

AFRUCA – Africans Unite Against Child Abuse
Promoting the Rights and Welfare of African Children

WHAT IS PRIVATE FOSTERING?

Safeguarding African Children in the UK Series 3
- 2nd Edition



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1 About AFRUCA

AFRUCA – Africans Unite Against Child Abuse was established in May 2001 as a platform for promoting the rights and welfare of African Children in the UK. AFRUCA has developed a national profile as an organisation rooted in the African community bringing specialist knowledge and expertise to the work of practitioners and policy makers to safeguard African children.

AFRUCA works in five key areas to help promote the rights and welfare of African children in the UK:

Awareness Raising and Sensitisation: With African communities and among young Africans about children’s rights as enshrined in the United Nations Convention on the Rights of the Child and other international conventions and UK legislation promoting the rights and welfare of children.

Information, Education and Advisory Services: To raise the profile of African children in the UK, increase awareness of their needs, improve policies and practices, and develop the leadership potential of young Africans. Activities include research and publishing reports; media work; conferences, seminars, workshops and training programmes for parents, policy makers, service providers, community leaders and young people; community meetings; advice and consultancy services.

Advocacy and Policy Development: Working closely with policy makers to shape the development of policy and regulatory action to promote the welfare of children.

Community and International Development: In partnership with others, putting in place programmes and projects that help relieve some of the suffering and hardship that African children experience.

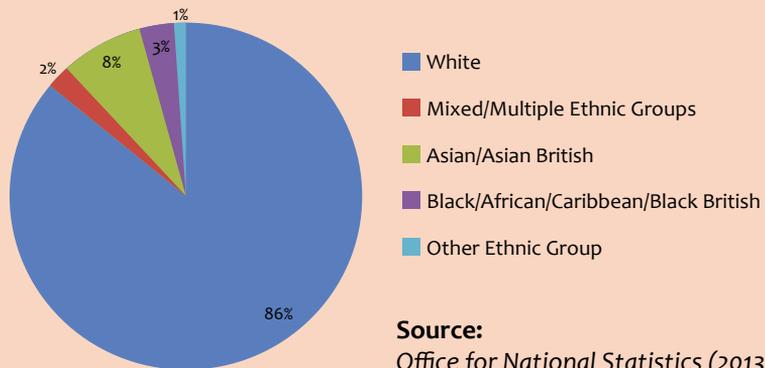
Support for Children, Young People and Families: Working to support children, young people and African families in crisis or at the point of breakdown through effective early intervention services.

2 Africans in the UK

The UK, through its historical links with a number of English speaking African countries, and also due to its reputation as the most multi-cultural country in Europe, has become home to many African people.

The 2011 UK census indicated that there are over 1.8 million Africans in the UK, an increase of 1.1 million from the 2001 census making up 3.3% of the overall UK population.

Ethnic Groups: London and Wales 2011



Source:

Office for National Statistics (2013)

Africans are generally well integrated into British society and are economically and academically driven, making vast contributions within the health and social care system and in business. Children from African backgrounds are achieving particularly well within the British education system, and continue to strive.

Social Issues affecting Africans in the UK

Africans like many other immigrant groups in the UK tend to migrate with their values, beliefs and work ethos. While we acknowledge some cultural practices, beliefs and values are beneficial, others are particularly harmful to certain sections of the community such as to children and women. Increasingly, Local Authorities across the country are reporting a rise in cases of African families coming to the attention of Children's Services mainly due to differences in approach to child rearing, physical disciplining and religious or cultural practices such as female genital mutilation (FGM) and witchcraft branding.

These are practices seen as normal by many Africans but could be considered as posing significant harm according to UK laws. Moreover, many African parents, faith and community leaders themselves are unaware of the UK laws and practices that safeguard children. As a result, many African children are being removed from their families and placed into the care system, leading to more African families being broken up, with significant psychological impact.

There are high levels of unemployment amongst new arrivals in the UK who face difficulties in accessing jobs that match their qualifications or experience. African communities, particularly new immigrants, also find themselves without decent housing and a high proportion of Africans live on the poorest and most neglected estates in the UK's largest cities. Finally, many Africans have difficulty accessing social and health care, some due to their immigration status, but also, sometimes, because they are unaware of the local support services available to them. Children and young people come in unaccompanied, or as unaccompanied asylum seeking young people or with others who are not their parents or immediate family members as privately fostered children. Many of these children are exposed to abuse and harm because they are below the radar of many agencies.

