

Foster Carer - Agreement

Terms of the foster carer's approval

Agreement between

SubSection - 1

Foster Carer

and Oxfordshire Children, Young People and Families Directorate

Date of panel

Category of approval (long term, short term etc.)

Number of children

Ages of children

Gender

Male

Female

Either

Any other conditions

Support to foster carer's, supply and return of equipment

Each foster carer has the right to receive the following support:

i. **Finance** The foster care allowances leaflet attached gives details of weekly allowances, fees and other payments to which a foster carer may be entitled. Foster carers will be informed every year about any changes to these payments. Payments are made by direct credit transfer on a regular basis.

ii. **Over-Payments** These can occur for a variety of reasons. When a child has to leave suddenly, overpayment for a day will be waived, but overpayments for longer periods will be reclaimed. Carers should notify the Finance Department promptly if you continue to receive allowances when, due to changes in circumstances, payments should have been terminated.

iii. **Equipment** Any equipment essential to the task of caring for a foster child will be supplied to the foster carers. All equipment must be returned to the Directorate if the foster carer ceases to foster.

iv. **Social Work Advice and Assistance** This will be offered to the foster carers by their own Supervising Social Worker and by the Social Worker for any child placed with them.

v. **Your Supervising Social Worker** will be _____

_____ and you should let him/her know of any significant changes in your circumstances (see paragraph 12). Your Supervising Social Worker may make an occasional unannounced visit.

vi. **Foster Carers Support Groups** These are a vital part of the Children, Young People and Families Directorate's support to foster carers. Foster carers are encouraged to attend them.

vii. **Additional Forms of Support** Will be made available whenever possible and/or when they are essential to the maintenance of a particular placement. Any specific extra support agreed will be listed in the child's Foster Placement Agreement.

viii. All Oxfordshire carers have membership to the Fostering Network. This provides publications, information about training courses, and membership includes the benefits of the Fostering Network's public liability insurance cover. The Directorate contributes to the cost of an advice and mediation service for foster carers which is provided by the Fostering Network.

ix. The County Foster Care Association is affiliated to the Fostering Network and represents foster carers locally. The Directorate supports the Committee and regularly consults with it on matters of general concern to foster carers.

x. The Directorate encourages foster carers to use informal networks to support and assist each other.

xi. Carer Co-ordinators, who are themselves foster carers, are available in each area for advice and support.

Training and audit of compliance Ofsted

The Children, Young People and Families Directorate is committed to providing training opportunities for all its foster carers to increase their knowledge and skills in caring for children. Annual Inspection by Ofsted will audit compliance particularly regarding mandatory training. Carers must undertake training to keep up their registration.

It is advised by the foster carers own association (Fostering Network) that carers take every advantage of training opportunities offered them.

The Children, Young People and Families Directorate is required to ensure that foster carers complete the Induction Standards Workbook and have a working knowledge of:

- i. Child development to include enhancing the child's self-worth.
- ii. The effects of separation and loss on children and adults.
- iii. The importance of working in partnership with natural parents.
- iv. Helping a child to maintain appropriate contacts.
- v. The laws relating to children who are looked after by the Local Authority
- vi. Race, religion, and culture in the care of children.
- vii. Health, hygiene and first aid. Health promotion and communicable diseases.
- viii. Health and Safety.
- ix. Caring for a child who has been abused; and safe caring skills.
- x. Life Story work
- xi. Preparing a young person to move into independence or semi-independent living.

It is particularly helpful if foster carers can take part in relevant training events with other foster carers and social work staff. Where two adults in one household are approved as joint carers it is expected that both complete all training. The training needs of foster carers own children are recognised and need to be discussed with the Supervising Social Worker.

Foster carers undertaking specialist tasks will be offered appropriate training for that task. The Directorate also runs an NVQ programme in caring for children and young people Level 3. Details can be obtained from your Supervising Social Worker

Foster carers will be provided with a Training Portfolio to record all training courses attended, and other evidence of their practice and learning e.g. letters of thanks from children and/or social workers, attendance at support groups, planning/review meetings, photocopies of Life Story work, reflective accounts of their fostering, etc. The Annual Review will include an appraisal of training and development needs, recorded in the Review report.

The Fostering Service is aiming to make training more accessible to more foster carers, through the timing of training events, the payments of child care expenses and/or provision of crèche facilities.

