

Fostering Services:

National Minimum Standards

FOSTERING SERVICES NMS

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GENERAL INTRODUCTION

This document contains the National Minimum Standards (NMS) applicable to the provision of fostering services. The NMS, together with Regulations relevant to the placement of children in foster care such as the Fostering Services (England) Regulations 2011 (the 2011 Regulations), form the basis of the regulatory framework under the Care Standards Act 2000 (CSA) for the conduct of fostering services.

The values statement below explains the important principles which underpin these standards.

Values

- The child's welfare, safety and needs are at the centre of their care.
- Children should have an enjoyable childhood, benefiting from excellent parenting and education, enjoying a wide range of opportunities to develop their talents and skills leading to a successful adult life.
- Children are entitled to grow up in a loving environment that can meet their developmental needs.
- Every child should have his or her wishes and feelings listened to and taken into account.
- Each child should be valued as an individual and given personalised support in line with their individual needs and background in order to develop their identity, self confidence and self-worth.
- The particular needs of disabled children and children with complex needs will be fully recognised and taken into account
- The significance of contact for looked after children, and of maintaining relationships with birth parents and the wider family, including siblings, half-siblings and grandparents, is recognised, as is the foster carer's role in this.
- Children in foster care deserve to be treated as a good parent would treat their own children and to have the opportunity for as full an experience of family life and childhood as possible, without unnecessary restrictions.
- The central importance of the child's relationship with their foster carer should be acknowledged and foster carers should be recognised as core members of the team working with the child.
- Foster carers have a right to full information about the child.

- It is essential that foster carers receive relevant support services and development opportunities in order to provide the best care for children.
- Genuine partnership between all those involved in fostering children is essential for the NMS to deliver the best outcomes for children; this includes the Government, local government, other statutory agencies, fostering service providers and foster carers.

Legal status of the standards

The NMS for fostering services are issued by the Secretary of State under section 23 of the CSA 2000. The Secretary of State will keep the standards under review and may publish amended standards as appropriate.

Minimum standards do not mean standardisation of provision. The standards are designed to be applicable to the wide variety of different types of fostering service. They aim to enable, rather than prevent, individual providers to develop their own particular ethos and approach based on evidence that this is the most appropriate way to meet the child's needs. Many providers will aspire to exceed these standards and develop their service in order to achieve excellence.

The standards are issued for use by Ofsted, who take them into account in the inspection of fostering services. They will also be important in other ways. The standards may be used by providers and staff in self-assessment of their services; they provide a basis for the induction and training of staff and carers; they can be used by parents, children and young people as a guide to what they should expect a fostering service to provide and to do as a minimum; and they can provide guidance on what is required when setting up a fostering service.

The standards apply to fostering services. Where a standard places an expectation on a foster carer, this should be interpreted as an expectation on their fostering service to support the foster carer to meet the standard.

Structure and approach to inspection¹

The National Minimum Standards for fostering services focus on delivering achievable outcomes for children. Each standard is preceded by a statement of the outcome to be achieved by the fostering service provider. The standards are intended to be qualitative, in that they provide a tool for judging the quality of life experienced by services users, but they are also designed to be measurable. Services will normally show that they are meeting the headline statement of the outcome by following the standards below. However, these do not have to be followed exactly if the service can demonstrate, and Ofsted is satisfied, that the outcomes are being met in a different way. The exception is a

¹ Ofsted will be providing advice on how the individual standards fit against the judgements in their inspection framework

requirement set out in regulations in which case the requirement must be met. The standards outline in the legislation box what the statutory requirement is which underpins the standards. Unless otherwise specified, the legislation referred to in the legislation box is a provision in the 2011 Regulations.

Across all its work, Ofsted has three core statutory responsibilities under section 117 of the Education and Inspections Act 2006: to ensure that inspection supports improvement in the services Ofsted inspects and regulates; that it is centred on the needs of users; and that it promotes the effective use of resources.

There are four elements to Ofsted's function as a regulator: registration; inspection; compliance; and enforcement. The purpose of Ofsted's inspection of social care is to assess the quality of care being provided for children and, where appropriate, their families. Inspection focuses on the outcomes which they are being supported to achieve. It tests compliance with the relevant Regulations and takes into account the NMS.

Following inspection, inspectors will make a number of judgements, including a judgement on the overall effectiveness of the service inspected. They will make recommendations for improvement, including any action required to ensure that provisions fully meet the NMS. For those provisions which are required to be registered with Ofsted, they will set requirements to be fulfilled in order to remedy any identified failure to meet the relevant regulations. Any identified failure in meeting the requirements of regulations may lead to consideration of enforcement action. Conditions of registration may be imposed.

The wider context

These national minimum standards are underpinned by the 2011 Regulations. Statutory guidance for fostering services – *Children Act 1989 Guidance and Regulations Volume 4: Fostering Services* - sets out the wider context for local authorities, as providers and commissioners of fostering services. This is not an exhaustive list, and other legislation and guidance may also be relevant, for example, legislation covering such matters as health and safety, fire or planning requirements.

It is intended that the standards will be used, both by fostering service providers and by Ofsted, to focus on securing positive welfare, health and education outcomes for children, and reducing risks to their welfare and safety. All providers and staff of fostering services should aim to provide the best care possible for the children for whom they are responsible, and observing the standards is an essential part, but only a part, of the overall responsibility to safeguard and promote the welfare of each individual child.

Application to Short Breaks

Both the 2011 Regulations and the NMS are modified in relation to short breaks. This is in recognition that where the child receives short breaks the parents have primary responsibility for planning for their child.

Regulation 42 defines short break care and sets out the modifications, which are that the following regulations do not apply in relation to the child where the child is on a short break: regulations 14, 15(2)(a) and (d), and 16.

The following NMS do not apply in relation to short break care: standard 2.5, 2.7 and all of standard nine and twelve.

In addition there is no requirement for a separate placement plan for children looked after in a series of short breaks (Care Planning, Placement and Case Review (England) Regulations 2010, regulation 48 (3)). For such children the short break care plan includes key elements of the placement plan. Where the NMS state 'placement plan' this will be the short break care plan in relation to children on short breaks.

CHILD FOCUSED STANDARDS

STANDARD 1 – The child’s wishes and feelings and the views of those significant to them

Underpinning Legislation:

- 11 – Independent fostering agencies – duty to secure welfare
- 18 – Independent fostering agencies – representations and complaints

Children Act 1989:

Section 22 – General duties of local authority in relation to children looked after by them

Sections 61 and 62 – duties of voluntary organisations and local authorities in relation to children accommodated by or on behalf of the voluntary organisation

Outcome:

- Children know that their views, wishes and feelings are taken into account in all aspects of their care; are helped to understand why it may not be possible to act upon their wishes in all cases; and know how to obtain support and make a complaint.
- The views of others with an important relationship to the child are gathered and taken into account.

- 1.1) Children’s views, wishes and feelings are acted upon, unless this is contrary to their interests or adversely affects other members of the foster care household.
- 1.2) Children understand how their views have been taken into account and where significant wishes or concerns are not acted upon, they are helped to understand why.
- 1.3) Children communicate their views on all aspects of their care and support.
- 1.4) The views of the child, the child’s family, social worker and Independent Reviewing Officer are sought regularly on the child’s care (unless in individual cases this is not appropriate).
- 1.5) Children have access to independent advice and support from adults who they can contact directly and in private about problems or concerns, which is appropriate to their age and understanding. Children know their rights to advocacy, how to access an advocate and how to contact the Children’s Rights Director.

- 1.6) Children can take up issues in the most appropriate way with support, without fear that this will result in any adverse consequences. Children receive prompt feedback on any concerns or complaints raised and are kept informed of progress.
- 1.7) The wishes, feelings and views of children and those significant to them are taken into account in monitoring foster carers and developing the fostering service.

STANDARD 2 – Promoting a positive identity, potential and valuing diversity through individualised care.

Underpinning Legislation:

11 - Independent fostering agencies - duty to secure welfare

Children Act 1989:

Section 22 – General duties of local authority in relation to children looked after by them

Sections 61 and 62 – duties of voluntary organisations and local authorities in relation to children accommodated by or on behalf of the voluntary organisation

Outcome:

- Children have a positive self view, emotional resilience and knowledge and understanding of their background.