AFRUCA has produced the **“Safeguarding African Children in the UK”** series of publications to highlight different safeguarding issues and to assist members of the African community in the UK to know more about different forms of child abuse and how to identify the signs so children can be safe and be better protected. The **“What is Private Fostering?”** booklet is the third in the series.



3 What is Private Fostering?

The UK government defines private fostering as “an arrangement, usually, between a parent and another adult carer to look after a child or a young person under the age of 16 (or under 18 if they are disabled), for more than 28 days.” The definition doesn’t apply if the adult carer is a relative.

Who is a relative?

A relative, as defined by the UK Children Act 1989, is a grandparent, brother, sister, uncle or aunt (whether by full or half blood or by marriage) or step-parent. If a child is accommodated by a relative this arrangement is not a private fostering arrangement.

This definition, however, poses problems for many Africans where in certain cultures, extended family members like cousins and nephews as well as family friends or neighbours are counted as relatives. This means that many people who are looking after other people’s children do not consider that they fall within the category of a Private Foster Carer but consider themselves as relatives.

Examples of Private Fostering arrangements under UK Law:

- Parents who are studying or working unsociable hours and who arrange for someone to look after their children
- An unaccompanied asylum seeking or refugee minor who is looked after by family friends
- Children who are sent from Africa to live and study with other families in the UK
- Children from Africa sent to the UK to attend language schools and placed with a host family
- Children left in the UK with friends or neighbours whilst their parents return home to regularise their immigration status or due to an unsuccessful attempt to secure leave to remain in the country
- Children given out to white foster families under private arrangements so their parents can work or study

Example of non-Private Fostering arrangements

- A child who is looked after by a local authority or placed in a children’s home, hospital or boarding-school is not privately fostered.
- Children brought from abroad having been adopted either legally or illegally

4 Private Fostering in the UK

‘Private Fostering (is)... among the least controlled and most open to abuse of all the environments in which children lived away from home’. Sir William Utting, 1997

In the UK, Local Authorities have a duty to ensure that privately fostered children are safe and are well looked after. For this reason any Private Fostering arrangement must be registered with the local authority in the area in which the private foster carer lives.

Parents, private foster carers or anyone else who is involved in making arrangements for a child to be privately fostered must tell the local authority about the arrangement at least six weeks before the child goes to live with their new carer. If a child is already living with a private foster carer, the carer must tell the local authority about the arrangement within 48 hours of the child going to live with them.

While there are no official figures of Privately Fostered children in the UK, research carried out in 1991 found that approximately 8,000 - 10,000 children were in private fostering situations. Majority of these were children under five years of age and of West African origin. However, more recent studies indicate that figures are more likely to be around 15,000 to 20,000. Effectively safeguarding privately fostered children has been a cause for concern both to government departments and all professionals working with children. Often local authorities are not notified when private arrangements are made, making it impossible to monitor and supervise arrangements and provide support and protection for children who may need it.

Key Facts

- 8% of privately fostered children said they were never told why they were sent to live with strangers or distant relatives. (www.privatefostering.org.uk)
- In a private fostering arrangement, the parent still holds Parental Responsibility for their child.
- Local authorities have a legal duty to ensure children who are being looked after by someone else in their respective areas are safe and well.
- The law requires that the local authority should be notified of all private fostering arrangements by anyone who has knowledge that a child is privately fostered; this includes health workers, teachers and other professionals.

α Private Fostering and Parental Consent

Private fostering is a private arrangement made between a parent and a non-relative to look after a child. In most situations therefore, parental consent is understood to have been granted for this arrangement to take place.

There are situations however, where it might be difficult to get parental consent. An example could be an asylum seeking child or a child victim of trafficking. In both cases, once they come to the attention of the local authority and it is not possible to contact their parents, the local authority takes on the role of parents until the age of 18. It has the duty to ensure that any arrangement for the care of the child safeguards and promotes their welfare.

In other cases such as with runaway children, parental consent should be sought, and if this is not possible, the social worker will need to consider the age and understanding of the child and their capacity to give their consent to the arrangement. When it is in the interests of the child, the social worker should consider ways of reuniting them with their parent(s).



b How to Recognize Whether a Child is Privately Fostered or Not

It is not always easy to spot if a child is in a private fostering arrangement especially when both the child and carers are of the same social and cultural backgrounds.

