



Whose Child?

# Protecting overseas children in informal care arrangements: a UK-based model for social work practice

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# Presentation

- About CFAB
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# CFAB: About Us

CFAB is a charity based in London and the UK branch of the International Social Service network, connecting over 120 countries, all working in collaboration to promote the welfare and safeguarding arrangements for children and families separated across international borders.

CFAB social workers provide expertise and support on international social work issues.

## **PRIVATE FOSTERING**

Through our casework and advice line, CFAB became aware of the issues for children from abroad who were living without parental care, in informal care arrangements in the UK. This is called 'private fostering' in England and Wales.

In 2011, CFAB initiated an outreach and awareness raising programme and a research project to learn more about this topic.



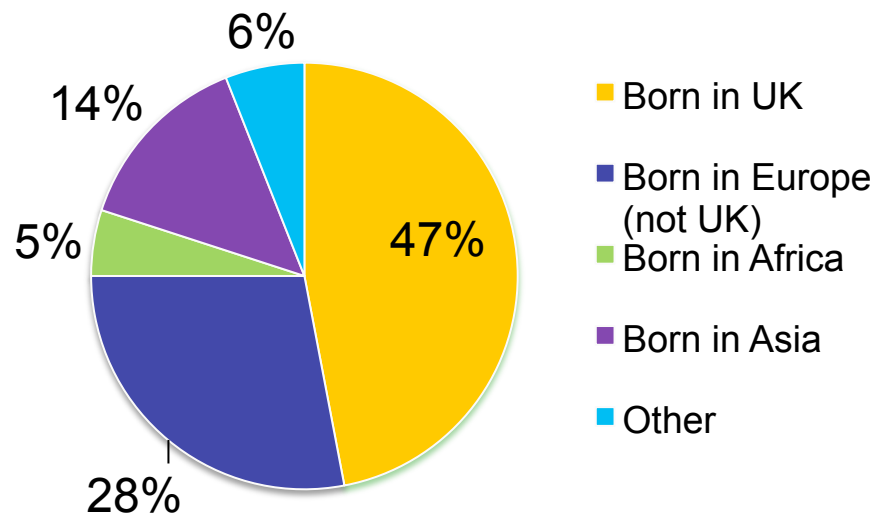
# Legislation (England & Wales)

## *Children's Act and The Children (Private Arrangements for Fostering) Regulations 2005*

- Definition: Private Fostering is when a child under the age of 16 (or under 18 if disabled) is cared for by someone who is not their parent or a 'close relative' for 28 days or more.
- Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half blood or marriage/affinity).
- Parents and carers have a legal duty to notify social services if they have made a private fostering arrangement.
- Within 7 days of a notification: assessment by children's services
- If the arrangement is appropriate: a statutory social worker who conducts home visits every 6 weeks in the first year, and every 12 weeks in subsequent years.
- A social worker continues these visits until the child reaches 16 years of age, or 18 if disabled.

# Statistics

## New private fostering arrangements in the year ending 31 March 2013



Department for Education, 18 July 2013.

Thousands of children are unaccounted for. CFAB estimates there are 8,000 children from overseas living with somebody else.

- 2500 new private fostering arrangements began in England in the year ending with 31 March 2013 (3% higher than 2012)
- 53% involved children who were born overseas.
- 2012-2013 was the first year that the number of children from overseas were the majority.
- At 31 March 2013, 1,500 children were reported as being cared for and accommodated in private fostering arrangements in England. This is a decrease of 4% from 2012.

# Children from Abroad: Reasons for Care Arrangements



The most common reasons for care arrangements for overseas children include:

- Children in language school or other education (short and long-term)
- Children who come to the UK for a “better life” (often long-term)
- Children whose parents cannot care for them because they work or study long hours
- Unaccompanied / separated children
- Exploited children (child trafficking)

*(Shaw, Catherine, et al. (2010) Research Into Private Fostering)*

The reasons behind the care arrangement are not always clear.



# Children from Abroad: Welfare Concerns



The majority of children in private fostering arrangements will be happy and thrive. However, some will:

- Suffer from loss, separation and emotional distress
- Suffer abuse and exploitation
- Have no contact with their parents
- Move from carer to carer; sometimes across countries
- Have no one in the UK with legal rights to make important decisions for them
- Remain in the UK without any formal documents and without legal status or other rights such as the right to work and education

*(Shaw, Catherine, et al. (2010) Research Into Private Fostering)*

All these issues can be better managed, prevented and resolved if children are identified and referred to the right services sooner.



