

Children and Young People

Looked After Children Service

Staying Put

Policy & Procedures

The purpose of this Policy to enable looked after young people the opportunity to continue living with their foster care beyond their 18th birthday.

This Staying Put Policy sets out the conditions required to extend a former fostering arrangement beyond a young person's eighteenth birthday, the associated financial implications, and the social care requirements associated with extending former fostering arrangements.

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1.0 INTRODUCTION

From the age of 18 years old young people are no longer in care or “looked after” and therefore fostering arrangements and legislation relating to children placed with their former foster carers no longer applies. In circumstances where a young person chooses to remain with their former foster carer after their 18th birthday, a **Staying Put arrangement** should be introduced.

Staying Put enables young people who are in a stable, supportive foster placement the opportunity to pursue education, training and employment, without the disruption of having to move to independence during this critical period of their lives. The benefits are primarily about extending a familiar relationship where the young person continues to experience security and stability. Young People who are in foster care are able to benefit from Staying Put regardless of whether they are in education, training or employment before turning 18 years old. When both the young person and foster carer agree to a Staying Put arrangement and where such an arrangement is assessed as being appropriate then all young people and foster carers will be supported to ensure that this arrangement is pursued.

2.0 LEGISLATIVE FRAMEWORK

Recent Government guidance, The Children Act 1989, Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers has endorsed that all young people living in Foster Care immediately prior to their 18th birthday should have the choice to remain living with their former carers. The following legislative/statutory guidance/good practice framework also underpins this Policy:

- Children and Families Act 2014
- Fostering Service (England) Regulations 2011
- Fostering Service National Minimum Standards 2011
- DfE, DWP and HMRC Guidance - Staying Put – Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers – May 2013
- The Care Act 2014
- Children and Young Person’s Act 2008

3.0 AIMS OF THE STAYING PUT POLICY

Many care leavers have a more difficult start to adulthood than their peers as a consequence of their past experiences, coupled with the absence of a supportive family base. Staying Put arrangements help to mitigate against these factors so that care leavers are better equipped to do well in life. The primary aim of Staying Put is to promote a gradual transition from care to adulthood and independent living for care leavers, their 18th birthday may be an arbitrary and inappropriate point to leave a familiar and foster care household.

The Looked after Children’s Service Staying Put Scheme is designed to ensure that young people do not experience a sudden disruption to their living arrangements and continuity is promoted and that care leavers can make gradual steps from care to independence or an Adult Service. The individual aims of Staying Put arrangements will be specific to each young person concerned and the best interests of the young

person should be at the fore front of any decision making. These decisions should be made clear in their pathway plan and the written agreement covering the staying put arrangement. More specifically, staying put arrangements are designed to:

- Ensure that young people can experience a transition to adulthood similar to that of their peers, within a supportive family environment;
- Ensure that young people are not obliged to leave their former foster family before they feel ready to move into greater independence
- Help care leavers to maximise opportunities for education, employment or training;
- Reduce the likelihood of periods of homelessness
- Ensure that care leavers develop the necessary emotional and practical skills before they are required to live independently;
- Reduce the likelihood of social exclusion.

4.0 CRITERIA FOR STAYING PUT ARRANGEMENTS

Staying Put is defined by the Children Act 1989 and refers to an arrangement whereby a young person, who, when they became 18 was, in law an “eligible child” placed with a foster care, continues to live with that person.

An eligible child is someone who:

- Is looked after by a local authority
- Is aged 16 or 17 and;
- Has been looked after for a total of at least 13 weeks since the age of 14

This should apply whether the foster placement was long term or short term and includes placements made any time up to the young person’s 18th birthday.

The Staying Put arrangement runs until:

- The young person first leaves the “Staying Put” arrangement
- Or the young person reaches their 21st birthday, if continuously, and still living in the arrangement
- Or the young person completes the agreed programme of education or training being undertaken on their 21st birthday, if continuously living in the arrangement since their eighteenth birthday.

The Looked after Children’s Service has a duty to support Care Leavers into further education and higher education, training or employment, but these are not preconditions for starting or maintaining a staying put arrangement.

5.0 PLANNING FOR STAYING PUT

5.1 Early planning

Social Workers should start discussions with the young person and foster carers early.

