

# Leaving Care Policy and Procedure

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## **Accessibility**

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### 1 Aim

All young people are likely to need support during the transition to adulthood. Young People leaving care are likely to be particularly vulnerable due to their previous life experiences and the limited immediate family support. Bracknell Forest does not see leaving care as a process driven by the age of the young person, but rather, that plans for each individual will be based on a systematic assessment of their emotional maturity and coping skills. This policy and procedure sets out the principles and the process by which we, along with other agencies, will support those young people who have been in Bracknell Forest's care to move into independence as positively as possible. It should be read alongside the Bracknell Forest Staying Put policy and Procedures, the Transitions, Resource Allocation System and Personal Budgets Policies and Procedures and The Unaccompanied Asylum Seeking Children: Policy and Procedure.

#### 1.1 Operational Principles

- a) All care leavers should have access to services which are appropriate to their needs, including those which arise from their gender, racial origin, cultural and linguistic background, sexual orientation and disability.
- b) Bracknell Forest Council, in partnership with others, will act as a "good parent" according to the Corporate Parenting Principles.  
<http://www.legislation.gov.uk/ukpga/2017/16/section/1/enacted>.
- c) Should a young person wish to be de-accommodated prior to the age of eighteen a needs assessment and planning process will be undertaken to ensure that the young person is appropriately prepared and supported.
- d) The path way plan will be started when the young person is 16years and 3months and continue throughout the young person's involvement with the Leaving care Service. A review will be held every six months or sooner if a significant change occurs to a young person's care plan.

#### 1.2 Legislation and Guidance

These policies and procedures reflect the following legislation and guidance:

The Care Planning, Placement and Case Review (England) Regulations 2010; amended 2014. These relate to young people aged over 16 who are still in care.

The Care Planning and Fostering (Miscellaneous Amendments) (Eng) Regulations 2015. The 2015 Regulations have amended the Care Planning, Placement & Case Review Regs 2010.

The Children Act 1989 Statutory Guidance and Regulations Vol 3: Planning Transition to Adulthood for Care Leavers (2011) revised October 2014, which amended the Children (Leaving Care) (England) Regulations 2001

The Children And Families Act 2014 which amended the Children Act 1989 to allow former looked after children will be able to continue to live ("stay put") with their former foster parents until the age of 21.



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Children and Social Work Act 2017 which sets out the framework of the Local Offer provision.

Together these set out the statutory requirements for supporting care leavers with the aim of improving the life chances of all young people living in and leaving local authority care.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO)

Since December 2012 all children (defined as 10 to 17 years), remanded other than on bail, can only be dealt with by way of a Remand to Local Authority Accommodation (RLAA) or a Remand to Youth Detention Accommodation (YDA).

Immigration Asylum and Nationality Act 2006

“Staying put”: Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers. DfE, DWP and HMRC Guidance May 2013

The Planning Transition to Adulthood for Care Leavers Regulations and Guidance 2010 and the Fostering Regulations and Guidance 2011 (Children Act 1989) both require local authorities to have a Staying Put policy. This guidance outlines arrangements which enable care leavers to remain with their former foster carers after they turn 18.

### 1.3 Key Objectives

The key objectives of Bracknell Forest Council's work with care leavers across all relevant teams and services are set out below. These are based on a substantial body of research findings indicating that good outcomes will be achieved from the actions below.

- a) To involve young people in all assessment, planning, review and decision making arrangements for leaving care.
- b) To ensure that every Bracknell Forest care Leaver has an up to date Pathway Plan that meets their individual needs and captures their voice, wishes and feelings.
- c) To support care leavers to access stable and suitable accommodation.
- d) To promote and maintain relationships with carers and families, where possible, after young people leave care and where both carer and young person wish it, to support Staying Put arrangements which allow the young person to continue living with their former foster care until the age of 21 years.
- e) To maximise the education, training and employment outcomes for young people leaving care.
- f) To work in partnership with other agencies to support care leavers to access education employment training and health services.
- g) To advise, support and assist care leavers who are entitled to claim welfare benefits, that they receive their full entitlement.
- h) To publish and maintain the Bracknell Forest Council Local Offer by October 2018
- i) To contribute to the monitoring and evaluation of the above outcomes through the collection of performance information for The Department of Education.

## 2 Entitlement to leaving care services

### 2.1 Definitions of categories of young people entitled to leaving care services

Defined as	Criteria of young person who:
<b>Eligible children</b>	<ul style="list-style-type: none"> <li>• is aged sixteen or seventeen</li> <li>• is currently looked after</li> <li>• has been looked after for a period of 13 weeks (or periods amounting to 13 weeks) which began after s/he reached 14 and includes at least a day after 16 years</li> </ul> <p>Eligibility is not affected by additional status so if they are looked after as an unaccompanied asylum-seeking young person or when remanded to local authority care they are still <b>eligible</b>.</p>
<b>Relevant children</b>	<ul style="list-style-type: none"> <li>• is not being looked after by any local authority</li> <li>• was, before ceasing to be looked after, an eligible child</li> <li>• is aged sixteen or seventeen</li> </ul> <p>Two categories of <b>relevant</b> children, i.e. lone parents and disabled children are treated as '<b>relevant</b>' for all purposes, except that they are <b>eligible</b> for Income Support and Job Seeker's Allowance.</p>
<b>Additional Relevant Children</b>	<ul style="list-style-type: none"> <li>• is aged 16-17 who immediately before being detained or admitted to hospital were accommodated by a local authority for a period of at least 13 weeks after reaching the age of 14. They will no longer be looked after, and may or may not still be detained or in hospital.</li> </ul> <p>If such a young person is on a care order they remain '<b>eligible children</b>'.</p>
<b>Former relevant children</b>	<ul style="list-style-type: none"> <li>• is aged 18-25,</li> <li>• has been a relevant young person or would be one if s/he were under 18 or</li> <li>• immediately before s/he ceased to be looked after was an eligible young person.</li> </ul>
<b>Qualifying</b>	<ul style="list-style-type: none"> <li>• at least 16 but under 26</li> <li>• who was looked after prior to the making of a special guardianship order which is in force or was in force when s/he reached 18</li> <li>• at any time after reaching the age of sixteen but while still a child was but is no longer looked after, accommodated or fostered.</li> </ul>

### Services to which Care Leavers are Entitled

Legal Status	Support Available through the Leaving Care Service	Benefits Entitlement
<b>Eligible</b>	All the provisions of the looked-after system; Personal Adviser; Needs assessment; Pathway Plan. Advocacy	<b>Eligible</b> or <b>relevant</b> young people (under 18s) are, , unable to claim benefit. The exceptions are single parents and those <b>qualifying</b> for certain disability payments; although in both cases they will still be excluded from Universal Credit.
<b>Relevant</b>	Personal Adviser; Needs assessment; Pathway Plan; ‘Suitable’ accommodation and maintenance; Assistance to achieve the goals agreed and set out in the Pathway Plan; Contact from Leaving Care Service. Advocacy	<b>Eligible</b> or <b>relevant</b> young people (under 18s) are, in most cases, unable to claim benefit. The exceptions are single parents and young people with disabilities.
<b>Former relevant</b>	Contact from Leaving Care Service; Personal Adviser; Needs Assessment; Pathway Plan; Assistance e.g. employment, education and training; Vacation accommodation for higher education or residential further education if needed. Advocacy To request support from Leaving care Service for a specific need after age 21 and up to age of 25. Will be contacted annually between ages 21-25 to be reminded of their entitlements	<b>Former relevant</b> young people are entitled to claim benefits at age 18 if they meet eligibility criteria. Those young people on low incomes can also claim some benefits. This must be explored in all relevant cases. <b>Former Relevant</b> young people aged 18 or 19 in education may claim some benefit. This is to be claimed in all <b>relevant</b> cases.