Foster carer reviews

The approval of foster carers will be reviewed annually. Reviews may also be held in the event of a change of circumstance, or a complaint.

The Review will be conducted by a specialist in Family Placement, and will focus on the foster carers rather than any specific placement. A Review will include a visit and inspection of the foster home as well as contact with other members of the foster carers household.

The Review provides an opportunity to discuss the foster carer's view of the service offered by the Directorate, their experiences in specific aspects of fostering, their training needs and any grievances

they may have. The views of the Social Workers of all the children placed, the children themselves, and also the views of the foster carer s Supervising Social Worker will be included in the Review.

The Review is an opportunity to consider whether the terms of a foster carer s approval should be changed or extended.

Foster carers are asked to sign the Review report and are given a copy as well as a letter regarding the outcome of their review and their registration .

The first Review following approval will be presented to the Fostering Panel. Carer s status will be confirmed at this Review.

Foster placement agreements (for each child placed)

A Foster Placement Agreement will be completed for each child who is fostered. It will cover the following areas:

- Purpose and aims of placement
- The child s background
- The child s health and health care needs
- The child s racial, cultural and religious needs
- The child s leisure/recreational needs
- The child s education needs
- Arrangements for financial support
- Consent to medical/dental treatment
- The circumstances in which it is necessary to obtain the consent of the responsible authority for the child to live, even temporarily, away from the foster home
- Arrangements for visits to the child and the foster home by social workers and other professionals
- The frequency and nature of contact between the child and his/her parents and any other significant adults
- Arrangements for the reviews of the child s care plan and progress

Oxfordshire County Council uses The Department of Health Looking After Children Placement Plan (Parts One and Two) to record these agreements.

Representation and complaints procedures

If the Directorate fails to adhere to the conditions of the Foster Care Agreement and the Foster Placement Agreement, the foster carers have the right to complain.

The Complaints Procedure is outlined in the Foster Carer Handbook. A complaints leaflet is available on request.

If the foster carer fails to adhere to the conditions of the Foster Care Agreement and the Foster Placement Agreement, The Directorate may bring forward the Review of Approval of the carers, or the child s review.

Protection of children

The foster carer has a responsibility to protect and safeguard any child placed in their care from abuse or neglect. In the event of any allegation of abuse or neglect, the foster carer is required to comply with the Oxfordshire Child Protection procedures as outlined in the Foster Carer Handbook.

The Directorate has a whistle blowing policy for carers to report concerns about the practice of foster carers, or social workers. This means that the Directorate expects carers to notify us of any concerns they may have in relation to practice which may affect the care of a child. This may relate to the behaviour of a child's social worker, or another carer.

It is the foster carer's responsibility to ensure their home, garden and vehicle(s) are safe and well maintained, taking into consideration the age, ability and needs of the child/ren placed with them. Guidelines are provided in the 'Safety in the home' section of the Foster Carer Handbook.

It is the foster carer's responsibility to ensure that young people can only access age appropriate material on the Internet or indeed any other media materials. This means using age filters on the computer and preventing the use of chat rooms.

Free membership of fostering network

Oxfordshire Children, Young People and Families Directorate will arrange individual membership of Fostering Network for all short to long term foster carers. It will arrange access to the 24-hour legal line for any carer receiving a young person in an emergency placement under Regulation 38.

The benefits of individual membership include:

1. Access to a 24-hour Legal Advice Line.
2. Insurance cover for legal expenses for criminal and civil prosecutions associated with the fostering role.
3. Fostering Network magazine, leaflets, and other publications.

Insurance for foster carers

The accompanying leaflet provides information about insurance for foster carers. Foster carers are strongly advised to follow the recommendations in the Foster Carer Handbook.

Claims which cannot be dealt with by the foster carer's own insurance policy, or the County Council's insurance policy, will be considered for an ex-gratia payment from the Children, Young People and Families Directorate.

Legal liability and data protection

Legal Liability

Whilst the Children, Young People and Families Directorate expects foster carers to arrange their own insurance and to make any claim under that insurance policy, Children, Young People and Families Directorate will indemnify foster carers, provided that, at the time of the incident giving rise to the claim they were acting within the scope of their authority. This means that whilst foster carers are looking after children and are undertaking duties that are normally associated with being a foster carer, they are indemnified by Oxfordshire Children, Young People and Families Directorate.