- 2.1) Children are provided with personalised care that meets their needs and promotes all aspects of their individual identity.
- 2.2) Foster carers are supported to promote children's social and emotional development, and to enable children to develop emotional resilience and positive self-esteem.
- 2.3) Foster carers meet children's individual needs as set out in the child's placement plan as part of the wider family context.
- 2.4) Children exercise choice in the food that they eat, and are able to prepare their own meals and snacks, within the context of the foster family's decision making and the limits that a responsible parent would set.
- 2.5) Children exercise choice and independence in the clothes and personal requisites that they buy and have these needs met, within the context of the foster family's decision making and the reasonable limits that a responsible parent would set. **This sub-standard is not applicable to short break placements.**
- 2.6) Children develop skills and emotional resilience that will prepare them for independent living.

2.7) Children receive a personal allowance appropriate to their age and understanding, that is consistent with their placement plan. **This sub-standard is not applicable to short break placements.**

STANDARD 3 – Promoting positive behaviour and relationships

Underpinning Legislation:

11 – Independent fostering agencies - duty to secure welfare
13 – Behaviour management and absence from the foster parent's home
17 – Foster parent to be provided with up to date information about the child including the child's care plan

Children Act 1989:

Section 22 – General duties of local authority in relation to children looked after by them

Sections 61 and 62 – duties of voluntary organisations and local authorities in relation to children accommodated by or on behalf of the voluntary organisation

Outcome:

- Children enjoy sound relationships with their foster family, interact positively with others and behave appropriately.

- 3.1) Foster carers have high expectations of all of the foster children in their household.
- 3.2) Foster carers provide an environment and culture that promotes, models and supports positive behaviour.
- 3.3) Children are able to develop and practice skills to build and maintain positive relationships, be assertive and to resolve conflicts positively.
- 3.4) Children are encouraged to take responsibility for their behaviour in a way that is appropriate to their age and abilities.
- 3.5) Foster carers respect the child's privacy and confidentiality, in a manner that is consistent with good parenting.
- 3.6) Foster carers have positive strategies for effectively supporting children where they encounter discrimination or bullying wherever this occurs.
- 3.7) Foster carers receive support on how to manage their responses and feelings arising from caring for children, particularly where children display very challenging behaviour, and understand how children's previous experiences can manifest in challenging behaviour.

- 3.8) All foster carers receive training in positive care and control of children, including training in de-escalating problems and disputes. The fostering service has a clear written policy on managing behaviour, which includes supporting positive behaviour, de-escalation of conflicts and discipline. The fostering service's policy is made clear to the responsible authority/placing authority, child and parent/s or carers before the placement begins or, in an emergency placement, at the time of the placement.
- 3.9) Each foster carer is aware of all the necessary information available to the fostering service about a child's circumstances, including any significant recent events, to help the foster carer understand and predict the child's needs and behaviours and support the child within their household. The fostering service follows up with the responsible authority where all such necessary information has not been provided by the authority.
- 3.10) The fostering service's approach to care minimises the need for police involvement to deal with challenging behaviour and avoids criminalising children unnecessarily.

STANDARD 4 – Safeguarding Children

Underpinning Legislation:

- 11 – Independent fostering agencies – duty to secure welfare
- 12 – Arrangements for the protection of children

Outcome:

- Children feel safe and are safe. Children understand how to protect themselves and are protected from significant harm, including neglect, abuse, and accident.

- 4.1) Children's safety and welfare is promoted in all fostering placements. Children are protected from abuse and other forms of significant harm (e.g. sexual or labour exploitation).
- 4.2) Foster carers actively safeguard and promote the welfare of foster children.
- 4.3) Foster carers make positive relationships with children, generate a culture of openness and trust and are aware of and alert to any signs or symptoms that might indicate a child is at risk of harm.
- 4.4) Foster carers encourage children to take appropriate risks as a normal part of growing up. Children are helped to understand how to keep themselves safe, including when outside of the household or when using the internet or social media.
- 4.5) The service implements a proportionate approach to any risk assessment.
- 4.6) Foster carers are trained in appropriate safer-care practice, including skills to care for children who have been abused. For foster carers who offer placements to disabled children, this includes training specifically on issues affecting disabled children.
- 4.7) The fostering service works effectively in partnership with other agencies concerned with child protection, e.g. the responsible authority, schools, hospitals, general practitioners, etc., and does not work in isolation from them.

STANDARD 5 - Children Missing from Care

Underpinning Legislation:

13 – Behaviour management and absence from the foster parent's home

Outcome:

- Children rarely go missing and if they do, they return quickly.
- Children who do go missing are protected as far as possible and responded to positively on their return.

- 5.1) The care and support provided to children, minimises the risk that they will go missing and reduces the risk of harm should the child go missing.
- 5.2) Foster carers know and implement what the fostering service and the responsible authority's policy is in relation to children going missing.
- 5.3) Foster carers are aware of, and do not exceed, the measures they can take to prevent a child leaving without permission under current legislation and Government guidance.
- 5.4) Children who are absent from the foster home without consent, but whose whereabouts are known or thought to be known by carers or staff, are protected in line with the fostering service's written procedure.
- 5.5) The fostering service and foster carers take appropriate action to find children who are missing, including working alongside the police where appropriate.
- 5.6) If a child is absent from the fostering home and their whereabouts are not known (i.e. the child is missing), the fostering service's procedures are compatible with the local Runaway and Missing from Home and Care (RMFHC) protocols and procedures applicable to the area where each foster home is located.
- 5.7) Where children placed out of authority go missing, the manager of the fostering service follows the local RMFHC protocol. They also comply with, and make foster carers aware of, any other processes required by the responsible authority, specified in the individual child's care plan and in the RMFHC protocol covering the authority responsible for the child's care².

² Statutory Guidance on children who run away and go missing from home and care – 3.5(27).

- 5.8) Children are helped to understand the dangers and risks of leaving the foster home without permission and are made aware of where they can access help if they consider running away.
- 5.9) Where a child goes missing and there is concern for their welfare, or at the request of a child who has been missing, the fostering service arranges a meeting in private between the child and the responsible authority to consider the reasons for their going missing. The fostering service considers with the responsible authority and foster carer what action should be taken to prevent the child going missing in future. Any concerns arising about the foster carer or the placement are addressed, as far as is possible, in conjunction with the responsible authority.
- 5.10) Written records kept by the fostering service where a child goes missing detail action taken by foster carers, the circumstances of the child's return, any reasons given by the child for running away from the foster home and any action taken in the light of those reasons. This information is shared with the responsible authority and, where appropriate, the child's parents.

STANDARD 6 - Promoting good health and wellbeing

Underpinning Legislation:

15 – Health of children placed with foster parents.

Children Act 1989:

Section 22 – General duties of local authority in relation to children looked after by them

Sections 61 and 62 – duties of voluntary organisations and local authorities in relation to children accommodated by or on behalf of the voluntary organisation

Outcome:

- Children live in a healthy environment where their physical, emotional and psychological health is promoted and where they are able to access the services to meet their health needs.

- 6.1) Children's physical, emotional and social development needs are promoted.
- 6.2) Children understand their health needs, how to maintain a healthy lifestyle and to make informed decisions about their own health.
- 6.3) Children are encouraged to participate in a range of positive activities that contribute to their physical and emotional health.
- 6.4) Children have prompt access to doctors and other health professionals, including specialist services (in conjunction with the responsible authority), when they need these services.
- 6.5) Children's health is promoted in accordance with their placement plan and foster carers are clear about what responsibilities and decisions are delegated to them and where consent for medical treatment needs to be obtained.
- 6.6) Children's wishes and feelings are sought and taken into account in their health care, according to their understanding, and foster carers advocate on behalf of children.
- 6.7) Foster carers receive sufficient training on health and hygiene issues and first aid, with particular emphasis on health promotion and communicable diseases.
- 6.8) Foster carers receive guidance and training to provide appropriate care if looking after children with complex health needs.

