

Caring for someone else's child - options

| | PRIVATE FOSTERING | INFORMAL FAMILY CARE | | FAMILY & FRIENDS FOSTER CARE | NON-RELATED FOSTER CARE | RESIDENCE ORDER | SPECIAL GUARDIANSHIP ORDER | ADOPTION |
|-----------------------------------|---|---|---|--|--|--|---|---|
| ROUTE INTO THE CARING ARRANGEMENT | <p>This is a private arrangement whereby the child is being care for 28 days or more by anyone who does not have parental responsibility and who is not a close relative (e.g. grandparent, brother, sister, aunt, uncle (by full blood, half blood or by marriage or civil partnership) or a step-parent.</p> <p>The child is not looked after</p> | <p>Kinship Care</p> <p>An informal arrangement by the child's parents</p> <p>The relative has chosen to take on the care of the child</p> <p>The child is not looked after</p> | <p>Guardianship</p> <p>A pre-existing arrangement (often formalised through a solicitor)</p> <p>Starts when both parents are deceased or one is dead and the other is in prison</p> <p>The child is not looked after</p> | <p>The child is looked after and placed with a relative or family friend (connected person) by the local authority</p> <p>Because the child is looked after the local authority must approve the connected person as a local authority foster carer.</p> <p>The child may be looked after as a result of a voluntary arrangement (accommodation) or may be subject to a care order</p> | <p>The child is looked after (accommodated voluntarily with the parent's agreement or subject to a legal order such as a care order)</p> <p>Alternatively – the local authority may choose to place the child into residential care when this is considered the best way to meet the child's needs</p> | <p>The child may be on the edge of being looked after and a relative or family friend applies for an order</p> <p>Alternatively, the child may have been looked after and their foster carer or a connected person (relative/family friend) applies for an order</p> | | <p>For children who are looked after, the local authority may decide that the child should be placed for adoption. They can only do so with the consent of the birth parent or under a placement order made by a court</p> <p>An approved foster carer can apply for an adoption order after a year of caring for the child</p> <p>Other informal carers can apply for an adoption order if the child has lived with them for 3 years</p> |
| PARENTAL RESPONSIBILITY (PR) | <p>Remains with birth parents</p> | <p>Remains with birth parents but kinship carer can do what is reasonable to safeguard and/or promote the child's welfare</p> | <p>Legal guardian acquires parental responsibility on death of parents</p> | <p>Remains with birth parents / others with PR if child is accommodated under section 20 of the Children Act 1989</p> <p>The local authority acquires PR when child is subject to a legal order (e.g. interim care order, care order, emergency protection order) and can determine the extent to which the parents can exercise their PR for the child</p> | | <p>RO</p> <p>PR is shared by holder or the residence order and the child's parents and anyone else with PR</p> | <p>SGO</p> <p>PR is shared by holder of the SGO and the child's parents and anyone else with PR</p> <p>The special guardian may exercise PR to the exclusion of all others with PR, apart from another special guardian to the child</p> | <p>Transfers to the adopters and relationship (PR) with birth parents is severed</p> |
| APPROVAL BASIS | <p>The arrangement is assessed by the local authority.</p> <p>The PF carer is not approved as a local authority foster carer</p> <p>The arrangement may be prohibited if the PF carer is deemed unsuitable</p> | <p>None</p> | | <p>Approved as a local authority foster carer in accordance with the Fostering Services Regulations</p> | | <p>Appointed by a court following application</p> | <p>Appointed by a court following an application from the person(s) wishing to be special guardians. The local authority must investigate the matter and prepare a report for the court dealing with the suitability of the applicant as a special guardian</p> | <p>Adoption agency assesses the prospective adopters and a court makes an order. If child is not looked after notice of intention to adopt must be given to the local authority who then carry out an assessment / report for the court.</p> |

