



## Family and Friends Care Policy

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**NB: In view of recent case law a piece of work is being undertaken with specialist barristers to ensure compliance and this policy may be subject to change at short notice to reflect recent case judgements.**

## **1. Introduction**

This policy sets out how Hackney Council will support family and friends carers and the children they are caring for. Children who are unable to live with their birth parents may be living with other family members, friends or other people connected to them with whom they have an existing relationship. Some of these children may be in care.

This policy statement sets out how Hackney Council, through Children's Social Care, will support people who are caring for other people's children and explain what kind of support they can access.

The policy is available and publicised on the Council's website and will be regularly updated. This policy is also available on request from Hackney Children's Social Care, Safeguarding & Learning Service, 3<sup>rd</sup> Floor, 1 Hillman Street, Hackney, London, E8 1DY (Tel: 020 8356 4920).

## **2. Values, principles and objectives**

This policy is underpinned by the principles of the Children Act 1989; the key principle being that a child should be enabled to live within their family unless this is not consistent with their welfare.

Hackney Council is committed to ensuring that all children in the borough grow up as part of a loving family that can meet their developmental needs. Where possible, this should be with their birth parents or, if this is not possible, with a relative or a member of the child's social network. Hackney Council will only place children in care if it is believed to be necessary and only for as long as they need to be.

Children are at the centre of any decisions made about them. Hackney Council will ensure that children are active participants and their wishes and feelings will be taken into account in all relevant processes when adults are trying to solve problems and make decisions about them.

All family and friends arrangements will be assessed to make sure that they are able to meet the child's specific needs and keep them safe. The assessment will take into account the particular situation of the child, carers and the relationships within the family.

The 'Hackney Pledge to Looked-After Children and Young People' was written by children, young people and Hackney staff to focus on how services for all looked after children, including those living with family and friends carers, will be child-centred. The Pledge is available here:

<http://www.younghackney.org/content/pdf/Hackney%20pledge.pdf>

## **3. Management accountability**

Management responsibility for the Family and Friends Care Policy rests with the Head of Corporate Parenting, whose service is responsible for commissioning all children's placements.

## **4. Legal framework for children living away from their parents**

**4.1** The following statutory powers and duties provide the legal basis for departmental involvement in private/informal/connected persons care arrangements:

- The Children Act 1989
- The Children and Young Person Act 2008
- The Children Act 1989 Guidance and Regulations Volume 2: Care Planning, Placement and Case review
- Family and Friends Care; Statutory Guidance for Local Authorities
- The Children (Private Arrangements for Fostering) regulations 2005

### **4.2 Children who are in need living with family**

Hackney Children's Social Care (CSC) may carry out an assessment of the child to see if any services or support are needed to meet the child's needs or support the carer or family under section 17 of the Children Act 1989.

Where concerns arise in relation to the welfare of a child living with family, normal processes for referral and assessment under section 17 or section 47 of the Children Act 1989 will apply.

### **4.3 Looked after children family and friends care**

If, following an assessment, the recommendation is for a child to become looked after, we will first try to identify a relative or family friend who is able to care for them. If the arrangement is likely to continue past 16 weeks, the law states that the carer must be formally assessed and approved by Hackney's Fostering Service as a Hackney foster carer.

Support services will be put in place by Hackney Council to train family and friends foster carers in accordance with Fostering Services Regulations, National Minimum Standards (NMS) and Children's Workforce Development Council (CWDC) standards. Support will also be provided to the child to meet their needs, including a health plan and personal education plan. They may also be entitled to leaving care support services.

Looked after children living with family or friends carers will be supported by the case holding social work units within the Children in Need (CIN) service or the Looked After Children (LAC) service in Hackney. Additional support may be provided by the Placement Management Unit.

### **4.4 Private Fostering**

A privately fostered child is a child under 16 years (or 18 if disabled) who is cared for by an adult who is not a parent or close relative and where the child is likely to be cared for in that home for 28 days or more. In a private fostering arrangement, the parent still holds parental responsibility and agrees the arrangement with the private foster carer.