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<b>Qualifying</b>	To request support from Leaving care Service on any of following up to age of 25.  Contact from Leaving Care Service;  Advice and assistance (e.g. education and training).  Vacation accommodation (where young people are taking higher or further education courses).  Advocacy  Will be contacted annually between ages 21-25 to be reminded of their entitlements	<b>Qualifying</b> young people are entitled to claim any benefit for which they meet the criteria.
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### Advocacy

All Care leavers should be advised of their right to an advocate to support them to express their wishes and feelings about the help they feel they will need for the future, so that they are enabled to reach their potential.

## 3 Entitlement to Adult Care Services

### 3.1 Young People with allocated Social Worker within Children's Specialist Support Team

All Eligible young people who have an allocated Social Worker within the Children's Specialist Support Team within Children's Social Care will be referred to the appropriate transitions panels at age 16, having been identified at age 14 for transition planning. The Approaching Adulthood Panel comprises representatives from Adults Social Care and the Leaving Care Service. Upon becoming Former Relevant, the majority of disabled Care Leavers will have an allocated Care Manager within Adults Social Care. The annual Care Plan reviews and bi-annual Pathway Plan reviews will be undertaken involving all of the professionals supporting that young person.

### 3.2 Young People with complex needs

Young People who present with complex behavioural issues, significant vulnerabilities or mental health concerns will be identified at age 16, using the Pathway plan and Needs Assessment. They will be discussed at the Approaching Adulthood Panel at age 16 with regards to their eligibility for continuing post-18 support from The Community Mental Health Team, Adult social Care and/ or partner agency.

### 3.3 Young People with safeguarding needs

The Care Act 2014 places safeguarding responsibilities on the Leaving Care service with regards to adults who disclose abuse whilst Former Relevant Care Leavers. Section 14.2 of the Care and Support Statutory Guidance: Issued under the Care Act 2014 (DoH 2014) states that

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"These duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support. Where someone is over 18 but still receiving children's services and a safeguarding issue is raised, the matter should be dealt with as a matter of course by the adult safeguarding team. Where appropriate, they should involve the local authority's children's safeguarding colleagues as well as any relevant partners (e.g. police or NHS) or other persons relevant to the case. The level of needs is not relevant, and the adult does not need to have eligible needs for care and support, or be receiving any particular service from the local authority, in order for the safeguarding duties to apply"

### 3.4 Young People with Mental Health Needs

In cases where Relevant, Former Relevant and Qualifying young people have allocated workers within Adults Services or Community Mental Health Teams, the role of the Leaving Care Service Social Worker/PA is that of an 'Involved Professional' and as such, the Leaving Care Service should be involved in all Care Plan reviews and meetings although Financial Responsibility for any Care Packages for those young people remain primarily with Adults Social Care.

Conversely, allocated professionals from Adults Social Care or Community Mental Health Teams should be involved in all Pathway Plan reviews where young people have allocated workers from their teams .

## 4 Local Authority Decision to cease looking after 16/17 year olds

The decision to cease looking after a young person aged 16 or 17, either through discharge of a care order via the courts, or the return home of a young person accommodated under Section 20, must not be put into effect until it has been approved by the responsible authority's Director of Children's Services.

In line with The Care Planning and Fostering (Miscellaneous Amendments) (Eng) Regulations 2015 Reg 39 (See Appendix Before deciding to cease to look after a young person the authority must be satisfied that the IRO has been consulted, and that the young person's wishes and feelings have been ascertained and given due consideration, that the young person's relatives have been consulted, where appropriate, and that the care plan includes details of the advice assistance and support that will be provided once the young person ceases to be looked after.

A young person wishing to discharge a care order prior to their 18<sup>th</sup> birthday will be supported to seek appropriate legal advice.

## 5 Young Person's Request/ Decision to De-accommodate themselves prior to 18th birthday.

It is acknowledged that a young person who is accommodated under Section 20 and whose parents retain parental responsibility can, with their parents consent, return home at any point without giving prior notice. However this is not advised.

## 6 The Leaving Care Process

At the age of 16 all Eligible looked after children become entitled to assistance under the The Children Act 1989 Guidance and Regulations Vol 3: Planning Transition to Adulthood for Care Leavers (Oct 2010) amended 2014. This includes all young people whose Care Plan shows that they are unlikely to return to their family. At this point the Leaving Care Service will provide a personal advisor to liaise with the care leaver and their social worker. The social worker is responsible for developing the Pathway Plan with the young person

The Leaving Care Service holds after care responsibility for all cases relevant for assistance under the terms of the Children Act 1989 Guidance and Regulations Vol 3: Planning Transition to Adulthood for Care Leavers (Oct 2014) including those who qualify under a Special Guardianship Order.

### 6.1 Pathway Planning

#### 6.1.1 Purpose

A Needs Assessment must be completed for all Eligible young people before the age of 16 years and 3 months. Following the Needs Assessment, a pathway plan must be prepared for all **eligible** children and reviewed for all **relevant** and former **relevant** children. Their pathway plan must remain a “live document”, setting out the different services required to meet the full range of the young person’s needs.

The young person should be fully involved in the development of the Pathway Plan. It is their plan and they should have a copy of the plan and subsequent reviews. However at 18 the young person is an adult and may decline to participate in the process. A statutory review chaired by the young persons IRO, must take place before making a decision to confirm that a young person is ready to leave care.

Pathway plans should support care leavers to achieve their aspirations and must have a strong emphasis on supporting their participation in education, training and employment.

#### 6.1.2 Process

- Discussions about the purpose and benefits of a Pathway Plan must take place with all young people from the age of 16 or as soon as possible for a young person who is older when first accommodated.
- The Allocated Social Worker must start the needs assessment be started following the Looked After Children review preceding a young persons 16<sup>th</sup> Birthday and completed no later than 3 months after their 16<sup>th</sup> birthday. Following the completion of the Needs Assessment, a Pathway Plan should be completed in readiness for the first Looked After Children review occurring after their 16<sup>th</sup> birthday. If the young person was over 16 when first accommodated, the Needs Assessment must be completed within 13 weeks of the date of accommodation.
- The Pathway Plan review will replace the Looked After Children Review from the age of 16.

