



## Independent Schools and Private Fostering

### What is considered to be private fostering?

- A child under the age of 16 who is a pupil at an independent school and lives at the school during school holidays for a period of more than two weeks, will be treated as privately fostered unless any exemptions apply (see below)
- A child is privately fostered where a person assumes personal care in a capacity which is not part of their duties in relation to any school in which the child is receiving fulltime education, if the duration of the placement is or is intended to be 28 days or more.
- A person who proposes to accommodate a child or children at school in circumstances in which some or all of them will be treated as private foster children must give written notice of his or her intention to the Local Authority, stating the estimated number of children, not less than 2 weeks before the arrangements begin.
- When the period of private fostering ends, the person caring for him or her at the school must give written notice to the appropriate Local Authority Children's Social Care.
- If a privately fostered child dies, the person caring for the child at the school must give written notice not later than 48 hours after the death to each parent and/or other person with parental responsibility and to the appropriate Local Authority.
- Arrangements made by parents for their children to be privately cared for in order that they can attend school on a daily basis may constitute private fostering.
- Some children at Independent schools spend holiday periods with host families.

These arrangements may be considered private fostering if the length of stay is 28 days or more and the child is under 16 or 18 if disabled.

- Where parents make arrangements for children from abroad to be privately accommodated for holiday periods, these arrangements may constitute private fostering.

### Independent Schools and Guardianship Organisations

Guardianship organisations provide "guardians" with whom children who are at boarding school can live when the school closes during the holidays and the child is unable to return to live with his/her parents. This usually applies to children whose parents are abroad and, for whatever reason, cannot have the child back with them. Where such arrangements are intended to last for more than 28 consecutive days then they should be treated as a private fostering arrangement. Children who are educated at independent schools will fall under private fostering arrangements only when they remain in school (or in a placement arranged by the school) for longer than two weeks of any holiday period. Term time attendance does not constitute private fostering.

### Exemptions

- A child is not privately fostered whilst being looked after by the Local Authority.

- A child is not privately fostered whilst being cared for in:
  1. A children's home
  2. Accommodation provided for or on behalf of any voluntary organisation
  3. Any school in which he or she is receiving full time education
  4. A health service hospital
  1. 5 Any residential care home, nursing home or mental nursing home
  5. Any other home or institution provided and maintained by the Secretary of State.
- A child is not privately fostered if cared for in premises in which any parent, person with parental responsibility or relative who has assumed responsibility for the child's care is living.