated into the family,
  - b. other services under the Act may be appropriate,

see Volume B in this series

- c. a period of gradual re-introduction may be needed, depending on the length of time the child has been away from home and the extent of changes in the family,

- d. continuity should be ensured as far as possible, and child and parents prepared for any major changes,
- e. it may be appropriate to maintain contact between former foster carers and child.

### **Unplanned endings**

- 67 An unplanned ending to a placement should be avoided if at all possible, but may occur if:
- a. a crisis obliges the Department to remove the child immediately,
  - b. the foster carer asks for the child to be removed,
  - c. the child insists on leaving,
  - d. a parent removes a child accommodated by voluntary arrangements without notice.
- 68 Foster carers should be advised how to handle cases in which it may be necessary to seek an emergency order to prevent an inappropriate and unplanned removal likely to cause the child significant harm, for example, a drunk parent coming to "collect" his or her child in the middle of the night.

### **Removal of a child from a placement**

- 69 The Department has a duty not to allow a child to remain in a foster home if the placement is no longer the best way to perform its duty to safeguard and promote the child's welfare.
- 70 If the child is at risk of harm he or she should be removed immediately.
- 71 If a foster placement is disrupted the child should be reassured that he or she is not responsible, if this is not case.
- 72 The Department should consider a disrupted placement with the foster carer in a positive way, with a view to understanding and learning in the interests of the child and of future placements.

### **CHILDRENS' REGISTER**

- 73 A register of children placed with foster carers should be maintained and include:
- a. date of placement,
  - b. name and address of foster carer,
  - c. date on which the child ceased to placed with the foster carer,
  - d. where the child came from before placement,
  - e. where the he or she went to after the placement,
  - f. the name of the responsible authority, if not the fostering

service provider,

- g. the statutory provision under which the child is provided with foster care.

### **FOSTER CARER RECORDS**

- 74 There should be a record for each foster carer to include:
- a. the notice of approval,
  - b. any foster care agreement,
  - c. any report written following review of approval of the foster carer,
  - d. any notice of termination or revised terms of approval,
  - e. any agreement in relation to an emergency placement,
  - f. copies of the reports submitted to the fostering panel,
  - g. records of all recommendations made by the fostering panel.
- 75 The fostering services provider should also keep a record for each prospective foster carer it does not approve, or who withdraws his or her application before a decision is made. The records must include:
- a. the assessment information about the prospective foster carer,
  - b. any reports made to the fostering panel, and
  - c. the notification, if given, as to why his or her application was not approved.

### **REGISTER OF FOSTER CARERS**

- 76 The fostering service provider should also keep a register of information about foster carers.
- 77 This should include the following information about each foster carer:
- a. his or her name, address, date of birth and sex,
  - b. the date when he or she was approved and each review of approval, and
  - c. the current terms of approval.
- 78 In addition, the fostering service provider should keep in its register:
- a. the name and address of each person with whom it has made an emergency or immediate agreement to place a child,
  - b. the date of any written agreement from the person with whom the child is placed, and
  - c. the terms of any agreement currently in force.

### **OTHER RECORDS TO BE KEPT BY THE FOSTERING SERVICE PROVIDER**

### **Record of people working for the agency**

- 79 The fostering service provider should also keep a record of everyone working for the agency, showing his or her:
- a. full name,
  - b. sex,
  - c. date of birth,
  - d. home address,
  - e. relevant qualifications and experience of working with children,
  - f. whether or not he or she is employed by the fostering service provider under a contract of service, or employed by another agency,
  - g. whether he or she works full- or part-time, and, if part-time the average number of hours worked each week.

### **Accidents record**

- 80 A record should also be kept must be kept of accidents occurring to children whilst placed with foster carers.

### **Complaints**

- 81 A record should be kept of:
- a. complaints made about the fostering service provider, and
  - b. allegations made against people who work for the fostering service provider and foster carers.
- 82 This shows:
- a. how the complaints and allegations were investigated,
  - b. the timescale of the investigation, and
  - c. details of the outcome.

### **Retention of records**

- 83 All these records should be kept for a minimum of 15 years from the date of the last entry.