Fostering Policy

# Document Control:

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| Policy Name | Fostering |
| Policy Number | MSEICB052 |
| Version | 2.0 |
| Status | Final - Approved |
| Author / Lead | HR Business Partner |
| Responsible Executive Director | Executive Chief People Officer |
| Date Approved by Responsible Committee | Remuneration Committee - 7 August 2024 |
| Date Ratified by Board | 12 September 2024 |
| Next Review Date | August 2026 |
| Target Audience | Refer to Scope in Policy |
| Stakeholders engaged in development of Policy (internal and external) | * Trade Unions |
| Impact Assessments Undertaken  *(Delete if non-applicable)* | * Equality and Health Inequalities Impact Assessment |

# Version History

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| Version | Date | Author (Name and Title) | Summary of amendments made |
| 0.1 | May 2022 | Senior HR Business Partner | First draft ICB Policy |
| 0.1 | June 2022 | Senior HR Business Partner | Final draft for ICB approval |
| 1.0 | 08/07/2022 | Governance Support Officer | Final review of version 1.0 |
| 1.1 | 05/06/2024 | Corp Svcs & Gov Support Officer | Review date amended to 31 August 2024 by Remuneration Committee (5 June 2024). |
| 1.2 | 23/07/2024 | HR Business Partner | Version 1.2 no legislative nor process changes made. |
| 2.0 | 07/08/2024 | Corp Svcs & Gov Support Officer | Final Approved version. |
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## Introduction

This policy sets out the organisation's support for employees who are undertaking the care of a child/children under a foster-care arrangement with a local authority.

It is recognised that, in such cases, employees have specific obligations towards the child/children in accordance with their arrangement with the local authority and that, in some cases, the child/children may require a high level of care.

## Purpose / Policy Statement

This policy is intended to form part of the organisation's overall family-friendly approach, and it attempts to strike a balance between the business needs of the organisation and the needs of the employee to meet their care obligations.

## Scope

This policy applies to all ICB employees. It does not apply to agency workers, bank staff, contractors or volunteers.

## Definitions

* **foster-parent** - a person who acts as parent and guardian for a child in place of the child's natural parents but without legally adopting the child.

## Roles and Responsibilities

### Integrated Care Board (ICB)

* + 1. The ICB Board is accountable and responsible for ensuring that the ICB has effective family friendly policies in in accordance with relevant legislation and best practice guidance.

### Chief Executive

* + 1. The Chief Executive is accountable for the policy and procedure being in place to ensure fair and equitable approach to family friendly policies.

### Policy Authors

* + 1. Policy authors are responsible for ensuring that this document is updated when any changes are made to legislation or best practice guidance.

### Executive Chief People Officer

* + 1. The Executive Chief People Officer oversees the implementation of this policy and is responsible for ensuring that managers take action to meet the organisation’s obligations to ensure equity and consistency.

### Line Managers

* + 1. Line managers are responsible for the approval/rejection of special leave requests ensuring consistency and equity in the application of this policy. They are also responsible for processing any relevant documentation for payroll purposes.
    2. Line managers should follow this policy and to act on concerns or issues raised in a sympathetic, sensitive and supportive manner.

### All Staff

* + 1. Employees have a responsibility to familiarise themselves and act in accordance with this policy.
    2. In addition, employees must:
* Make their application in writing (email is acceptable).
* Ensure that sufficient notice is given.
* Provide documentary evidence that they are the primary carer.
  + 1. Employees are responsible for raising any concerns that they may have regarding requesting special leave with their line manager.

## Policy Detail

### Notification Requirements

* + 1. Employees who are intending to foster a child/children should give their line manager not less than four weeks' notice of their intention to train as a foster carer. This is to ensure that their line manager and colleagues can provide them with support and encouragement. This also ensures that, should they wish to request any special leave to care for the child/children, their line manager has sufficient notice to make any necessary arrangements for staff cover.

### Time off to care for new Foster Children

* + 1. Foster carers may need to take time off work to help the child/children to settle into the new environment. They may also need time off to attend training courses, meetings with professionals or appointments with the child/children. Employees who require time off to attend training or meetings, or to care for the child/children at the start of the foster-care arrangement may request special leave to do so.
    2. The request must be in writing and the employee must specify the period off that they require for this purpose. Employees will be paid for special leave and will be allowed up to five days leave a year for this purpose (pro rata for part time staff), in addition to their normal annual leave entitlement.
    3. Only one period of leave is available, irrespective of whether more than one child is being placed for fostering as part of the same arrangement.
    4. This leave may be granted to only one foster carer – where a couple apply jointly to foster, the couple should choose which partner is the primary carer and should apply for the leave (e.g., if two/both foster carers are employees of the ICB).
    5. If the placement fails, then the employee must notify their line manager as soon as possible and return to work.
    6. Where employees require further leave or an extended period off to care for a new foster child or children, they may request unpaid leave or a career break/sabbatical leave and should speak to their line manager regarding this in the first instance.

### Time off for Dependents

* + 1. Foster carers are entitled to take a reasonable amount of time off to assist or to make care arrangements for dependants under the organisation's policy on Special Leave. Please refer to the Special Leave policy, specifically the section on Carers Leave.
    2. The employee must inform the employer of the reason for their absence and how long they expect to be absent as soon as is reasonably practicable. Time off work under this right is envisaged as being no more than one or two days in most cases.
    3. An employee may use this right to take time off where there is an unexpected disruption to care arrangements. However, this right cannot be used as a means of the employee seeking time off to attend to care for the foster child/children because care has not been arranged in advance.