Whenever a long term placement is being considered there should be a discussion between the foster carer, child’s social worker and supervising social worker regarding the possibility of a Staying Put arrangement. Where the placement is with a foster carer approved by an

independent fostering provider it is important for the person responsible for commissioning the placement to be involved. Looked after Children's Services will actively engage with independent fostering agencies in discussions around Staying put, even though the independent provider will not be involved post 18, it is essential that they help the foster care understand the implications of Staying Put and their decisions around this; neither is it always possible for foster carers to make commitments into the future, particularly if circumstances might change.

Whilst a decision should be made as early as possible, the young person should not be expected to decide whether they will want this until they are ready to do so. Staying Put arrangements do not always arise out of long term foster placements, even when a young person enters foster care at 16 or 17, it is just as important to consider this option through the care planning process.

Where a Staying Put arrangement is agreed as the plan for the young person, then this plan should be integrated into the young person's Pathway Plan and ratified by an Independent Reviewing Officer and the reviewing process should be used as a method of tracking the process of this plan.

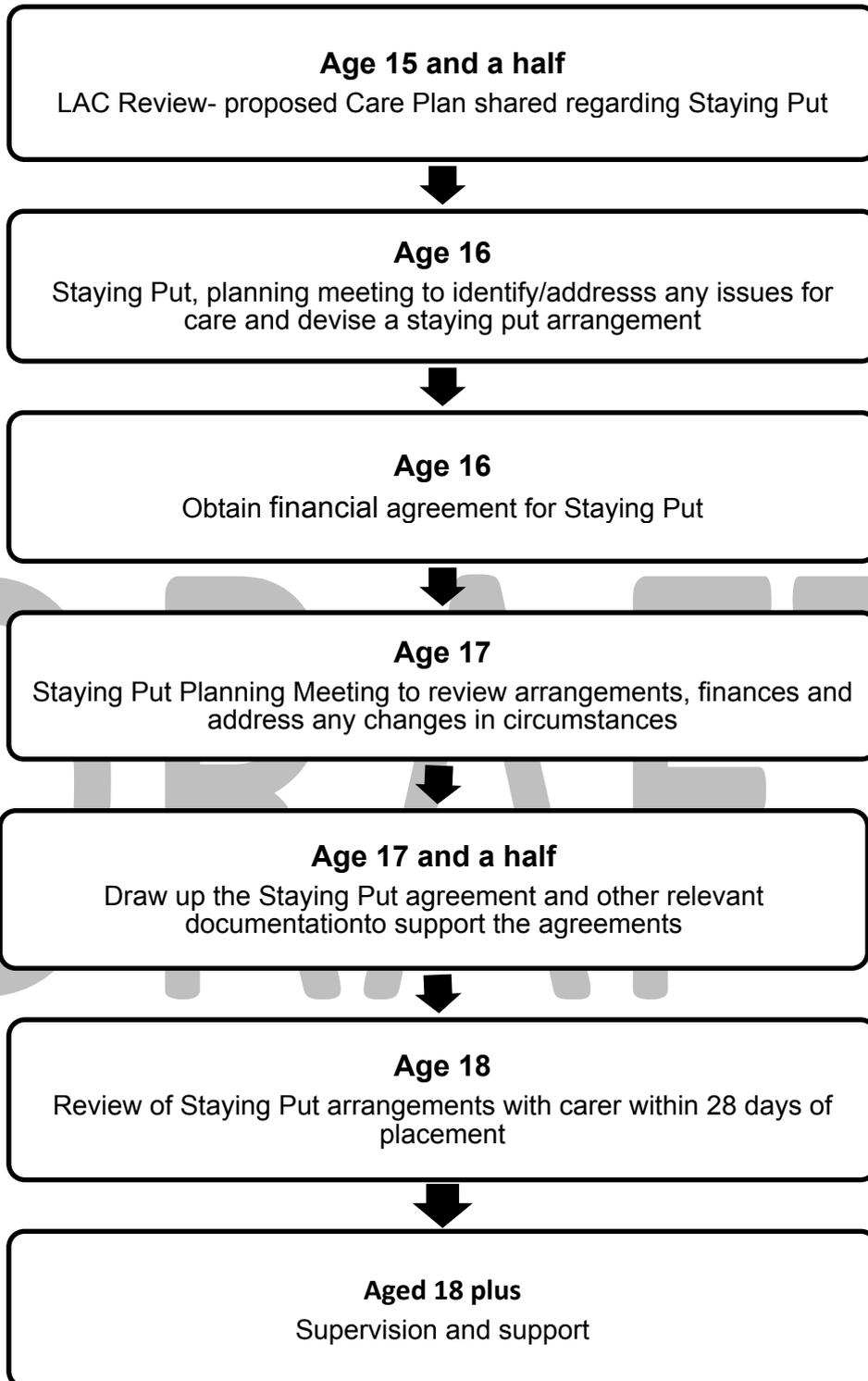
The young persons' Pathway Plan should describe the details of the Staying Put arrangements and will identify how the arrangement will support the young person to develop:

