

ANNEX A: CARING FOR SOMEBODY ELSE'S CHILD – OPTIONS

	Private fostering	Family care (informal)	Family and friends foster care (REG 24)	Unrelated foster care	Residence order Special Guardianship order (SGO)		Adoption
Route into the caring arrangement	This is a private arrangement whereby the child is being cared for for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative. Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent. The child is not a looked after child.	The relative has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the local authority. The child is not a looked after child. Relative may perceive the parents to be unable to care for the child; or the parents may be dead or otherwise not available (e.g. in prison); or there may be an agreement between relatives due to difficult family circumstances.	The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care. The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer. The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.	The child is a looked after child being accommodated by the local authority under section 20 Children Act 1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority. (Alternatively, the local authority may choose to place a child into residential care where this is considered to best meet the child's needs).	The child may be at risk of becoming 'looked after' and a friend or relative applies for an order, or The child may have been 'looked after' and their foster carer or other relative/friend applies for an order. In either circumstance, application can be made without the support of the parents or the local authority. Relatives may apply for an order after the child has lived with them for one year. Or, there can be benign reasons, e.g. after parents' death and in line with a prior agreement between the birth parents and the carer.		Looked after children: the LA may decide that the child should be placed for adoption. They can only do so with the consent of the birth parent or under a placement order made by a court. An approved foster carer can apply for an adoption order after a year of caring for the child without the agreement of the local Authority Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years without the agreement of the local Authority
Parental Responsibility(PR)	Remains with birth parents	Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare	Remains with birth parents if child accommodated under section 20 CA, or if the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others.		Shared by parents and holder of residence order.	PR shared with parents and any one else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusion of all others with PR, apart from another special guardian.	Transfers to adopters and legal relationship with birth parents is severed.
Approval basis	The arrangement is assessed by LA, but the carer is not 'approved' as a local authority foster carer. The arrangement may be prohibited if assessed by the local authority as unsuitable.	None	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If child is looked after, carers must be approved as foster carers even if close relative.)		Appointed by court following application.	Appointed by court, following application from the applicant. LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian.	Adoption agency assesses and approves prospective adopters, court makes order regarding specific child. If the child is not looked after then notice of intention to adopt must be given to the LA who then carry out an assessment / report for the court.