



Department
for Education

Consultation Response Form

Consultation closing date: 15 September 2015

Your comments must reach us by that date

Notifications of private fostering arrangements in England

If you would prefer to respond online to this consultation please use the following link: <https://www.education.gov.uk/consultations>

This consultation seeks views on the proposal of closing the annual data collection and publication of *Notifications of private fostering arrangements in England*. These releases can be found on the statistics collection page [Private Fostering](#).

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.


If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Please tick if you want us to keep your response confidential.	<input type="checkbox"/>
Reason for confidentiality:	

Name: Savita De Sousa on behalf of the CoramBAAF Private Fostering Special Interest Groups in England	
Please tick if you are responding on behalf of your organisation.	<input checked="" type="checkbox"/>

Name of Organisation (if applicable):
Address:  CoramBAAF Adoption and Fostering Academy Coram Campus, 41 Brunswick Square, London WC1N 1AZ

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's ['Contact Us'](#) page.

Please specify the category which best describes you as a respondent. If other, please specify.

<input type="checkbox"/> Local authorities	<input type="checkbox"/> Government officials	<input type="checkbox"/> Parliamentarians
<input type="checkbox"/> Academics	<input type="checkbox"/> Voluntary and community sector organisations	<input type="checkbox"/> Foster Carer
<input type="checkbox"/> Social Worker	<input checked="" type="checkbox"/> Other	

<p>Please Specify: Limited Guaranteed Company</p> <p>On behalf of the CoramBAAF Adoption and Fostering Academy (formerlyBAAF) and the CoramBAAF Private Fostering Special Interest Groups in England, we are pleased to respond to this consultation (attached)</p> <p>CoramBAAF Adoption & Fostering Academy is the leading membership organisation dedicated to improving outcomes for children and young people in care by supporting the agencies and professionals who work with them.</p> <p>CoramBAAF focuses on supporting and developing all areas of permanency in the UK -adoption, fostering, kinship care as well as returning children to their parents – and the legal Orders that frame these.</p>
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CoramBAAF provides and develops the infra-structure of family placement services such as forms and practice guidance, disseminates research, shares best practice and offers publications, training and support to agencies and professionals to develop their skills and knowledge. This includes social workers, those working in health, the law and other related areas of activity. CoramBAAF also offers resources for those caring for children.

CoramBAAF is part of the Coram Group of charities which has been advancing the welfare, education and rights of children in the UK for over 275 years.

1 Do you use the private fostering published statistics (PF1) and to what extent? Please give a brief overview of examples where the statistics have played a part in your work and particularly when helping target children most at risk.

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Not Sure
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Comments:

Members of the CoramBAAF Private Fostering Special Interest Groups use the PF1 statistics to assess their own performance in increasing notification rates in comparison to other local authorities in their regions, across borders and nationally. The data has been valuable in identifying specific communities where more work needs to be done to raise awareness of private fostering. Annual Reports to the Local Safeguarding Children's Boards and the Children Services Directors include local, regional and national data so as to inform management about the range of children in private fostering arrangements in their localities and the services required to safeguard their welfare. At meetings the data is used to facilitate discussions about awareness raising strategies and opportunities for sharing of resources between agencies to improve notification rates.

CoramBAAF has provided national/regional statistical data and information on children in private fostering arrangements to various stakeholders, including government policy advisers, students, researchers and the media. Every year, as part of their duty to raise awareness of private fostering amongst professionals and the public, member agencies and CoramBAAF use the national/regional data to advise the media. The above stated proposal will mean that the 'Children in Need' data will only give a limited picture of the number and circumstances of children in private fostering arrangements in England, all of which will not be of comparable use to various stakeholders.

Further, the exclusion of private fostering arrangements as a specific set of national statistical data would mean that a greater number of the most vulnerable children would remain invisible and the hence the data required to safeguard their welfare will be inadequate. This will not support improving and implementing safeguarding strategies to identify and protect trafficked and exploited children and young people.

