



South Tyneside Council

Children, Adults and Families

Friends & Family Care Policy

August 2015

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1. INTRODUCTION

The Family and Friends Policy applies to all children living in family and friends arrangements regardless of their legal status. Family and friends carers (such as grandparents, aunts, uncles etc.) play a unique role in helping children and young people who are unable to live with their parents, to remain with people they know and trust.

For some children this may mean they are “looked after” by the Council whilst living within their extended family network. This policy sets out how South Tyneside Council supports family and friends carers and the children they care for.

2. PRINCIPLES

South Tyneside Council has a duty to safeguard and promote the welfare of all children and young people living in the Borough who are in need. The Council is committed to supporting parents and carers to enable children to be brought up within their own family network where it is safe to do so.

Research would suggest that children who live within family and friends care frequently enjoy more positive outcomes when compared to similar children in foster care. Consequently we want to help children who cannot live with their parents to stay with family and friends and the Council will only consider alternative care arrangements when there is no other satisfactory way of promoting the welfare of children and young people or of protecting them from harm.

Family and friends often start to care for children as a short-term arrangement but these can become open-ended or even permanent. Such changes in family circumstances can present challenges for both the child and the carers. South Tyneside is committed to ensuring a comprehensive range of support is in place which enables family and friends to provide appropriate care for the child or young person which reflects their individual circumstances and needs.

The Council can become formally involved in family and friends care arrangements for a number of reasons, for example:

- It has a legal duty to provide support if the child is assessed as a child in need.
- If the Council has agreed that the child needs to become “looked after” either by remaining with family members or being “placed” with a foster carer employed by the council.
- The Council has applied to the Court for a legal order which has been granted, giving the Council parental responsibility.

In all cases, the primary consideration in determining support will be **the needs of the child** and we will take into account children's wishes and feelings in all relevant processes. Details of the eligibility criteria needed to qualify for support are set out later in the document.

3. LEGAL CONTEXT

The majority of family and friends carers act informally, with the agreement of the parent, but there are a number of different legal options which family and friends carers can consider to secure care arrangements formally. The advice of a social worker or a solicitor may be helpful when deciding which option is most applicable to your circumstances. The options are set out in detail at Appendix A, and a summary of these is set out below:

3.1 “Informal Family Care”

The majority of family and friends carers act informally with the agreement of a parent. These arrangements typically involve a close relative or friend choosing to take on the care of the child or young person. The Council will not have been involved in the arrangement and the child is not in care.

3.2 Private fostering

This is a private arrangement where a child under 16 (or under 18 if disabled) is cared for by someone who does not have parental responsibility and who is not a close relative, for 28 days or more. This takes place with the agreement of their parent.

3.3 Family, friends and connected foster care

Under Section 20 of the Children Act 1989 the Council has a duty to provide accommodation for any child in need within South Tyneside as a result of:

- (a) there being no person with parental responsibility for the child;
- (b) the child having been lost or abandoned; or
- (c) the person who has been caring for the child being prevented (whether or not permanently, and for whatever reason) from providing the child with suitable accommodation or care.

Children or young people who are provided with accommodation by the Council are referred to as “Looked After Children”. For all looked after Council will consult with both the child and the family and consider whether it is in the child’s best interest to be placed with family, friends or another connected person who has a pre-existing relationship with the child.

The child or young person can be Looked After on a voluntary basis where there is consent from the parents (section 20). If the parent does not agree to the placement, and the Local Authority believes it is in the child’s best interests they may apply to the court for a legal order so that the child can become looked after.

If the child is Looked After and is cared for by a family member or friend, the family member or friend must be formally assessed and approved as a foster carer.

This process will involve a formal assessment to ensure the carer meets fostering standards. If this standard is met then carers become connected person foster carers. Once approved as such by the Fostering Panel then carers will be treated as the same as mainstream foster carers with the same rights and responsibilities. If the standards are not met, the child can only remain cared for by the family or friend under a private arrangement between the family independent of the Council or if the carer obtains a Child Arrangement or Special Guardianship Order, granted by a Court. .

3.4 Child Arrangements Orders (previously known as Residence Orders) and Special Guardianship Orders

Relatives, friends or other connected persons providing care to a child might wish to make the arrangement long term in order to provide permanence for the child. In these cases, the carers may make an application for a Child Arrangement Order or a Special Guardianship Order. Carers with a Child Arrangement Order share parental responsibility with the child's mother and the father (if he has parental responsibility). A Child Arrangement Order gives the holder of the order shared parental responsibility with the birth parents and enables the holder of the Child arrangement order the right and responsibility to determine where the child's lives and day to day decision making regarding the child's welfare. Under Special Guardianship the person(s) with the order also have parental responsibility however this order allows the holders more control over decision making in relation to the child or children without the consent or agreement of the birth parents.

Applications for a Child Arrangement Order or a Special Guardianship Order can be made privately or with the support of the Council. If the child involved had previously been 'Looked After', and the carer acquires parental responsibility through the court granting a legal order then the child will no longer be "looked after".

