



Lady Manners School

Private Fostering Policy

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Through our shared school values, we aim for all students to thrive, feel included and aspire to grow as individuals who contribute to society with empathy, integrity and positivity.

This document will be reviewed annually by the Curriculum and Students Committee and sooner when significant changes are made to the law.

Guidance from the Department for Education about school policies can be found here: <https://www.gov.uk/guidance/governance-in-maintained-schools/statutory-policies-for-maintained-schools>

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EQUALITIES STATEMENT OF INTENT

Lady Manners School welcomes a diverse population of both students and staff. In order to consolidate and build upon this diversity, equality of opportunity and the absence of unfair discrimination is at the core of all the school's activities. The school will not unfairly discriminate in the recruitment or general treatment of staff or students.

The school is committed to promoting and developing equality of opportunity in all its functions and will seek to do this by:

- communicating its commitment to equality and diversity to all members of the school community;
- maintaining systems for implementation, monitoring, evaluation and review;
- treating acts of discrimination and other contraventions of this policy as a disciplinary offence.

The Governing Board has responsibility for ensuring that the school operates within the legal framework for equality and for implementing the policy throughout the school. In addition, each member of the school community is responsible for preventing unfair discrimination or harassment or victimisation which it is within their control to prevent; and challenging or reporting such inappropriate behaviour if it occurs.

1. INTRODUCTION AND CONTEXT

Most children and young people spend some time away from their home staying with relatives and friends. In cases where children/young people may stay for longer period of time special procedures may apply.

Private Fostering is an arrangement made by the parent with the carer who has agreed to look after the child/young person on their behalf. They are not arranged by the local authority. In some circumstances the parents may not have agreed or the circumstances of their living arrangements raises health, welfare and/or safety concerns for the child/young person.

Private fostering arrangements can be a positive response from within the community to difficulties experienced by families. Privately fostered children remain a diverse and potentially vulnerable group.

2. DEFINITION

A privately fostered child is a child under 16 (or 18 if Disabled or unaccompanied from the Ukraine) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent, if married (including civil partnerships), sister or brother. If the child is cared for by someone who is not a direct relative as described, such as a family friend, or neighbour, it is a Private Fostering arrangement. The plan must be for the child to be cared for in that person's home for 28 days or more.

This arrangement does not have to be continuous, however if a child/young person is staying with someone who is not classed as a close relative as described above proportionally more than a family member or someone who holds Parental Responsibility this may be seen as a Private Fostering arrangement.

A child who is Looked After or placed in any residential home, hospital or school (where they are receiving full-time education) is excluded from the definition.

In a private fostering arrangement, the parent retains Parental Responsibility.

Children under 16 who spend more than 2 weeks in residence during holiday time in a school, become privately fostered children for the purposes of the legislation during that holiday period.

2.1 Our Responsibilities

At Lady Manners School we fully recognise responsibilities regarding Private Fostering, ensuring that staff are fully aware about how to identify a child/young person and the circumstances around Private Fostering. This includes a duty to report any possible arrangement to the Local Authority if it is believed the child/young person is possibly living in a Private Fostering arrangement.

This policy should be read in conjunction with "How to Identify a Privately Fostered Child" Appendix A, and more information guidance can be found on the [Derbyshire County Council website](#).

Furthermore, we will follow the private fostering procedures as set out by the Derby and Derbyshire Safeguarding Children's Partnership and provide information to any parent/carer where it is believed the child is in a private fostering arrangement.

2.2 Our duties

Under the Children Act, 1989, the Local Authority has a duty to make sure the Private Fostering arrangement that the child or young person is in will provide for the child's or young person's needs and safeguard his or her welfare.

Lady Manners School will ensure all staff, governors and volunteers in the school are aware of this duty.

If a member of staff, governor or volunteer becomes aware that a child or young person may be living in a Private Foster arrangement it is the responsibility of that person to report this to the Safeguarding Designated Person who will then make further enquiries to try and establish the circumstances.

The Safeguarding Designated Person should seek advice from Children's Social Care as to whether the child or young person is a privately fostered child under the regulations. The Derbyshire professional advice line can be contacted on 0800 0837744 if the child's current residence/place of stay in this arrangement is in Derbyshire. If not we will make contact with the relevant Local Authority Children's Services contact and referral point.

If upon taking advice, it is confirmed this may be a private fostering arrangement in Derbyshire, a referral will be made by the Designated Safeguarding Lead into Call Derbyshire (Starting Point) using the recommended online contact/referral form. If there are immediate concerns for the child's welfare and safety, we will treat this as a child protection concern and contact Call Derbyshire (Starting Point) on 01629 533190.