- 6.9) Medicines kept in the foster home are stored safely and are accessible only by those for whom they are intended.
- 6.10) Foster carers are trained in the management and administration of medication. Prescribed medication is only given to the child for whom it was prescribed, and in accordance with the prescription. Children who wish to, and who can safely keep and take their own medication, do so.
- 6.11) Foster carers keep a written record of all medication, treatment and first aid given to children during their placement.
- 6.12) Any physical adaptations or equipment needed for the appropriate care of the children are provided to foster carers.

STANDARD 7 - Leisure activities

Underpinning Legislation:

16 - Education, employment and leisure activities.

Outcome:

- Children are able to enjoy their interests, develop confidence in their skills and are supported and encouraged to engage in leisure activities.
- Children are able to make a positive contribution to the foster home and their wider community.

- 7.1) Children develop their emotional, intellectual social, creative and physical skills through the accessible and stimulating environment created within the foster home. Children are supported to take part in school based and out of school activities.
- 7.2) Children pursue individual interests and hobbies. They take part in a range of activities, including leisure activities and trips.
- 7.3) Foster carers understand what is in the child's placement plan and have clarity about decisions they can make about the day to day arrangements for the child, including such matters as education, leisure activities, overnight stays, holidays, and personal issues such as hair cuts.
- 7.4) Foster carers are supported to make reasonable and appropriate decisions within the authority delegated to them, without having to seek consent unnecessarily.
- 7.5) Children have permission to take part in age appropriate peer activities as would normally be granted by a reasonable parent to their children, within the framework of the placement plan. Decision-making and any assessment of risk to the child should be undertaken on the same basis as a reasonable parent would do.
- 7.6) Children are encouraged and enabled to make and sustain friendships, which may involve reciprocal arrangements to visit friends' homes.
- 7.7) Children can stay overnight, holiday with friends, or friends and relatives of their foster carer, or go on schools trips, subject to requirements of the care/placement plan, if foster carers consider it appropriate in individual circumstances. CRB checks are not normally sought as a precondition.

STANDARD 8 - Promoting educational attainment

Underpinning Legislation:

16 – Education, employment and leisure activities

Children Act 1989:

Section 22(3A) – duty on local authority to promote educational achievement

Outcome:

- The education and achievement of children is actively promoted as valuable in itself and as part of their preparation for adulthood. Children are supported to achieve their educational potential.

- 8.1) Children, including pre-school children and older children, have a foster home which promotes a learning environment and supports their development.
- 8.2) Children have access to a range of educational resources to support their learning and have opportunities beyond the school day to engage in activities which promote learning.
- 8.3) Children are supported to attend school, or alternative provision, regularly.
- 8.4) Children are helped by their foster carer to achieve their educational or training goals and foster carers are supported to work with a child's education provider to maximise each child's achievement and to minimise any underachievement.
- 8.5) The fostering service has, and is fully implementing, a written education policy that promotes and values children's education and is understood by foster carers.
- 8.6) Foster carers maintain regular contact with each child's school and other education settings, attending all parents' meetings as appropriate and advocating for the child where appropriate.
- 8.7) Foster carers engage and work with schools, colleges and other organisations to support children's education, including advocating to help overcome any problems the child may be experiencing in their education setting. Foster carers have up-to-date information about each child's educational progress and school attendance record.

STANDARD 9 - Promoting and supporting contact

Underpinning Legislation:

14 – Duty to promote contact

Outcome:

- Children have, where appropriate, constructive contact with their parents, grandparents, siblings, half-siblings, wider family, friends and other people who play a significant role in their lives.

- 9.1) Children are supported and encouraged to maintain and develop family contacts and friendships, subject to any limitations or provisions set out in their care plan and any court order.
- 9.2) Foster carers are given practical help to support appropriate contact, including financial help where needed, alongside support to manage any difficult emotional or other issues that the child and foster carer may have as a result of contact.
- 9.3) Emergency restrictions on contact are only made to protect the child from significant risk to their safety or welfare and are communicated to the responsible authority within 24 hours of being imposed.
- 9.4) Ongoing restriction on communication by the child is agreed by the child's responsible authority, takes the child's wishes and feelings into account and is regularly reviewed in collaboration with the responsible authority.
- 9.5) The fostering service feeds back to the responsible authority any significant reactions a child has to contact arrangements or visits with any person.
- 9.6) When deciding whether to offer a placement, the fostering service works with the responsible authority in giving consideration to how the child's contact with family and significant others will be supported, particularly where a child is placed at a distance from home.
- 9.7) Foster carers understand what decisions about contact are delegated to them, in line with the child's care plan, and make those decisions in the child's best interests.

The above standards are not required for short breaks. For children in short breaks the foster carer must know how to contact parents and maintain such contact as has been agreed in the short break care plan

STANDARD 10 - Providing a suitable physical environment for the foster child

Underpinning Legislation:

26 – Assessment of prospective foster parents

Schedule 3 – Information as to prospective foster parent and other members of their household and family

Outcome:

- Children live in foster homes which provide adequate space, to a suitable standard. The child enjoys access to a range of activities which promote his or her development.

- 10.1) The foster home can comfortably accommodate all who live there including where appropriate any suitable aids and adaptations provided and fitted by suitably trained staff when caring for a disabled child.
- 10.2) The foster home is warm, adequately furnished and decorated, is maintained to a good standard of cleanliness and hygiene and is in good order throughout. Outdoor spaces which are part of the premises are safe, secure and well maintained.
- 10.3) Foster carers are trained in health and safety issues and have guidelines on their health and safety responsibilities. Avoidable hazards are removed as is consistent with a family home.
- 10.4) Foster carers understand the service's policy concerning safety for children in the foster home and in vehicles used to transport foster children. The service's policy is regularly reviewed in line with the most recent guidance from relevant bodies.
- 10.5) The foster home is inspected annually, without appointment, by the fostering service to make sure that it continues to meet the needs of foster children.
- 10.6) In the foster home, each child over the age of three should have their own bedroom. If this is not possible, the sharing of a bedroom is agreed by each child's responsible authority and each child has their own area within the bedroom. Before seeking agreement for the sharing of a bedroom, the fostering service provider takes into account any potential for bullying, any history of abuse or abusive behaviour, the wishes of the children concerned and all other pertinent facts. The decision making process and outcome of the assessment are recorded in writing where bedroom sharing is agreed.

STANDARD 11 - Preparation for a placement

Underpinning Legislation:

11 – Independent fostering agencies – duty to secure welfare

Children Act 1989:

Section 22 – General duty of local authority in relation to children looked after by them

Care Planning, Placement and Case Review (England) Regulations (2010):

Regulation 22 – Conditions to be complied with before placing a child with a local authority foster parent

Outcome:

- Children are welcomed into the foster home and leave the foster home in a planned and sensitive manner which makes them feel loved and valued.
- Children feel part of the family. They are not treated differently to the foster carer's own children living in the household. The child's needs are met and they benefit from a stable placement.

- 11.1) The service has and implements clear procedures for introducing children into the foster care placement, to the foster carer and to others living in the household, which cover planned and, where permitted, emergency/immediate foster care placements. They help children understand what to expect from living in the foster home.
- 11.2) Children are carefully matched to a foster placement. Foster carers have full information about the child (as set out in standard 3.9).
- 11.3) Unless an emergency placement makes it impossible, children are given information about the foster carer before arrival, and any information (including where appropriate, photographic information) they need or reasonably request about the placement, in a format appropriate to their age and understanding. Wherever possible, children are able to visit the foster carer's home and to talk with the foster carers in private prior to a placement decision being made. Children can bring their favourite possessions into the foster carer's home.
- 11.4) Children are given free access to the household facilities as would be consistent with reasonable arrangements in a family home. Foster carers explain everyday household rules and expectations to children.

- 11.5) Where children are leaving the foster family, they are helped to understand the reasons why they are leaving. Children are supported during the transition to their new placement, to independent living or to their parental home.
- 11.6) Foster carers are supported to maintain links with children moving on, consistent with their care plan.

STANDARD 12 – Promoting independence and moves to adulthood and leaving care

Underpinning Legislation:

11 – Independent fostering agencies – duty to secure welfare

Children Act 1989:

Section 22 - General duty of local authority in relation to children looked after by them

Outcome:

- Children are prepared for, and supported into, adulthood so that they can reach their potential and achieve economic wellbeing.