A close relative is defined as:

- Parent or step parent (or someone who holds parental responsibility)
- Grandparent
- Aunt or uncle (whether related to the child by blood or through marriage or civil partnership)
- Sibling (including half-siblings and step-siblings)
- Anyone who holds a court order in relation to the child (for example, a residence order)

Hackney Council has a legal duty to ensure that children and young people in this situation are safe and properly cared for. Under the Children Act, parents/carers must tell the Council if they are entering into a private fostering arrangement. The First Response Team can be contacted on 020 8356 5500/5116 for advice on the process.

**Please note:** it is an offence not to notify the Council of such an arrangement.

In Hackney the assessment, review and monitoring arrangements for private fostering are the responsibility of the Head of Children in Need, in conjunction with the Head of Access and Assessment.

Private fostering arrangements are ratified at a Care Planning Panel which is chaired by the Head of Corporate Parenting. This ensures robust scrutiny of and consistency in private fostering decision making.

For further information Hackney's Private Fostering Statement of Purpose is available on the Council's website:

[http://www.hackney.gov.uk/Assets/Documents/Private\\_Fostering\\_Statement\\_of\\_Purpose.pdf](http://www.hackney.gov.uk/Assets/Documents/Private_Fostering_Statement_of_Purpose.pdf)

Further guidance on private fostering is also available:

<http://www.hackney.gov.uk/sf-cypf-fostering-private.htm#.UoEZ43DFGiI>

Information can be sent by post on request by contacting 020 8356 5500/5116.

## **5. Permanence Options**

For most children living with family and friends carers, whether in private arrangements or looked after by Hackney, the plan for their long term care will be to return to their parents. If this is not possible, and they need to remain living with their family and friends carer, there are various legal options for carers to help them put the arrangements on a more permanent footing.

The legal orders will help carers gain parental responsibility for the child; this means all rights and responsibilities that a parent would have regarding the child will pass to them and allow them to take decisions on the child's day to day care and make plans for their future.

### **5.1 Residence orders**

A Residence Order (RO) can be applied for by relatives who have been looking after a child for more than one year. Where carers have a RO for a child, the child will be able

to live with them and they will be responsible for their day to day care, sharing parental responsibility with parents. The order lasts until the child is 18 years.

Local authorities may pay a residence order allowance to support family and friends carers who choose to take out a RO.

## **5.2 Special Guardianship orders**

Special Guardianship Orders (SGO) can be applied for by relatives or carers who have been looking after a child for more than one year. When a family and friends carer is granted an SGO and becomes the child's Special Guardian, they will share parental responsibility for the child but will have exclusive rights to exercise parental responsibility for the child in terms of their day to day care.

Special Guardianship provides carers with wider powers regarding the child's care but does not require a complete break with the birth family as in adoption. For this reason, the order is suitable for children who are being cared for by family members but who still have links with their birth parents.

## **5.3 Adoption Orders**

An Adoption Order transfers all legal rights and responsibilities for a child from their birth parents to the adoptive parents and the child legally becomes part of the adoptive parent's family.

A family and friends carer may apply for an Adoption Order for a child for whom they have looked after continuously for at least one year.

# **6. Financial support**

## **6.1 Financial support for looked after children placed with family and friends**

When a child is looked after by Hackney, the Council is responsible for maintaining them and providing suitable accommodation and support. This includes providing financial support for the child's carer.

Family and friends who are assessed by Hackney will be assessed as foster carers and receive the same fostering allowances as other Hackney foster carers.

Carers who are awaiting assessment as a foster carer will be supported under Section 17 of the Children Act 1989, until temporary approval to foster has been given.

(See flowchart – Appendix A)

## **6.2 Residence order Allowances**

Entitlement to a Residence Order allowance remains at the discretion of the local authority where payment is intended to help meet the welfare needs of a child residing with a carer. Any financial support is not designed to replace benefits such as Child Tax Credit and will not effect benefits entitlement. Residence Order allowances are means tested and are capped at the income support rate for dependent children.