Essential information for making a referral includes:

- Full names and dates of birth for the child;
- Address and daytime phone numbers for the current carer including mobiles;
- Relationship to the child e.g.- neighbour, friend, extended family member (by definition of a private fostering arrangement)
- The child's address and phone number;
- Whereabouts of the child (and siblings);
- Child and family's ethnic origin;
- Child and family's main language;
- Actions taken and people contacted;
- Special needs of the child, including need for an accredited interpreter, accredited sign language interpreter or other language support;
- A clear indication of the family's knowledge of the referral and whether they have consented to the sharing of confidential information;
- The details of the person making the referral.

Other information that may be essential in a referral about a possible Privately Fostered child or young person:

- Address and daytime phone number of the parent/ parental responsibility holder and any known previous addresses
- Address and phone numbers of any other family members linked to the child in this arrangement and particularly if under 16.
- Any details of anyone else involved in making this arrangement
- Any known addresses of the child previous to this current arrangement
- Any other helpful information eg a chronology to assist an understanding of why this child/young person is not living with the parents responsibility holder
- Details of any concerns if relevant to making this referral

We understand that the private foster carer becomes responsible for providing the day to day care of the child in a way which will promote and safeguard his welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility.

Local authorities do not formally register private foster carers, but they do have a statutory responsibility to assess whether the arrangement is suitable for the child. It is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted. It is the Local Authority in whose area the privately fostered child resides which has legal duties in respect of that child.

We will work together with the Local Authority to help safeguard and promote the child/young person's safety and welfare.

We will assist the Local Authority in their assessments and work as a partner to offer advice and support to the child and carers involved in the arrangement.

We acknowledge that the Local Authority on receipt of a referral has a duty to make further enquiries as to the arrangement. If it is defined to be private fostering the child/ren will require an assessment of their needs and welfare and this will be undertaken by a Social Worker.

The National Private Fostering Guidance encourages written agreements to be used by carers and parents around the care arrangements, medical consent and any financial arrangements to contribute to the care of the child/young person. Some parents are not able to contribute financially or decline to offer payments. This specific guidance, however, cannot be enforced by Local Authorities.

3. SAFEGUARDING ROLES AND RESPONSIBILITIES

All staff, volunteers and governors have responsibility for the following:

- To ask parents/carers questions about their relationship with the child/young person if this is unclear, confusing or concerning.
- To follow up any discussion with a child/young person about their living arrangement when it is unclear, confusing or concerning.
- To have robust consent/trips/outings letters which clearly define the child's relationship to the adult giving consent.
- We will pursue any anomalies of who has parental responsibility on our school records and may then ask questions of any pupil about the nature of their relationship to that adult.

If a child or young person is living in a Private Fostering arrangement:

- To work with, monitor and report to the Local Authority ensuring the child/young person's needs, safety and welfare are being met whilst in a Private Fostering arrangement.

- To assist with advising and supporting the carer to undertake their duties whilst the child or young person is living in such an arrangement.

4. MANAGEMENT OF THE POLICY

The Senior Designated Person is familiar with this policy and ensure all staff, governors and volunteers are aware and familiar with the legal requirements, and duties.

The Headteacher will ensure that Private Fostering forms part of staff safeguarding induction and is used in safeguarding training in the school.

The Headteacher will report on issues relating to Private Fostering and any impact for the school to the governing body.

The Governing Body will oversee the policy, ensure its implementation and review its content on an annual basis in line with the School Safeguarding audit.

PRIVATE FOSTERING ARRANGEMENTS

How to identify a private fostering arrangement and what to do next

It constitutes private fostering if:

- The adult is not a close relative (close relative is defined as sibling, aunt, uncle, grandparent and stepparent).
- The child has left home and has moved in with someone that the PR holder is happy for them to live with.
- The child is unaccompanied, under 16, seeking asylum and intends to live with someone within their extended family and friend network.
- The arrangement is expected to last continuously for over 28 days.
- The child is from another country and staying with a host family for 28 days or more.

It does not constitute private fostering if:

- The adult is a close relative.
- The arrangement lasts less than 28 days.

The law says:

- Parents must tell the local authority in writing, six weeks before it is due to start and 48 hours after it has begun
- School and agency duties e.g. school, and health:
- Refer any possible private fostering arrangement into the local authority.
- Be aware of any possibility of trafficking.
- Clarify whether there is a genuine link to the carer band child.

The Local Authority must:

- Carry out written assessments, visits, and reviews, similar to that of a looked after child.
- Contact and tell the parents if there are concerns about the arrangement before and during.