12.1) Children are supported to:

- a. establish positive and appropriate social and sexual relationships;
- b. develop positive self-esteem and emotional resilience;
- c. prepare for the world of work and or further or higher education;
- d. prepare for moving into their own accommodation;
- e. develop practical skills, including shopping, buying, cooking and keeping food, washing clothes, personal self-care, and understanding and taking responsibility for personal healthcare;
- f. develop financial capability, knowledge and skills;
- g. know about entitlements to financial and other support after leaving care, including benefits and support from social care services.

12.2) Foster carers contribute to the development of each child's care plan, in collaboration with the child, including the pathway plan for an "eligible" child, and work collaboratively with the young person's social worker or personal adviser in implementing the plan.

12.3) The fostering service ensures there are comprehensive arrangements for preparing and supporting young people to make the transition to independence. This includes appropriate training and support to foster carers caring for young people who are approaching adulthood. Arrangements are consistent with the young person's care plan, including their placement plan, pathway plan and transition plan for children with disabilities and special educational needs.

12.4) The fostering service has a policy and practical arrangements which enable children to remain with their foster carer(s) into legal adulthood, for example so that s/he may develop appropriate life skills before being required to move to more independent accommodation. Any such decisions are agreed with foster carers at a placement meeting and are detailed in a child's placement plan.

The above standards are not required for short breaks.

STANDARDS OF FOSTERING SERVICE

STANDARD 13 - Recruiting and assessing foster carers who can meet the needs of looked after children

Underpinning Legislation:

26 – Assessment of prospective foster parents

27 – Approval of foster parents

28 – Reviews and terminations of approval

Children Act 1989:

Section 22G – General duty of local authority to secure sufficient accommodation for looked after children

Outcome:

- The fostering service recruits, assesses and supports a range of foster carers to meet the needs of children they provide care for and is proactive in assessing current and future needs of children.

13.1) The local authority fostering service implements an effective strategy to ensure sufficient foster carers to be responsive to current and predicted future demands on the service. Planning for future demands covers the need for short breaks for disabled children.

13.2) People who are interested in becoming foster carers are treated fairly, without prejudice, openly and with respect. Enquiries are dealt with courteously and efficiently by staff who have the necessary knowledge and skills. Prospective foster carers are provided with timely and relevant information following their initial enquiry and are kept informed about the progress of any subsequent application for approval.

13.3) Prospective foster carers are prepared to become foster carers in a way which addresses, and gives practical techniques to manage, the issues they are likely to encounter and identifies the competencies and strengths they have or need to develop.

13.4) The assessment process is set out clearly to prospective foster carers, including:

- a. the qualities, skills or aptitudes being sought or to be achieved;
- b. the standards to be applied in the assessment;
- c. the stages and content of the selection process and where possible timescales involved;
- d. the information to be given to applicants.

- 13.5) Checks are carried out in line with regulation 26 and prospective foster carers understand why identity checks, relationship status and health checks, personal references and enquiries are undertaken about them and why enhanced CRB checks are made on them and adult members of their household.
- 13.6) Prospective foster carers are considered in terms of their capacity to look after children in a safe and responsible way that meets the child's development needs.
- 13.7) The written report on the person's suitability to be approved as a foster carer sets out clearly all the information that the fostering panel and decision maker needs in order to make an objective approval decision. The reports are accurate, up-to-date and include evidence based information that distinguishes between fact, opinion and third party information. The reports are prepared, signed and dated by the social worker who assessed the prospective foster carer and countersigned and dated by the fostering team manager or a team manager of another of the provider's fostering teams.
- 13.8) Reviews of foster carers' approval are sufficiently thorough to allow the fostering service to properly satisfy itself about their carers' ongoing suitability to foster.
- 13.9) Areas of concern, or need for additional support, that are identified between reviews are addressed. Such matters identified between reviews are addressed at the time they are identified, where appropriate, rather than waiting for a review.

STANDARD 14 - Fostering panels and the fostering service's decision-maker

Underpinning Legislation:

- 23 – Constitution and membership of fostering panel
- 24 – Meetings of fostering panel
- 26 – Assessment of prospective foster parents
- 27 – Approval of foster parents
- 28 – Reviews and terminations of approval

Outcome:

- The fostering panel and decision maker make timely, quality and appropriate recommendations/decisions in line with the overriding objective to promote the welfare of children in foster care.

- 14.1) The fostering service implements clear written policies and procedures on recruitment to, and maintenance of, the central list of persons considered by them to be suitable to be members of a fostering panel ("the central list") and on constitution of fostering panels.
- 14.2) Panel/s provide a quality assurance feedback to the fostering service provider on the quality of reports being presented to panel.
- 14.3) All necessary information is provided to panel members at least five working days in advance of the panel meeting to enable full and proper consideration.
- 14.4) The fostering panel makes its recommendation on the suitability of a prospective foster carer within eight months of receipt of the prospective foster carer's application to be assessed.
- 14.5) Foster carers and prospective foster carers are given the opportunity to attend and be heard at all panel meetings at which their approval is being discussed and to bring a supporter to the panel if they wish.
- 14.6) Fostering panels have access to medical expertise and legal advice, as required.
- 14.7) The panel chair ensures written minutes of panel meetings are accurate and clearly cover the key issues and views expressed by panel members and record the reasons for its recommendation.

14.8) The number, skills, knowledge and experience of persons on the central list are sufficient to enable the fostering service to constitute panels that are equipped to make competent recommendations to the fostering service provider, taking into account the nature of the children and carers that the service caters for.

14.9) The fostering service provider's decision-maker makes a considered decision that takes account of all the information available to them, including the recommendation of the fostering panel and, where applicable, the independent review panel, within seven working days of receipt of the recommendation and final set of panel minutes.

14.10) The foster carer or prospective foster carer is informed orally of the decision maker's decision within two working days and written confirmation is sent to them within five working days.

STANDARD 15 – Matching the child with a placement that meets their assessed needs

Underpinning Legislation:

17 – Support, training and information for foster parents

Relevant Legislation:

Care Planning, Placement and Case Review (England) Regulations (2010):

Regulation 9 – Placement plan

Regulation 14 – Termination of placement by the responsible authority

Outcome:

- The responsible authority has information and support from the fostering service which it needs to facilitate an appropriate match between the carer and child, capable of meeting the child's needs and consistent with the wishes and feelings of the child, so maximising the likelihood of a stable placement.

15.1) The fostering service only suggests foster carers to local authorities as a potential match for a child if the foster carer can reasonably be expected to meet the child's assessed needs and the impact of the placement on existing household members has been considered. Where gaps are identified, the fostering service should work with the responsible authority to ensure the placement plan sets out any additional training, resource or support required.

15.2) Prior to the placement of each child, the foster carer is provided with all the information held by the fostering service that they need to carry out their role effectively. The information is provided in a clear, comprehensive written form and includes the support that will be available to the foster carer. The fostering service follows up with the responsible authority any gaps in the information provided to them on the child or the child's family, which may hinder the foster carer in providing a safe caring environment that meets the child's needs and enables them to keep the child, other children in the fostering household and the foster carer him/herself safe.

15.3) Once placed, a child is not removed from a foster carer who is willing and able to continue caring for the child, unless that is in their best interests, taking the child's current wishes and feelings into account, and decided (other than in an emergency) through the child's care planning process. If a placement move occurs in an emergency the fostering service informs the responsible authority within one working day.

STANDARD 16 - Statement of purpose and children's guide

Underpinning Legislation:

- 3 – Statement of purpose and children's guide
- 4 – Review of statement of purpose and children's guide

Outcome:

- Children, their parents, foster carers, staff and the responsible authority/ placing authority are clear about the aims and objectives of the fostering service and what services and facilities it provides.
- The fostering service's operation meets the aims and objectives in the Statement of Purpose.

