

<b>Manual:</b>	Fostering Service Procedures; Foster Carers Handbook
<b>Title:</b>	Carers Movement Between Agencies (F/011)
<b>Last Reviewed:</b>	16/02/2015
<b>Next Review Due:</b>	16/02/2018

## INTRODUCTION

This procedure is based on the following principles:

- That the welfare of any child in a placement with carers wishing to transfer is paramount
- That carers have the right to freedom of movement between approving fostering services.
- That children are guarded against any unplanned moves/moves which are not in their best interests, and that their views, and views of other relevant parties are considered.

## ACTIONS

### RECRUITMENT OF EXISTING FOSTER CARERS

- Durham County Council does not require any foster carer to change fostering service in order to secure agreement to a plan for a child e.g. permanent care.
- Durham County Council Fostering Service will not approach individual foster carers with a view to recruiting them without the knowledge of their current fostering service: nor will they begin an assessment of existing foster carers without the knowledge of their current service.
- It is recognised that existing foster carers may approach Durham County Council to have initial discussions regarding transferring agency.
- When existing foster carers enquire with Durham County Council to gain information about the Fostering Service to inform their decision to transfer, the Fostering Service will respond either through a telephone discussion/meeting and a home visit.
- If the existing carers, on receiving the information, decide they wish to move agency then they will be asked to inform in writing their current fostering agency of their intention to transfer agencies.
- On receipt of the copy of this notification the fostering service will send to them an application form and invite them to preparation training.
- The foster carers will be expected to attend preparation training and to cooperate with their new assessment.
- A comprehensive assessment of the carers will be completed by the assessing social worker and a full report presented to Panel
- The fostering panel should make its recommendation on the suitability of a prospective foster carer within eight months of receipt of their application. NMS 14.4 (England).

### Procedure when there is no Child in Placement

- As soon as possible after allocation to an assessing social worker, a meeting will be convened between the carers existing service and Durham County Council. The purpose of this meeting is:
  - To give an understanding of the reasons for the carers transferring agencies;

- To consider the continued usage of the carers by their existing agency during the assessment;
- To check that access to files has been agreed, the reference and training record has been received;
- To give an outline of the time-table for assessment;
- To agree the termination and approval dates;
- To agree that during the assessment process any concerns or allegations reported to the existing agency are completed and any information concerning these communicated to the assessor;
- A foster carer cannot be approved by more than one service at the same time and this therefore requires close liaison between the current fostering service and Durham County Council to ensure that approval is not agreed until the foster carers are de-registered. The assessing social worker has a responsibility to keep the carers, and the agency informed of the proposed panel date and to advise the carers of the date they should submit their resignation, effective 28 days after it has been received by the agency. To ensure the accuracy of the date of effectiveness of the de-registration it is advised that the written notice is either delivered by hand or sent by recorded delivery.

### **Procedure when there is a Child in Placement**

- Where there is a child (or children) in placement, foster carers must give written notice of their intention to consider moving to another agency **both** to the current service and to the placing authority/authorities.
- Upon receipt of the written notice, the placing authority must inform the child's IRO of the intended change in placement provision [4.7 Volume 2, Care Planning, Placement and Case Review Statutory Guidance (2010)] and shall, within 28-days, convene a meeting of the placing authority/authorities – this may include commissioning/contracting officers as well as the children's social workers, the current service, Durham County Council Fostering Service and the foster carer/s.
- Where there is more than one placing authority, agreement should be reached on which authority will take responsibility for convening the meeting. Generally, the authority that has had children placed for the longest period with the foster carer will be considered the 'lead' authority. By agreement with the placing authorities, and when it is more convenient, Durham Fostering Service Recruitment Team may organise the meeting.
- The meeting will consider the following:
  - Any decisions made during the child's latest Case Review, particularly in respect of whether it is in their best interests to continue in their current placement and how their care plan will continue to be followed (it should be noted that Regulation 14 of the Care Planning, Placement and Case Review (England) Regulations 2010 requires that the responsible authority cannot terminate the current placement unless this has been considered by a case review);
  - How the move of the foster carer to Durham may affect each child in placement, including the potential loss of or changes in the relationships, activities and support services that a child has developed and/or established whilst in placement with the current agency;
  - The particular support needs of the child and the foster carer and how they will be provided by Durham;
  - The circumstances in which Durham may use any other placement vacancy once the transfer has been completed;