### **6.3 Special Guardianship Allowances**

Where the child was previously looked after immediately prior to the granting of the court order, the Special Guardianship Order (SGO) allowance will be paid in line with Hackney's fostering allowance only, minus Child Benefit and Child Tax Credit.

Foster carers who are granted a SGO on a child in their care, will receive two years continued remuneration in line with the fostering allowance minus Child Benefit and Child Tax Credit plus the reward element. After two years the reward element will cease.

If the child is not looked after immediately prior to the granting of the court order, the SGO allowance is means tested and capped at the income support rate for dependent children.

Any financial support is not designed to replace benefits such as Child Benefit and Child Tax Credit and will not affect benefit entitlement

### **6.4 Adoption Allowances**

All adoption allowances are based on an assessment of need to ensure the child's care needs are met. Allowances are means tested and capped at the income support rate for dependent children.

Please refer to our adoption allowance policy for further information.

## **7. Accommodation**

Hackney will assist family and friends carers where they need to move to larger accommodation in order to provide for the children they are caring for.

## **8. Supporting contact**

All children who are living away from their parents should have an opportunity to keep in touch with family members where this is in their best interests. Where a child is living in an informal family and friends care arrangement, the carers should agree with the family on contact arrangements, which may be facilitated by Hackney.

## **9. Family Network Meetings (FNMs)**

The Family Network Meeting (FNM) in Hackney Children's Social Care utilises the core elements from the Family Group Conference with adjustments to deliver a rapid response service. FNMs are meetings of family members where they are helped to think through issues surrounding the care of a child about whom Hackney is concerned, and to come up with their own solutions . The meetings are organised and facilitated trained staff who are not part of the team which is working with the family (although they may still be employed by the local authority). The FNM co-ordinator is

independent from the caseworker, which means that they have not and will not be involved in making any decisions about the child.

Where Hackney is so concerned about the welfare of a child that it is considering legal proceedings, it will often organise a FNM to help the family explore alternatives. Although there is no guarantee that Hackney will feel that any plan put forward by family members following a FNM is suitable, experience suggests that in many cases families will be able to come up with plans which would perhaps not otherwise have been suggested.

## **10. Information about services and support**

There are a number of services both locally and nationally that are able to offer advice and support to family and friends carers and to children and young people. The social work unit can also assist in finding suitable support groups.

Further information about services and support can be found in Annex B (local support) and Annex C (national support).

## **11. Complaints**

Hackney Children's Social Care aims to provide the best possible service at all times. If a carer is unhappy with any aspect of our service or the decisions we make, they can make a complaint. Hackney Council has a complaints procedure which sets out the process in relation to the three stages of our complaints investigation process.

A copy of our complaints leaflet is sent to all approved foster carers.

Records of investigations and the outcome of complaints are held by the Safeguarding and Learning service and the information is used for quality assurance monitoring and service improvement.

Information on how to make a complaint can be obtained from:

Safeguarding and Learning Service  
London Borough of Hackney  
Hackney Service Centre  
1 Hillman Street  
London  
E8 1DY

Tel: 0208 356 5800

Email: [children.complaints@hackney.gov.uk](mailto:children.complaints@hackney.gov.uk)

Information is also available to view at:

[www.hackney.gov.uk/Childrens-Social-Care-Complaints](http://www.hackney.gov.uk/Childrens-Social-Care-Complaints)

### **13. How to contact us**

If you want to talk to someone about family and friends care arrangements in Hackney, contact:

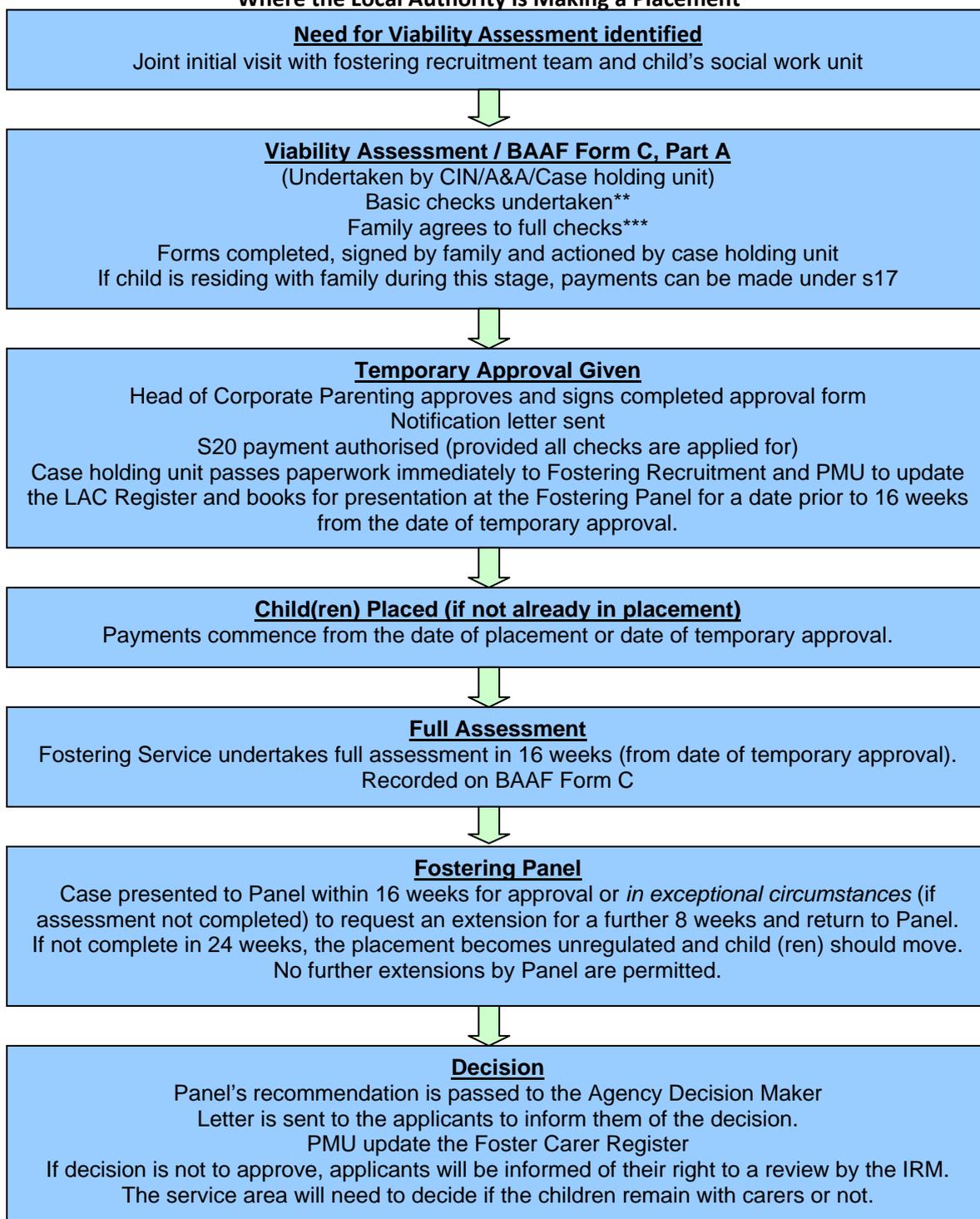
Corporate Parenting Service  
London Borough of Hackney  
Hackney Service Centre  
1 Hillman Street  
London  
E8 1DY

Tel: 020 8356 7568

## Annex A

### LONDON BOROUGH OF HACKNEY Becoming a Connected Persons (Family and Friends)\* Carer

#### Where the Local Authority is Making a Placement



\*A connected person is a relative (Section 105 Children Act 1989, as amended by Section 75 of the Civil Partnership Act 2004), friend or other person connected with the looked after child where there is a pre-existing relationship. Becoming a 'connected persons' carer where the local authority makes a placement and is separate from private fostering agreements and private family arrangements connected with a looked after child. [http://hackneychildcare.proceduresonline.com/chapters/p\\_place\\_fam\\_friend.html](http://hackneychildcare.proceduresonline.com/chapters/p_place_fam_friend.html)