There is no automatic liability on the Council to reimburse foster carers for any loss, injury or damage incurred by virtue of their fostering. In order for the Children, Young People and Families Directorate to be legally liable, it would be necessary for the foster carer to prove that the Council had been negligent in causing the loss, injury or damage. Nevertheless individual cases of hardship will be considered sympathetically and help may be provided on an ex gratia basis.

This indemnification does not extend to loss or damage caused by, or arising from fraud, dishonesty or criminal offence. The liability must have arisen when the foster carer was acting in the course of his or her duties as a foster carer.

Data Protection Act

Under the Data Protection Act 1998 there are obligations in relation to securely holding and passing on confidential information. Foster carers are in a unique position of needing highly sensitive information in order for them to properly care for children who are placed with them. This information might relate to health or indeed information about the child's background, including information relating to others, including the child's parents.

This information is highly confidential and sensitive and should only be disclosed and passed on to professionals who have statutory obligations towards the care of the child, e.g. Social Worker, GP, Health Visitor, etc. Written material concerning the child must be kept securely and should be returned to the Children, Young People and Families Directorate when the child leaves placement. This information can then be held on the child's file and will be accessible by those who need to have this information.

Change in foster carer's circumstances

Foster carers must inform their Family Placement Supervising Social Worker, in writing, of any major change in their circumstances, e.g:

- a. Any intended change of address, including for holidays.
- b. Any change in their personal circumstances likely to affect their capacity to care for any child placed in the household; specifically:
 - separation or divorce
 - change in employment
 - change in house
 - difficulties associated with natural children in the family
 - changes in the household composition
 - any new pets/animals
 - serious/long term sickness
 - criminal convictions of themselves or members of their household
 - any application for a Residence, Special Guardianship or Adoption Order in respect of any child in their household
 - any application to register as a childminder, or to provide day care

Corporal punishment

In line with the County Council's Policy and Government Regulations, foster carers must not administer corporal punishment to any child placed with them – see guidelines **Guidance on Use of Restraint and Control in Relation to Children Placed in Foster Homes** (see Foster Carer Handbook).

Confidentiality

All information given to a foster carer about a foster child or their family is confidential. It should not be disclosed without the consent of the Children, Young People and Families Directorate and should be returned to the Directorate when the child leaves.

Any breach of confidence is extremely serious and could have legal consequences. Any foster carers disclosing confidential information without authority will have their approval reviewed and possibly terminated.

Record keeping

- a. **Diary** All foster carers will be provided with a diary in which to record all foster care commitments and all appointments relating to the child.
- b. **Records of Child in Placement** It is expected that foster carers keep on-going records relating to the child's placement, significant events and, in particular, the carer's observation of the child's reaction to contact. Foster carers should also record any incidence of bullying and absconding. These records need to be stored in a secure manner and are to be returned to the Directorate when the child leaves the placement.
- c. **Safe Caring Policy** Each foster family is expected to provide a written Safe Caring Policy, using the Safe Caring guidelines in the Foster Carer Handbook. This policy will be used alongside information provided by the child's social worker at the time of placement, to compile a child-specific safe caring policy for each child in placement.
- d. **Life Story Work** The foster carer is expected to help the child to reflect on, and understand, his/her history and to keep appropriate memorabilia and photograph albums.
- e. **Training and Development Portfolio** Foster carers must keep a record of all learning undertaken, in the file provided.

Undertaking to care for a foster child

A foster carer undertakes to care for the child placed as if the child were a member of the foster carer's family. The foster carer should promote the child's welfare in a way that is consistent with the long and short term arrangements made for the child by Oxfordshire Children, Young People and Families Directorate, as specified in the terms of the Foster Placement Agreement.

Visits by Ofsted

Foster carers are required to co-operate as reasonably required with Ofsted, and in particular to allow a person authorised by Ofsted to interview them and visit their home at any reasonable time.

Change in foster child's circumstances

The foster carer should keep the child's social worker informed about the child's progress, and notify the child's social worker immediately of any serious illness of the child, or of any other serious occurrence affecting the child. Any change or proposed change of the legal status of the child (e.g. discharge of a Care Order through making an Adoption, Special Guardianship or Residence Order) could significantly alter the basis of any agreement with the carer.

