

## Staying Put Policy.

### **Purpose of the report and Summary**

*The Government has told Lancashire County Council and all other Local authorities that young people in care should be able to stay with their foster carers beyond their 18<sup>th</sup> birthday.*

*A policy has been written which will support young people who wish to live with their foster carers up to their 19<sup>th</sup> birthday.*

### **Key Information and Questions for Board Members**

- Only applies to young people (YP) who are in Foster Care.
- It will be financially supported by Children's Social Care.
- The carer(s) will receive a payment of £150 per week for each YP who stays with the family after becoming 18.
- Birthday, holiday and festival allowances will not be paid
- The payment will consist of housing benefit (claimed by the YP), a contribution of £20 from the YP's wages, salary, benefits or education allowances with the remainder provided by Children Social Care.
- The new payment will apply from the YP's 18<sup>th</sup> birthday unless the young person is in full time education in which case the applicable pre 18 fostering allowance will continue until the formal end of Year 13.
- Foster Carers who agree to a staying put arrangement who are only approved for one placement will not be able to carry on as a Foster Carer.
- If the Foster Care is approved for more than one placement, the Young Person will be subject to a Police check
- If a staying put placement is an option it must be considered within a Statutory Review and agreed as soon as possible and no later than 6 months before the YP's 18<sup>th</sup> birthday.
- If the YP leaves the placement where the staying put arrangement has been agreed before their 18<sup>th</sup> birthday another staying put arrangement will not be agreed.
- If the YP leaves the staying put arrangement before their 19<sup>th</sup> birthday the arrangement will cease and cannot be re-started.
- If the YP does not pass on the housing benefit or contribute to the arrangement as outlined the arrangement will cease.
- These arrangements will also apply to Agency Foster Carers.

## **Background**

The policy recognises that moving into adulthood is a challenging period and outlines the importance of supporting vulnerable care leavers as they move into adulthood by enabling the most vulnerable to remain with their former carers under defined circumstances.

The definitions used within the policy are in accordance with Department for Education definitions and describe the arrangements made when a young person who has been looked after immediately prior to their eighteenth birthday continues to live with their former foster carers without a break in those arrangements. The policy outlines four criteria under which young people can be considered under the 'Staying Put' arrangements. These are:

- Education
- Vulnerability
- Disability
- Planned Move on

The policy further outlines the duration of any Staying Put placement which will a maximum of 12 months and, dependent upon the individual circumstances of the young person.

The policy outlines the financial position for young people and for Staying Put Carers and outlines a benchmarked rate of £150 per week including a contribution from the young person of £20 of mean tested benefits or wage they are in receipt of.

## **Council priorities**

The Staying Put policy helps to address the issue of stability for vulnerable young adults while they access further education or training, thus supporting improving outcomes in learning and life by enabling them to remain within a stable family setting.

The Staying Put Policy also provides a safety net for some vulnerable young people who may be experiencing difficulties in transitioning into semi or independent living arrangements. This will support their emotional well-being and contribute towards enabling them to improve their employability and ultimately a more sustainable community.

The Staying Put Policy also supports the Council in delivering its responsibility as a Corporate Parent for looked after children as part of Children's Services. These responsibilities extend to care leavers and this policy extends the support available to this vulnerable group of young people.

## **Risk management**

Lancashire County Council has effectively operated a limited 'Staying Put' policy over the past 5 years in that we have always continued to support placements while a young person in full time education completes their course even if they have achieved the age of 18.

Feedback from the consultations clearly indicated the necessity of forward planning as the Staying Put payment is an additional financial commitment for the County and the rate is a reduction on the Foster Carer rate. Forward planning is also critical to ensure that vulnerable young people are supported to plan their future in a way that allows them to make sensible, safe choices to fulfil their learning goals and become safe and productive members of Lancashire.

Failure to develop a consistent Staying Put Policy may result in young people for whom Lancashire County Council has a Corporate Parenting Responsibility losing the benefit of consistent and stable family care at a point when they may be particularly vulnerable and susceptible to poor decision making.

## **Legal implications**

The principal regulatory framework for Staying Put arrangements are to be found in:

The Children and Young Persons Act (2008 Planning Transition to Adulthood for Care Leavers 2010 (Regulations and Guidance)

Staying Put” Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers HM Government (May 2013)

Fostering Services: National Minimum Standards 2011, part of the regulatory framework for fostering services and services for looked after children.

The National Care Advisory Service offers guidance on Disclosure and Barring Service checks which will be required for those young people who remain in a former foster home where younger children are also fostered. Compliance with Disclosure and Barring Service will be kept under review to ensure that Lancashire County Council meets best practice thresholds.

From the age of eighteen young people are no longer legally 'in care' or 'looked after' and therefore fostering arrangements and legislation relating to children placed with foster carers no longer applies. In circumstances where a young person remains with their former foster carer/s after their eighteenth birthday, the arrangement should therefore be deemed an 'age eighteen and older arrangement' or "Staying Put" arrangement. The term 'arrangement' should be used rather than placement; the term 'placement' denotes a situation where the local authority arranged and placed the child with a foster carer. Once the child reaches the age of eighteen and legal adulthood, the local authority is no longer making a placement, but facilitating a "Staying Put" arrangement for the young person.

## **Decisions required**

- (i) The Corporate Parenting Board are asked to support the policy's aims and objectives

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4<sup>th</sup> September 2013*