- 16.1) The fostering service has a clear statement of purpose which is available to, and understood by, foster carers, staff and children and is reflected in any policies, procedures and guidance. It is available to the responsible authority and any parent or person with parental responsibility.
- 16.2) The aims and objectives of the Statement of Purpose are child focused and show how the service will meet outcomes for children.
- 16.3) Subject to the child's age and understanding, the fostering service ensures the child receives the Children's Guide at the point of placement and that the foster carer explains the contents of the Children's Guide in a way that is accessible.
- 16.4) The Children's Guide includes a summary of what the fostering service sets out to do for children, how they can find out their rights, how a child can contact their Independent Reviewing Officer, the Children's Rights Director, Ofsted if they wish to raise a concern with inspectors, and how to secure access to an independent advocate.
- 16.6) Where a child requires it, the guide is available, where appropriate, through suitable alternative methods of communication, e.g. Makaton, pictures, tape recording, translation into another language.

STANDARD 17 - Fitness to provide or manage the administration of a fostering service

Underpinning Legislation:

- 5 – Fostering agency – fitness of fostering service provider
- 6 – Fostering agency – appointment of manager
- 7 – Fostering agency – fitness of manager
- 8 – Fostering agency - Registered person – general requirements
- 10 – Local authority fostering service - manager

Outcome:

- The fostering service is provided and managed by those who are suitable to work with children and have the appropriate skills, experience and qualifications to deliver an efficient and effective service.

17.1) People involved in carrying on and managing the fostering service:

- a. have good knowledge and experience of law and practice relating to looked after children;
- b. have business and management skills to manage the work efficiently and effectively; and
- c. have financial expertise to ensure that the fostering service is run on a sound financial basis and in a professional manner.

17.2) The registered manager (or registered person, where the registered person is an individual and there is no registered manager) has:

- a. a recognised social work qualification or a professional qualification relevant to working with children at least at level 4;
- b. a qualification in management at least at level 4³;
- c. at least two years experience relevant to fostering within the last five years; and
- d. at least one years experience supervising and managing professional staff.

17.3) Appointees to the role of registered manager who do not have the management qualification (above) must enrol on a management training course within six months, and obtain a relevant management qualification within three years, of their appointment.

³ With respect to standard 17.2 (a) and (b), for persons undertaking a qualification after January 2011, the relevant qualification will be the Level 5 Diploma in Leadership for Health and Social Care and Children and Young People's Services. Managers who already hold a Level 4 Leadership and Management for Care Services and Health and Social Care will not need to undertake this qualification at level 5.

17.4) The responsibilities and duties of the manager, and to whom they are accountable, are clear and understood by them. The manager is notified in writing of any change in the person to whom they are accountable.

17.5) The manager exercises effective leadership of the staff and operation, such that the fostering service is organised, managed and staffed in a manner that delivers the best possible child care that meets the individual needs of each fostered child and of foster carers.

STANDARD 18 – Financial viability and changes affecting business continuity

Underpinning Legislation:

- 33 – Fostering agency ceasing to carry out fostering functions – notifications and records
- 34 – Fostering agency ceasing to carry out fostering functions – new fostering service providers
- 37 – Financial position
- 38 – Notice of absence
- 39 – Notice of changes
- 40 – Appointment of liquidators

Outcome:

- The fostering service is financially sound.
- Where a service is to close or substantially change, there is proper planning, to make the transition for children, foster carers and staff as smooth as possible.

- 18.1) A qualified accountant certifies that the independent fostering agency's annual accounts indicate the service is financially viable and likely to have sufficient funding to continue to fulfil its Statement of Purpose for at least the next 12 months.
- 18.2) The registered provider has a written development plan, reviewed annually, for the future of the service, either identifying any planned changes in the operation or resources of the service, or confirming the continuation of the service's current operation and resource.
- 18.3) Where the service, for any reason, cannot adequately and consistently maintain provision which complies with regulations or NMS, an effective plan must be established and implemented either to rectify the situation or to close down the service.
- 18.4) The registered provider must notify Ofsted, the responsible authority and where different the placing authority, if closure of the service or substantial change to the service significantly affecting the care, welfare or placement of children, is likely or actively being considered. The registered person should work with the responsible authority/placing authority to ensure as smooth a transition for children and foster carers as possible.

18.5) Any person or organisation temporarily responsible for a fostering service in administration or receivership, or in the process of closure or substantial change, must operate the service in the best interests of the placed children and foster carers under the circumstances that apply, in accordance with the applicable regulations and these Standards.

STANDARD 19 – Suitability to work with children

Underpinning Legislation:

- 20 – Fitness of workers
- 21 – Employment of staff
- 22 – Records with respect to fostering services
- 30 – Case records relating to foster parents and others

Outcome:

- There is careful selection of staff, fostering households, volunteers and the central list of persons considered suitable to be members of a fostering panel, and there is monitoring of such people to help prevent unsuitable people from having the opportunity to harm children.

19.1) All people working in or for the fostering service, and the central list of persons considered suitable to be members of a fostering panel, are interviewed as part of the selection process and have references checked to assess suitability before taking on responsibilities. Telephone enquiries are made to each referee to verify the written references⁴.

19.2) The fostering service can demonstrate, including from written records, that it consistently follows good recruitment practice, and all applicable current statutory requirements and guidance, in foster carer selection and staff and panel member recruitment. This includes CRB checks.⁵ All personnel responsible for recruitment and selection of staff are trained in, understand and operate these good practices.

19.3) The fostering service has a record of the recruitment and suitability checks which have been carried out for foster carers and those working (including as volunteers) for the fostering service which includes:

- a. identity checks;
- b. CRB Disclosures, including the level of the Disclosure, and the unique reference number (in line with eligibility to obtain such checks);
- c. checks to confirm qualifications which are a requirement and those that are considered by the fostering service to be relevant;
- d. at least two references, preferably one from a current employer, and where possible a statement from each referee as to their opinion of the person's suitability to work with children;
- e. checks to confirm the right to work in the UK;

⁴ These requirements are the responsibility of Ofsted with respect to checking suitability of those seeking to carry on or manage a fostering service.

⁵ Please note that the Government is currently reviewing the criminal records system and vetting and barring scheme and therefore references in both the Regulations and Standards may be subject to change.

f. where the person has lived outside of the UK, further checks, as are considered appropriate, where obtaining a CRB Disclosure is not sufficient to establish suitability to work with children.

19.4) The record must show the date on which each check was completed and who carried out the check. The CRB Disclosure information must be kept in secure conditions and be destroyed by secure means as soon as it is no longer needed in line with the CRB Code of Practice. Before the Disclosure is destroyed, records need to be kept as described above.

19.5) The registered person's system for recruiting staff and others includes an effective system for reaching decisions as to who is to be appointed and the circumstances in which an application should be refused in the light of any criminal convictions or other concerns about suitability that are declared or discovered through the recruitment process.

19.6) There is a whistle-blowing policy which is made known to all staff, volunteers, foster carers and panel members. This makes it a clear duty for such people to report to an appropriate authority any circumstances within the fostering service which they consider likely to significantly harm the safety, rights or welfare of any child placed by the service.

STANDARD 20 – Learning and development of foster carers

Underpinning Legislation:

- 17 – Support, training and information for foster parents
- 28 – Reviews and terminations of approval

Outcome:

- Foster carers receive the training and development they need to carry out their role effectively.
- A clear framework of training and development is in place and this is used as the basis for assessing foster carers' performance and identifying their training and development needs.

20.1) All new foster carers receive an induction.

20.2) All foster carers, including all members of a household who are approved foster carers, are supported to achieve the Children's Workforce Development Council's Training, Support and Development Standards for Foster Care⁶. Short break carers who are approved foster carers are supported to achieve the Training Support & Development Standards for Short Break Carers. Family and friends foster carers are supported to achieve the Training, Support and Development Standards for Family and Friends Foster Carers⁷.

20.3) Foster carers are able to evidence that the Training, Support and Development Standards have been attained within 12 months of approval (or within 18 months for family and friends foster carers). For foster carers who were approved as such before April 2008, the Standards are attained by April 2011 (or by April 2012 for family and friends foster carers). Fostering households may use the same evidence workbook.

20.4) Foster carers maintain an ongoing training and development portfolio which demonstrates how they are meeting the skills required of them by the fostering service.

20.5) Foster carers' personal development plans set out how they will be supported to undertake ongoing training and development that is appropriate to their development needs and experience.