4. TYPES OF SUPPORT & SERVICES

South Tyneside provides a wide range of information and support for people caring for children and young people in the Borough, ranging from information and advice on health, education and parenting issues, through to providing childcare via dedicated Children Centres. The Council also provides additional support to families whose children have Special Educational Needs or who have a disability, for example by assisting with home to school travel or providing respite care.

Provision of specialist services is accessible through an assessment process in order to determine appropriate need and to identify the right service to meet that need.

This Policy acts as a 'signpost' on available services and further detailed information on services is highlighted in **Appendix B**. The majority of these services are usually available to everyone caring for a child irrespective of whether the child is "Looked After" by the Council and carers are encouraged to seek to avail themselves of support as and when needed.

Services that are available to everyone regardless of need are known as universal services. The Family Information Service (FIS) can provide advice on childcare arrangements they also are responsible for the Councils Children's Centres who can signpost to advice about benefits etc. The Council also has a team to assist with School Admissions, An Early Help Team for families suffering from anti-social behaviour or problems at school and finally, teachers, health visitors or general practitioners can also direct carers towards help and support.

The Councils Family Information Service can be contacted via the following email link:

FIS@southtyneside.go.uk

The Council also recognises that, in order to provide safe and effective care, family and friends carers may need additional specialist support. If placements are in danger of breaking down or the child has additional needs. Examples of advice and support include: mediation and counselling services helping children maintain contact with parents and other relatives, therapeutic support; CAMHS (Child Adolescent Mental Health Services) support as required.

Friends and families carers who have informally taken on the care of a child can also face financial struggles. Ultimately parents retain responsibility for financially supporting their children in these circumstances but a family and friends carers could be entitled to child benefits, child tax credits and working tax credits. Carers are expected to seek advice and support from Welfare Rights and the Money Advice Service to ensure they claim all support they are entitled to.

There **may be** exceptional circumstances when friends and family carers might need additional financial support. Further details on these circumstances and when the Council might financially support a carer are set out below.

4.1 Family Group Conferences

A family group conference is an approach to planning and decision-making which builds on the strengths, skills and experience of the wider family as well as professionals. South Tyneside uses family group conferences to help find solutions to difficulties a family might face in bringing up and caring for children. Examples of when a conference could be used

include issues with family relationships, contact, children's behavioural problems and school attendance. Involvement will ultimately be determined by the family itself but may include those family members caring for the child and extended family, friends, neighbours and community members if they are considered to be part of a child's "family". This service can be accessed by a referral through Children and Families Social Care

4.2 Contact

Contact between a child and their parents must be supported and promoted unless this is deemed not to be in the child's best interests. It is recognised that the management of contact can be challenging for family and friends carers.

The Council is committed to providing support to carers in managing contact arrangements which may include practical support. The Council expect most families to make their own contact arrangements, however in exceptional circumstances the Council may provide assistance which would form part of the agreed care plan for the child/ children. In the majority of cases this support would be transitional in assisting families in developing arrangements that they are able to sustain.

For children living with extended family under private law orders or under a family arrangement the organisation of contact is a matter for the family and not the Local Authority. Where a child is Looked After, the person caring for the child will be expected to comply with the contact plan that is agreed between the Local Authority, the parents and the multi-agency team involved with the child.

5. FINANCIAL SUPPORT

Parents retain responsibility for financially supporting their children even in situations where a child is being cared for by a family or friend; however, carers should always seek to avail themselves of any benefits and tax credits they may be entitled to and agencies such as the, Citizens Advice and the Money Advice Service will be able to provide help and assistance to carers to make benefits claims as appropriate.

Whilst the Council does not routinely provide financial assistance Section 17 (6) of the Children Act 1989 allows services provided by a local authority to include the “giving of financial support”. The following sections sets out in more detail the circumstances when the Council **may** offer financial support but, fundamentally, financial assistance will usually only be offered for an interim period as it is not the Council’s role to maintain a carers’ income.

5.1 Section 17 Children Act 1989/ Family Support Payments

Financial support provided under Section 17 is awarded on a discretionary basis when a child has been assessed as **a child in need** and additional support is necessary in order to address that need. This can apply to any child including children in informal care arrangements and those being privately fostered.

Financial support under Section 17 will typically only be paid in circumstances where the child’s identified need cannot be met through the existing benefits system or via the support referred to in Section 4. For example, payments for one-off purchases of equipment, clothing and furniture needed by carers to accommodate a child in a crisis situation when it has not been possible to secure support or help from sources such as Benefits Agency, Welfare Rights or a charity.

In addition to the purchase of small one-off items, short term financial subsistence can be considered in **exceptional** circumstances, for example where the Council would have had to accommodate the child/young person under Section 20 of the Children Act if no financial assistance was provided.

Request for payments which exceed £35 must be accompanied by an assessment completed by the Social Worker, which will:

- outline the needs of the child.
- the resources currently available to the carer, how the child’s needs will be addressed and what the funds will be used for.
- Completed assessments and any proposals will be considered by the Council’s budget panel.