Whether in a school or a faith setting, there are many indicators that might show that a child is privately fostered. The list below is not exhaustive:

- Has the child mentioned that they are no longer living at home or living with someone else?
- Is the child accompanied to school, nursery or clinic by someone other than a parent or recognised carer?
- Is the carer vague or not knowledgeable about the child's routines or needs?
- Has a patient turned up at the GP surgery with a new child or a series of different children?
- Has a child in class at school disappeared?
- Is there anything unclear on files or records about the child's living arrangements?
- Is the child under the age of 16 (or 18 if disabled)?
- Is the child living with someone other than a parent?
- Do you know what the child's living arrangements are (who with, for what purpose)?
- Is it clear who the child is living with and what relation the person is to the child?
- Has the child been living, or is likely to live, away from home for more than 28 days, or a series of days totaling 28 days or more?
- Has the child recently come from overseas? Do you know the reason for the child's entrance to the UK?
- Is the child in the UK for the purpose of education?
- Is the child an unaccompanied asylum seeker?
- Do you think that the child may have been trafficked?
- Does the child demonstrate signs of abuse such as physical, neglect, emotional and sexual, including other signs of abuse - not 'thriving', is overly tired, withdrawn, is frequently absent from school or not making expected progress?

5 African Culture of Fostering Children

In most African cultures it is considered that the child belongs to the community as a whole, with everyone sharing the responsibility for the welfare of the child alongside the birth parents. It is therefore quite common to see a child being brought up by various members of the community including distant relatives and friends of the family. These arrangements are seen as ways of ensuring better opportunities for the child who could benefit from additional resources available from the alternative carers (for example, proximity to school, better prospects for training). Sometimes these arrangements could also be a way of providing childless women with opportunities to have children of their own.

This system, which under UK law would be considered Private Fostering, can have positive results:

- it ensures the child's education and better prospects for the future
- it shares responsibility for the welfare and wellbeing of the child, collectively, across the wider community
- it ensures solidarity between the individual family and the community
- it may have an economic advantage, representing an increase in the labour power available within the family
- it is a form of social security for poorer families ensuring access to help and support to bring up their children.

The system is still in evidence, including here in the UK where there are a large number of African children in private fostering arrangements.

This system of fostering has foundations in many African traditions. It has no legal structure or monitoring mechanisms to ensure protection of the children involved. It is a completely informal arrangement between the adults involved based on trust. This level of informality is also present in private fostering arrangements amongst Africans in the UK and can be a cause for concern. The informal nature of the arrangements may mean no official body is aware of the child's whereabouts or situation. There have been many cases where children in Private Fostering situations have ended up seriously harmed or fatally injured.

6 Private Fostering in UK African Communities

There are two forms of private fostering known to occur among African communities in the UK. These are:

a. Fostering of African Children to English Families

From the 1950s there has been a trend in African parents coming to the UK to study with their families and organising informal childcare arrangements with host families in the UK. On the surface this appears to be a logical practice, as many students experience a great deal of stress and financial strain in maintaining their families. However, there have been many instances where this form of private fostering went wrong, for example, due to incidences of racist abuse, child sexual abuse, inadvertent mental abuse and cultural confusion as the host family's norms and values may differ from the child's home culture.

The arrangements are supposed to be temporary but can span a number of years causing problems for all involved, including problems that arise from separation after attachments formed with the foster family.

b. Fostering of African Children from Africa

With the growth of Diaspora communities from almost every African country, many Africans now living in the UK are in a position which is perceived to be better to assist members in the home country. This leads to a rise in the numbers of young people being sent to join UK based relatives and other individuals. The idea is to provide the young person or child with a "Better Life" which includes access to education, health and other benefits.

In both forms of private fostering described above, it is essential that legal requirements regarding notification are followed if the child is going to be in the placement for over 28 days. The law requires the carer to notify the local authority six weeks before the private fostering arrangement begins. It is an offence not to do so.

Case Study One

Mrs Taylor is the carer of a 14 year old girl, Efua from Ghana. Efua had been a student of hers and she had helped her with her studies and got to know her so there was a level of trust between them.

The relationship changed when Efua contacted her for help as she was homeless and had nowhere to go and no one to help her. She had been brought from Ghana to live with a family originally from their neighbourhood in Tamale under a private fostering arrangement. The family mistreated and neglected her. When the placement broke down, she was left without support and in need of help. Mrs Taylor took Efua in and she has helped her in her struggle to secure her legal status in the UK and access further education.



