

Frequently Asked Questions: Extension of 30 hours to Children in Foster Care

General Questions

Why can't foster parents apply through the digital childcare service?

Before children in foster care access 30 hours, it is right that a check is made that this is in the best interest of the child and is consistent with the care plan. The childcare service is unable to make these additional checks for September 18.

If it is in the best interest of the child, shouldn't they be able to access 30 hours regardless of the working status of their foster parents?

If foster parents do not meet the eligibility criteria, local authorities can assess the child's needs for early years as part of the child's care plan.

Fostering is a huge responsibility and you are forcing foster parents to work and devote less time to looking after these vulnerable children.

We are not expecting or requiring foster parents to work outside fostering unless they choose to do so and this decision is supported by the fostering service. There is no requirement on the type of work or number of hours that a foster parent must work in order to access the 30 hours. Furthermore, foster parents will only be eligible if this is consistent with a child's care plan.

Why did it take so long to enable children in foster care to take up 30 hours free childcare?

Children in foster care are some of our most vulnerable children. It is therefore important that we get this right. We have consulted extensively with local authorities, independent fostering agencies, foster parents and others in the sector to ensure this can be implemented in way that gets the balance right between support for foster parents and protecting the welfare of the child.

Which and how many families will this change benefit?

All the feedback from the sector suggests that this will mainly benefit kinship carers and children in long-term placements.

I don't know if this family should apply through the childcare service or the parallel process?

All foster parents should apply through the parallel process:

- If your local authority is the corporate parent, then the foster parents should apply through your parallel process.
- If a different local authority is the corporate parent, then the foster parents should apply through that authority.
- The only exception would be if the corporate parent is a non-English local authority. In that case, the foster parents will need to apply using the parallel process of through the local authority where they are living. Further guidance on this is set out in the operational guidance.

If there is no corporate parent then the carers should apply through the childcare service. When asked about their relationship to the child, they should choose the guardian option.

Foster parents should use the childcare service if they are applying for their birth children.

Eligibility Questions

Does self-employment count?

Yes – this is an extension of 30 hours to a new group of children. In the case of self-employed foster parents, we would expect them to be able to demonstrate to the responsible local authority that they are actively working but as they do not have to meet an income threshold, further details would not be needed.

The child in foster care has a disability, and the foster parent is a full-time carer for this child – are they eligible for 30 hours

They would only be eligible if they have a partner who is working outside their fostering role and they were in receipt of carer's allowance.

What do you mean by qualifying benefits? How am I supposed to assess the eligibility in these circumstances?

You may find the flow chart in the operational guidance useful when assessing the eligibility.

Qualifying benefits only apply in two parent households. So if one partner meets the employment criteria (in this case working outside their fostering role), the household may still be eligible if the other partner has declared they are in receipt of one of the benefits listed on the application form. As there is no requirement to meet an income threshold, any evidence requested should focus on demonstrating receipt of the benefit.

I'm a special guardian – can I apply for 30 hours?

As only children where the LA had corporate parental responsibility were excluded from the original regulations, special guardians have always been eligible for 30 hours.

In special guardianships the LA is not the corporate parent and so, providing the guardians meet the requirements they can get 30 hours. The guardians should apply through the Childcare Service and when asked relationship to the child, they should choose the guardian option.

Process Questions

Who can be the designated person?

The overall approach and some suggestions as to who this could be are set out in the operational guidance. We have left this open so that local authorities can develop processes that suit their existing practice.

I've had a foster parent apply but their partner is not a foster parent – how do I assess their eligibility?

The non-foster parent will have to meet the normal income threshold for 30 hours that is the equivalent of 16 hours at the national minimum/living wage.

The standard form doesn't address this circumstance but you can download an appropriate form from the Childcare Works website or get it from by DfE using the normal 30 hours email. This form asks the partner to declare that they earn sufficient income to meet the threshold. You will need to assess the level of evidence required on a case by case basis. However, a payslip or in case of self-employment a tax return should be sufficient alongside the signed declaration from the partner.

In consultation with fostering charities, LAs and colleagues within DfE we were reassured that this is an unusual situation. As the minimum wage changes annually, and will vary according to the age of the applicant, we decided against including this on the standard form, which would then have to be updated by all authorities every year. However, we will update the form on Childcare Works website.

Why do foster parents need to reconfirm at all?

This is an extension of 30 hours to children in foster care. The only difference is that foster parents will need to demonstrate there are working outside their fostering role and accessing 30 hours in consistent with the child's care plan. These checks mean there is a parallel application process, but apart from that this is 30 hours as normal and that includes reconfirmation.

The parallel process is going to put burdens on LAs.

It is inevitable that there will be a small burden on LAs but we have tried, in consultation with LAs, to minimise this by giving flexibility to develop local policies and processes for establishing the eligibility of children in foster care. We expect any process that is introduced should be proportionate, flexible and aligned with existing processes as far as possible. We go into some detail in the operational guidance but this is to help authorities understand and develop approaches that fit their circumstances.