Caring for someone else’s child – options (continued)

| | PRIVATE FOSTERING | INFORMAL FAMILY CARE | | FAMILY & FRIENDS FOSTER CARE | NON-RELATED FOSTER CARE | RESIDENCE ORDER | SPECIAL GUARDIANSHIP ORDER | ADOPTION |
|-----------------------|---|--|---|---|--|---|---|----------------------------------|
| DURATION | Subject to the discretion of the person(s) with parental responsibility | Kinship Care Subject to the discretion of the person(s) with parental responsibility | Guardianship Until young person’s 18 th birthday | So long as the placement remains in line with the child’s care plan, as determined by the local authority | Until young person’s 18th birthday | Until young person’s 18th birthday unless varied or discharged by a court before the child reaches 18. | | Permanent life-long relationship |
| PLACEMENT SUPERVISION | This is not a ‘looked after’ placement but the local authority has a duty to assess the suitability of the placement and arrange for a social worker to visit the child (minimum 6 weekly in first year then 12 weekly) | None | | Statutory visits to the child by a social worker and supervision of the foster carers by a fostering social worker | None | | When the child is placed for adoption by the local authority, the placement is supervised in the same way as it would be for any child who is looked after (e.g. statutory visits and reviews). Once the order is made none | |
| REVIEW OF PLACEMENT | This is not a ‘looked after’ placement but the local authority may do formal reviews in addition to on-going assessment during visits | None | | Statutory reviews of the child’s care plan (minimum 6 monthly) and annual reviews of the local authority foster carers approval | None | | See above | |
| SUPPORT SERVICES | Provision of advice and support as determined necessary by the local authority, which may assess the child as a child in need and provide services / support for the child / family under section 17 of the Children Act 1989 | No entitlement but the local authority may assess the child as a child in need, with a child in need plan, and provide services / support for child / family under section 17 of the Children Act 1989 | | Support to meet the child’s needs outlined in a care plan – including a health plan and personal education plan Training and support for foster carers in accordance with the Fostering Services Regulations, National Minimum Standards (NMS) and CWDC standards Young person may be entitled to leaving care support services | RO No entitlement – but local authority has discretion to provide services / support under section 17 of the Children Act 1989 | SGO If child was looked after prior to making of the SGO the local authority must assess for need for special guardianship support services. Local authority has discretion whether to provide support. Young person may be entitled to leaving care services if was looked after prior to making of the SGO | Entitlement to assessment for adoption support services, which may be provided at the discretion of the local authority in accordance with Regulations and National Minimum Standards | |

Caring for someone else’s child – options (continued)

| | PRIVATE FOSTERING | INFORMAL FAMILY CARE | | FAMILY & FRIENDS FOSTER CARE | NON-RELATED FOSTER CARE | RESIDENCE ORDER | SPECIAL GUARDIANSHIP ORDER | ADOPTION |
|-----------------------------------|---|---|---|--|-------------------------|---|---|---|
| FINANCIAL SUPPORT - ENTITLEMENT | <p>Can claim child benefit and child tax credit if not being paid to parent</p> <p>Financial responsibility to maintain the child remains with the holders of parental responsibility</p> | <p>Kinship Care</p> <p>Can claim child benefit and child tax credit if not being paid to parent</p> <p>Financial responsibility to maintain the child remains with holders of PR</p> | <p>Guardianship</p> <p>Can claim child benefit and tax credit</p> <p>Guardians Allowance payable from HMRC</p> | <p>Child benefits and tax credits are not payable.</p> <p>A weekly allowance to meet the costs of caring for the child. This should meet at least the national minimum rates set by the DCSF (now DFE).</p> <p>Family and friends foster carers and non-related foster carers must be treated in same way with respect to level of allowances provided.</p> <p><i>Note – the local authority will also seek parental contributions for the child (under 16 years) while they are looked after.</i></p> | | <p>Can claim child benefit and child tax credit if these are not being paid to a parent</p> | | <p>Can claim child benefit and child tax credit if these are not being paid to a parent</p> <p>Entitlement to an assessment for financial support (part of adoption support) if child looked after prior to order</p> |
| FINANCIAL SUPPORT - DISCRETIONARY | <p>Local authority has the discretion to provide financial support under section 17 of the Children Act 1989</p> | <p>Local authority has the discretion to provide financial support under section 17 of the Children Act 1989</p> | | | | <p>RO</p> <p>The local authority has the discretion to pay a RO allowance – usually if the child was previously looked after and placed with the holder of the RO, or if the RO was made in court during care proceedings.</p> <p>Any allowance is reviewed annually</p> | <p>SGO</p> <p>Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child was looked after prior to making of SGO</p> <p>Any allowances are reviewed annually</p> | <p>Subject to an assessment – a regular adoption allowance or one-off payment maybe be made</p> |