- Independence skills
- Relationship skills
- Financial and budgeting skills
- Self-care skills
- Engagement skills in relation to training and employment

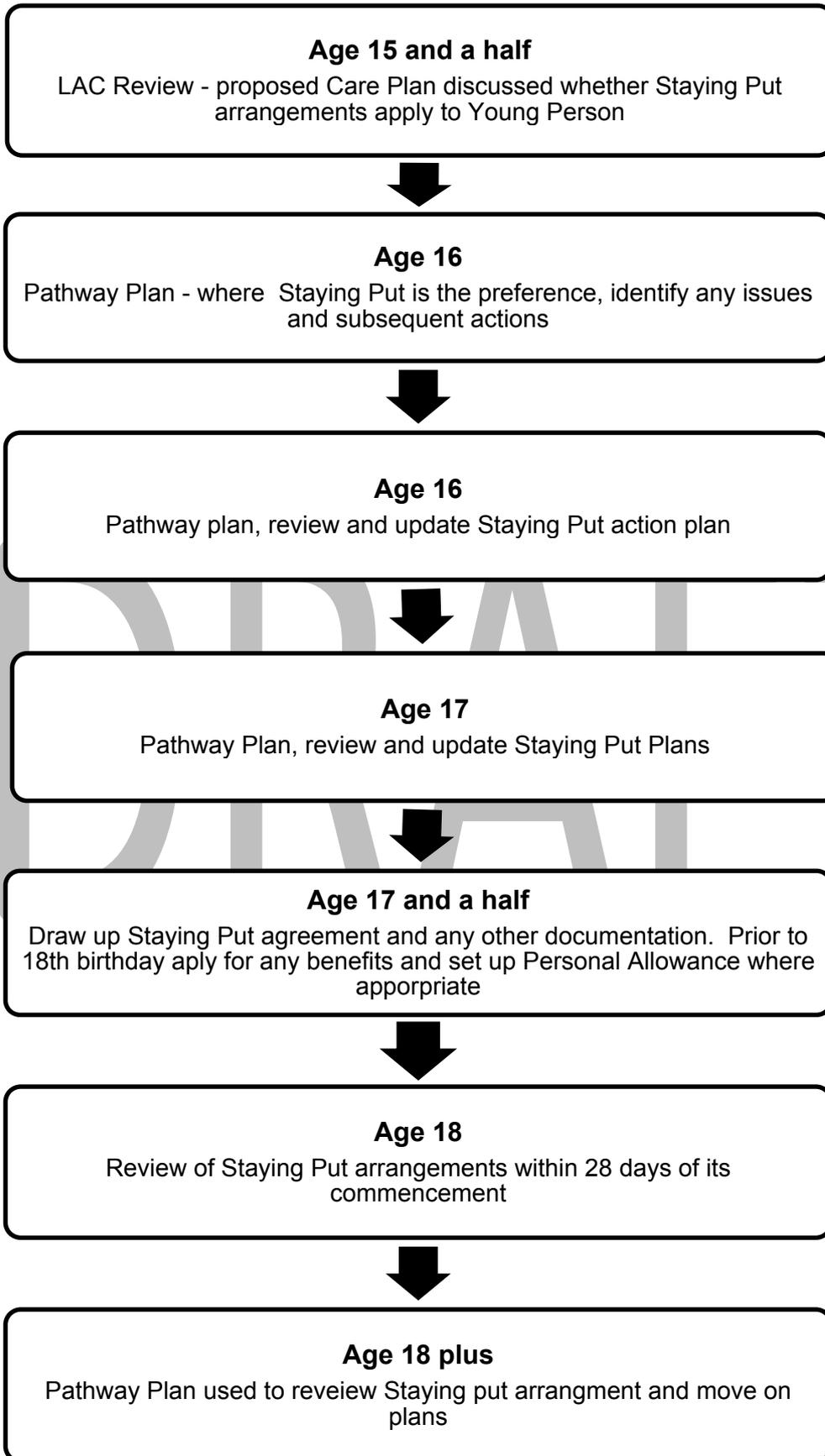
The foster carer needs to have accurate information to enable them to make an informed decision about proceeding with the Staying Put agreement and to enable this to happen; the Supported Accommodation Manager from the Transitions Team will visit the foster carer with the Social Worker to discuss the financial implications of moving to a Staying Put arrangement. The Supported Accommodation Manager will liaise with the Welfare Rights Officer for Children and Young People to ensure that the Welfare advice given is accurate to the individual circumstance of the foster carer.