Each case and family circumstances will be unique, but if an ongoing financial payment is offered under Section 17, this will typically not be subject to a means test.

Payments will not exceed Income Support levels (a lone parent with a single child is entitled to £72.40 per week, plus £20.40 Child Benefits). Section 17 / payments will typically be offered on a short term basis to enable carers to make adjustments while permanent arrangements are made and it is anticipated that payments will not be paid beyond an initial 6 week period. All payments will be continually monitored.

Wherever the Council offers a sum over £250 or any on-going financial support, a clear written agreement will be drawn up so all parties are clear about what is being provided, why and the duration of the agreement.

5.2 Friends and Family Connected Carers – Approval and Financial Support

Friends and Family connected carers are carers who have been approved to provide foster care to a specific “Looked After Child”. This process is governed by Fostering Regulations and standards.

A Senior Manager in Children and Families Social Care can grant temporary approval for a placement following a Viability Assessment (the assessment is undertaken to determine whether the living arrangements are suitable for the child as defined in the Fostering Regulations). **Once approved, the carer is deemed to be a temporary foster carer for the child and will be paid the standard Foster Care Allowance which will not be means tested.**

Temporary approval can only last for a maximum of 16 weeks although, in exceptional circumstances, this can be extended for a further 8 weeks. During this time, carers must undergo a full assessment to determine whether they can be approved as a long-term foster carer.

If, during the assessment period, it becomes clear that a carer will not be able to meet fostering standards, the carer, the child’s parents and social workers must establish whether it is appropriate for the child to remain with the carer and agree a long term care plan for the child.

Where a carer does not meet fostering standards the council will be unable to continue to pay the carers a fostering allowance. If it is agreed that the child is to remain with the carer, appropriate financial support may be provided for a transitional period subject to the approval of the budget panel.

If the assessment concludes that it is still appropriate for the child to remain with the carer this will need to be either on the basis of a private law order or a private arrangement with the family. The decision making regarding this will be based on what is in the child’s best interests. In such circumstances where fostering allowance can no longer be paid the council will consider transitional financial support arrangements until carers are in receipt of appropriate state benefits. Ongoing support may be available dependant of the child’s circumstances – please refer section on child arrangement order and special guardianship allowance.

5.3 Child Arrangement Order Allowances (previously known as Residence Orders Allowances)

The Children Act 1989 gives a local authority discretionary power to make payments towards the cost of maintenance and accommodation of a child who is subject of a Child Arrangements Order in relation to residence. This does not apply where the person with whom the child lives or is to live with is the parent of the child or husband or wife or civil partner of a parent of the child.

Carers with a Child Arrangement / Residence Order are expected to claim child benefits, child tax credits, working tax credit and all other benefits they might be entitled to. However **in exceptional circumstances**, South Tyneside **may** offer **discretionary** financial support to carers with a Child Arrangement Order.

As with Section 17 / Family Support Payments, the primary consideration in determining entitlement to any payment will be **the needs of the child**. Situations where an ongoing allowance could be considered include:

- Cases where a child is assessed to have significant needs (physical, emotional, health or educational), including cases resulting from past experience of abuse or trauma.
- Carers who have had to cease employment temporarily or take unpaid leave from employment in order to care for the child or to settle the child into his/her new situation which presents an alternative to the child being looked after.

All proposed payments must be accompanied by a detailed assessment of the child's needs completed by a Social Worker (using the single assessment framework document). The assessment will outline the needs of the child, the resources currently available to the carer and how the child's needs will be addressed (i.e. what the funds will be used for). The Council's Allowance Panel will consider proposals and determine the support the carer requires to enable them to meet the child's identified needs, based upon the completed assessment. The Panel will include a member of the Senior Management Team, Internal Audit and will be attended by the assessing social worker.

Child Arrangements / Residence Order payments are linked to the Council's Fostering Allowance Scheme. Typically, payments will not exceed £107.60 baseline adoption rate, but the panel will determine the level and duration of any financial support offered.

In order to ensure any financial support offered by the Council compliments financial support available via benefits and tax credits, all proposed Child Arrangements/ Residence Order payments will be subject to a financial assessment regardless of the carers' circumstances. Child Tax Credits and Child Benefit the carers receive will be taken into consideration in determining the appropriate level of allowance. The financial assessment process is detailed in section 6. Where a payment is made:

- All payments will be supported by a written agreement so that all parties are clear about what is being provided, why and the duration of the agreement.
- Typically, unless the child has a significant long term condition, it is expected that payments will be for a transitional period of no more than 2 years in order to meet any needs arising from the child's move into the household,
- All payment and associated plans will be reviewed on an annual basis (or sooner if the circumstances warrant) so that the Council can determine whether the payment remains necessary in order to support the child.

5.4 Special Guardianship Orders (SGO)

Family and Friends Carers who obtain a Special Guardianship Order for a child who was previously 'Looked After' have a right under the Special Guardianship Regulations 2005 to ask the Council for a formal assessment of the child's needs including financial support.