⁶ For information and guidance please visit <http://www.cwdcouncil.org.uk/foster-care/standards>

⁷ Short break carers / family and friends carers may choose to undertake the mainstream Training, Support and Development Standards for Foster Care, instead of the Standards for Short Break Carers / Family and Friends Carers, if this is their preference.

- 20.6) The reviews of each carers approval include an appraisal of performance against clear and consistent standards set by the agency, and consideration of training and development needs, which are documented in the review report. The foster carer's personal development plan is reviewed and the effectiveness of training and development received is evaluated. Reviews take into account the views of each child currently placed with the foster carer.
- 20.7) The fostering service is clear and transparent with their foster carers about the level of support available to them and how to access such support.
- 20.8) Support and training is made available to foster carers, including hard to reach carers⁸, to assist them in meeting the specific needs of the children they are caring for or are expected to care for.
- 20.9) Appropriate training on safer caring is provided for all members of the foster household, including young people of sufficient age and understanding, and ensures that foster carers understand how safer caring principles should be applied in a way which meets the needs of individual children.
- 20.10) All training fits within a framework of equal opportunities and anti-discriminatory practice and is organised to encourage and facilitate attendance by foster carers.
- 20.11) In cases where a foster carer moves to a new fostering service, details of the development and training which he or she has undertaken, and of the extent to which the agreed training and development standards have been met, are made available on request to the new provider, and the foster carer is able to take their training and development portfolio with them.

⁸ <http://www.cwdcouncil.org.uk/foster-care/case-studies/reaching-all-carers> provides helpful case studies

STANDARD 21 - Supervision and support of foster carers

Underpinning Legislation:

17 – Support, training and information for foster parents

Outcome:

- Foster carers receive the support and supervision they need in order to care properly for children placed with them.

21.1) The fostering service supports their foster carers to ensure they provide foster children with care that reasonably meets those children's needs, takes the children's wishes and feelings into account, actively promotes individual care and supports the children's safety, health, enjoyment, education and preparation for the future.

21.2) The fostering service ensures foster carers understand the nature and level of support which will be provided to them by the fostering service.

21.3) There is an effective out of hours advice and support service for foster carers.

21.4) Peer support, foster care associations and/or self help groups for foster carers are encouraged and supported.

21.5) Foster carers are provided with breaks from caring as appropriate. These are planned to take account of the needs of any children placed.

21.6) All foster carers have access to adequate social work and other professional support, information and advice, to enable them to provide consistent, high quality care to the child. This includes assistance with dealing with relevant services, such as health and education. Consideration is given to any help or support needed by the sons and daughters of foster carers.

21.7) The role of the supervising social worker is clear both to the worker and the foster carer.

21.8) Each approved foster carer is supervised by a named, appropriately qualified social worker who has meetings with the foster carer, including at least one unannounced visit a year. Meetings have a clear purpose and provide the opportunity to supervise the foster carer's work, ensure the foster carer is meeting the child's needs, taking into account the child's wishes and feelings, and offer support and a framework to assess the carer's performance and develop their competencies and skills. The frequency of meetings for short break foster carers should be proportionate to the amount of care provided. Foster carers' files include records of supervisory meetings.

21.9) The supervising social worker ensures each foster carer he or she supervises is informed in writing of, and accepts, understands and operates within, all Regulations and standards and with policies and guidance agreed by the fostering service.

21.10) On approval, foster carers are given information, either a handbook or electronic resources, which cover policies, procedures (including with regard to allegations), guidance, financial information, legal information and insurance details. This information is updated regularly.

21.11) Current and prospective foster carers are able to make a complaint about any aspect of the service which affects them directly. Records are kept of representations and complaints, how they are dealt with, the outcome and any action taken. These records are reviewed regularly so that the service's practice is improved where necessary.

21.12) There is a good system of communication between the fostering service social workers and the child's social worker. The fostering service social workers understand the role of the child's social worker and work effectively with them.

STANDARD 22 - Handling allegations and suspicions of harm

Underpinning Legislation:

- 11 – Independent fostering agencies – duty to secure welfare
- 12 – Arrangements for the protection of children
- 17 – Support, training and information for foster parents
- 30 – Case records relating to foster carers and others
- 36 – Notifiable events

Children Act 1989:

- Section 22 – General duties of local authority in relation to children looked after by them
- Sections 61 and 62 – duties of voluntary organisations and local authorities in relation to children accommodated by or on behalf of the voluntary organisation

Outcome:

- Allegations and suspicions of harm are handled in a way that provides effective protection and support for children and the person making the allegation, and at the same time supports the person who is the subject of the allegation.

22.1) All foster carers, fostering service staff and volunteers understand what they must do if they receive an allegation or have suspicions that a person may have:

- a. behaved in a way that has, or may have, harmed a child;
- b. possibly committed a criminal offence against or related to a child; or
- c. behaved towards a child in a way that indicates he or she is unsuitable to work with children.

The fostering service ensures that the required actions are taken, or have been taken, in any relevant situation of which it is aware.

22.2) The fostering service's procedure is in line with Government guidance and requirements, including the duty to refer information to statutory bodies⁹. It is known to foster carers, fostering service staff, volunteers and children.

22.3) A copy of the fostering service provider's child protection procedures is made available to foster carers, fostering service staff, volunteers and children. Any comments on these procedures are taken into account by the provider.

⁹ Since October 2009, the duties to refer concerns regarding individuals under List 99 and the Protection of Children Act 1999 have been replaced by a duty to provide information to the Independent Safeguarding Authority. Please see the referrals page of www.isa.gov.uk for information on the legal requirements for making referrals.

- 22.4) The fostering service provider's child protection procedures are submitted for consideration and comment to the Local Safeguarding Children's Board (LSCB) and to the Local Authority Designated Officer (LADO) for Child Protection¹⁰ (or other senior officer responsible for child protection matters in that department). They are consistent with the local policies and procedures agreed by the LSCB relevant to the geographical area where the foster carer lives. Any conflicts between locally agreed procedures and those of other placing authorities are discussed and resolved as far as possible.
- 22.5) Each fostering service has a designated person, who is a senior manager, responsible for managing allegations. The designated person has responsibility for liaising with the LADO and for keeping the subject of the allegation informed of progress during and after the investigation.
- 22.6) Allegations against people that work with children or members of the fostering household are reported by the fostering service to the LADO. This includes allegations that on the face of it may appear relatively insignificant or that have also been reported directly to the police or Children and Family Services.
- 22.7) A clear and comprehensive summary of any allegations made against a particular member of the fostering household, or staff member, including details of how the allegation was followed up and resolved, a record of any action taken and the decisions reached, is kept on the person's confidential file. A copy is provided to the person as soon as the investigation is concluded. The information is retained on the confidential file, even after someone leaves the organisation, until the person reaches normal retirement age, or for ten years if this is longer.
- 22.8) As soon as possible after an investigation into a foster carer is concluded, their approval as suitable to foster is reviewed. There is a clear policy framework which outlines the circumstances in which a foster carer should be removed as one of the fostering service provider's approved foster carers, in the interests of the safety or welfare of children. This is available to foster carers.
- 22.9) Investigations into allegations or suspicions of harm are handled fairly, quickly, and consistently in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation. Fostering services follow the framework for managing cases of allegations of abuse against people who work with children as set out in Working Together to Safeguard Children.
- 22.10) Fostering services ensure that a clear distinction is made between investigation into allegations of harm and discussions over standards of care. Investigations which find no evidence of harm should not become procedures looking into poor standards of care - these should be treated separately.

¹⁰ Working Together to Safeguard Children (2010)

22.11) There is written guidance for foster carers and staff, which makes clear how they will be supported during an investigation into an allegation including payment of allowance and any fee to foster carers while investigations are ongoing.

22.12) During an investigation the fostering service makes support, which is independent of the fostering service, available to the person subject to the allegation and, where this is a foster carer, to their household, in order to provide:

- a. information and advice about the process;
- b. emotional support; and,
- c. if needed, mediation between the foster carer and the fostering service and/or advocacy (including attendance at meetings and panel hearings).

STANDARD 23 – Learning, development and qualifications of staff

Underpinning Legislation:

19 – Staffing of fostering service

Outcome:

- Children and foster carers receive a service from staff, volunteers and panel members and decision makers who have the competence to meet their needs.