Removal of foster child from foster home

The foster carer must allow the child to be removed from their home if requested to do so by Oxfordshire Children, Young People and Families Directorate, or by the Children, Young People and Families Directorate of the area in which they live. All paperwork, diaries and records concerning the child and all their belongings must be returned to the Directorate.

Termination of foster carer approval and return of paperwork

If concerns are raised about the standard of care provided by the foster carer, or if there are child protection issues, and these are established after the initial inquiry, approval status of the carers will be referred to the appropriate fostering panel for review.

One option for the panel would be to recommend that the Children, Young People and Families Directorate terminate the foster carer s approval (see Process for Termination of Approval of Foster Carers). In such a case, the carer will be notified of the Children, Young People and Families Directorate s decision in writing.

A foster carer may give notice in writing to The Directorate at any time they no longer wishes to act as a foster carer. Their approval will then be terminated twenty-eight days from the date on which the notice is received.

Declaration (and signature)

We the undersigned agree the terms and conditions of this Foster Carer Agreement

Signed (Service
Manager for
Oxfordshire County
Council)

Date

Signed (Foster
carer)

Date

Signed (Foster
carer)

Date

NB If there are two approved foster carers in the household, this agreement must be signed by both carer's

ANNEX 1

Guidance on Control and restraint in Relation to Children and Young People Placed in Foster Care. The manner and extent to which Foster Carers use restraint and control must always reflect good child care practice.

1. A foster carer has similar rights to control a child as a parent, with the following exceptions:
 - i). The liberty of the child may not be restricted without Court approval.
 - ii). Corporal punishment must not be used. The term "corporal punishment" should be taken to cover any intentional application of force as punishment, including slapping, pinching, squeezing, shaking, throwing missiles, rough handling and all other humiliating forms of treatment or punishment.
 - iii). Deprivation of food and drink should not be used as punishment. This is not a licence to feed on demand and it is recognised that it may, for example, be appropriate as part of a training programme for a child with special needs, to remove food offered when he/ she disrupts meal times by playing with or refusing to eat.

- iv). Restriction or refusal of visits/communications with family members, solicitors, social workers, Guardian ad Litem, etc, should not be used as a punishment.
- v). Children should not be required to wear distinctive clothing as a punishment. This includes the enforced removal of shoes or the sending to bed at an unusually early time. Children can be sent to their rooms but must not be made to wear night attire at inappropriate times.
- vi). Medication must not be withheld as a punishment.
- vii). Deprivation of sleep must not be used as a punishment. This is not a licence to let children or young people sleep whenever they wish. For instance, absconders returning at 7am can be deprived of sleep in that they can be expected to go to school/work, etc., as normal.
- viii). Fines should only be used as restitution and at no times should they exceed 50% of their pocket money.

2. There will be occasions when immediate reactive physical restraint is necessary to prevent danger of personal injury to the child or other young person, or to property. If there is no alternative, the physical action must be the minimum necessary to stop the risk of physical harm. The force used upon a child should be commensurate with the circumstances of the actual risk.

Restraint should not involve any actions which could be identified as an assault, i.e. nothing in terms of a blow, hit, punch, thump, smack, clap, kick or bite is acceptable. Holding a child to prevent risk of harm can be a helpful containing experience for a distressed child. The holding should not be prolonged.

3. Restraint may become necessary for some children who seek to abscond in a dangerous way, e.g. jumping out of a first floor window.

4. Children may be put in their rooms to calm down, but this should only be an emergency /short term measure.

5. Persistent absconders should not be subjected to any additional restraint that would not be acceptable for other children looked after by the Local Authority. It should only be appropriate to use immediate restraint over a very short period of time to avert immediate risk. Issues concerning the care of persistent absconders should be fully discussed between the foster carer, the supervising social worker and the social worker for the child and their managers.

Foster carers should inform the social worker for the child or their supervising social worker of any instance when restraint or control measures have been used. They should be recorded in writing by the foster carer as soon as possible after the incident. Should restraint become a necessary part of the child's behavioural programme, then this must be included in the care plan.

- The Psychology Service
- The Reach-Up Team
- Carer Co-ordinators

See also schemes and services listed in **Statement of Purpose** and **Foster Carer's Handbook**

Related Policies:

Behavioural Guidance in the Foster Carers Handbook

Absconding policy

Also Advice on Overnight Stays for children

Please ask your Supervising Social worker if you have any queries