As with Section 17 and Child Arrangements Order payments, the primary consideration in determining entitlement to any payment will be **the needs of the child**. When assessing and determining a child's needs, the Council will detail the support services the family can expect (including financial support) in the child's support plan.

Situations where an SGO allowance may be considered include:

- Cases where a child is assessed to have significant needs (physical, emotional, health or educational), including cases resulting from past experience of abuse or trauma.

- Carers who have had to temporarily cease employment or take unpaid leave from employment in order to care for the child or to settle the child into his/her new situation which presents an alternative to the child being looked after.

All proposed payments must be accompanied by a detailed assessment of the child's needs completed by a Social Worker (using the single assessment framework document). The assessment will outline the needs of the child, the resources currently available to the carer and how the child's needs will be addressed i.e. what the funds will be used for. The completed assessment will be considered by the Council's Allowance Panel.

When considering financial support payments proposed support plan must presented to the Allowance Panel, who will consider the proposals and determine what (if any) financial support the carer requires to enable them to meet the child's needs, based on this assessment. Any payments that are agreed will:

- Be supported by a written agreement so that all parties are clear about what is being provided, why and the duration of the agreement.
- Typically, unless the child has a significant long term condition, it is expected that payments will be for a transitional period of no more than 2 years in order to meet any needs arising from the child's move into the household,
- All payments and associated plans will be reviewed on an annual basis (or sooner if the circumstances warrant) so that the Council can determine whether the payment remains necessary in order to support the child.

The financial support paid to carers with a Special Guardianship Order is based upon the baseline Foster Care rates. Payments will be subject to a means test and Child Benefits and any Child Tax Credits the carer receives will be deducted from any allowance paid. Further details of this process are set out in Section 6.

5.5 Adoption Allowances

The Adoption Support Services Regulations 2005 stipulate that financial support can be paid to an adoptive parent for the purpose of "*supporting a placement or the continuation of adoption arrangements after an adoption is made*". These ongoing payments are referred to as an adoption allowance. South Tyneside has an Adoption Support Policy which outlines the circumstances when an adoption allowance can be paid.

5.6 Legal Costs

South Tyneside may also provide financial help to family and friends carers who wish to apply for a Child Arrangements Order, Special Guardianship Order or an Adoption Order. This will only be considered where the application is supported by the Local Authority. It should be noted that carers are expected to source funding from the Legal Aid Agency but, if the Legal Aid Agency requires carers to contribute, assistance with these legal costs can be considered by the Council. This decision will be made by the Allowance Panel and will usually only cover the Court application fee. Support with legal costs is generally not subject to a means test.

5.7. ACCESS TO SUPPORT

Carers living in the Borough are entitled to request a revised Assessment of Need at any time up until the child reaches the age of 18, if they feel additional support is needed.

Families living outside of South Tyneside can request support from the Council up to 3 years after the Special Guardianship or Adoption Order was made. After this date, responsibility for support falls to the Local Authority for the area in which the adoptive family now lives. Unless the Council agreed prior to the making of the Order to provide ongoing financial support. In such circumstances the Council will remain responsible for the payment until such time as it is determined that it is no longer needed.

If, in assessing a child's needs, it is identified that financial support might be appropriate, carers will be asked to complete a Financial Assessment form. Please note that completing the form will not automatically entitle a carer to financial support, but carers will be notified of the outcome of the assessment and the reasons why any decisions have been made

In completing a Financial Assessment form, it is important that carers read and understand the information provided in this Policy. As has already been indicated, ongoing financial support is generally only be payable where the child has an exceptional need as defined in Section 5.

6. THE FINANCIAL ASSESSMENT PROCESS

As detailed above when considering if a carer is entitled to financial support a social worker will assess the child and family's circumstances in order to determine any specific needs. In considering **the needs of the child**, factors that will be taken into account include:

- The nature of any identified needs and whether these are being met by existing Health or other Local Authority provision
- The costs of providing for the child's assessed needs
- The resources (including financial resources) available to the carer
- Any recommendations made by Panel
- The financial needs and resources of the child

If following the social workers initial assessment it is deemed that an ongoing payment may be appropriate, but the family circumstances are unclear, a more detailed financial assessment may be undertaken. This will involve the completion of a detailed financial assessment form and the family will be required to provide supporting evidence so that all income (assessed as if the child were placed without the payment of financial support) can be compared with the family's total commitments and outgoings, in order to determine the level of allowance that may be applicable.

When calculating payments, the Council will assess income and outgoings in order to determine the disposable income a family has available to address the child's needs. Details of this process are set out in sections 6.1 – 6.5 below.

6.1 Income

All income **must** be declared and documentation to support the declarations must be provided as follows:

- Net wages or salaries from an employer (for both partners in the case of couples) before any contributions to a company pension scheme.
- When providing your monthly salary or weekly wage an average should be taken, (3 months' salary or 8 weeks for weekly wages). Figures should include overtime and any other regular earnings.
- Proof of income in the form of the most recent payslips will also need required

Carers who are self-employed must forward an Inland Revenue Approved Statement of Drawings for the previous tax year alongside any application. A statement of expected drawings for the current year may also be asked for, in order to assess current income for the year if it is expected to be substantially different from the previous year, or if a full year's Inland Revenue statement is not available, i.e. new business.