5.2 Pathway

For Foster Carer



For Young Person



6.0 FINANCIAL SUPPORT TO STAYING PUT CARERS

Under the Staying Put Policy, foster payments will be substituted with a Staying Put allowance **totalling up to £255.00 per week**. In circumstances where a former foster carer was receiving Level 3 advanced payments in respect of the young person, then the Staying Put allowance maximum would be £331.50 per week.

From any maximum allowance there will be deducted:

- Any rent payment the young person is liable to pay.
- And/Or set contribution of £25.00 per week from the young person

Receiving payments under Staying Put arrangements from the Looked after Children's Service should not have any implications for benefits and/or tax credits. The Department for Education alongside Revenue and Customs and the DWP have provided guidance on the tax and benefits aspects of Staying Put arrangements. The guidance is available at:

<https://www.gov.uk/government/publications/staying-put-arrangements-for-care-leavers-aged-18-years-and-above>

Normally, income from Staying Put arrangements will not impact on the income of Foster Carers. Receiving rent payments for a room in your property could impact on the amount of benefits and tax credits received. If you are a former foster carer and are worried how income from a Staying Put arrangement could impact on your benefits and or tax credits, then notify the Supported Accommodation Manager within the LAC Transitions Team. In complex cases the Supported Accommodation Manager will arrange for you to meet with a member of the Welfare Rights team to discuss any financial implications

6.1 The Formula for Assessing Payments to Staying Put Providers

Maximum Allowance (in total)	£255.00
Deduct young person's rent liability	£ 62.00
Deduct the young person contribution where no rent agreement in place.	£ 25.00
Deduct additional discretionary payment if young person at University	£
Total Payment to former foster care from Looked after Children Service	£

6.2 IMPACT ON FOSTER CARERS WISHING TO BECOME STAYINGPUT PROVIDERS

Arrangement Type	Staying Put but resign as a Foster Carer	Staying Put continue alongside Fostering but no LAC in placement	Staying Put continues with an IFA no other LAC in placement	Staying Put to continue alongside Fostering and LAC in placement/IFA	Staying Put arrangement with Connected Person Carer	Staying Put were YP meets the eligibility criteria
Approval	LAC Transitions/Fostering SSWM	LAC Transitions/Fostering SSWM	LAC Transitions Team	Where a LAC becomes an adult member of the household. Review of Foster Carers Approval, changes in terms of approval before staying put commences	LAC Transitions Team	Adults funding panel
Payment/Reward	£255 maximum allowance from LAC minus young person's rent liability and contribution	£255 maximum allowance from LAC minus young person's rent liability and contribution	£255 maximum allowance from LAC minus young person's rent liability and contribution	£255 maximum allowance from LAC minus young person's rent liability and contribution	No reward fee	Adults to fund regardless of the placement arrangement
Training	Offers support and advice. Undertake same level of training as mainstream Foster Carers	Must meet statutory requirements. Undertake same level of training as mainstream Foster Carers	IFA Training offer	Must meet statutory requirement. Undertake same level of training as mainstream Foster Carers or IFA offer	Undertake same level of training as mainstream Foster Carers	Undertake same level of training as mainstream Foster Carers
Support/Visits	No Fostering Supervisory Visits Visits in line with Pathway Plan.	No Fostering Supervisory Visits Visits in line with Pathway Plan.	No Fostering Supervisory Visits Visits in line with Pathway Plan.	Supervising Social Worker/IFA where external – visits in line with statutory requirements	Supervising Social Worker/IFA where external – visits in line with statutory requirements	Supervising Social Worker where external – visits in line with statutory requirements