## Case study 1

Victor and his parents traveled to England from Bangladesh when Victor was 4 years old. They stayed with a family from the Bangladeshi diaspora in London while Victor's parents looked for work. Eight months after they arrived, Victor's parents suddenly disappeared. They made one phone call 4 weeks later from Bangladesh asking for their friends to look after Victor so that he could grow up in England. Victor and his carers say that they have not had any communication with Victor's parents since then.

Victor's carers live in a 3-bedroom home with their 3 children. They feel they have a duty to care for Victor, but they fear that they will struggle financially.

When Victor is 5 years old, the family arrange for Victor to live with another family in the Bangladesh community.



## Case study 2

Anna was 3 years old when her parents separated and it was decided that Anna should live with her mother. However, when Anna turned 14 years old, her mother lost her job and could no longer care for her. She arranged for Anna to move to England (from Portugal) to live with her mother's cousin there.

Anna did not want to move to England. She became depressed and a referral was made by her new school in England to Children's Services because they were concerned about her mental health. An assessment found that Anna had been living with her mother's cousin. Further questioning uncovered that Anna's father did not agree with Anna's move to Portugal and was willing to offer her permanent care with him in Portugal.

It was arranged for Anna to return to Portugal to live with her father.

# CFAB's 'Private Fostering' Project

## *Outreach and Training:*

- Aim: increase awareness & notifications
- Train-the-trainer presentations and Toolkit
- Multi-agency approach

## *Advocacy:*

- Multi-agency advisory group

## *Research (ongoing):*

- *The experiences of children from overseas living in a private fostering arrangement in England and Wales*
- In partnership with Birbeck University and two local Children's Services departments in London

## Research Aim

- Give 'voice' to this group of children;
- Fill a gap in research and knowledge;
- Contribute to the policy debate;
- Produce guidelines on best practice to inform social work interventions.

# Methodology

## Data sources and sample size:

- In-depth life history narrative interviews with 10 children
- Semi-structured interviews with 8 social workers;
- 2 focus groups with at least 5 social workers in each group;
- 100 cases audited from CFAB (advice line, closed and open cases), and 2 Children's Services departments in London

## Inclusion criteria:

- Children: Current or past privately fostered children whose parents are not residing in the UK. Age 12-18.
- Social workers: Registered social workers in England and Wales who work directly with privately fostered children whose parents are not residing in the UK.
- Case audit: Open and closed cases 2010-2013

## Preliminary findings from...

- Case audit completed in 2011 of 19 privately fostered children from abroad who are being monitored by one Local Authority in London;
- Three narrative interviews conducted in May 2013 with privately fostered children from abroad who reside in London;
- A focus group in June 2013 with four social workers from one Local Authority in London;
- Informal interactions with multi-agency professionals during cross-country training sessions on the topic of overseas children in private fostering arrangements (March – July 2013).

## Findings: Case Audit

- Countries: Bangladesh, the Caribbean, Somalia, and Nigeria;
- 42% of children entered the UK with an agent or unknown adult;
- 58% of children entered into their initial arrangement for life opportunities;
- 100% had access to education and health;
- 36% of private foster carers were described as Aunt;
- 42% had 3 or more care arrangements in the UK;
- 47% of children made child protection disclosures about the private fostering arrangement or an allegation against a private foster carer;
- 42% of children had Indefinite Leave to Remain in the UK;
- 52% reported having contact with their parents overseas;
- 84% did not have written consent from their birth parents for the arrangement;
- 78% did not have anyone with parental responsibility for them in the UK;
- 37% of records had police checks on private foster carers.

## Findings : Children Interviews

- Carers from the same ethnic group
- Felt 'British'
- Being in England was good for them
- Felt little connection to country of origin
- No contact with parents
- Worried about future

# Findings: Social Workers and Professionals

- Little contact with parents, suspected not disclosed
- Difficult to obtain parental consent
- Varied practice in establishing parental responsibility
- Difficult to confirm relationship to carer
- Unknown child's history and how came to UK
- Unknown motivation for placement
- Risk of removal at adulthood
- Abuse and exploitation (10% of cases have protection concerns)
- Overcrowding in homes
- Cases do not meet legislation criteria
- Notifications are low
- Visits are too frequent when there are no concerns



# Recommendations

- 1) Meaningful efforts must be made to contact parents overseas;
- 2) If it is not possible to make contact with parents, children should be treated as separated/unaccompanied children and efforts should be made to obtain a legal order for the carer, giving him or her temporary parental responsibility;
- 3) Children without a settled immigration status in the UK should be followed by a social worker until the age of 18, rather than 16, and their immigration status should be addressed at an early stage if that is their wish;
- 4) Background checks should always take place on the carer and all other adults in the household;
- 5) The close relative exemption should be removed;
- 6) The child's wishes should always be sought.

# References



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