### Parental Leave

* + 1. All employees who have parental responsibility for children are entitled to take up to 18 weeks' unpaid parental leave for each individual child before that child reaches the age of 18. For more information, please refer to the ICB’s Parental Leave Policy.
    2. However, the statutory right to parental leave is available only to carers when they have parental responsibility for the children concerned. It is normally the case that foster carers will not have parental responsibility, since this will usually be with the local authority if the child has been placed under an interim or full care order.
    3. Employees who are foster carers and wish to take parental leave may be asked to supply evidence of parental responsibility.
    4. In cases where employees do not have parental responsibility for the child, they will not be entitled to parental leave. Instead, employees may request annual leave or special leave.

### Flexible Working

* + 1. Foster carers may request flexible working. Further details of the application requirements and the procedure can be found in the ICB's policy on flexible working.

### Foster to Adopt

* + 1. If an employee is a local authority foster parent who has been approved as a prospective adopter, and a child is placed with them in a "foster to adopt" situation, they will be entitled to adoption leave and pay. Please refer to the Maternity Policy which contains details of Adoption Leave.

## Monitoring Compliance

The HR Team will be responsible for monitoring that this procedure is followed and may be consulted at any stage through the process to offer advice to those involved.

Monitoring information will be published and reported as appropriate.

Should the monitoring uncover any shortfalls in the implementation of the policy, the HR team will work with the relevant management team to draw up an action plan for improvement. This action plan may include, for example:

• training for line managers.

• A risk assessment.

It is also anticipated that any issues in respect of the implementation of the policy may be identified because of staff exercising their right via the Grievance Policy.

## Staff Training

No essential (including mandatory) learning and development requirements have been identified for any staff groups, to fulfil the requirements stated within this policy.

Guidance can be sought from Human Resources team.

## Arrangements For Review

This policy will be reviewed no less frequently than every two years. An earlier review will be carried out in the event of any relevant changes in legislation, national or local policy/guidance, organisational change or other circumstances which mean the policy needs to be reviewed.

If only minor changes are required, the Remuneration Committee has authority to make these changes without referral to the Integrated Care Board. If more significant or substantial changes are required, the policy will need to be ratified by the Remuneration Committee before final approval by the Integrated Care Board.

## Associated Policies, Guidance and Documents

#### Associated Policies

* Annual Leave Policy.
* Special Leave Policy.
* Flexible Working Policy.
* Maternity Leave Policy.
* Parental Leave Policy.
* Grievance Policy.

## References

* None.

## Equality Impact Assessment

The EQIA has identified positive impact of this policy on protected characteristics.

The EQIA has been included as Appendix A.

## Appendix A - Equality Impact Assessment

**INITIAL INFORMATION**

|  |  |
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| **Name of policy:**  Fostering Policy  **Version number (if relevant):**  2.0 | **Directorate/Service**:  People Services |
| **Assessor’s Name and Job Title:**  Dhanya Ravindranath, HR Business Partner | **Date:**  23 July 2024 |

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| **OUTCOMES** |
| *Briefly describe the aim of the policy and state the intended outcomes for staff* |
| This policy is intended to form part of the organisation's overall family-friendly approach, and it attempts to strike a balance between the business needs of the organisation and the needs of the employee to meet their care obligations. |
| **EVIDENCE** |
| *What data / information have you used to assess how this policy might impact on protected groups?* |
| The ICB monitors the composition of its workforce under the nine protected equality characteristics and reports on this annually. This information helps the ICB to assess the potential impact of its policies upon staff. |
| *Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?* |
| Relevant Trade Unions were previously consulted on the current policy and only minor amendments have been made during the review. |

**ANALYSIS OF IMPACT ON EQUALITY**

The Public Sector Equality Duty requires us to **eliminate** discrimination, **advance** equality of opportunity and **foster** good relations with protected groups. Consider how this policy / service will achieve these aims.

N.B. In some cases it is legal to treat people differently (objective justification).

* ***Positive outcome*** *– the policy/service eliminates discrimination, advances equality of opportunity and fosters good relations with protected groups*
* ***Negative outcome*** *–**protected group(s) could be disadvantaged or discriminated against*
* ***Neutral outcome***  *–**there is no effect currently on protected groups*

Please tick to show if outcome is likely to be positive, negative or neutral. Consider direct and indirect discrimination, harassment and victimisation.

| Protected  Group | Positive  outcome | Negative  outcome | Neutral  outcome | Reason(s) for outcome |
| --- | --- | --- | --- | --- |
| Age | x |  |  | The policy has been amended to refer to anyone who has parental responsibility regardless of their protected characteristics. |
| Disability  (Physical and Mental/Learning) | x |  |  |  |
| Religion or belief | x |  |  |  |
| Sex (Gender) | x |  |  | The language used in this policy is gender neutral. |
| Sexual  Orientation | x |  |  |  |
| Transgender / Gender Reassignment | x |  |  | The language used in this policy is gender neutral |
| Race and ethnicity | x |  |  |  |
| Pregnancy and maternity (including breastfeeding mothers) | x |  |  |  |
| Marriage or Civil Partnership | x |  |  | The language used in this policy is gender neutral |

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| **MONITORING OUTCOMES** |
| Monitoring is an ongoing process to check outcomes. It is different from a formal review which takes place at pre-agreed intervals. |
| *What methods will you use to monitor outcomes on protected groups?* |
| It is anticipated that any issues in respect of the implementation of the policy will be identified as a result of staff exercising their right of appeal or via the ICB’s  Grievance Procedure. |

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| **REVIEW** |
| *How often will you review this policy / service?* |
| Every 2 years as a minimum and earlier if there are any significant changes in legislation, policy or good practice. |
| *If a review process is not in place, what plans do you have to establish one?* |
| N/A |