7. YOUNG PEOPLE ATTENDING UNIVERSITY OR LIVING AWAY

If a young person is subject to a Staying Put arrangement but spends time away from home whilst attending university, whilst it won't affect the Staying Put arrangement, it will affect the Staying Put maximum allowance.

In such circumstances the former foster carer will be paid a retainer fee of £985.71 per year; this will be paid in 3 equal payments at the beginning of each semester. This arrangement will only count for the semester's whilst the young person is attending university. During any university vacation periods, then the former foster carer will receive the maximum allowance less any rent liability and less the young person's contribution. In the event that the young person is spending time at home, taking time out from their studies due to ill health, then former foster carer will receive the maximum allowance less rent liability less the young person's contribution.

The Looked after Children's Service will not pay Personal Allowance to a young person who is in receipt of student finance, and/or Care Leavers bursary from the University and/or a LA bursary. This is because there is an expectation that their university finances will cover all their annual costs.

8. PAYMENTS TO STAYING PUT PROVIDERS IN EXCEPTIONAL CIRCUMSTANCES

The Looked after Children's Service may, in exceptional circumstances (eg. To prevent any detriment to a Care Leaver) award a discretionary Staying Put payment to former foster carers. Such payments are made entirely at the discretion of the Head of Looked after Children's Services and will not exceed the maximum allowance of £255.00 per week.

9. DECIDING NOT TO SUPPORT A STAYING PUT ARRANGEMENT

Whilst the Looked after Children's Service has a duty to support all Staying Put arrangements, there may be an occasion where that arrangement would not be consistent with the young person's welfare. Careful consideration should be given to any proposal not to support the staying put arrangement and reasons should be made clear to both parties and recorded accurately. Things to consider when deciding not to support a staying put arrangement are:

- Why is it not consistent with the welfare of the young person
- What factors in the Staying Put arrangement make it inconsistent with their welfare to remain in the household in which they were fostered until their 18th birthday
- Are there concerns that the young person will not be safeguarded
- Is it necessary to carry out an assessment of the young person's ability under the Mental Capacity Act 2005?
- What alternative arrangement is available?
- If no support is provided, will the arrangement go ahead regardless?
- If the arrangement continues without support, how will Wolverhampton City Council continue with their duty to monitor?

10. THE STAYING PUT PROVIDER AGREEMENT

Prior to the commencement of the placement, the Supported Accommodation Manager will meet with the provider and draw up the Provider Agreement (see Appendix A of this document)

The agreement will make clear –

- The expectations that are placed on providers
- The level of financial support they will receive
- The support that will be provided by the Local Authority
- The supervision, support and annual review process
- Any house rules or obligations of each party.

This agreement will be signed by the provider, young person and the Young Person's Advisor or the Supported Accommodation Manager.

11. APPROVAL OF STAYING PUT ARRANGEMENT WHILST CONTINUING AS A FOSTER CARER

In these situations the carer must remain an approved foster carer and the Fostering Services (England) Regulations and Guidance 2011 will apply with the consequential requirements of supervision, review and safeguarding. Whilst the fostering legislation will primarily apply to the placements of the fostered children/children looked after, it does ensure a system of approval, checking and supervision is applied to the whole household.

The Fostering Service must agree a Staying Put Arrangement whilst LAC continue to be placed alongside the staying put arrangement. Prior to this a decision a foster home review must take place to ensure the placement is suitable to move into a staying put arrangement. The change in the foster carer's circumstance, including the LAC becoming an adult member of the household, means that a review of the foster carer's approval should be undertaken before a staying put arrangement begins. This will provide the opportunity to discuss the impact of the staying put arrangement on the role of the foster carer and to think carefully through all the implications of the change in the legal status of the relationship with the young person. The need for any further training or additional support needs should also be discussed. The review should be carefully planned at a stage which enables discussion of all the relevant matters and also allows time for the Fostering Agency Decision Maker to act upon recommendations

Sometimes staying put carers are not able to take another foster placement whilst the young person remains living with them, but wish to remain approved as foster carers in order to resume fostering in the future. In these circumstances the carers will become dormant foster carers.