\*\* Home environment seen / identity checks / capacity to provide adequate care and safeguard the child / child's wishes and feelings / parents views / details of family composition / LA checks / criminal offences

\*\*\* including DBS

## **Annex B**

### **Local support services for family and friends carers and children and young people**

#### **The Hackney Directory**

The Hackney Directory has information on childcare, paying for childcare and services for families with children aged 0-19

<http://www.learningtrust.co.uk/childcare/docs/hackneyfamilydirectory.pdf>

#### **Hackney Foster Carers Council**

Hackney Foster Carers Council (HFCC) aims to ensure that all foster families are well supported by sharing information, providing guidance and offering friendship. HFCC is a fully constituted voluntary organisation set up by Hackney foster carers independent of, but working in partnership with, the Corporate Parenting service.

All foster carers gain automatic membership to the HFCC once fully approved at the Fostering Panel and they are encouraged to take advantage of the opportunities HFCC membership provides. Carers can simply enjoy taking part in the organised activities or become an active member of the HFCC management committee which meets regularly to discuss and decide actions in relation to information, ideas or issues reported to them by Hackney foster carers.

For further information contact:

Karen Stanley, Chair

Hackney Foster Carers' Council

Phone: 07967 708 341

e-mail: [hackneyfostercarerscouncil@gmail.com](mailto:hackneyfostercarerscouncil@gmail.com)

#### **Discretionary Housing payments**

##### **What is a discretionary housing payment?**

Carers who are in receipt of housing benefit may be eligible for extra help through Hackney Council to help with temporary difficulties paying rent. The payment is called a discretionary housing payment and is meant to prevent hardship for people in financial difficulties.

##### **How does it work?**

The payments are temporary and can only be paid for a short time (how long will depend on personal circumstances). The amount of money paid is limited, and will be based on an assessment.

For further information and application forms are available at:

<http://www.hackney.gov.uk/f-discretionary-housing-payments.htm>

Or contact the Revenues and Benefits service for help and information.

Phone: 020 8356 3399

Email: [benefits@hackney.gov.uk](mailto:benefits@hackney.gov.uk)

Textphone: 020 8356 3725

In person or by post: Hackney Service Centre, 1 Hillman Street, London, E8 1DY.

Visit us from Monday to Friday from 9am to 5pm.

### **Hackney Virtual School for Looked After Children**

#### **Educational advice and support for children in care**

Educational progress for children in care is monitored and supported through the designated teacher for looked after children in each school (primary, secondary or special). The head of the virtual school for looked after children can be contacted on 020 8820 7227.

Address: Hackney Learning Trust, Technology & Learning Centre (TLC), 1 Reading Lane, London, E8 1GQ

Email: [info@learningtrust.co.uk](mailto:info@learningtrust.co.uk)

[http://www.learningtrust.co.uk/schools/important\\_information/children\\_in\\_care/](http://www.learningtrust.co.uk/schools/important_information/children_in_care/)

## **Annex C**

### **Useful national organisations and information for family and friends carers**

#### **Action for Prisoners' Families**

Works to reduce the negative impact of imprisonment on prisoners' families. Produces publications and resources, and provides advice, information and training as well as networking opportunities.

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

Address: Unit 21, Carlson Court, 116 Putney Bridge Road, London, SW15 2NQ

Tel: 020 8812 3600

E-mail: [info@actionpf.org.uk](mailto:info@actionpf.org.uk)

Advice line: 0808 808 2003

[info@prisonersfamilieshelpline.org.uk](mailto:info@prisonersfamilieshelpline.org.uk)

#### **Addaction**

Offers a range of support developed for families and carers affected by substance misuse.