#### 6.1.2 Consultation on preparing the Pathway Plan

The allocated social worker must consult with:

- the parents, other adults with parental responsibility and relevant members of the wider family network;

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- the current carer and any prospective future provider of housing and accommodation support;
- the designated teacher, college tutor or other educational professional who is familiar with the child's learning needs and educational objectives;
- any independent visitor appointed for the child;
- the designated nurse for looked after children or any other medical professional providing health care or treatment named in their health plan;
- any personal adviser already appointed to support the child;
- the child's Independent Reviewing Officer; and
- any advocate acting for the child.

When a young person reaches the age of 18 years the personal adviser will seek their consent to consult with everyone supporting them in order to review their pathway plan.

The views of the young person must be recorded and incorporated into the pathway plan. The plan must also indicate how arrangements to support the young person have taken the views of the others listed above into account

A copy of the plan must be given to the young person. Where agencies are contributing to the delivery of an individual young persons' pathway plan they have a copy of the relevant extract from their plan relative to their contribution. This should be signed by the agency's representative, the young person and their personal adviser, as evidence of commitment to achieving the plan's objectives.

### 6.1.3 Content of the Pathway Plan

Each of the following sections of the pathway plan requires the worker to provide an assessment of the young person's needs.

Dimensions of Need		Plan to include
1.	<b>Where I Live</b>	<ul style="list-style-type: none"> <li>• An assessment of the quality of accommodation where the young person is living / any accommodation under consideration for them to live in.</li> <li>• How far is this suitable to the full range of the young person's needs?</li> <li>• What steps might need to be taken to improve it?</li> </ul>
2.	<b>My Education, training and employment</b>	<ul style="list-style-type: none"> <li>• Statement of the young person's aspirations and career ambitions and actions and support to achieve this.</li> <li>• Access to careers advice.</li> <li>• Education objectives and support – continue to use the young person's Personal Education Plan.</li> <li>• Arrangements to support the young person in further education and/or higher education.</li> <li>• Support to enable suitably qualified young people to enter apprenticeships, make applications to university or gain necessary qualifications.</li> <li>• Arrangements for work experience, career mentoring or pathways into employment etc.</li> </ul>
3.	<b>My family friends and people who are important to me.</b>	<ul style="list-style-type: none"> <li>• Assessment of the young person's relationship with their parents and wider family.</li> <li>• Contact with family – carried across from care plan.</li> <li>• Young person's relationship with peers, friendship network and significant adults. Strategy to improve any negative features of these relationships.</li> <li>• How all these relationships will contribute to the young person making a successful transition to adulthood and how they will assist with integration into the community that they identify with.</li> </ul>
4.	<b>My Independence skills</b>	<ul style="list-style-type: none"> <li>• The young person is adequately prepared with the full range of practical skills they will need to manage the next planned move towards greater independence.</li> <li>• The young person is prepared for taking greater responsibility as they are expected to manage more independently.</li> </ul>
5.	<b>My Money</b>	<ul style="list-style-type: none"> <li>• Assessment of care leaver's financial needs and their financial capability. Does the young person have a bank account, national insurance number, and appreciate the value of regular saving etc. Do they have access to financial support and adequate income to meet necessary expenses?</li> <li>• Pathway plan must include a statement of how the authority proposes to maintain a relevant child, the arrangements in place for the young person to receive financial support and contingency plans.</li> <li>• Statement of financial assistance to be provided to a former relevant child.</li> </ul>
6.	<b>Me Staying Safe</b>	<ul style="list-style-type: none"> <li>• Safety online</li> <li>• Safety in the community</li> <li>• Personal Relationships</li> </ul>
7.	<b>My Health</b>	<ul style="list-style-type: none"> <li>• Use of primary healthcare services.</li> <li>• Arrangements for the young person's medical and dental care according to their needs making reference to the health plan established within the care plan in place when the young person was looked after.</li> <li>• Access to specialist health and therapeutic services.</li> <li>• Arrangements so that young person understands the actions they can take to maintain a healthy lifestyle.</li> <li>• Opportunities to enjoy and achieve and take part in positive leisure</li> </ul>



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		activities.
3.	<b>How I feel and how I react to things</b>	<ul style="list-style-type: none"> <li>• How the authority will assist the young person to develop self esteem and maintain positive attachments.</li> <li>• Does the young person display self esteem, resilience and confidence?</li> <li>• Assessment of their capacity to empathise with others, reason and take appropriate responsibility for their own actions.</li> <li>• Capacity to make attachments and appropriate relationships; show appropriate emotion; adapt to change; manage stress; and show self control and appropriate self awareness.</li> </ul>
4.	<b>Who I am</b>	<ul style="list-style-type: none"> <li>• How the authority intends to meet any of the young person's needs arising from their ethnicity, religious persuasion, sexual orientation.</li> <li>• How does the young person understand their identity stemming from being a child in care and a care leaver?</li> <li>• How the authority will assist the young person to obtain key documents linked to confirming their age and identity.</li> </ul>

### 6.1.4 Review of the Pathway Plan for relevant and former relevant children

All Pathway Plans for **relevant** and **former relevant** young people should be reviewed at a minimum interval of six months

Where the young person has moved into new accommodation their Personal Adviser should visit them within seven days and then again after 28 days when the Pathway Plan will be reviewed in accordance with the above procedure.

Where a **relevant** child (or **former relevant** child) moves to unregulated accommodation (i.e. accommodation that is not regulated under the Care Standards Act 2000 and is not inspected by Ofsted), then the first review of the pathway plan must take place after 28 days. Apart from ensuring that the pathway plan continues to respond to all the dimensions of the young person's needs, one of the essential functions of this review will be to establish that they have settled into their accommodation and that this is, in practice, suitable in the light of their needs and vulnerabilities.

### 6.1.5 Chairing Reviews for relevant and former relevant young people

The Manager of the Leaving Care Service must scrutinise a review completed by the Leaving Care Service, with or without the involvement of the young person. This would be particularly relevant where the young person does not want to co-operate with a review or practical reasons, such as distance or availability make it impracticable to meet.

The Manager of Leaving care Service will scrutinise the effectiveness of the plan and the quality of the support provided to each care leaver, to enable them to meet their goals and aspirations and achieve the outcomes agreed and recorded in their pathway plan. The review must offer a forum to enable to professionals concerned to challenge the progress of the pathway plan and must never merely become a sterile box ticking exercise.

The format of reviews of pathway plans will depend to a certain extent on the views and wishes of the young person themselves. These may be discussed at a Virtual Leaving care Team (a multi agency meeting focussing on the needs of care leavers.) meeting as appropriate.

## **7 Action following LAC Review at 15 1/2 years**

A representative from the Leaving Care Service will be invited to the first LAC review held after the young person reaches 15 1/2 years and to all subsequent LAC Reviews. Whilst the young person remains looked after the social worker will retain responsibility for the statutory review process. A named worker will be appointed for each young person at 15 1/2 years, who may subsequently undertake the role of personal adviser for the young person. They will also keep themselves up to date through the case record on Mosaic.