- 23.1) There is a good quality learning and development programme, which includes induction, post-qualifying and in-service training, that staff and volunteers are supported to undertake. The programme equips them with the skills required to meet the needs of the children, keeps them up-to-date with professional, legal and practice developments and reflects the policies, legal obligations and business needs of the fostering service.
- 23.2) The learning and development programme is evaluated for effectiveness at least annually and is updated where necessary.
- 23.3) New staff and volunteers undertake the Children’s Workforce Development Council’s induction standards, commencing within 7 working days of starting their employment and being completed within six months.
- 23.4) All social workers and other specialists (e.g. medical, legal, educationalists, psychologists, therapists) are professionally qualified and, where applicable, registered by the appropriate professional body. They are appropriately trained to work with children, their families and foster carers, and have a good understanding of foster care and the policies and purpose of the fostering service.
- 23.5) Assessment and appraisal of all staff involved in fostering work takes account of identified skills needed for particular roles and is used to identify individuals’ learning and development needs.
- 23.6) Any staff involved in assessing the suitability of persons to be foster carers are social workers, have experience of foster care and family placement work and are trained in assessment. Social work students and social workers who do not have the relevant experience, only carry out assessments under the supervision of an appropriately experienced social worker, who takes responsibility for the assessment.

- 23.7) Where unqualified staff and volunteers carry out social work functions they do so under the direct supervision of experienced social workers, who are accountable for their work.
- 23.8) Persons joining the central list of persons considered suitable to be fostering panel members are provided with an opportunity to observe a fostering panel meeting.
- 23.9) Each person on the central list is given induction training which is completed within 10 weeks of joining the central list.
- 23.10) Each person on the central list is given the opportunity of attending an annual joint training day with the fostering service's fostering staff.
- 23.11) Each person on the central list has access to appropriate training and skills development and is kept abreast of relevant changes to legislation and guidance.
- 23.12) The fostering service's decision-maker is a senior person within the fostering service, or is a trustee or director of the fostering service, who is a social worker with at least 3 years post-qualifying experience in childcare social work and has knowledge of childcare law and practice.

STANDARD 24 - Staff support and supervision

Underpinning Legislation:

- 19 – Staffing of fostering service
- 20 – Fitness of workers

Outcome:

- Staff and volunteers are supported and guided to fulfil their roles and provide a high quality service to children.

- 24.1) The employer is fair and competent, with sound employment practices and good support for all its staff and volunteers.
- 24.2) All staff, volunteers and the registered person are properly managed and supported and understand to whom they are accountable.
- 24.3) Suitable arrangements exist for professional supervision of the agency's registered person or manager of a local authority fostering service.
- 24.4) Staff have access to support and advice, and are provided with regular supervision by appropriately qualified and experienced staff.
- 24.5) A written record is kept by the fostering service detailing the time, date and length of each supervision held for each member of staff, including the registered person. The record is signed by the supervisor and the member of staff at the end of the supervision.
- 24.6) All staff have their performance individually and formally appraised at least annually and, where they are working with children, this appraisal takes into account any views of children the service is providing for.
- 24.7) Staff and volunteers are able to access the specialist advice needed to provide a comprehensive service for children, including legal advice.

STANDARD 25 - Managing effectively and efficiently and monitoring the service

Underpinning Legislation:

- 8 – Fostering agency – Registered person – general requirements
- 10 – Local authority fostering service – Manager
- 18 – Independent fostering agencies – representations and complaints
- 35 – Review of quality of care
- 36 – Notifiable events
- 37 – Financial position

Outcome:

- The fostering service is managed ethically, effectively and efficiently, delivering a service which meets the needs of its users.

- 25.1) There are clear and effective procedures for monitoring and controlling the activities of the service. This includes the financial viability of the service, any serious incidents, allegations or complaints about the service and ensuring the quality of the service.
- 25.2) The manager regularly monitors all records kept by the service to ensure compliance with the service's policies, to identify any concerns about specific incidents and to identify patterns and trends. Immediate action is taken to address any issues raised by this monitoring.
- 25.3) Management of the service ensures all staff's work and all fostering activity is consistent with the 2011 Regulations and NMS and with the service's policies and procedures.
- 25.4) Managers, staff, volunteers and foster carers are clear about their roles and responsibilities. The level of delegation and responsibility of the manager, and the lines of accountability, are clearly defined.
- 25.5) Clear arrangements are in place to identify the person in charge when the registered manager, or local authority fostering service manager, is absent.
- 25.6) The registered person ensures copies of inspection reports by Ofsted are made available to all members of staff, to their foster carers, children fostered by the service and their parents/carers, and, on request, to the responsible, or where different placing, authorities of existing foster children or those considering placing a child through the service.

25.7) The executive side of the local authority or the independent foster service's provider/trustees, board members or management committee members:

- a. receive written reports on the management, outcomes and financial state of the fostering service every 3 months;
- b. monitor the management and outcomes of the services in order to satisfy themselves that the service is effective and is achieving good outcomes for children;
- c. satisfy themselves that the provider is complying with the conditions of registration.

25.8) The registered person takes action to address any issues of concern that they identify or which are raised with them.

25.9) Staff, volunteers and foster carers have a copy of:

- a. the policies and working practices in respect of grievances and disciplinary matters;
- b. details of the services offered;
- c. the equal opportunities policy;
- d. health and safety procedures.

25.10) Information is provided to commissioners of services as part of tendering. This includes:

- a. charges for each of its services;
- b. statements of the amounts paid to foster carers (separated by fee and allowance); and
- c. any amounts paid for other services e.g. health and education.

25.11) The registered person has provided the service with a written policy and procedural guidelines on considering and responding to representations and complaints in accordance with legal requirements and relevant statutory guidance.

25.12) The service has the facilities to work with children with physical, sensory and learning impairments, communication difficulties or for whom English is not their first language. Oral and written communications are made available in a format which is appropriate to the physical, sensory and learning impairments, communication difficulties and language of the individual. The procedures include arrangements for reading, translating, Makaton, pictures, tape recording and explaining documents to those people who are unable to understand the document.

STANDARD 26 – Records

Underpinning Legislation:

- 22 – Records with respect to fostering services
- 26 – Assessment of prospective foster parents
- 30 – Case records relating to foster carers and others
- 31 – Register of foster carers
- 32 – Retention and confidentiality of records
- 33 – Fostering agency ceasing to carry out fostering functions – notifications and records

Outcome:

- Records are clear, up to date, stored securely and contribute to an understanding of the child's life.

- 26.1) The fostering service has and implements a written policy that clarifies the purpose, format and content of information to be kept on the fostering service's files, on the child's files and on case files relating to foster carers.
- 26.2) Staff, volunteers, panel members and fostering households understand the nature of records maintained and follow the service's policy for the keeping and retention of files, managing confidential information and access to files (including files removed from the premises). There is a system in place to monitor the quality and adequacy of record keeping and take action when needed.
- 26.3) Children and their parents understand the nature of records maintained and how to access them.
- 26.4) Information about individual children is kept confidential and only shared with those who have a legitimate and current need to know the information, and to those parts of a child's record or other information that they need to know.
- 26.5) Entries in records, decisions and reasons for them, are legible, clearly expressed, non-stigmatising, distinguish between fact, opinion and third party information and are signed and dated.
- 26.6) Information about the child is recorded clearly and in a way which will be helpful to the child when they access their files now or in the future. Children are actively encouraged to read their files, other than necessarily confidential or third party information, and to correct errors and add personal statements.

- 26.7) The foster carer understands the important supporting role they play in encouraging the child to reflect on and understand their history. The child, subject to age and understanding, is encouraged to keep appropriate memorabilia (including photographs) of their time in the placement. The fostering service makes this role clear to their foster carers and ensures they can record, and help children make a record of (subject to age and understanding), significant life events.
- 26.8) Where there is an agency placement, the agency works with the responsible authority to ensure effective integration of information held in the agency's case files and those of the responsible authority. On receipt of a written request by a child's responsible authority, the agency immediately provides copies of records and documents in relation to the child.
- 26.9) When a foster carer seeks to move to a new provider, the new provider seeks information from the previous provider about the prospective foster carer, and the previous provider complies with such a request within one month of receipt of the written request.