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

Address: 67-69 Cowcross Street, London, EC1M 6PU

Tel. 020 7251 5860

Email: [info@addaction.org.uk](mailto:info@addaction.org.uk)

#### **Adfam**

Works with families affected by drugs and alcohol, and supports carers of children whose parents have drug and alcohol problems.

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

Address: 25 Corsham Street, London, N1 6DR

Tel: 020 7553 7640

Email: [admin@adfam.org.uk](mailto:admin@adfam.org.uk)

#### **Advisory Centre for Education (ACE)**

Offers free independent advice and information for parents and carers on a range of state education and schooling issues, including admissions, exclusion, attendance, special educational needs and bullying.

[www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Address: 1c Aberdeen Studios, 22 Highbury Grove, London, N5 2DQ

General advice line: 0808 800 5793

Exclusion advice line: 0808 800 0327

Exclusion information line: 020 7704 9822 (24hr answer phone)

#### **BeGrand.net**

Website offering information and advice to grandparents, plus online and telephone advice.

[www.begrand.net](http://www.begrand.net)

Helpline:

0845 434 6835

#### **British Association for Adoption and Fostering (BAAF)**

Provides information and advice about adoption and fostering and publishes resources.

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

Address: Saffron House, 6-10 Kirby Street, London, EC1N 8TS  
Tel: 020 7421 2600  
Email: [mail@baaf.org.uk](mailto:mail@baaf.org.uk)

### **Children's Legal Centre**

Provides free independent legal advice and fact sheets to children, parents, carers and professionals.

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

Address: University of Essex, Wivenhoe Park, Colchester, Essex, CO4 3SQ

Tel: 01206 877 910

E-mail: [clc@essex.ac.uk](mailto:clc@essex.ac.uk)

#### **Child Law Advice Line:**

0808 802 0008

Community Legal Advice - Education: 0845 345 4345

### **Citizens Advice Bureaux**

Helps people resolve their legal, money and other problems by providing free, independent and confidential advice through local bureaux and website.

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

### **Department for Education**

Lists details of telephone help lines and online services to provide information, advice and support, on a range of issues that parents and families may face in bringing up children and young people.

[www.education.gov.uk/childrenandyoungpeople/families](http://www.education.gov.uk/childrenandyoungpeople/families)

### **Family Fund Trust**

Helps families with severely disabled or seriously ill children to have choices and the opportunity to enjoy ordinary life. Gives grants for things that make life easier and more enjoyable for the disabled child and their family.

Address: 4 Alpha Court, Monks Cross Drive, York, YO32 9WN

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

Tel: 0845 130 4542

Email: [info@familyfund.org.uk](mailto:info@familyfund.org.uk)

### **Family Rights Group (FGR)**

Provides advice to parents and other family members, whose children are involved with or require children's social care services because of welfare needs or concerns.

Publishes resources, helps to develop support groups for family and friends carers, and runs a discussion board.

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

Address: Second Floor, The Print House, 18 Ashwin Street, London, E8 3DL

Tel: 020 7923 2628

Advice line: 0800 801 0366

Email: [advice@frg.org.uk](mailto:advice@frg.org.uk)

### **The Fostering Network**

Supports foster carers and anyone with an interest in fostering to improve the lives of children in care. Publishes resources and runs Fosterline, a confidential advice line for foster carers including concerns about a child's future, allegations and complaints, legislation and financial matters.

[www.fostering.net](http://www.fostering.net)

Address: 87 Blackfriars Road, London, SE1 8HA  
Email: [info@fostering.net](mailto:info@fostering.net)  
Tel: 020 7620 6400  
Fosterline: 0800 040 7675  
Email: [fosterline@fostering.net](mailto:fosterline@fostering.net)

### **The Grandparents' Association**

Supports grandparents and their families, especially those who have lost or are losing contact with their grandchildren because of divorce, separation or other family problems, those caring for their grandchildren on a full-time basis, and those with childcare responsibilities for their grandchildren.