## **8 Transfer from the Over 11's Team to the Leaving Care Service.**

Regular liaison will take place between the ATMs of the CLA teams and the Manager of the Leaving Care Service. Providing that all relevant tasks have been completed by the transferring CLA team, a case will transfer on the young persons 18<sup>th</sup> birthday. Prior to transfer the pathway plan must be uploaded on to the case management system (MOSAIC) and a leaving care risk assessment must also be prepared and uploaded by the transferring CLA team. The Leaving Care Service allocated Personal Advisor is required to familiarise themselves with the pathway plan and the risk assessment immediately upon transfer of the case, and also to familiarise themselves with relevant background information about the case. Following transfer at 18, the leaving care risk assessment must also be reviewed at the same frequency as the pathway plan, unless there is a significant change at which point it must be reviewed and updated immediately.

## **9 Care Leavers with Disabilities**

### **9.1 General**

The Children Act 1989 Guidance and Regulations Vol 3: Planning Transition to Adulthood for Care Leavers (Oct 2010 amended 2014) are intended to improve and lengthen the transition process for all looked after young people, and to also help meet the transitional needs of young disabled people who are looked after.

### **9.2 Pathway Plans and Transitions**

The transition planning process must take account of the developmental process that is occurring for all disabled young people as they move towards adulthood. This process must place the young people at the centre in order to ensure that any plans made genuinely reflect the individuals' wishes. It is vital to provide the young people and their parents and carers with good information throughout, both about the stages in the process and the range of options for the future.

The needs of a young person who has a disability will have been considered by the Transition Panel since age 14. A transition plan will have been developed and monitored at the young person's annual school review. As a planning process, transition is complex and may involve a range of different service providers.

For disabled young people who are also looked after by the Local Authority the Transition Plan alone, as completed for all disabled young people, may not address all the relevant areas of need. The accommodation and additional post 16 support needs will also need to be assessed and plans made to meet them.. A Pathway Plan will be drawn up, according to

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the procedure set out in 2.5.1 because in the case of a child with disabilities who has been a looked after child and qualifies for after care, it is the *Pathway Plan* that is the statutory plan which meets the requirement under the 2014 Regulations. The transition plan cannot be substituted for a pathway plan.

### 9.3 Personal Advisers for Disabled Care Leavers

When carrying out the role of Personal Adviser the person appointed must not be the budget holder in respect of the young person for whom they act as personal adviser. The personal adviser must be able to advocate on behalf of the young person, challenge the Local Authority where necessary and be free to review the Pathway Plan to ensure it meets the young person's after care needs in full. If the personal adviser is not free to be in a position to undertake their role in this way, then an alternative person needs to be appointed who is sufficiently independent to act as advocate.

Arrangements will vary from case to case according to assessed need. In some cases the role will be more of a co-ordinating and support role rather than a direct role, for instance where the young person is funded in an external placement providing a comprehensive service. However, the Personal Adviser service must be in place for all cases and the young person's needs carefully monitored.

If a young person is eligible for support from Adult Social Care & Health the allocated Social Worker will work in partnership with the Personal Advisers.

All relevant professionals, and family as appropriate, must be involved in the development and review of Pathway and Transition Plans This should always include at least one person who is able to meet a young person's communication needs and have a clear understanding of their needs and wishes.

### 9.4 Transitions Support after 18 Years of Age

Post 18 the Pathway Plan will be monitored by the Personal Adviser where this has been agreed as part of the Pathway and Transition Plans. Overall responsibility for the review of Pathway Plans rests with the Leaving Care Service.

Care leavers with disabilities will participate fully in planning and be involved in making choices and developing their lives as adults in the same way as non disabled care leavers. The Council will always consider how best to ensure that this happens, particularly in the case of care leavers who have communication difficulties and lack capacity. Where appropriate, care leavers with disabilities should be enabled to gain access to advocacy services.

It is important to note that at age 18 all care leavers cease to be eligible for income maintenance support from the Children's Social Care. In all circumstances disabled care leavers must be supported to claim all benefits to which they are entitled, including payments from other sources not available to non-disabled care leavers. Support for the education, training and employment of disabled care leavers post 18 under the 2014 Regulations may also apply. This will depend on the actions already set out in the Transition Plan and the availability of different benefits.

## 10 Care Leavers Who Become Parents

When Care Leavers become parents the PA's role will include support to develop parenting skills and contributing to safeguarding the baby.

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The PA should attend all relevant meetings regarding the unborn baby / baby and contribute to the plans in place for the unborn/ baby. Should the PA not be invited this should be escalated to management as soon as possible so that this can be addressed.

If PAs do not agree with the plan in place their views must be expressed at each meeting regarding the care leaver, unborn baby / baby and escalated to LCS management. If PAs do not agree with the recorded minutes of any meeting regarding the care leaver, unborn baby / baby then a correction must be sent to the allocated worker of unborn baby / baby and recorded on both care leaver and unborn baby/ baby's file as a case note.

All challenges and disagreements between professionals regarding plans should be recorded on case files for the mother/father and baby.

If the care leaver refuses to meet with the PA during their pregnancy this should be escalated to management.

When the baby is born the PA will attempt to visit the mother / father and baby at least once a week for the first three weeks, thereafter visits will continue as and when required or at least every 10 – 12 weeks.

If a mother / father refuse to allow the PA to see them and the baby at their own home address (where they are living with baby) on two separate occasions then this is to be communicated to the manager of the Leaving Care Service and the relevant social worker in the Under 11 team. If the child is not open to the Under 11 team, guidance should be sought from management.

All case notes are to be recorded on the care leaver and the unborn baby/ baby.

Joint Supervision with Under 11s will take place at the invite of the allocated social worker / family worker from the Under 11 team for the unborn when the pregnancy is at 8 months and for one month post birth.

Advice on Safer Sleeping, consistent with that given by midwives and health visitors, <http://www.lullabytrust.org.uk/professionals/promoting-safe-baby-care/> should be reinforced at visits.

## 11 Unaccompanied Children from Abroad

Unaccompanied children from abroad who are looked after by local authorities are entitled to the full Leaving Care Service provision pursuant to The Children Act 1989 and Guidance and Regulations Vol 3: Planning Transition to Adulthood for Care Leavers (Oct 2014). i.e. They are entitled to the same after care services as any other eligible, relevant or former relevant young person.

### 11.1 Young People Seeking Asylum

In those cases where a young person is seeking asylum please refer to Bracknell Forest Council's Unaccompanied Asylum Seeking Children Policy and Procedure for full details.