STANDARD 27 - Fitness of premises for use as fostering service

Underpinning Legislation:

32 – Retention and confidentiality of records

Outcome:

- The premises and administrative systems are suitable to enable the service to meet the objectives of its Statement of Purpose.

27.1) There are efficient and robust administrative systems, including IT and communication systems. Premises have:

- a. Facilities for the secure retention of records;
- b. appropriate measures to safeguard IT systems; and
- c. an appropriate security system.

27.2) The premises and its contents are insured (or there are alternative prompt methods of replacing lost items).

27.3) The provider has a Business Continuity Plan, which staff understand and can access, which will include both provision of premises and safeguarding/back up of records.

STANDARD 28 - Payment to carers

Underpinning Legislation:

17 – Support, information and training for foster parents
27 – Approval of foster parents
Schedule 5 – Matters and obligations in Foster Care Agreements

Outcome:

- Payments to foster carers are fair and paid in a timely way.
- Foster carers are clear about the fostering service's payment structures and the payments due to them.

- 28.1) Each foster carer receives at least the national minimum allowance for the child, plus any necessary agreed expenses for the care, education and reasonable leisure interests of the child, including insurance, holidays, birthdays, school trips, religious festivals etc, which cover the full cost of caring for each child placed with her/him.
- 28.2) Payments of allowances and any fees paid are made promptly at the agreed time and foster carers are provided with a statement of payment at the end of each tax year.
- 28.3) Allowances and any fees paid are reviewed annually and the fostering service consults with foster carers in advance of any change to the allowance and fee.
- 28.4) The fostering service advises foster carers of financial and other support that is available to foster carers where a child remains with them after they reach the age of 18 or where they care for/provide a home for a child and their parent(s).
- 28.5) There is a clear and transparent written policy on payments to foster carers that sets out the criteria for calculating payments and distinguishes between the allowance paid and any fee paid. The policy includes policy on payment of allowances and any fee during a break in placement or should the fostering household be subject to an allegation.
- 28.6) The written policy and the current level of payments are provided annually to each foster carer and commissioners of the service. The foster carer receives clear information about the allowances and expenses payable, and how to access them, before a child is placed.

- 28.7) Criteria for calculating fees and allowances are applied equally to all foster carers, whether the foster carer is related to the child or unrelated, or the placement is short or long term.
- 28.8) Fostering service providers are clear about what equipment is being either loaned or given to foster carers.
- 28.9) Where a child is eligible for benefits as a result of a disability, foster carers are encouraged to apply for those benefits. There are regular recorded discussions about how any additional benefits are being spent to promote the best interests of the child.

STANDARD 29 - Notification of Significant Events

Underpinning Legislation:

36 – Notifiable events
Schedule 7 – Events and notifications

Outcome:

- All significant events relating to the health and protection of children fostered by the service are notified by the registered person to the appropriate authorities.

- 29.1) The registered person has a system in place to notify, within 24 hours, persons and appropriate authorities of the occurrence of significant events in accordance with regulation 36. The system includes what to do where a notifiable event arises at the weekend.
- 29.2) A written record is kept which includes details of the action taken, and the outcome of any action or investigation, following a notifiable event.
- 29.3) The registered person has a system for notification to responsible authorities of any serious concerns about the emotional or mental health of a child, such that a mental health assessment would be requested under the Mental Health Act 1983.
- 29.4) Following an incident notifiable under regulation 36, the registered person contacts the responsible authority to discuss any further action that may need to be taken.

STANDARD 30 – Family and friends as foster carers

Underpinning Legislation:

17 – Support, training and information for foster parents

Relevant Legislation:

Care Planning, Placement and Case Review (England) Regulations 2010 – regulation 24 and 25

Outcome:

- Family and friends foster carers receive the support they require to meet the needs of children placed with them.

- 30.1) The needs and circumstances of family and friends foster carers are taken into account when determining the fostering service's policies and practices.
- 30.2) The fostering service's Statement of Purpose includes the services and facilities that they provide to family and friends foster carers.
- 30.3) In deciding whether a relative, friend or other connected person should be approved as a foster carer, the decision maker takes into account the needs, wishes and feelings of the child and the capacity of the carer to meet these.
- 30.4) In seeking to support family and friends foster carers, the local authority fostering service works closely with the wider local authority children's services department, other departments, and agencies such as housing, to mitigate any limitations to the carer's capacity to care for a foster child.
- 30.5) When assessing an individual's suitability to be a family and friends foster carer, the likely length of the placement, the age of the child, the wishes and feelings and any concerns of the child and, if appropriate, the capacity of the wider family to contribute to the child's long term care, are taken into account.
- 30.6) Potential family and friends foster carers should be provided with information about the assessment process, so they know what is expected of them, how they will be assessed, including the criteria that will be used and how particular issues for family and friends foster carers will be addressed, and any support offered during the assessment process.

- 30.7) Family and friends foster carers are asked about their existing knowledge of the foster child's behaviour and background and any concerns they have about the child, as well as being provided with information about the child that is held by the fostering service.
- 30.8) The child's introduction to the new fostering arrangement takes account of the fact that, whilst the child may know the carer well, the carer's role in the child's life is now changing. This is explained to the child and the carer is provided with the support they need to manage this transition.
- 30.9) The fostering service takes into account the carer's, parents' and child's views about contact before the start of the placement, or as soon as possible afterwards, and puts in place appropriate supports to help manage contact.
- 30.10) Financial and other support is provided to all foster carers according to objective criteria that do not discriminate against foster carers that have a pre-existing relationship with the child. Family and friends foster carers may require some services to be delivered in a different way, but there should be equity of provision and entitlement.
- 30.11) Family and friends foster carers have access to training available to other foster carers, but the fostering service provider also offers training that addresses the particular needs and circumstances of family and friends foster carers.
- 30.12) Family and friends foster carers have access to support groups that meet their particular needs.
- 30.13) Supervising social workers who are supporting family and friends foster carers have training in the particular needs and circumstances of this group.
- 30.14) Where a family and friends foster carer is temporarily approved as a foster carer under regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010, a full assessment is completed as soon as practicable, where the intention is for the child to stay with the carer, and always within the statutory timeframe set out in the Regulations.

This standard only applies to local authority fostering services and those independent fostering services which approve family and friends foster carers. However, where family and friends are approved as foster carers the other standards apply as they do for other foster carers.

STANDARD 31 - Placement Plan and Review

Underpinning Legislation:

Schedule 5 – Matters and obligations in Foster Care Agreements

Care Planning, Placement and Case Review (England) Regulations (2010):

9 – Placement plan

Part 6 – Reviews of the child's case

Outcome:

- Children are cared for in line with their Placement Plan/Short Break Care Plan.
- The fostering service takes action to chase up outstanding reviews or visits from the responsible authority, contributes to those reviews and assists the child to contribute to their reviews.

- 31.1) The fostering service supports foster carers to play an active role in agreeing the contents of each child's placement plan, in conjunction with the responsible authority.
- 31.2) The foster carer is given a copy of the child's placement plan as soon as this is provided to them by the responsible authority. If provision of the care plan by the responsible authority is delayed, the fostering service follows this up with the responsible authority.
- 31.3) The foster carer is supported to contribute effectively to the review of their care plan, which includes the placement plan.
- 31.4) The foster carer is supported to assist the child to put forward their views, wishes and feelings as part of each review process, and the fostering service helps to ensure that these are fully taken into account by the child's responsible authority.
- 31.5) Foster carers are supported to explain the child's care plan, and any changes to those plans, to the child.
- 31.6) The fostering service contacts the responsible authority to request statutory reviews or visits if these are overdue for any child, or if a review has not already been arranged by the responsible authority and a change in the care plan is needed, there has been a significant change in arrangements for the child's care or a major action (e.g. a change of placement) which is not in the care plan appears likely.

31.7) The fostering service and foster carer contribute effectively to each child's Placement Plan review and statutory review of the child's care plan

31.8) Children are assisted to secure an independent advocate to support them in providing their views, wishes and feelings to statutory reviews.

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