

Practice Information Notes

The purpose of Practice Information Notes is to review current information and knowledge, outline the key issues and examine the implications for foster care, and provide best practice recommendations for fostering service providers and links to key documents. Each service will decide on practice based on the needs of the young people in its care and its foster carer population.

Foster Care (or Carer) Agreements

When a fostering service approves someone as a foster carer, they are required to enter into a written agreement with them – this is called the foster care (or in Scotland a foster carer) agreement. It is a written agreement made between the fostering service and the foster carer when they are first approved and is revisited at every foster care review.

The purpose of this Practice Information Note is to:

- Give clarity around foster care (or carer) agreements for both foster carers and fostering services
- Promote good practice in adhering to and reviewing agreements respective to individuals

References to Legislation, Regulation and Statutory Guidance

- **England:**
 - [The Fostering Services \(England\) Regulations 2011 Regulation 27\(5\)\(b\)](#) and [Schedule 5: Matters and obligations to be covered in foster care agreements](#)
- **Northern Ireland:**
 - [The Foster Placement \(Children\) Regulations \(Northern Ireland\) 1996 Regulation 3 \(6\)\(b\)](#) and [Schedule 2: Matters and obligations to be covered in foster care agreements](#)
- **Scotland:**
 - [The Looked After Children \(Scotland\) Regulations 2009 Regulation 24](#) and [Schedule 6: Matters and obligations in foster carer agreements](#)
- **Wales:**

- [The Fostering Panels \(Establishment and Functions\) \(Wales\) Regulations 2018 Regulation 8\(5\)\(b\)](#) and [Schedule 3: Matters and obligations in foster care agreements](#)

About the foster care agreement

Fostering legislation and regulations respective to each country of the UK set out what must be included in a foster care (or carer) agreement – this includes the fostering service’s expectations of its foster carers, what the service are able to offer and the support and training the foster carer can expect. Jointly assessed carers may be asked to sign a shared foster care agreement.

While the specific detail varies in the legislation relevant within each of the four countries of the UK, broadly a foster care agreement includes:

- the name and terms of approval of the foster carer
 - terms of approval should be set taking into account the nature and number of children that a foster carer is considered suitable to care for,
 - terms of approval may (but do not have to) include the type of care placements offered, the numbers and/or ages of children, or name the specific child/ren that the carer is approved to look after,
 - some services include a note of a foster carer's preferences to be considered when matching.

Foster carer obligations and expectations

Within the foster care agreement, the foster carer is obliged to meet a number of expectations. These include, but are not limited to:

- **Care to be provided to a child**
 - that the foster carer will care for any child placed as if they were a child of their own family,
 - the foster carer will promote the child’s health, development and welfare having regard to the long and short-term plans for the child,
 - the foster carer will support and maintain relationships between a child and their family, whether noted in their care plan or court ordered contact, and that
 - the foster carer will not physically punish the child or deprive them of liberty.
- **Significant changes**

The foster carer will inform their fostering service of any significant changes in their circumstances. This includes:

 - change of address,
 - any change to who lives in the family home,
 - criminal convictions or cautions,
 - applications to foster, adopt or childmind,
 - changes in relationship such as where they separate from their partner or develop a new partner relationship or are bereaved.
- **Significant events**

The foster carer will inform the fostering service of any significant events affecting the child and provide updates on the child's progress.

- **Confidentiality**

The foster carer must keep all information about any child placed with them confidential unless the fostering service agrees to them sharing it.

- **Role of the foster carer**

The agreement notes that the foster carer will:

- attend relevant meetings concerning the child or young person and provide written reports to the meeting if requested,
- help to prepare the child or young person, as appropriate, for meetings,
- comply with the terms of the Placement Plan (known as a foster placement agreement in Scotland and Northern Ireland) in relation to any particular child,
- work within the fostering service's policies and procedures and guidance,
- allow inspectors of the fostering service to visit their home by prior arrangement and to see them and/or the child or young person.

Support from the service

The agreement sets out how the fostering service will support the foster carer. This includes the:

- support and training to be given to the foster carer,
- procedure for reviewing the foster carer's approval and terms of approval,
- procedure in connection with placing a child and the matters to be included in the placement plan,
- arrangements for meeting legal liabilities of the foster carer arising from provision of placements. This includes arrangements regarding public liability and other insurance provisions,
- procedure available to foster carers for making a complaint or representations.