6.2 Benefits, Allowances & Pensions

Any carer **must** declare:

- All benefits and allowances including Disability Living Allowance (DLA)/Personal Independence Payment (PIP), Housing Benefit, Sickness Benefit and any Adoption or Fostering Allowances or Child Benefits received for any child(ren) already in your household.

- All state and private pensions (including those paid for disabilities)
- Existing Tax Credits are classed as income under the assessment and will be included in the calculations.
- Money received under a Maintenance or Separation Order, or from the Child Support Agency is also classed as income under the assessment and will be included in our calculations.

6.3 Equity, savings and investments

If any carer have assets, savings or investments (including property) valued in excess of £25,001 these must be declared and income from these will be included in the financial assessment. Income from lodgers, tenants, sub-tenants, or rental income must also be declared.

6.4 Commitment and outgoings

Payments and monies paid out by carers which must be declared include:

- Monthly Mortgage / Rental costs
- Council Tax – most Councils charge monthly for ten months only, so if a monthly figure is given, it will be multiplied by ten to give an annual figure. If a rebate is given, the net figure must be declared.
- Any commitments under a Court Order include such things as payments made under a Separation or Maintenance Order.

In addition, if there are any other regular expenses not covered in the above classifications but to which the carer is already committed, or which are related to the placement, they can be declared. An example would be play therapies.

Note that each case will be considered on its own merits and some discretion may be applied, but generally, car and routine travel expenses cannot be claimed for.

6.5 Financial resources associated with the child

Any financial support the Council provides must compliment and not duplicate support available to parents from the tax and benefits systems. Carers are expected to claim **Child Benefit**; consequently the value of these payments will be automatically deducted from any financial support paid.

Carers on low incomes are expected to apply for Child Tax Credits, carers with children with a disability should apply for a DLA/PIP. When an allowance is paid, it will initially be awarded for a period of 3 months, after this time the family circumstances will be re assessed in order to account for any child tax credit or other benefits that have been received. These **must** be declared to the Council so that they can be taken into account when determining the final allowance payment. It should be noted that any parents who fail to declare the receipt of these benefits may have the allowance suspended until appropriate evidence is provided.

Whilst any lump sum payment or Trust Fund held in the child's name must be declared, along with any regular payment received in respect of the child, these will **not** affect allowance payments.

7. SIBLING GROUPS

Carers who support a sibling group do not automatically qualify for financial support but, in order to keep siblings together, Panel may authorise financial support to facilitate the placement of the group. It is expected that the support offered in these circumstances will be short term and will normally be necessary for no more than 2 years in order to ease the strains families may experience introducing sibling groups into the household. Carers must demonstrate that each of the children in the sibling group has an additional exceptional need in order for any payment to be continued beyond the transitional period.

8. TRANSITIONAL ARRANGEMENTS FOR FOSTER CARERS

Financial support cannot normally include remuneration to carers. However, where a former foster carer formally takes on parental responsibility (via Adoption, SGO or a Child Arrangement/Residence Order), the Local Authority may continue to remunerate the adopters at the same rate for a transitional period of two years after the order has been granted.

The Local Authority may extend the element of remuneration beyond the two year period if it is satisfied that it is necessary for it to continue because of the exceptional needs of the child or any other exceptional circumstances. The Local Authority will state the period for which the payment will continue but the payment may not be extended for more than one year at any one time.

Remuneration will only be payable where the decision to include it is taken prior to the order being made. Former foster carers cannot retrospectively seek support.

9. NOTIFICATION & PAYMENT

All proposed ongoing payments of financial support will need approval of the Allowance Panel, as detailed above.

Outcomes from the Allowance Panel including details of any the proposed payments, along with any conditions, will be sent to carers within 20 working days of panel meetings. Carers who do not agree with panel decisions have 28 days to respond.

All financial support payments will be reviewed on an at least an annual basis but, if your family or financial circumstances change, for example if the child leaves home or if the household finances change because the carer has a new job, you must notify the Council of the change immediately. Failure to promptly notify the Council of any change in circumstances could result in any overpaid allowances being clawed back.

On an annual basis, families receiving financial support will be requested to complete a new assessment form, the review may also involve the family being contacted by staff to determine whether the “need” the allowance is addressing is still in place and whether it is being adequately managed. It is at this point the Council might approach families for receipts or documentation to ensure funds are being used in accordance with any defined conditions.

Payment of the allowance will be suspended or may cease if:

- requested documents aren't returned

- the defined 'need' is no longer deemed to be in place
- changes in your financial situation mean that you no longer meet the criteria for payment of an allowance.

As previously stated carers are free to request a new Assessment of Need at any point but generally entitlement to any allowance will cease once a child reaches 18 years of age.