### 11.2 Young People who have lodged valid immigration appeals

A young person who has lodged a valid immigration appeal will be entitled to same services until the appeals process has been exhausted. However, it should be noted that local authorities have a duty to continue to provide after care services to a young person whose immigration appeal(s) have been refused up until the Border Force have issued specific removal directions. If the young person fails to co-operate with the specific removal

directions then the local authority's duty ceases. In such circumstances, the young person should be referred to the Home Office for continued support under S.4 of the Immigration and Asylum Act 1999

### 11.3 Legal Advice re: Immigration Status

The law with regard to person's who are subject to immigration control is complex and subject to constant changes in legislation and developing case law. In those cases where legal issues in regard to a young person's immigration status arise, legal advice should be sought from Bracknell Forest Council's Legal Services. In particular, legal advice should be sought from Bracknell Forest Council's Legal Services if a young person, subject to immigration control, no longer has leave to remain in the UK, for example, where a asylum applicant's immigration appeal rights have been exhausted.

## 12 Young People in the Process of Appealing Leave to Remain

While young people are in the process of appealing leave to remain the Local Authority will continue to support with rent and personal allowance in line with need assessed in their pathway plan. Consideration must also be given to a young person's ability to meet their legal costs as part of their pathway plan. On occasion, when young people are waiting to be deported this support will continue until they leave the country. Workers are expected to liaise with Border Force to ensure plans for deportation are followed through.

### 13 Procedure when Appeals are Exhausted (ARE)

Children's Social Care will be required to support a young person after all appeal rights have been exhausted up until the point where a young person fails to comply with removal directions issued by the Border Force. Where a young person fails to comply with removal directions support can be withdrawn and the young person referred to the Border Force for hardship support pursuant to Section 4 of the Immigration and Asylum Act 1999.

The duty to support will be limited up to age 21 in the case of a former relevant child unless in education of training, etc. Prior to reaching 21 the young person should be supported and referred to the Border Force for Section 4 hardship support as the LA's statutory duties will cease upon reaching 21 (unless in education or training etc).

#### 13.1 No Recourse to Public Funds (NRPF)

Former unaccompanied asylum seeking children (UASCs) whose asylum claims have been refused and whose appeal rights are exhausted have NRPF. In these circumstances the duties of the Local Authority to provide leaving care services will be limited, and subject to a Human Rights Assessment. A human rights assessment must be completed for authorities to receive the extra three months funding from the Home Office currently provided for cases that become appeal rights exhausted.

Local authorities may have a duty to support a former UASC under Section 23C CA if they:

- Have not yet received a decision on their asylum claim;
- Are A.R.E. but originally applied for asylum at port of entry and were never granted Discretionary Leave to Remain;
- Have submitted fresh representations;
- Face practical obstacles to returning to their country of origin;

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- Have accepted an offer of voluntary return and are awaiting departure.

### 13.2 Human Rights Assessment Form

This form (Appendix 2) is designed for use in relation to requests for a needs assessment or resources from service users who are subject to immigration control and have no recourse to public funds under s.115 Immigration and Asylum Act 1999 and who fall within the restricted categories in Schedule 3 of the Nationality, Immigration and Asylum Act 2002. 1

Specifically, this form has regard to the following Articles of the European Convention on Human Rights:

- Article 3, prohibition of torture or inhuman or degrading treatment or punishment; and
- Article 8, right to respect for private and family life.

Article 3 is an absolute right. There are 5 components to Article 3: inhuman treatment, degrading treatment; inhuman punishment, degrading punishment; torture. There are two key issues in relation to Article 3: (i) whether the facts of a service user's claim fit into one of the 5 components of article 3 and (ii) the need to show a minimum level of severity for Article 3 to be engaged. More detailed guidance is available online here.

Article 8 grants a right to respect for private and family life, home and correspondence. The right to respect for private life can include medical issues and education. Article 8 is a qualified right. Public authorities are prohibited from interfering with the Article 8 right except where the grounds for interference are in accordance with law, they pursue a legitimate aim and they are necessary and proportionate. The following are legitimate aims: the interests of national security, public safety or the economic well-being of the country, the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others. Detailed guidance is available online here.

<http://www.nrpfnetwork.org.uk/guidance/Pages/default.aspx>

## 14 Identification

Subject to the immigration status of the young person and the policy and procedures of the issuing authority, It is essential that all young people have at least two of the following forms of identification:

- National Insurance Number
- Birth Certificate
- Passport or Home Office Travel Document
- Driving licence

All young people should receive their National Insurance number and card by the age of 16 years. The social worker, or exceptionally, Leaving Care Service worker should apply for this through writing to the National Insurance office on their behalf.

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It is the policy of Bracknell Forest Council to assist all looked after young people to acquire a valid passport or travel document. However, this will be dependant on the immigration status of the young person and the policy and procedures of the issuing authority. Where the young person's immigration status is impacting on the issuing of a passport or travel document, the young person will be supported to seek legal advice from an immigration lawyer / immigration advisory service..

A copy of their birth certificate should be available on file.

The above documents must be given to the young person when they leave care. It is advisable to have photocopies on file and to record the numbers of the documents.

Each young person will be requested to sign an authorisation giving the Leaving Care Service permission to discuss their situation with a range of other agencies. Within Bracknell Forest an Information Sharing Protocol and Authority has been agreed. A copy is attached in Appendix One.

## 15 Planning Financial Assistance

### 15.1 General

Bracknell Forest's financial approach for care leavers mirrors the types of support that families provide, is flexible to meet the individual needs of each care leaver and recognises that care leavers are often required to be financially capable and competent early in their adulthood. Bracknell Forest seeks to support young people to manage their financial resources and money gradually helping them to take responsibility for themselves but recognise that the process of successful learning may involve learning from mistakes, taking risks and a requirement that a second chance with related financial support may be required.

All planning of financial assistance for care leavers should include assessment of the following before any decision is made:

- Whether the request is consistent with the aims of the Pathway Plan for the young person. Initial Pathway Plans should be very clear about financial arrangements and reviews should modify / update these arrangements as necessary,
- Whether the young person is able to finance the item or request by themselves,
- Whether it is appropriate to approach birth parents to request financial help.
- Whether there is an available grant from educational, training, benefit or trust income that can be applied for.

### 15.2 The Assessment of Financial Need

The Pathway Plan will set out the personal support package required to meet the young person's plan. The level of financial support will be based on a full assessment of the young person's needs and aspirations. It is recognised that these needs and aspirations may change as the young person matures and experiences independent living. All care leavers should be provided with a full understanding of the resources, including financial support, that are available to them, including Benefits Agency, universal grants, specialist grants and the allowance and payments provided by Bracknell Forest Council.

### 15.3 Financial Support for Care Leavers with Disabilities

Care Leavers with Disabilities retain the same entitlement to support under the 2014 Regulations as all other young people and are entitled to extended advice and support until the age of 24. This includes the provision of a Pathway Plan and access to all relevant financial support, where funding is not available from benefits or other Care Packages. Those young people requiring residential care or high level support will have access to benefits and funding through the Adults Services Teams, so they do not require additional Leaving Care Funds. There should be no duplication of funding and any Community Care entitlements from the Adult Services Team override those within the Leaving Care Act.