There may be variations to the above or additional matters to be included, dependant on the country in which the fostering service operates. Also, some policies and procedures of the fostering service may be reflected in the foster care agreement. Examples include financial arrangements, savings for the child, allowing a child to be moved if that is the decision of the responsible placing authority, attendance of foster carers at mandatory training or support groups, requirements around car and household insurance (including damage to foster carer's and children's property), access to independent support and legal protection insurance such as that provided by membership of The Fostering Network, frequency of visits from supervising social workers, etc.

Can I negotiate what is in it?

Each fostering service has its own foster care agreement for all foster carers that sets out the key areas for agreement with the foster carers who it approves. This should be based on the Schedule of matters and obligations in foster care agreements within fostering regulations (see legislation) but may include additional areas of policy or procedure specific to the fostering service as described above.

It is a regulatory requirement within legislation that fosters carers must sign the foster care agreement once approved. All carers approved by that fostering service will be expected to sign the foster carer agreement before any child can be placed with them. If foster carers feel that there are areas of the foster care agreement that need to be changed, they should use the routes for consultation within the fostering service open to them to discuss these with a view to reaching agreement about any changes.

If the agreement is to be reviewed, it is good practice for this to be done in consultation with foster carers through their representative structures. If changed, it will be changed for all foster carers within the fostering service who will need to sign the new agreement.

Supervising social workers must ensure that all foster carers have signed the relevant foster care agreement and that this is kept as part of their foster carer record. It should be reviewed regularly in line with annual reviews to reflect any changes. Signing the foster care agreement is not optional for anyone wanting to care for children placed by the local authority whilst remaining approved as a foster carer by the fostering service.

What to do if I have concerns?

It is important that supervising social workers ensure that foster carers understand the implications of the agreement. Discussion may be needed, for instance, about:

- how to support and respond to a child's behaviour in a trauma informed way. Foster carers should be supported to have an understanding of how best to positively respond to and support children with their emotional and behavioural development,
- the meaning of confidentiality, this can include sharing of information both 'online' and 'offline',
- what is meant by complying with the placement plan,
- what changes in personal circumstances must be reported to the fostering service.

If foster carers have any concerns or questions regarding the foster care agreement, they should discuss this with their supervising social worker.

Supervision policy and agreement

A supervision policy should set out clearly why supervision is positive for foster carers and an individual supervision agreement can outline specific expectations and supervision format. Supervision is the right of every foster carer and offers an opportunity for individuals to be given support in their task as a carer and to assist in their own professional development as well as highlighting any issues or concerns. A consultative approach is always recommended in undertaking supervision.

See [The Fostering Services \(England\) Regulations \(2011\)](#) (Regulation 17), [The Children Act 1989 Guidance and Regulation Vol 4](#) (Chapter 5 – approving and supporting foster carers) and the [National Minimum Standards](#) (Standards 21: Supervision and support to foster carers).

Foster Carers' Charter

Many services develop a Foster Carers' Charter that sets out in general terms the mutual commitments and expectations that exist between foster carers, fostering services and the placing authority (also known as 'corporate parent'). This is separate to but can complement the foster care agreement. Some services have found implementing a Charter has been helpful in establishing a positive foundation for developing ongoing relationships. To find out more about the Foster Carers' Charter [see here](#).

The Fostering Network makes the following recommendations:

- Every foster carer must have their approval reviewed at least once a year, and if there are any changes, an updated foster care agreement should be signed. If there are no changes, it is worth noting that the agreement has been revisited (by both the foster carer and supervising social worker),
- Services should ensure that any changes to agreements are undertaken alongside and in consultation with others, and involving service staff as well as foster carer support groups or foster care associations.
- Services should ensure that in addition to policies and procedures being reflected in the foster care agreement, the foster care agreement should be reflected in policies, e.g. mandatory training plans and expectations.
- Services should ensure that all foster carers have easy access to and understand the policies and procedures of their service. In England, see NMS 21.9 and 21.10
- The regulations only specify what *must* be in the agreement and there is nothing to prevent including additional policy issues in the agreement.

The practice support team

The practice support team comprises regional consultants covering England. The team provides a range of services to The Fostering Network members including:

- Practice advice, information, support and guidance
- Training and Consultancy
- Practice briefings

If you would like further information about the practice support team and what we can do to support you, please get in touch with Sarah McEnhill, Head of Practice on 0141 204 1400, or email sarah.mcenhill@fostering.net.

For more information please visit our website:

<https://www.thefosteringnetwork.org.uk/policy-practice/practice-information>

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