10. CONTACT, APPEALS & COMPLAINTS

If you have any questions relating to this guidance or the filling out of the Assessment form, please contact your social worker or a duty worker at Contact and Referral who will be happy to assist you. CRT can be contacted on:

0191 4245010 or via email: contactandreferralteam@southtyneside.gov.uk

Carers will be formally notified of the outcome of all assessments and will have a period of 28 days to consider Allowance Panel decisions and make any appropriate representations to the Council should they wish to appeal. Appeals will be adjudicated independently of the Allowance Panel process and should be made in writing. All appeals will be considered within 28 days of receipt and written responses will be received.

Any complaints can be directed to:

Ros Watters
Customer Services Manager
Tel : 0191 424 4624
Email: Ros.Watters@southtyneside.go.uk

This document can be made available in large print, Braille, audio or in electronic format. Copies in alternative languages may also be obtained.

Please contact

Shona Gallagher
Service Manager, Supporting & Strengthening Families
Gordon House
Gordon Street
South Shields
Tyne and Wear
NE33 4JP

Appendix A : Options When Caring For Someone Else’s Child

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Child Arrangements order (CAO)	Special guardianship order (SGO)
Route into the caring arrangement	<p>Is a private arrangement whereby the child is being cared for, for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative.</p> <p>Relative means the child’s grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent.</p> <p>The child is not a looked after child.</p>	<p>The carer has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the local authority. The child is not a looked after child.</p> <p>Carer may perceive the parents to be unable to care for the child;</p> <p>or the parents may be dead or otherwise not available (e.g. in prison);</p> <p>or there may be an agreement between relatives due to difficult family circumstances.</p>	<p>The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care.</p> <p>The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer.</p> <p>The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.</p>	<p>The child is a looked after child being accommodated by the local authority under section 20 Children Act 1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority.</p> <p>(Alternatively, the local authority may choose to place a child into residential care where this is considered to best meet the child’s needs).</p>	<p>The application may be the result of multi agency planning eg where the child is subject to a child Protection Plan or a Child in need plan. However, it can be made without the involvement of the local authority where the carer wishes to secure the child’s placement and seeks parental responsibility.</p> <p>The carer will usually need to give 3 months notice to the Local Authority if they intend to seek a Special Guardianship Order</p>	
Parental Responsibility	Remains with birth parents	Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child’s welfare	Remains with birth parents if child accommodated under section 20 CA, or if the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others (subject to the restrictions in the Children Act 1989.)	Shared by mother and father (if he has PR) and any one else with PR for the child and holder of CAO.	PR shared with mother and father (if he has PR) and any one else with PR for the child. The special guardian may exercise PR to the exclusion of all others with PR, apart from another special guardian subject to the restrictions in the Children Act 1989	
Approval Basis	The arrangement is assessed by LA, but the carer is not ‘approved’ as a local authority foster carer is. The arrangement may be prohibited if assessed by the local authority as unsuitable.	None	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If child is looked after, carers must be approved as foster carers even if close relative.)	Appointed by court following application	Appointed by court, following application from the applicant. LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian.	

Appendix A : Options When Caring For Someone Else's Child

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)
Duration	Subject to discretion of person with PR and readiness of private foster carer.	Subject to discretion of person with PR	So long as placement remains in line with child's care plan, as determined by LA		Age 18	Age 18 unless varied or discharged by the court before the child reaches 18 years.
Placement supervision	It is not a placement, but there are statutory visits to child by social worker (minimum 6 weekly in first year, then 12 weekly)	None	Statutory: visits to child by social worker and supervision of foster carers by supervising social worker		None	None
Review of placement	It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits.	None	Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of local authority foster carers' approval		None	None
Support services	Provision of advice and support as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under section 17 of the Children Act 1989	No entitlement but the LA may assess the child as a child in need, with a child in need plan, and provide services / support for child/family under the Children Act 1989	Support to meet child's needs including health plan and personal education plan. Training and practical support to foster carers in accordance with the Fostering services Regulations, NMS and CWDC standards. Young person may be entitled to leaving care support services		No entitlement (But LA has discretion to provide services / support for child/family under section 17 and schedule 1 of the CA)	If child was looked after prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to provide support. Young person may be entitled to leaving care support services if was a looked after child prior to making of the SGO.

Appendix A : Options When Caring For Someone Else’s Child

	Private fostering	Family care (informal)	Family and friends foster care	Unrelated foster care	Residence order	Special guardianship order (SGO)
Financial support – entitlement	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR. Guardians Allowance payable if both parents have died, or the only surviving parent cannot be found or serving 2 years or more prison sentence.	Child benefit and child tax credit not payable. Weekly allowance to meet the costs of caring for the child. This should meet at least the national minimum rate set by DCSF. The Manchester City Council judgment ruled that allowances must be the same for all foster carers, whether or not family & friends.		Can claim child benefit and child tax credit if not being paid to parent.	Can claim child benefit and child tax credit if not being paid to parent.
Financial support – discretionary	LA has discretion to make one-off or regular payments under section17 Children Act	LA has discretion to make one-off or regular payments under section17 Children Act	Some fostering providers pay their foster carers a fee to recognise the carers’ skill, experience and commitment. The Manchester City Council judgement (which requires allowances to be paid on the same basis regardless of the relationship of the carer to the child) did not consider fees. However, Statutory Guidance for Fostering Services requires that any policy in relation to the payment of fees must be applied to all foster carers who meet the criteria in the same way and must not discriminate on the grounds of a pre-existing relationship with the child.		LA has discretion to pay residence order allowance – usually if child was previously fostered by the carers, or exceptionally if making residence order prevents child becoming looked after. Any allowance reviewed annually.	Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child looked after prior to order and meets the criteria in the regulations. Subject to assessment as above and for former foster carers can include an element of remuneration. Regular or one off payments. Any allowances reviewed annually.