### 15.4 Income Maintenance: 16 & 17-year-olds

#### 15.4.1 Duties

Under the arrangements put in place by the Children Act 1989 Guidance and Regulations Vol 3: Planning Transition to Adulthood for Care Leavers (Oct 2014), local authorities have the primary income maintenance role for both **eligible** and **relevant** children:

The contribution of young people aged 16 and 17 years to their accommodation and maintenance will be means tested. However, the financial support levels for **eligible** and **relevant** young people will not be below the level of benefit support to which they would be entitled if they were not a care leaver in those categories. The level of payment will be subject to annual review, adjusted according to inflation and national benefit award, and agreed at CSCMT

#### 15.4.2 Entitlements

**Eligible** and **relevant** care leavers will be supported to enable them to take part fully in their community by meeting their income maintenance needs. Such costs must be clearly specified in the young person's Pathway Plan.

Costs will be met by the local authority for:

- personal allowance matching the relevant Jobseeker's Allowance commensurate with the care leaver's age and needs;
- other expenses relating to the support of family and social relationships, such as contact with family and reasonable transport costs on public transport, based on assessed need.

#### 15.4.3 Methods of payment

All **eligible** young people should open their own Bank Account prior to transferring to the Leaving Care Service. Maintenance allowances for all young people in Education/Employment or those living away from Bracknell should be paid directly into their bank accounts unless there are exceptional circumstances.

Decisions on which elements of the financial assistance will be paid directly to the young person and which will be managed on their behalf should take account of the individual needs and abilities of the young person. Such decisions should take full account of the views of the young person and be set out in the Pathway Plan, together with details of what payments are to be made.



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Unaccompanied Asylum Seeking Children cannot open a bank account until they have been granted legal status to remain. Other arrangements will need to be put into place according to individual circumstances.

### 15.4.4 Income from Employment

Weekly maintenance sums paid by BFC will take into account earnings of care leavers in employment. Where available and appropriate, young people will be expected to access benefits, grants etc. to contribute towards these costs. See appendix six

### 15.4.5 Seeking Work

Young people aged 16-17 who are unemployed and receive a maintenance allowance from the Leaving Care Service will be encouraged into a 'work ethic'.

Those young people who have been actively trying to obtain work or education will receive their full weekly allowance, either in cash or into their bank account. Those who have not evidenced effort will have part of their allowance paid in food or other vouchers.

## 15.5 Exceptions to the duty to maintain

**A Relevant** child who has returned home for a period of 6 months or more (whether that period commenced before or after the child ceased to be looked after) will no longer be a relevant child and is therefore exempt from the duty to maintain as a relevant child. However, the child may still be entitled to continuing advice, assistance and support in accordance with any relevant care plan. If the arrangements within the family home breakdown, the child will resume the status of a relevant child if they are accommodated again for sufficient time within the age range.

In addition young people who are looked after on a series of short-term placements (less than 4 weeks) will not be defined as **relevant** children even where the total period looked after is more than 13 weeks. If those young people have received respite care, where an individual break lasts more than 17 days and the total exceeds 75 days in one year and is therefore regarded as looked after, the local authority's responsibilities under Section 24 of the Children (Leaving Care) Act, as amended, will remain.

## 15.6 Disqualification from benefits

**Eligible** and **relevant** young people who are not parents or disabled will not be entitled to the majority of benefits.

Lone parents and disabled children will continue to be eligible for certain benefits due to them because of their disability or parental status. Independent advice from a welfare rights specialist should be sought to assist in potential claims for benefits. (8.34 of The Children Act 1989 Guidance and Regs Vol 3.)

Receipt of benefits will always be taken into account when assessing the needs and drawing up the Pathway Plan for these young people.

## 15.7 Care Leavers in Custody

If a young person is on remand or serving a custodial sentence they will be fully maintained within the institution and so will not be entitled to a personal allowance. Requests for exceptional payments for items such as clothing and educational equipment will be considered in line with current procedures for other care leavers. In appropriate cases, care

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leavers in custody will also be supported to apply for any relevant educational bursary prior to release if they have a confirmed college course on release.

In order to maintain and facilitate contact with family and professionals it is possible to send stamps and stationery to the young person for their use whilst in custody. Individual institutions will need to be contacted for information about their internal procedure for this.

Assistance with arrangements for release will be considered in accordance with relevant procedures and entitlements.

### 15.8 Other 16 and 17 year olds who remain entitled to benefits

16 and 17 year olds who do not meet the **qualifying** period to become an **eligible** or **relevant** will remain entitled to benefits. In addition, the local authority may provide them with assistance in kind or, in exceptional circumstances, in cash (S24A) to meet their particular needs.

It is expected that all young people aged 16 and 17 who are in full time education will claim a care leavers bursary from the local authority and will make full use of any financial and practical support available from within their chosen educational establishment.

Care Leavers can make early claims for most benefits prior to their 18<sup>th</sup> birthday and should be supported to do so.

### 15.9 Information and Advice on Benefits

Workers from all teams including the Leaving Care Service are expected to maximise the take up of benefits as part of any assessment for financial support from the local authority.

All care leavers are able to access comprehensive information regarding benefits with assistance from the Leaving Care Service, and a suitable selection of information leaflets and publications is available.

## 16 Leaving Care Grant

Bracknell Forest seeks to provide equitable support for all care leavers and has set the financial amount £1500 based on the cost of purchase of a range of items that are needed to live independently.

Payment towards these expenses is subject to supervision and based on a need assessment and reasonable cost. As young people approach independent living beyond the age of 17 they may access the allowance in order to set up permanent accommodation in preparation for reaching 18. The personal adviser from the Leaving Care Service must agree to any expenditure from the allowance and ensure that this is spent for the purpose of setting up home

The allowance is not intended to be used to meet accommodation costs, or costs of personal support, although the Head of Service for Leaving Care has the discretion to agree to this in exceptional circumstances.

### 16.1 Payment of the Leaving Care Grant

There is a great deal of flexibility in distributing the allowance: The allowance can be used at any time whilst the young person is **former relevant**. It will be provided in instalments to purchase goods and equipment as it is needed. The personal adviser should work with the young person to decide the best way to spend the grant as part of the Pathway Planning

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process; individual details of spending will be recorded and managed by the Leaving Care Service.

Some young people will remain in very stable placements and may not move to full independence until they are no longer entitled to leaving care support at 21 (or 24 in some circumstances). The Social Workers and personal adviser must ensure that the care leaver is aware of the availability of the Setting Up Home allowance in order to enable them to make a fully informed decision about their pathway plan.

### 16.2 Supervising the Young Person's Spending

Young people should be encouraged to control and make payments themselves, but must be accountable for their spending, showing receipts etc. to the Leaving Care Service worker. Where there are concerns that finance might be used for purposes other than those agreed in the young person's Pathway Plan, other methods of payment may be necessary. Where agreement cannot be reached between the young person and the Leaving Care Service worker about payment methods, the Head of Service should be consulted.