7 Private Fostering or Child Trafficking?

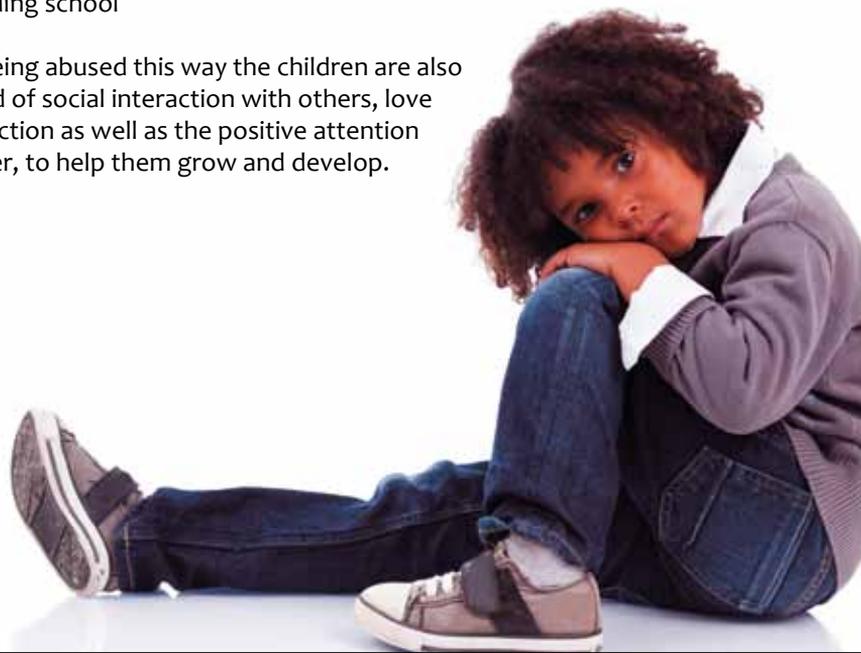
Many private fostering arrangements are safe with positive outcomes for the child. However, there have been situations where children have been trafficked into the UK for different forms of exploitation and abuse. This group of children live without the knowledge of agencies and their plight will only ever come to light when they come to the attention of the authorities sometimes under difficult circumstances. There have been a few successful prosecution and conviction of child traffickers and exploiters in the UK.

You can read more about Child Trafficking in our publication: [“What is Child Trafficking?”](#)

The ‘Private’ nature of private fostering can make it easy for a child to be living with a family “under the radar”, without any children’s agency being aware of this arrangement or even that a child lives in the household. This makes it difficult to support the child who may be a victim of abuse and exploitation. Children in Private Fostering situations are at risk of different forms of abuse and exploitation as follows:

- **Domestic Slavery** - children used as free labour to carry out housework and other chores under very exploitative and abusive conditions
- **Prostitution** - children used as sex slaves
- **Forced Labour** - children used for work in shops, restaurants, nightclubs
- **Benefit Fraud** - children used to claim state benefits
- **Abuse** - Children at risk of different forms of abuse and neglect including not attending school

While being abused this way the children are also deprived of social interaction with others, love and affection as well as the positive attention of a carer, to help them grow and develop.



Case Study Two

Two brothers Odhiambo aged 10 and Owino aged 9 were brought from Kisumu, Kenya to London by relatives after the death of their father. They would live with their great aunt who would be their guardian and send them to school.

However once they arrived in the UK, they were both forced to help in the family business rather than pursue their studies.

They were severely punished for minor issues such as taking too long to come back from the shops, not responding quickly enough to demands made on them, and so on. Eventually they were allowed to go to school, though this was not on a regular or sustained basis.

Moreover their attendance at school did not mean they had less responsibility in the house. It was very difficult for them to concentrate at school as the long and hard house labour left them tired. Their performance at school was very poor. They would also be punished for having poor grades.

Though the young men, now in their 20s, managed to run away, life was even more difficult as they had no proof of their identities or of the experiences they suffered. They spent many years in limbo before being able to access help and support.

Unfortunately, the outcome of private fostering arrangements as in the case study above is clearly not what the family had hoped for their children. In most cases, the parent in the home country is reliant on information from the carer. It would be difficult for any meaningful monitoring of the children and their welfare to take place.

In other extreme cases children have been passed onto other 'carers' without the knowledge or consent of their birth parents. There are reports of situations where children seemed to be passed around from family to family adopting a different name each time, in what appears to be an attempt to exploit the system for state benefits. Needless to say, those situations can be very detrimental to the child, disrupting their sense of security, stability, belonging and identity.

8 Private Fostering and Notification

By law, a person about to undertake the care of a child who is not theirs for over 28 days needs to contact their local authority children's services at least six weeks before the arrangement begins. If six weeks have passed or the arrangement has already started then the carer must contact the local authority straight away. This is called giving Notification and is a legal requirement aimed to help prevent abuse and harm towards children.