2 How would your work be affected if the current private fostering statistical publication was to cease?

Comments:

Members of the CoramBAAF Private Fostering Groups in England felt that the unavailability of national statistical data on private fostering would result in a loss of communication about what works in raising awareness of private fostering, and agencies would have no adequate data with which to compare local notification rates. Presumably local authorities would still be expected to collate local data for internal use. Consequently, they feared the profile of privately fostered children would be diminished and they would remain vulnerable. Moves to collect data on privately fostered children solely under the 'Children in Need' census would not only undermine the current Notification system and the efforts of practitioners to raise awareness by a lack of compliance, but would also offer no solutions to safeguard the welfare of other unidentified vulnerable children living in private fostering arrangements.

CoramBAAF is conscious that researchers and the media are particularly interested in statistical information relating to children in the public care system and those on the edge of care, like privately fostered children. The cessation of the provision of such national information would not serve the purposes of the Government and the media in helping to raise awareness of private fostering arrangements, nor be in the best interests of children in a range of private fostering arrangements, who may not reach the high threshold of 'Children in Need', but might still be vulnerable. However, this may be given a lower priority by senior management.

During Private Fostering Week (6-10 July 2015) media coverage organised by CoramBAAF's (formerly BAAF) media team and the private fostering consultant included: a story by the Police Federation, a Letter to Editor, Peterlee Star, the private fostering consultant appeared on BBC Radio Kent to raise awareness of private fostering, a Letter to Editor in Cumberland and Westmorland Herald and Nottingham Post, an article in the Guardian newspaper, Local Government First, Careappointments, Children and Young People Now, Medical News, Family Law Week, <http://www.localgovernmentexecutive.co.uk/features/spotlight-private-fostering> and a poll by Survation (on behalf of BAAF) found that 91% of the British public don't know what private fostering is.

3 Do you agree the proposal outlined above will help with better identification of types of private fostering arrangements that are of most concern? Any other suggestions you may wish to make on this data collection?

Yes

No

Not Sure

Comments:

Research on the 'Children in Need' Census in England (2009) shows that there are different definitions of the services accessed by 'children in need' and each local authority has different

'Children in Need' thresholds. Anecdotal information from the CoramBAAF Private Fostering Special Interest Groups indicates that the thresholds for entry to the 'Children in Need' system have risen. Whilst some privately fostered children will be potentially 'children in need', all of these factors are likely to have a negative impact on children in private fostering arrangements.

Moreover, although the 'Children in Need' data will be able to identify those in private fostering arrangements, it will not necessarily be able to identify **all** children in private fostering arrangements.

Members of the CoramBAAF Private Fostering Special Interest Groups considered that, rather than better identify types of private fostering arrangements that are of most concern, the proposed 'Children in Need' census data of private fostering arrangements would exclude a range of children in private fostering arrangements who do not meet the thresholds for 'Children in Need'. Trafficked children, those in domestic servitude, those whose parents have been deported, those who are 'sofa surfing' and at language schools are some of the children in private fostering arrangements who might be left vulnerable to risk of harm by this proposal.

The current legal definition of private fostering covers a range of common situations in which children are privately fostered, as the typology identified by the NCB/BAAF research study (DCSF, 2010) explains. Practice information gleaned from the CoramBAAF Private Fostering Special Interest Groups in England shows there is still considerable confusion about the types of arrangements which typically arise under the heading of "private fostering" and the different factors which apply according to the type of private foster care arrangement, particularly if the private foster carer is known, but not related, to the child. The specific needs and rights of each of these children/young people would not necessarily be safeguarded if they are not identified as living in private fostering arrangements, and if they fail to meet the thresholds for 'Children in Need', they will also be excluded from management information and planning services. Consequently they are likely to become vulnerable to risk of harm and further marginalised by virtue of their exclusion from the proposed national data collection system on private fostering.

The strengthening of the Notification system under the 2005 Regulations has facilitated the collection of more data on privately fostered children than in previous years. Its corresponding PF1 data collection is seen as useful and could be made more comprehensive with the inclusion of categories identified by Ofsted and the DfE in 2014. Such a template would provide much better national information for all stakeholders and provide much greater support and impetus for local authority efforts to raise awareness of the private fostering notification system. More importantly, the needs and rights of children in a range of private fostering arrangements would be better understood, and Ofsted would be better able to assess their experiences and journeys on the edge of care, into care or to reunification with their families. And, those who continue to remain in private fostering arrangements after the age of 16 would benefit from a 'Children in Need' assessment, and the support they may need from a number of agencies to make the transition to adulthood.