- The arrangements for approval by Durham and termination of the foster carer's approval by the current fostering service. The arrangements should be co-ordinated to ensure continuity of approval, and that transfer is made on a mutually agreed date;
- Parallel arrangements for timing a transfer of responsibility for the payment of fees and allowances to the foster carer;
- The views of the child, parent and any other interested parties (these views should be sought and represented by the placing authority);
- Where it is determined at a case review that the placement is not to continue, the arrangements to move the child/children to an alternative placement, including a time-frame for such a move will be clearly identified. The move should be completed within a timescale which is driven by the child's needs and care plan, but it is expected that this would normally be completed within three months unless there are exceptional circumstances which mean that this cannot be achieved. In these circumstances all parties should agree a revised timetable;
- An agreement that the current fostering service should keep Durham County Council updated, in writing, of any significant developments between the issue of the reference and the foster carer's approval by Durham County Council;
- A timetable for the approval of the foster carer by Durham. The expectations are that assessment and training will take place and that they will be completed within four months of the meeting taking place. There will be occasions when this timescale cannot reasonably be adhered to. In such cases all parties will be kept informed about developments and the anticipated time to completion;
- Once Durham Fostering Service has made its recommendation and the service indicates that it is ready to approve the foster carer, the foster carer should submit their resignation to the current fostering service as described previously. Durham's Agency Decision Maker may state that they will approve the person as a foster carer on a specific date in the future, which could be planned to coincide with the termination of their existing approval at the expiry of the 28 days' notice period. It should be made clear that in the meantime the foster carer is not approved by the new provider.

## Sharing of Information

- A foster carer's assessment report is the property of the service which produced it. However, foster carers have the right to almost all the information that is in the report under the provisions of the Data Protection Act 1998 (DPA) (see revised Statutory Guidance Volume 4 Fostering Services on the assessment and approval of foster carers July 2013).
- It is imperative to ensure that foster carers and, where relevant, members of their household fully understand the implications of sharing information pertaining to them, that is why their information is to be shared, what information will be shared, who will see/have access to their information and the purpose to which the information will be put.
- Provided that the explicit and informed consent of all parties involved has been given, the sharing of information held in existing records about a foster carer for the purposes of informing a new assessment of a person's suitability to foster is permitted. It is recommended that the applicant's (and where relevant, members of their household) consent is given in writing and passed to the fostering service which holds the record at the same time as the request to view the record is made.

- If consent is refused, the current fostering service should consider whether there is any information in the records that is a cause for concern and any such information should be shared, even if consent has been refused.
- If there are no concerns and the individual has refused consent information should not be shared.
- The assessing social worker must arrange to view the files and have a discussion with the current supervising social worker. The current fostering agency must provide access within 15 working days of a request being received. The information to be shared should include:
  - The report of the original assessment of the person's suitability to foster;
  - A copy of the report of the last review of the individual's continuing suitability to foster;
  - Any other review report considered useful to understanding the individual's current suitability to foster;
  - Details of any concerns about standards of practice and any remedial action to be undertaken and/or completed to address them;
  - Details of any allegations made against the foster carer or their household members (see guidance paragraph 3.78 and 3.79 Children Act Volume 4: Fostering Services) and;
  - Any other information considered to be relevant to the assessment of the person's suitability to foster;
  - Unless there are reasons relating to the safeguarding of children that would prevent this, the current fostering service should also provide the foster carer(s) with a copy.
- Under Regulation 26 (1A)(b) where a person has been a foster carer within the preceding twelve months and was approved by another fostering service provider the recruiting fostering service must request a written reference from that other fostering service provider. In the interests of safeguarding the welfare of children in placement.
- The reference should include the following information about the fostering household:
  - Length of registration;
  - Current terms of approval (if any) and date this was agreed;
  - Variations in approval in the last five years;
  - Age, sex and length of stay of all foster children during the last five years;
  - Extent to which the foster carers were able to achieve placement objectives;
  - Strengths and skills of the foster carers;
  - Recent training courses attended by the foster carer/s and skills gained post-approval;
  - Date and outcome of any investigation of allegations or concerns, other than unsubstantiated, unfounded or malicious allegations (which paragraph 3.79 of the Fostering Services Statutory Guidance directs should not be referred to in references);
  - Details of any current allegations or concerns;
  - The outcomes and recommendations of the latest annual review;