Following notification, a child care professional from the local authority will get in touch to ensure the well being of the child and the carer. They have an obligation to:

- Visit every 6 weeks in the first year and then every 12 weeks from the following year;
- During each visit, the local authority officer must speak to the child alone somewhere appropriate to allow the child to feel comfortable enough to give their views
- Private foster carers and prospective private foster carers are provided with information, in different languages and formats as appropriate, on the advice and support that is available from other agencies, including health services, education and housing services, as well as voluntary organisations and community groups;
- The private foster carer is given advice to support their ability to care effectively for the child.

After notification, the carer must inform the local authority of changes that will impact on the care of the child such as change of address or any other change in circumstance such as an offence the carer or another member of the household have been convicted of. When the arrangement comes to an end, the carer, the parent or guardian of the child who has been privately fostered must notify the local authority of the change in arrangement within 48 hours. If the child should pass away the local authority need to be informed of this.

In August 2015, the government launched a consultation exercise to review how data is collected on private fostering to enable better identification for children at risk. The results would determine whether private fostering notifications will now be reported as part of "children in need" figures.

Key Messages for Private Foster Carers:

- Local authorities should be notified of all private fostering arrangements by:
 - carers who intend to, or are currently, caring for the child; or
 - the parents, or people with parental responsibility for, the child; or
 - the child or young person.
- You could be breaking the law if you fail to notify your local authority of a private fostering arrangement.
- Local authorities have a contact service where you can tell them about your private fostering arrangement; they will take your details and arrange for someone to visit you if necessary.
- Local authorities have a legal duty to ensure children who are being looked after by someone else are safe and well. To do that they need to:
 - ensure your home and household are a suitable place for the child;
 - offer you support and advice about caring for someone else's child;
 - help you to meet the child's emotional, educational, physical and cultural needs;
 - help you to work together with the child's parents for the benefit of the child;
 - take action if the care is not.



9 Protecting Children in Private Fostering Situations

The Five Steps

- **Step One: Preparation by parents:**
 - a) Ensure that the arrangements being made are in the best interest of the child, taking into consideration the emotional well being of the child and a realistic assessment of the carer's capacity to parent
 - b) Have clear agreements about arrangements for the day-to-day care of the child as well as any long-term decisions and contact with birth family
 - c) Ensure that carers comply with all legal requirements including notification
 - d) Where possible ensure that the views of the child are taken into account
 - e) Ensure that the carer has adequate information regarding the child to enable them to take appropriate care
 - f) Inform all relevant agencies such as schools, GPs etc that your child is now being privately fostered
- **Step Two: Preparation by the carer**
 - a) Notify the Local Authority at least 6 weeks before the private fostering arrangement begins, or immediately if you are within the six weeks or if the child is already in your care
 - b) Ensure the child is enrolled in a school and with a GP
 - c) Ensure you have the means and support to take responsibility for a child
- **Step Three: Role of Local Authority**
 - a) Visit the placement and talk to the child alone every six weeks in the first year and every twelve weeks in the second year
 - b) Provide support, advice and assistance to the carer
 - c) Monitor the growth, maintenance and well being of the child while it is being taken care of
- **Step Four: Role of other Service Providing Agencies**
 - a) Aim to identify children or young people in private fostering and find out more about it
 - b) Investigate any concerns you may have about a particular arrangement and inform relevant authorities
 - c) Be open and non-judgmental and be committed to working with all stakeholders to promote the welfare of children or young people in a private fostering situation
 - d) Make sure that the child's needs are properly met and that he or she is happy with the arrangement
 - e) Make sure all staff have awareness of private fostering and the safeguarding and protective needs of children or young people involved

- f) Acquire relevant training such as on how to engage and work with black families and children. AFRUCA runs many courses to support practitioners in this way. Please contact us for more information.

- **Step Five: Role of Faith and Cultural Communities**

- a) Know the UK legal definition of private fostering
- b) Know what to do if you suspect that a child is privately fostered. This may include encouraging the parties involved to notify the local authority of any private fostering arrangement. If they fail to do so and you are unable to get their permission you should still notify the local authority children's services duty team
- c) Understand the rules about confidentiality. Sometimes community and faith leaders find themselves in a situation trying to balance their responsibility and loyalty to their members with the welfare of the child. A child in a private fostering arrangement who is not brought to the attention of the local authority is a child who may be in need or at risk of harm.