### 16.3 Removal Methods and Costs

A one-off grant may be requested from the Team Manager for the move of a young person's personal belongings to new accommodation. Contribution towards removal expenses for subsequent or additional removals may be made with the agreement of the Head of Service. As a signatory to the No Bin Bag charter of A National Voice, Bracknell Forest Council is committed to ensuring that young people's personal belongings and other possessions are not transported in bin liners. As a result, Social Workers / Personal Advisers should ensure that children and young people have access to a suitcase, holdall or gym bag to transport their belongings. For young people who have subsequent moves, funding for the removal and storage costs can be accessed using Budgeting Loans from the Social Fund.

### 16.4 Storage Costs

The Leaving Care Service will provide support where young people may, at certain times, require their possessions to be stored securely. A maximum of 4 weeks of formal storage (plus any deposits or insurances which come with this service) will be paid over the time that the young person is entitled to financial support from the Leaving Care Service. At least two quotes should be obtained from storage providers. Any extensions for a storage period or additional periods of storage must be identified within a Pathway Plan review and approved by Team Managers. The Leaving Care Service will not pay to store items for longer than three months in any one period.

In the event of storage being required for longer periods (e.g. due to prolonged homelessness, a custodial sentence or period of detention under the Mental Health Act) options within BFC for storage facilities must be explored and, in certain circumstances, the option of selling furniture and purchasing new at a later date must be discussed with the young person. Funding for additional storage costs can be sought from the Social Fund.

Fundamentally, young people retain overall responsibility for the storage of their possessions, regardless of their circumstances. The Leaving Care Service will only offer limited assistance.

### 16.5 Maternity/Paternity Grant

Young People who claim certain benefits are eligible for a £500 Sure Start Maternity Grant, payable for their first pregnancy only. <https://www.gov.uk/sure-start-maternity-grant> All Care Leavers who are eligible for this grant should be supported to claim it. For those Care Leavers ineligible for this Grant by virtue of their employment or training status, the Leaving Care Service will provide an equivalent grant of £500 to purchase essential items, for their first-born child. Subsequent pregnancies will not qualify for further grants. First time fathers whose partner has claimed the Sure Start Maternity Grant but who do not reside with the child, may be eligible for a Paternity Grant dependant on identified need. This is at the discretion of the Head of Service.

### 16.6 TV Licences

All **Relevant** and Formerly **Relevant** young people are entitled to 1 year's TV licence fee. The young person should be advised about budgeting for subsequent years' TV licences so that they can pay the fee themselves in the future.

### 16.7 Home contents insurance

All **relevant** and Formerly **Relevant** young people are entitled to one year's basic Home Contents Insurance. Advice can be obtained from the Leaving Care Service Personal Adviser or Look Ahead Housing for the recommended provider. Young people will be encouraged to budget so that they can afford subsequent years' premiums themselves.

### 16.8 Leaving Care Grant applications for Young People in Custody

Young people who serve custodial sentences or are otherwise detained and are thus prevented from accessing their Setting Up Home allowance prior to their 21<sup>st</sup> birthday, can have their funds 'held' for them until the age of 24 years to maximise the opportunity for support. This needs to be recorded in their case notes and monitored by the Team Manager

### 16.9 Moving in Gift

Upon moving into their first permanent accommodation, each young person will receive a card and a small household gift (pot plant or equivalent) costing no more than £20 to celebrate their achievement. It is the responsibility of the Leaving Care Service worker to action this.

## 17 Care Leavers who Return Home

When the young person returns home to live with parent/s the LA must, in accordance with Reg 39 of the Care Planning, Placement & Case Review Regs 2010, amended 2015, carry out an assessment of the support and services required by the young person before ceasing to look after them, and set out an appropriate plan to meet those needs. The plan may include the provision of practical advice and support from the Leaving Care Team and assistance to the parent in negotiating any financial contribution to be made by the young person towards their maintenance. In some circumstances the plan may also include accommodation costs and maintenance allowance and funds for equipment e.g. bedding.

The child/family will always be advised to access appropriate mainstream benefits and grants as appropriate.

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After a period of 6 months living with a parent (or somebody with parental responsibility), the young person will no longer be a relevant child and is therefore exempt from the duty to maintain as a relevant child, however the care plan in place is not time limited and may go on beyond six months. If the arrangements at home break down after that six month period and before the young person's 21<sup>st</sup> birthday the Leaving Care Service will reassess and agree with the young person and family whether, and what, further assistance is necessary.

## 18 Accommodation Support

### 18.1 Overall Entitlements

The Children Act 1989 Guidance and Regs Vol 3. Planning Transition to Adulthood 2014 requires local authorities to provide a range of appropriate, affordable and safe accommodation options for care leavers.

### 18.2 Housing and Accommodation

It is anticipated that the majority of looked after young people studying after the age of 16 years will be in foster care, a staying put arrangement, supported lodgings or residential care. There will be a need to give extra consideration to those young people who are not in foster care and who may not be in an environment that is conducive to meeting their educational needs. These needs should be identified by the Personal Adviser and be included in their Pathway Plan review.

Social Workers and Personal Adviser should ensure that accommodation support needs are included in the Pathway Plan.

In emergency situations, Social Workers and Personal Adviser should, before making a commitment for resources, consult their manager who may then refer to the Head of Service, Leaving Care, if required.

Costs may be met by the local authority as follows:

Young People aged 16 and 17	Young People aged 18+
Monthly rent for <b>Relevant</b> Young People who are not in full-time employment at the local mid-range housing benefit rate, unless in supported accommodation or remaining in foster care.	Care component in Supported Accommodation if a full-time student claiming Housing Benefit.
Wherever there is entitlement to benefits such as DLA or Income Support, the amount of benefit received will be taken into account when assessing if any financial support from the Leaving Care Service is required, if the young person is no longer looked after..	Emergency costs which have been discussed with Team Manager.
Weekly allowance (at the same rate as JSA) paid to young people who are not in full-time employment. This is to cover food, utilities (where living independently), clothing,	Furnishing through the Setting Up Home allowance to ensure sleep, warmth, food preparation, care needs and personal safety

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socialising, travel and sundry expenses.	
Care component in supported accommodation where Community Care assessments are not applicable;	
Reasonable underwriting of rent payment to a maximum of one year and/or one month advance rent and deposit;	
Property administrative fees where reasonable and appropriate;	
Furnishing through the Setting Up Home allowance to ensure sleep, warmth, food preparation, care needs and personal safety;	
Discretionary 'cold weather' payments in line with the allowances paid by the Department of Work and Pensions	Discretionary 'cold weather' payments in line with the allowances paid by the Department of Work and Pensions

### 18.3 Post 18 Accommodation Planning

It is the responsibility of the allocated social worker (Over 11's Team, Disabled Children's Team) to ensure that post-18 accommodation plans are fully discussed and addressed in the Pathway Plan and that all relevant parties have been consulted and are in agreement at least 3 months prior to a young person's 18<sup>th</sup> birthday (or their de-accommodation if this is earlier). Any financial support required within these plans must be set out in detail.