12. DBS CHECKS ON YOUNG PEOPLE

When a young person who is Staying Put turns 18, they become an adult member of the Foster Carer's household and to comply with Fostering Regulations, and enhanced DBS disclosure must be obtained. This should ideally be obtained before the young person turns 18, so that it may be considered at the review of the Foster Carer's approval before the Staying Put arrangement begins.

13. YOUNG PEOPLE WHO MEET THE REQUIREMENTS OF THE CARE ACT 2014

Where young people meet Adult Services criteria the Staying Put arrangement will convert to an Adult Placement/Shared Lives Arrangements. This will be in place so the transition takes place when the child reaches their 18th birthday.

14. ENDING A STAYING PUT ARRANGEMENT

It is anticipated that the provision of a Staying Put arrangement will assist young people to move onto fully independent accommodation in a timely and planned way. However, where there is a risk of a placement ending in an unplanned way a Planning Meeting should be convened which will be chaired by the LAC Transitions Team. This meeting should attempt to identify actions which will enable the placement to be sustained until a planned move is arranged.

15. INSURANCE

It is expected that foster carers have their own household insurance and staying put carers should ensure that their household and car insurance policies cover their particular circumstances.

16. ADVOCACY AND COMPLAINTS

A young person living in a Staying Put arrangement is entitled to make a representation or complaint to Wolverhampton City Council about the provision of support. This complaint will be dealt with in line with the existing Complaints procedure.

Appendix A

Wolverhampton
City Council



Wolverhampton City Council
Staying Put Living Together Agreement

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Wolverhampton City Council – Staying Put Agreement

The purpose of the Staying Put Providers Agreement is to provide written information about the terms and conditions of the partnership between Wolverhampton City Council and the Staying Put Provider. It specifies your agreed terms of approval and sets out the expectations of both the Staying Put Provider and Wolverhampton City Council's Looked after Children's service.

DEFINITIONS

A “*Staying Put Arrangement*” is where a Foster Child reaches the age of 18 and continues to reside with the former Foster Carer as part of their household.

Within this document:

- The former Foster Carer agreeing to the Staying Put Arrangement is referred to as the “*Staying Put Provider*” or “*the Provider*”
- The former “Foster Child” is referred to as the “*Young Person*”

PART A APPROVAL INFORMATION

Your approval status is:

Any other conditions or requirements:

PART B STAYING OUT PROVIDER’S DUTIES

ACCOMMODATION AND SERVICES

The Staying Put Provider is expected to provide the following accommodation and services:

- Single, fully furnished room for the Young Person
- Furniture should include, bed, suitable storage for clothing and personal items, bedding and curtains
- A clean, safe and comfortable home environment
- Heating and lighting
- Access to hot water, bathing and washing facilities
- Laundry facilities
- Access to cooking facilities
- Nutritious meals
- A quiet comfortable , quiet area for study
- Front door key
- To ensure that household health and safety is maintained as per requirements

STAYING PUT PROVIDERS DUTIES TOWARDS THE YOUNG PERSON

The Staying Put Provider is expected to:

- Offer emotional and practical support to the Young Person, which will include:
 - Support with independent living skills, such as shopping, cooking, cleaning, washing, attending appointments and claiming benefits

- Support the young person to access education, training and employment opportunities and use community resources
- Provider emotional and practical support as agreed in the Pathway Plan or LAC Review
- Attend any Pathway Plan, Statutory Review or Support Plan meetings
- Work with Young Person's Advisor, and or Social Worker in implementing any support or Pathway Plan
- Ensure the confidentiality of the Young Person

CHANGE IN CIRCUMSTANCES

The Provider will notify Wolverhampton City Council of any changes in circumstances. This may be changes in personal circumstances or a change in the make-up of the household. These could include:

- Anyone moving into the house
- Plans to move to alternative accommodation
- Changes in health
- Changes to the house
- Any changes that may affect your capacity to support the Young Person
- Any incident that leads to police involvement

TRAINING AND SUPERVISION

Staying Put Providers are required to attend training and supervision in order to develop their skills and understanding of how to support their Young Person. They are therefore required to attend any training that has been agreed arising from supervision sessions or annual reviews.