South Tyneside Organisations and Information

To contact a social worker

Telephone: The Contact and Referral Team 0191 4245010

Email: contactandreferralteam@southtyneside.gov.uk

Website: Southtyneside.gov.uk

Early years child care (three year olds and under)

Some two year olds are entitled to free early learning and childcare available through a health visitor or children's centre. All children aged three years and over can have free nursery education for 15 hours a week.

Contact: The Family Information Service 0800 783 4645.

Email: FIS@southtyneside.gov.uk

Website: Southtyneside.gov.uk

Family mediation services

Sunderland and South Tyneside Family Mediation Service provides services for individuals and families who are facing a difficult time due to separation and/or divorce; domestic violence and abuse; and for children and young people affected by family or peer relationships (including bullying).

Telephone: 0191 5678282

Email: enquiries@impactfs.co.uk

Information on benefits & other help

The Welfare Rights Service offers free advice, support and representation to people in South Tyneside. We can help with queries on: Employment rights, Debt and money problems, Housing issues and Benefit entitlement and advice on all social security benefit.

South Tyneside also has a Local Welfare Provision scheme which is able to offer two types of support: Crisis Expenses Community Care support, where we may provide household goods to help people and families under severe pressure.

For more information about welfare rights and money advice from South Tyneside.

Telephone: Welfare Rights 0191 424 6040

Email: welfarerightsadvice@southtyneside.gov.uk

Website: SouthTyneside.gov.uk

Health

Contact a GP about any health issues they will give you information or put you in touch with specialist health services or organisations. To find a GP, hospital, pharmacy, dentist or walk-in centre, look at the NHS Choices website: NHS.uk

Your health visitor will be able to give advice about pre-school children: contact one through your GP and issues with older children can also be discussed with the school nurse.

Housing

Council housing in South Tyneside is managed by South Tyneside Homes, information about housing from South Tyneside Homes.

Tel: 0300 123 6633

Email: connect2@southtynesidehomes.org.uk

Website: <http://www.southtynesidehomes.org.uk/>

National organisations and information

Action for Prisoners' Families

Works to reduce the negative impact of imprisonment on prisoners' families. Produces publications and resources, and provides advice, information, training and networking.

Website: www.prisonersfamilies.org.uk

Address: Unit 21, Carlson Court, 116 Putney Bridge Road, London SW15 2NQ

Tel: 020 8812 3600 Advice line:0808 808 2003

E-mail: info@actionpf.org.uk, info@prisonersfamilieshelpline.org.uk

Adfam

Works with families affected by drugs and alcohol, and supports carers of children whose parents have drug and alcohol problems.

Website: www.adfam.org.uk

Address: 25 Corsham Street, London N1 6DR

Tel: 020 7553 7640

Email: admin@adfam.org.uk

Advisory Centre for Education (ACE)

Independent advice and information for parents/carers on state education and schooling including admissions, exclusion, attendance, special educational needs and bullying.

Web-site: www.ace-ed.org.uk

Address: 1c Aberdeen Studios, 22 Highbury Grove, London N5 2DQ

Tel: 0808 800 5793 (General advice line)

0808 800 0327 (Exclusion advice line)

020 7704 9822 (Exclusion information line, 24hr answer phone)

BeGrand.net

Website offering information and advice to grandparents and online and telephone advice.

Website: www.begrand.net

Helpline: 0845 434 6835

British Association for Adoption and Fostering (BAAF)

Provides information and advice about adoption and fostering and publishes resources.

Website: www.baaf.org.uk

Address: Saffron House, 6-10 Kirby Street, London EC1N 8TS

Tel: 020 7421 2600

Email: mail@baaf.org.uk

Children's Legal Centre

Free independent legal advice and factsheets for children, parents, carers, professionals.

Website: www.childrenslegalcentre.com

Address: University of Essex, Wivenhoe Park, Colchester, Essex CO4 3SQ

Tel: 01206 877 910 0808 802 0008 (Child Law Advice Line)

0845 345 4345 (Community Legal Advice - Education)

E-mail: clc@essex.ac.uk

Citizens Advice Bureaux

Helps people resolve their legal, money and other problems by providing free, independent and confidential advice through local bureaux and website.

Appendix B – Organisation Contact Details

Website: www.citizensadvice.org.uk

Department for Education

Details of telephone help lines and online services for information, advice and support on issues that parents and families may face in bringing up children and young people.