Privately fostered children are potentially 'Children in Need' and the regulations do not specify that privately fostered children should be assessed as such. However, the proposal to only collect data on privately fostered children who are also 'Children in Need' suggests that all local authorities **should consider all** privately fostered children as 'Children in Need' in order to offer them more protection and resources. Further, the proposal does not take into account that a

child could go directly from being defined as privately fostered to a section 47 enquiry. Members wanted clarification about how the proposed changes would recognise or monitor these cases.

The 'Children in Need' census also provides information for spending reviews so by excluding a range of children in private fostering arrangements, because they do not meet the thresholds of 'Children in Need', the management information needed to provide services and resources to safeguard their welfare will be inadequate.

4 Please provide any additional information in the box below:

Comments:

In 1997 following the Utting Report, the Government gave a commitment to increase awareness about the legislative framework concerning private fostering. And, since the Laming Inquiry (2003) into the death of Victoria Climbié new measures were taken under the Children Act 2004 to enhance the Notification system and promote a better understanding amongst the public and professionals of the other requirements. At that time some privately fostered children continued to remain on the 'edge of care' (Morris, 2005) and many private fostering arrangements remained as underground activities that only came to light when a child visited a local doctor or attended school.

Today, in practice, privately fostered children have only begun to become more visible and to be accorded statutory protection to which they are entitled because local authorities at a local level and CoramBAAF (formerly BAAF) at a national level began to raise awareness of private fostering and to tell parents and prospective foster carers of their duties under the Act.

CoramBAAF is concerned that the above stated proposal will undermine all the good work that has been done by local authorities and agencies like CoramBAAF (formerly BAAF). To include only privately fostered children who are also 'children in need' in the 'Children in Need' census data will mean that critical data and analysis of **other** groups of privately fostered children will be unavailable, and hence their entitlements under the Children Act 1989, as well as local authorities' responses to their needs, will not be recorded at a national level. CoramBAAF concludes that this lack of information could result in a failure to recognise and promote the human rights of children in private fostering arrangements who do not meet the 'Children in Need' thresholds. Whilst CoramBAAF recognises that a significant number of children in private fostering arrangements will be defined as 'Children in Need', we believe that **all** children in private fostering arrangements deserve to have their welfare safeguarded, particularly as there are difficulties in pursuing permanency options for this diverse group of children.

CoramBAAF agrees with members of its Private Fostering Special Interest Groups that the welfare of children in private fostering arrangements could be better safeguarded by a requirement on professionals to notify social services if they are aware of a private fostering arrangement. Further, schools and health services in particular should be encouraged to ask adults about their relationship to the child, whether they have parental responsibility for the child and if they have consent for the child to go on school trips or receive medical treatment.

CoramBAAF believes that no child should be invisible, especially those on the cusp of care, of which there are many in private fostering arrangements in England. Finally, CoramBAAF believes that **ALL** privately fostered children could be better safeguarded by a 'Children in Need' category being included into the current PF1 template. Such a revised template could be made more comprehensive with the additional categories identified by the DfE at the BAAF conference in 2014. This kind of data would strengthen the efforts of practitioners to encourage all privately fostered children to become more visible so that their welfare can be safeguarded.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply.	
E-mail address for acknowledgement:	

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, please confirm below if you would be willing to be contacted again from time to time either for research or to send through consultation documents?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](#)

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
- departments will need to give more thought to how they engage with and use real discussion with affected parties and experts as well as the expertise of civil service learning to make well informed decisions
- departments should explain what responses they have received and how these have been used in formulating policy
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

If you have any comments on how DfE consultations are conducted, please email: consultation.unit@education.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed responses should be sent to the address shown below by 15 September 2015

Send by post to:

Anneka Nelson-Girtchen, Department for Education, 5th Floor, 2 St Paul's Place, 125 Norfolk Street, Sheffield, S1 2FJ

Send by e-mail to: cin.stats@education.gsi.gov.uk