

# FOSTER CARE AGREEMENT

## Terms of the foster carer's approval

Agreement between:

<b>Foster Carers</b>	
<b>Foster Carers Address</b>	

And Somerset County Council Children's Social Care

<b>Address:</b>	
<b>Tel No.</b>	
<b>Contact person</b>	

<b>Date of Current Approval</b>	
<b>Category of Approval</b>	
<b>Number of Children</b>	
<b>Ages of Children</b>	
<b>Gender</b>	
<b>Any other conditions</b>	

**Note:** *This foster care agreement should be renewed whenever the approval criteria changes.*

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

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

- i. **Finance:** the fees and allowances schedule 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 BACS on a weekly 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 Team and their Supervising Social Worker promptly if you continue to receive allowances when, due to changes in circumstances, payments should have been terminated.
- iii. **Equipment:** Some extraordinary equipment essential to the task of caring for a foster child may be supplied to the foster carers. All equipment must be returned to Children's Social Care 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:** is \_\_\_\_\_ and you should let him/her know of any significant changes in your circumstances (see paragraph 12). Your Supervising Social Worker will make an unannounced visit at least annually.
- vi. **Foster Carers Support Groups:** these are a vital part of Children's Social Care's support to foster carers. Foster carers are encouraged to attend them and on specialist schemes attendance may be required
- vii. **Additional Forms of Support:** this 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 Somerset carers have membership to FosterTalk. This provides publications, information about training courses, and membership includes the benefits of FosterTalk's public liability insurance cover. Children's Social Care contributes to the cost of an advice and mediation service for foster carers which is provided by FosterTalk.
- ix. The Somerset Foster Carers Association represents foster carers locally. Children's Social Care supports the Committee and will regularly consult with it on matters of general concern to foster carers.
- x. Children's Social Care encourages foster carers to use informal networks to support and assist each other.

## Training

Children's Social Care is committed to providing training opportunities for all its foster carers to increase their knowledge and skills in caring for children. Carers must undertake training to maintain their registration and any progression fee payments.

Children's Social Care is required to ensure that foster carers complete the Induction Standards Workbook within their first year of fostering 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 birth 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. Some training is mandatory and all carers are expected to participate in training and development. The training needs of foster carer's 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. Children's Social Care also runs an NVQ Level 3 programme in caring for children and young people. Details can be obtained from your Supervising Social Worker

Foster carers are expected to keep records of 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/allegation.

The review will be chaired by an experienced Fostering worker or Team Manager.

The review provides an opportunity to discuss the foster carer's view of the service offered by Children's Social Care, their experiences in specific aspects of fostering, their training needs, skills and development 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.

## 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:

- i. Purpose and aims of placement
- ii. The child's background
- iii. The child's health and health care needs
- iv. The child's racial, cultural and religious needs
- v. The child's leisure/recreational needs
- vi. The child's education needs
- vii. Arrangements for financial support
- viii. Consent to medical/dental treatment
- ix. 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
- x. Arrangements for visits to the child and the foster home by social workers and other professionals
- xi. The frequency and nature of contact between the child and his/her parents and any other significant adults
- xii. Arrangements for the reviews of the child's care plan and progress

## Representation and complaints procedures

If Children's Social Care 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 Placement Agreement, Children's Social Care 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 Somerset Child Protection procedures as outlined in the Foster Carer Handbook.

Children's Social Care has a whistle blowing policy for carers to report concerns about the practice of foster carers, or social workers. This means that Children's Social Care 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 Foster Carer Handbook. Household inspections are completed annually.

It is the foster carer's responsibility to ensure that young people safely use the internet or indeed any other media materials. Safety measures should be discussed on an individual basis for each child. Foster carers should develop their knowledge of safe internet use.

## Free membership of FosterTalk

Somerset Children's Social Care will arrange individual membership of FosterTalk for all foster carers.

The benefits of individual membership include:

- i. Access to a 24-hour Legal Advice Line.
- ii. Insurance cover for legal expenses for criminal and civil prosecutions associated with the fostering role.
- iii. FosterTalk magazine, leaflets, and other publications.

## Insurance for foster carers

### Property Insurance

There is an insurance policy for Foster Carers which is paid for by Children's Social Care budget, which covers material damage to carer's property, excluded from their own household insurance.

Somerset County Council provides a contingency cover that will apply if no other insurance responds. The property insured is limited to the buildings and contents belonging to the foster carer.

It covers loss or damage to the buildings and contents and theft of money (up to £300) caused by a foster child/children currently residing at the property, when subject to an exclusion under the carer's own property insurance policy.

The cover is only operative:

- When the loss or damage arises from the actions of foster children residing with the foster carer and or the parents/family members of the foster child
- Where the existing insurance in force in respect of damage to the property will not respond due to the circumstances.

### Third Party and Injury Insurance

Somerset County Council has Public Liability insurance which will respond in the event of loss or damage to a third party or an injury happening outside the home arising from a negligent act(s) of the foster child.

Foster carers are also protected by other insurances currently provided by Somerset County Council whilst engaging in agreed duties; namely Personal Accident (assault) cover. Some Legal Expenses Cover is provided by Somerset County Council for carers and employees however this insurance is primarily to cover costs of defending claims for negligence where the carer/employee was acting in accordance with Somerset County Council guidance.

### Foster Carer's Own Home Insurance

Foster carers should insure their buildings and contents for the full replacement value including the value of the personal effects of any foster children residing with them.

If a loss occurs and there is not adequate insurance, insurers may only settle your claim on an indemnity basis, that is, making allowance for wear and tear, depreciation etc, rather than the normal reinstatement (new for old) basis. They may withdraw indemnity in its entirety.

Home insurance is likely to contain restrictions relating to damage caused by children that you are fostering. Policy wording should be checked and insurers must be advised of the owner's fostering activities. Most policies exclude deliberate damage and theft caused by any member of your family or anyone permanently residing with you, the latter category relating to the foster children.

## Legal liability and data protection

### Legal Liability

Whilst Children's Social Care expects foster carers to arrange their own insurance and to make any claim under that insurance policy, Children's Social Care 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 Somerset Children's Social Care.

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 Children's Social Care 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.

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 2018 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 Children's Social Care 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 Supervising Social Worker 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 birth children in the family
  - changes in the household composition
  - new partners/household members

- any new pets/animals
- serious/long term sickness
- criminal convictions of themselves or members of their household
- any application for a Child Arrangement, Special Guardianship or Adoption Order in respect of any child in their household
- any application to register as a child minder, 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 following Somerset County Council policy.

## 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 Children's Social Care and should be returned 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

- i. **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 Children's Social Care when the child leaves the placement.
- ii. **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.
- iii. **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 photographs. Foster carers are expected to provide a young person with letters about their time with them at the end of placement as part of ongoing life story work.
- iv. **Training and Development Portfolio:** foster carers must keep a record of all learning undertaken.

## 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 Somerset Children's Social Care, as specified in the terms of the Foster Placement Agreement.

A foster carer undertakes to work in partnership with all professionals concerned with the child in placement.



## Visits by Ofsted

Foster carers are requested 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 Child Arrangement 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 Somerset Children's Social Care. All paperwork, diaries and records concerning the child and all their belongings must be returned to the child's social worker.

## Termination of foster carer approval

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 Children's Social Care terminate the foster carer's approval. In such a case, the carer will be notified of Children's Social Care's decision in writing and made aware of their rights of appeal.

A foster carer may give notice in writing to Children's Social Care at any time they no longer wish 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 (Supervising Social Worker)	
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 carers.**