

Agreement to a private family and friends care arrangement

Scope of agreement

This agreement sets out the roles and responsibilities of a family and friends care arrangement, which is supported by Camden Council. The aim of this agreement is to encourage a family where the parents are experiencing difficulties in caring for their child to reach an agreement with a family member or friend to care for the child on a temporary basis, in order to safeguard the child's welfare.

This agreement is governed by Section 17 Children Act 1989.

It is assumed that the child meets the criteria for a service under section 17 of the Children Act 1989 and has been assessed as a Child in Need. In addition the social worker has ascertained the child's wishes and feelings, after taking into account the child's age and understanding, and the family and friends care arrangement is giving effect to the child's views.

Roles and Responsibilities

The Parents

- a. The parents or guardian has parental responsibility.
- b. The parents or guardian has made the private arrangement for the placement of the child with a family member or friend
- c. The parents place the child with the family member or friend with the intention that it will be a short term arrangement for period.
- d. The parents should inform the family member or friend of the child's needs and the contact details of the agencies in the child's professional network, in particular the child's General Practitioner and School.
- e. The parents should provide financial support to the family member or friend to meet the cost of caring for the child.
- f. The parents and the family member or friend should agree the arrangements for the child to see its parents and other family members.
- g. The parents have been advised by the Social Worker of the option of section 20 Children Act 1989 accommodation and the implications of the family member or friend being assessed as a foster carer for the child.
- h. The Parents have been offered or agreed to a Family Group Conference.

The Family Member or Friend

- i. The family member or friend agrees to care for the child
- j. The family member or friend understands that the child is being placed at their home on a temporary basis and for no long than xxx period.
- k. The family member or friend has been informed by the parents of the child's needs and the contact details of the agencies in the child's professional network, in particular the child's General Practitioner and School

- l. The family friend or friend has been provided financial support by the parents in order to meet the cost of caring for the child.
- m. The parents and the family member or friend have agreed the arrangement for the child to see its parents and other family members
- n. The family member or friend has been advised by the social worker of the option of section 20 Children Act 1989 accommodation and the implications of being assessed as a foster-carer for the child.

London Borough of Camden

- o. The London Borough of Camden Children's Safeguarding and Family Help service should undertake an assessment as to whether the child meets the threshold for a service under section 17 of the Children Act 1989 and as such is a Child in Need.
- p. The social worker should assist and advise the parents and the family member or friend in respect of the private kinship arrangement: in particular accommodation, visiting arrangements, day- to- day arrangements for the child and managing relationships
- q. The social worker if they have the written authorisation of the parents or a child with sufficient age and understanding can inform the family member or friend of the child's needs and the contact details of the agencies in the child's professional network, in particular the child's General Practitioner and School,
- r. The social worker should advise the parents and the family member or friend of the option of the child being accommodated under section 20 of the Children Act 1989 and the implications for the family member or friend being assessed as a foster-carer.
- s. The London Borough of Camden should exercise its safeguarding duties and ascertain whether there are any child protection concerns in respect of the proposed placement with the family member or friend. In some circumstances, Camden may believe it necessary to carry out basic police checks on carers in order to ensure that the child's safety and welfare will be promoted within the private care arrangements. Family and friends carers will be notified of this check in advance and the reason why it is being carried out.
- t. In exercising its duty under section 17 of the Children Act the London Borough of Camden should consider whether it is in the interests of the child's welfare to provide accommodation, provision of services or cash to assist the child in need and the family.
- u. There is nothing in this agreement which prevents the London Borough of Camden from exercising its statutory duties under Section 31 of the Children Act 1989
- v. The social worker must provide the family member or friend information about local agencies which support children, such as early years provision, day care, out of school services, schools and colleges, health services, leisure facilities and youth support services.

DECLARATIONS:

I. SECTION I- Legal Guardians

- 1) Person 1: I _____ of _____ as parent and [sole/joint]¹ official guardian of _____ aged _____ (“Child”) accept the private family and friends care arrangement to allow my child the benefit of a family environment and recognise that this is a private arrangement and not an arrangement under section 20 of the Children Act 1989 and that the London Borough of Camden therefore has no obligations under section 20 of the Children Act 1989

- 2) Person 2: I _____ of _____ as parent and joint official guardian of the Child with 1 above accept the private family and friends care arrangement to allow my child the benefit of a family environment and recognise that this is a private arrangement and not an arrangement under section 20 of the Children Act 1989 and that the London Borough of Camden therefore has no obligations under section 20 of the Children Act 1989

- 3) I/We also accept that I/we have been fully advised by our social worker or the nature of this arrangement and I/we [solely/ jointly]² have reached agreement with the family member/friend that has signed under section II of this form (“family and friends carer”) over the family and friends care arrangements mentioned in ‘p’ above.

- 4) I/We also accept that I/we shall continue to remain [sole/joint] legal guardians of the Child for the duration of the family and friends care arrangement agreed and that the family and friends carer shall not become or be deemed to be the legal guardian of the Child at any point.

Signed by:

Person 1 as Parent[Sole/Joint] Guardian of the Child

¹ Please select as appropriate. Point 2 MUST BE COMPLETED if person in 1 is not the sole guardian of the Child. Please ensure person in 2 signs this declaration.

² Please strike-out as appropriate

Signed:

Person 2 Joint Guardian of the Child

II. SECTION II- Family Member/Friend

- 1) I _____ of _____ accept the private family and friends care arrangement and recognise that this is a private arrangement and not an arrangement under section 20 of the Children Act 1989 and that the London Borough of Camden therefore has no obligations under section 20 of the Children Act 1989
- 2) I also accept that I shall not become a legal guardian of the Child on account of the family and friends care arrangement proposed by the London Borough of Camden and will refer any decisions concerning the Child requiring consent of legal guardians to the signatory(ies) to section I above.
- 3) I confirm that I have been fully advised by the social worker of the nature of this arrangement and I have reached agreement with the legal guardian(s) of the Child over the family and friends care arrangements mentioned in 'p' above.
- 4) I also confirm that I have the consent and support of all co-tenants or co-owners of the property I intend to house the Child in to do so for the period of the family and friends care arrangement and am willing and capable of providing a loving and secure home to the Child for the duration of the family and friends care arrangement

Signed:

Family member or Friend