Website: www.education.gov.uk/childrenandyoungpeople/families

Direct Government - information about public services in one place

Information about money, tax and benefits

Website: www.direct.gov.uk/en/MoneyTaxAndBenefits/index.htm

Family Fund Trust

Helps families with severely disabled or seriously ill children to have choices and enjoy ordinary life. Gives grants to make life easier and more enjoyable.

Website: www.familyfund.org.uk

Address: 4 Alpha Court, Monks Cross Drive, York YO32 9WN

Tel: 0845 130 4542

Email: info@familyfund.org.uk

Family Rights Group (FRG)

Advice to parents and family whose children require children's social care services because of welfare needs or concerns. Publishes resources, helps to develop support groups for family and friends carers and runs a discussion board.

Web-site: www.frg.org.uk

Address: Second Floor, The Print House, 18 Ashwin Street, London E8 3DL

Tel: 020 7923 2628 0800 801 0366 (Advice line)

Email: advice@frg.org.uk

The Fostering Network

Supports foster carers and anyone interested in fostering to improve the lives of children in care. Publishes resources and runs Fosterline, a confidential advice line for foster carers including concerns about a child's future, allegations, complaints, legislation, finances.

Website: www.fostering.net

Address: 87 Blackfriars Road, London SE18HA

Tel: 020 7620 6400 0800 040 7675 (Fosterline)

Email: info@fostering.net fosterline@fostering.net

The Grandparents' Association

Supports grandparents and families, especially those who have lost /are losing contact because of problems, caring for grandchildren full-time, and with childcare responsibilities.

Website: www.grandparents-association.org.uk

Address: Moot House, The Stow, Harlow, Essex CM20 3AG

Tel: 01279 428040 0845 434 9585 Helpline

0844 357 1033 (Welfare benefits advice and information)

Email: info@grandparents-association.org.uk

Grandparents Plus

Champions the role of grandparents and the wider family in children's lives, especially when they take on the caring role in difficult family circumstances.

Address: Grandparents Plus, 18 Victoria Park Square, Bethnal Green, London E2 9PF

Tel: 020 8981 8001

Email: info@grandparentsplus.org.uk

HM Revenue and Customs

Information about child benefit and guardian's allowance.

Website: www.hmrc.gov.uk/childbenefit/index.htm

Address: Child benefit office, PO Box 1, Newcastle Upon Tyne, NE88 1AA

Tel: 0845 302 1444 (Helpline)

0845 302 1474 (Textphone)

Mentor UK

Promotes health and wellbeing of young people to reduce the damage that drugs can do.

Website: www.mentoruk.org.uk

Address: Fourth Floor, 74 Great Eastern Street, London EC2A 3JG

Tel: 020 7739 8494

Email: admin@mentoruk.org

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Family Mediation Helpline

information and advice about family mediation services and eligibility for public funding.

Website: www.familymediationhelpline.co.uk

Tel: 08456 026627

National Family Mediation (NFM)

Provides mediation services to support couples who are separated, and their children and others affected by this.

Website: www.nfm.org.uk

Address: 4 Barnfield Hill, Exeter EX1 1SR

Tel: 0300 4000 636

Email: general@nfm.org.uk

Partners of Prisoners and Families Support Group

Operates helpline and services to support to anyone with a link to someone in prison, prisoners and other agencies.

Website: www.partnersofprisoners.co.uk

Address: Valentine House, 1079 Rochdale Road, Blackley, Manchester M9 8AJ

Tel: 0161 702 1000

0808 808 2003 (Offenders' families helpline)

Email: info@prisonersfamilieshelpline.co.uk

Parents Against Drug Abuse (PADA)

Delivers support and services to the families of substance users and a national helpline.

Website: www.pada.org.uk

Address: The Foundry, Marcus Street, Birkenhead CH41 1EU

Tel: 0151 649 1580

08457 023867 (National Families Helpline)

Parentline Plus

Help and support for family life, information, an online chat facility and a 24 hour helpline.

Website: www.familylives.org.uk

Address: CAN Mezzanine, 49-51 East Road, London N1 6AH

Tel: 020 7553 3080

0808 800 2222 (24hr Advice line)

Email: parentsupport@familylives.org.uk

Appendix B – Organisation Contact Details

TalktoFrank

The government's national drugs helpline which offers free confidential drugs information and advice 24 hours a day. Information and advice is also available via the website.

Website: www.talktofrank.com

Tel 0800 77 66 00 (24 hour advice line)

82111 (Text)

Email: frank@talktofrank.com

Voice

Advocacy organisation for children living away from home or in need.

Website: www.voiceyp.org

Address: 320 City Road, London EC1V 2NZ

Tel: 020 7833 5792

0808 800 5792 (Young person's advice line)

Email: info@voiceyp.org

Young Minds

Works to improve the emotional wellbeing and mental health of children and young people and empowering their parents and carers.

Website: www.youngminds.org.uk/

Address: 48-50 St John Street, London EC1M 4DG

Tel: 020 7336 8445

0808 802 5544 (Parents helpline)