[www.grandparents-association.org.uk](http://www.grandparents-association.org.uk)

Address: Moot House, The Stow, Harlow, Essex, CM20 3AG  
Tel: 01279 428040  
Helpline: 0845 434 9585

Welfare benefits advice and information: 0844 357 1033

Email: [info@grandparents-association.org.uk](mailto:info@grandparents-association.org.uk)

### **Grandparents Plus**

Champions the role of grandparents and the wider family in children's lives, especially when they take on the caring role in difficult family circumstances.

Address: Grandparents Plus, 18 Victoria Park Square, Bethnal Green, London, E2 9PF

Tel: 020 8981 8001

Email: [info@grandparentsplus.org.uk](mailto:info@grandparentsplus.org.uk)

### **Mentor UK**

Promotes the health and wellbeing of children and young people to reduce the damage that drugs can do to lives.

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

Address: Fourth Floor, 74 Great Eastern Street, London, EC2A 3JG

Tel: 020 7739 8494

Email: [admin@mentoruk.org](mailto:admin@mentoruk.org)

### **Family Mediation Helpline**

Provides information and advice about family mediation services and eligibility for public funding.

Tel: 08456 026627

[www.familymediationhelpline.co.uk](http://www.familymediationhelpline.co.uk)

### **National Family Mediation (NFM)**

Provides mediation services to support couples who are separated, and their children and others affected by this.

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

Address: 4 Barnfield Hill, Exeter, EX1 1SR

Tel: 0300 4000 636

Email: [general@nfm.org.uk](mailto:general@nfm.org.uk)

### **Partners of Prisoners and Families Support Group**

Operates helpline and provides a variety of services to support anyone who has a link with someone in prison, prisoners and other agencies.

[www.partnersofprisoners.co.uk](http://www.partnersofprisoners.co.uk)

Address: Valentine House, 1079 Rochdale Road, Blackley, Manchester, M9 8AJ  
Tel: 0161 702 1000  
Offenders' Families Helpline Tel: 0808 808 2003  
Email: [info@prisonersfamilieshelpline.co.uk](mailto:info@prisonersfamilieshelpline.co.uk)

### **Prison Advice and Care Trust (PACT)**

Provides practical and emotional support to prisoners and to their children and families. The Kinship Care Support Service provides support and advice to family members and friends who care for children whose parents are in HMP Holloway.

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

Address: Park Place, 12 Lawn Lane, Vauxhall, London, SW8 1UD  
Telephone: 020 77359535

### **Parents Against Drug Abuse (PADA)**

Delivers support and services to the families of substance users, including a national helpline.

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

Address: The Foundry, Marcus Street, Birkenhead, CH41 1EU  
Phone: 0151 649 1580  
National Families Helpline: 08457 023867

### **Parentline Plus**

Provides help and support in all aspects of family life, including information, an online chat facility and a 24 hour helpline.

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

Address: CAN Mezzanine, 49-51 East Road, London, N1 6AH  
Tel: 020 7553 3080  
24hr Advice line: 0808 800 2222  
Email: [parentsupport@familylives.org.uk](mailto:parentsupport@familylives.org.uk)

### **TalktoFrank**

The government's national drugs helpline which offers free confidential drugs information and advice 24 hours a day. Information and advice is also available via the website.

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

24 hour advice line: 0800 77 66 00

Text: 82111

Email: [frank@talktofrank.com](mailto:frank@talktofrank.com)

### **Voice**

Advocacy organisation for children living away from home or in need.

[www.voiceyp.org](http://www.voiceyp.org)

Address: 320 City Road, London, EC1V 2NZ  
Tel: 020 7833 5792  
Young person's advice line: 0808 800 5792  
Email: [info@voiceyp.org](mailto:info@voiceyp.org)

### **Young Minds**

Works to improve the emotional wellbeing and mental health of children and young people and empowering their parents and carers.

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

Address: 48-50 St John Street, London, EC1M 4DG

Tel: 020 7336 8445  
Parents helpline: 0808 802 5544