- Any other information considered to be relevant to the assessment of the person's suitability to foster.
- Durham Fostering Service can take account of information obtained by the existing provider so long as they are satisfied with its quality and continuing relevance (Fostering Statutory Guidance paragraph 5.30 Volume 4). This may, for instance, save having to interview again a previous employer or ex-partner who was interviewed in the past to verify facts and where no further information is required.
- It is recommended as good practice by Fostering Network that the current fostering agency provide a copy of a foster carer's assessment report to the recruiting fostering service.
- An assessment by the recruiting fostering service should be postponed if the foster carer is subject to a current investigation of allegations, or if there is an investigation relating to significant concerns about their practice, until the outcome of the process is known.

### **Training, Support and Development Standards**

- Foster carers should evidence meeting the Training, Support and Development Standards for foster care within the timescales set out in NMS 20.3. The workbook and portfolio of evidence belong to the foster carer and they must be allowed to retain them when transferring services. Most foster carers transferring fostering services should have met the Standards and will be able to provide the new fostering service with their certificate of completion. As part of their induction they will be required to become familiar with the new policies and procedures of the service, even if they have previously evidenced meeting the Standards

### **Payment to Foster Carers**

Where it is agreed that a child's placement will continue with a foster carer, Durham County Council will pay the foster carer in line with Durham County Council's Payment for Skills Scheme.

### **Existing Durham Carer Requesting to Transfer to another Fostering Service**

- No foster carer may join another fostering service (either local authority or Independent Fostering Agency) whilst they have any children in placement, unless arrangements for the continuing management of such placements are made to the satisfaction of both the placing authority and existing fostering service. When a foster carer is considering moving to another fostering agency they must inform the Fostering Service Team Manager in writing of their intentions. **Under no circumstances should an assessment by another fostering service begin before such notice is given.**
- The Fostering Social Worker will discuss with the Foster Carers their reasons for wishing to change agencies. The Team Manager will have direct contact and discussion with the Foster Carers to ensure all areas have been explored. If the Foster Carer is expressing difficulties or dissatisfaction with the support/practice/financial issues it will be suggested that a period of up to 28 days be given to allow the Fostering Service to address the issues raised. This may enable the foster carer to be retained or be an opportunity to learn lessons for the future management of the service.
- When a foster carer has informed the Fostering Service of their wish to move, and when children are in placements, a meeting will be convened between the Fostering Service and the child's social worker/team manager. This meeting will consider:
  - How such a move may affect a child in placement;

- How the child's plan will be maintained;
- Ongoing arrangements, for the management of the placement by the Fostering Service;
- The protocol by which the new fostering service may use any future placements made with the carer;
- Continuing arrangements for approval of the carer;
- The views of the child, parent or any other interested party;
- The meeting must agree the move is in the child's best interests and specify the particular management arrangements which will govern the transfer and maintain the existing placements;
- Where such arrangements are agreed to the satisfaction of the child's social worker and the Fostering Service, the new fostering service may commence the assessment and will request a reference from DCC Fostering Service. This will be provided in conjunction with the authority responsible for the children in placement. References will highlight any concerns they may have been and any outstanding complaints or allegations. The foster carers training record will be given to the new fostering agency.
- Where such agreements cannot be reached the foster carer will remain with DCC Fostering Service until any placements reach their natural end. At this point the foster carers will be free to undertake the transfer. DCC will make available the carers file on request from the new Fostering Service, with the carers written permission;
- A report will be presented to Panel and Foster Carers approval will be terminated from the date of transfer;
- When foster carers transfer the Fostering Service will record in writing whether this is solely at the request of the foster carers or whether there have been concerns.