Faith and Community leaders will be acting appropriately by informing the local authority of any such arrangements. It is important to note that barriers resulting from differences in ethnicity, culture, language or religion may make it difficult for some people to contact the local authority.

At the same time, for others, resistance to notify the local authority may be due to concerns that the arrangement will be seen as unsuitable because they have something to hide or simply because they think that it is nobody's business but their own

- d) Look for signs that a child might be privately fostered. This may include:
 - If a child who has been part of the community suddenly disappeared
 - If a child mentions they are no longer living at home and are living with someone else.
 - If a child is accompanied by someone other than a parent/recognised carer
- e) Try and find out who has parental responsibility for the child. One way of ascertaining the relationship between the child or young person and the person who looks after them is to ask the latter whether they have parental responsibility (PR) for the child. A private foster carer does not have parental responsibility.
- f) Be alert to signs that a child may have been trafficked. Trafficked children are particularly vulnerable and will often be reluctant to disclose details of their living arrangements.
- g) Know what happens after you notify the local authority
- h) Find out more about private fostering

10 Reporting Child Abuse

If you see a child being abused, harmed or neglected in any way, you must report this to the authorities as follows:

- Step One:** In the first instance, contact your local authority children's services department. You can reach them by calling the Local Authority switchboard number which is on your Council Tax bill or in Yellow Pages.
- Step Two:** When you are put through to Children's Services, state that you want to make a Child Abuse "referral". This simply means you want to report a case of child abuse.
- Step Three:** You will be asked to provide further details about the case you are reporting. Please note that you do not have to provide your personal details if you do not wish to.
- Step Four:** The local authority is obliged to make an investigation. If you do not see any changes in the case you have reported, please follow up with another phone call.
- Step Five:** You can also call the police on 999 to report a case of child abuse.
- Step Six:** If nothing happens, you can contact AFRUCA and we will pursue the case until action is taken. Our contact details are at the back of this publication

11 AFRUCA: Our Work on Child Trafficking and Private Fostering

AFRUCA is the only charity in England working in the African community to address child trafficking issues and provide awareness around private fostering. We take a holistic approach, working closely with others to sensitise the community – both in the UK, other countries in Europe and in Africa, support children and young people and influence relevant governments' policies and regulatory action.

Our activities:

- Awareness raising, sensitisation and promoting attitudinal changes amongst the African community in the UK and in source countries regarding the Private Fostering of children. AFRUCA believes that the most effective way of safeguarding children is by raising the level of awareness so that people can begin to see child protection and safeguarding as an issue that concerns and involves them.
- Collaboration with agencies in raising the skill level of staff through taking part in various training activities and in drawing up relevant policies, strategies and protocols to ensure each agency is better able to support and meet the needs of children and carers taking part in private fostering agreements.
- Providing support, counselling and friendship for children, young people and carers in Private Fostering arrangements. We do this either directly when we are approached by families or by local authorities.
- Helping to raise awareness of child abuse in the African community through our team of AFRUCA Children's Champions. These are members of the African community trained to create a ripple effect of child protection knowledge by educating others about the impact of child abuse and harmful cultural practices within the black/African community.

Our **Safeguarding African Children in the UK** series of publications are produced to help raise awareness among the UK African community about different forms of child abuse and what they can do to help address it.

12 AFRUCA Resources on Child Safeguarding

We hope you found this booklet useful. There is a lot of information out there that can help you carry out the task of protecting and safeguarding children.

At AFRUCA we have produced a range of materials to help parents, carers, faith and community leaders and workers. Here is a list of publications where parents can get additional information.

AFRUCA Child Protection Manuals:

- Manual on Child Protection for African Parents in the UK (in English and French)
- Manual on Safeguarding Children for African Faith Organisations in the UK (in Arabic, English and French)

Safeguarding African Children in the UK Series:

- 1 What is Child Abuse?
- 2 What is Child Trafficking?
- 3 What is Private Fostering?
- 4 What is Female Genital Mutilation?
- 5 What is Witchcraft Abuse?
- 6 What is Physical Abuse?
- 7 What is Sexual Abuse?
- 8 What is Emotional Abuse?
- 9 What is Child Neglect?

Support our Work: Donate to AFRUCA

Your support will enable us to make plans for long term work to address the abuse and exploitation of African children in the UK and in Africa.

Donations are made securely online at
www.justgiving.com/afruca

You can also donate by text: just text our code **AFRU01** + the amount you wish to give to **70070**. It is Quick, Easy and Free on all networks in the UK!

Notes



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