KEEPING IN CONTACT

Providers are required to keep in contact with the LAC Transitions Leaving Care Team, particularly the Young Person's Advisor in order to update professional involved in the Young Person's progress.

They are also required to attend any statutory reviews, Pathway Plan or Support Reviews as needed. Where possible, it will be ensured that any meetings are convenient for the provider as their input is valued.

COMPLIANCE WITH THE AGREEMENT

Providers are encouraged to discuss any difficulties regarding the Young Person with the Young Person's advisor at any stage.

Under this policy, part of the remuneration to Staying Put is rent (see "Rent and Charges" below). After their 18th birthday, the Young Person effectively becomes a lodger under licence and the Provider is the landlord. The Living Together

1. PARTIES TO THE AGREEMENT

STAYING PUT CARERS DETAILS

Name:

Address:

Contact telephone numbers

YOUNG PERSONS DETAILS

Name:

Date of Birth

NI Number:

LAC TRANSITIONS YOUNG PERSON'S ADVISOR DETAILS

Name:

Address:

Contact telephone numbers:

SUPERVISING SUPPORT WORKER DETAILS (If applicable)

Name:

Team and address:

Contact telephone details:

DATE OF STAYING PUT ARRANGEMENT REVIEW:

2. FINANCIAL ARRANGEMENTS

The young person is expected to contribute financially to the Staying Put Arrangement. They will pay the rent element of arrangement costs at the relevant LHA rate which will vary depending on the amount set by the Rent Reviewing Officer in Wolverhampton or where they live. This may be in the form of Housing Benefit for unemployed, partly employed or those in education or training, or contribution from the Local Authority if the young person is unable to access any funds.

The young person will also make a fixed contribution for utilities and an amount towards food which is set as shown below, but may be subject to negotiation depending on need.

a) Young Person's Income

Benefits e.g. Income Support, JSA, ESA, DLA etc.	£
Earned income e.g. from employment	£
Training or Apprenticeship support	£
16-19 Bursary	£
Other	£
Total	£

b) Rent and Utilities

Rent Required (per week) as per LHA set by Rent Reviewing Officer for one bedroom rate, paid as Housing Benefit	£
Fixed contribution to utilities/food	£ 25.00
Total Staying Put Carer receives from young person	£

c) Contribution to Staying Put Carer

Maximum Care Payment	£
Less Young Person's Payment	£
Discretionary Payment from LA	£
Total	£

3. LIVING TOGETHER AGREEMENT

Date: agreed on to start on

This agreement is made between you,and

..... (Staying Put Provider).

It allows you to stay at: and sets out what will be expected of you and what you can expect.

If you want to move out of, you must let the provider know at least 4 weeks before you want to move. The provider can also end the Staying Put Arrangement at any time by giving 4 weeks' notice.

..... agrees that the conditions of occupying this household are:

- S/he will pay the rent regularly and on time
- S/He has understood the expectations within the household
- S/he agrees to do all the things that are set out in the expectations

Signed: (Young person) Date:

By this agreement (Provider) permit

..... (Young Person) to occupy the above accommodation.

Signed: (Provider) Date:

Expectations:

- You must use the support that your Pathway plan says you need
- If at any time, the Provider is worried about you safety, they have the right to enter your room to check on your welfare.
- You must pay the correct agreed amount of rent and keep the payments on time.
- You must pay for any loss or damage to your own furniture or belongings.
- You must let the provider know if anything is broken or needs mending.
- You must ask if you want to keep a pet.
- You must be considerate to all the people who share the house.
- You must not invite anyone else to share your room.
- You must not use or keep illegal substances in the property.

4. HOUSE RULES/EXPECTATIONS

These need to be decided between the Staying Put Provider and the young person. The Provider and the young person shall be at liberty to vary or add to the House Rules by agreement whenever they deem it necessary to do so:

a) Use of Telephone

b) Private Space

c) Visits from Relatives and Carers

d) Visits from friends

e) Smoking

f) Alcohol

g) Quiet times

h) Coming in times

i) Tidying up

j) Cleaning Bedroom

k) Other