In addition Schedule 6 of the care planning regulations requires that if any Eligible, Relevant or Former Relevant young person plans to move into unregulated accommodation a risk assessment must be undertaken, completed in partnership with the young person, to assess the suitability of the accommodation to meet their identified needs. See appendix five.

Advice on options for young people can be obtained from the Leaving Care Service. **NB Adults' Services must be fully consulted from the age of 15+ where there is a possibility that the young person may need Social Care support beyond the age of 18. See Transition Policy**

### 18.4 Staying Put

The Children and Families Act 2014 introduced a new duty on local authorities to support young people to remain with their former foster carers once they turn 18, called Staying Put. This came into force from May 2014. Staying Put (SP) can be in place until a young person is 21 years of age. The scheme is for former relevant children who require an extended period of time with their carers due to delayed maturity, vulnerability and / or in order to complete education or training. Where a young person has an on-going cognitive disability and meets the Adult Services Fair Access to care services, Adult Services will be responsible for their plan. See the BF Staying Put Policy and Procedures for full details of the scope of this arrangement.

### 18.5 Care Leavers with Disabilities

Where the young person meets the criteria for Adult Services and needs care, it is not possible to continue living with former foster carers in a Staying Put arrangement. Unless formally recognised by Adult Services, the placement becomes an unregistered adult care placement, subject to inspection or penalties from the Care Quality Commission. In these circumstances, the young person must be moved to an appropriate adult placement, or the carer must be registered as an adult carer.

It is possible to have dual registration, though obviously both Adult Services and Children's Social Care have to consider the implications arising from a mixture of adults and children being looked after in the same home. In some circumstances, direct payments may be arranged for the young person to lodge in the home of the former carer. This direct payment would be paid to the young person, who may contract the carer or other people and resources to provide personal care. Specialist advice should be sought from Adult Services and Children's Services through the transition process for the young person (please refer to the Council's Transitions Policy) Early planning is the key to a successful outcome in these situations.

### 18.6 Housing Services from BFC

The young person's social worker must ensure that looked after children who will be seeking accommodation from Bracknell Forest Council post 18 have been registered on the Housing Waiting List. Registration can take place from their 16th birthday but this does not guarantee independent accommodation at 18.

All housing applications from care leavers to Bracknell Forest Council should be made to the Housing Options Team at Bracknell Forest Council. Applications should be accompanied by a covering letter from Children's Social Care confirming the department's involvement with the young person. Application forms are also held by the Leaving care Team.

Lookahead Housing currently offer supported housing projects for young people. Referrals are made through the Young Person's Resource Panel and social workers are expected to refer young people before their housing need reaches a critical stage.

Homeless care leavers can also access Housing Options for support in accessing alternative accommodation.

Where a young person has been accommodated away from the area they may decide that they wish to remain there. They should be supported to make an application for housing in that area and will be assessed according to the voluntary LA Local Connection Agreement guidelines. They should be also be encouraged, where appropriate, to make an application to Bracknell as they retain their rights, as a Bracknell young person, to services from Bracknell Forest Council. Each case will be independently assessed by the host authority.

Where a young person chooses to remain in the area where they were placed the social worker must write to the Host authority giving details of that young person and acknowledging Bracknell Forest Council's continued responsibility. The letter should give the details of the team who have case responsibility to ensure that contact may be made on the young person's behalf at times of difficulty.

### 18.7 Local Housing Allowance

A choice of accommodation should always be considered; rental costs should be considered to ensure the young person can sustain themselves after support from the Leaving Care Service ceases. This means ensuring that the rental cost is in line with local Housing Benefit allowances.

NB. Young people leaving care are exempt from the Housing Benefit Single Room Rate allowance until the age of 22. These benefits are liable to review.

### 18.8 Financial Assessment for contributions from Employed Young People

Care Leavers aged 16 & 17 years who are employed and are living in accommodation where they are liable to pay rent will need to make an additional payment towards the overall cost of their accommodation from their wages. The amount they pay is worked out according to the amount they earn. See Appendix six.

BFC provide an online benefits calculator at <http://bracknellforest.teamnetsol.com/index.jsp>.

### 18.9 Privately Rented Accommodation

Wherever possible arrangements for privately rented accommodation should be made through the local housing office.

In rare circumstances the landlord may require a guarantor for the tenancy. Where the Leaving Care Service worker has exhausted all possible alternatives they should apply to the Head of Service Leaving Care for an initial decision. The worker should first send the proposed contract to the Council solicitor and before consideration and authorisation by the Head of Service.

In certain circumstances, where there are no other alternatives through the housing department or family, the Council will consider paying the deposit for private rented accommodation for **relevant** young people

Where rent is paid by Council the Leaving Care Service will pay rent directly to the landlord or landlord's agent. The Leaving Care Service will also work with the young person to ensure that rent guarantees and damage deposits paid to landlords and housing associations are recovered or transferred at the end of the contract. Written arrangements, including an inventory list, must be in place to secure the deposit.

Regarding Rent Guarantees and Damage Deposits, once the inventory has been signed, a deposit may be paid to the landlord or landlord's agent, and placed with an approved deposit protection scheme as required by legislation. This must be returned to the local authority upon termination of the contract. It is important to recognise that the local authority will always place limits on any liability for rent arrears or damage and a timescale for the end date of the rent guarantee. The Social Worker or Leaving Care Service PA must discuss this with the Leaving Care Service Manager before negotiating or agreeing amounts.

Where the Council pay rent directly to a landlord, the Leaving Care Service worker or Social Worker is responsible for notifying the landlord of any changes/cessation in payments.

For young people seeking Privately Rented Accommodation where the Leaving Care Service will not be funding, they should be referred to the leaflet 'A guide to Private Rented Accommodation' produced by the Leaving Care Service.



### 18.10 Inventory

Before a housing deposit is made, the Social Workers / Leaving Care Service workers and the young person must conduct an examination of the property to accurately record its condition. The inventory and an accompanying cover letter setting out the terms and conditions of any payments should be signed on behalf of the Leaving Care Service by the social worker or Leaving Care Service worker and the landlord / landlord's agent to confirm it is an accurate report. All parties should retain a copy of the document; a copy must be kept on the young person's file in case of claims against the deposit. Where the young person is over 18, there will be a need to ensure that their wishes are taken into account. For example, they may not wish the landlord to know that the local authority is involved, in which case the Council will have limited involvement in the arrangement.

### 18.11 Paying Bills

In addition, the Social Worker or Personal Adviser should work with the young person to ensure that notifications are sent to utility providers to ensure that bills are stopped when accommodation ceases.

### 18.12 Living with Friends or Extended Family

Where a **Relevant** or **Former Relevant** (in education) young person chooses to live with friends or extended family as a lodger post 16 Children's Social Care will consider financially supporting the arranging on the following basis:

- The person providing the accommodation must undergo a DBS check, if the young person is under 18, and must consent to a basic Health and Safety check of the premises.
- The young person must have a permanent bedroom (even if this is a shared room) and must have use of a kitchen and bathroom.
- A contract detailing the arrangements should be drawn up.

Once this process has been followed and the necessary checks completed satisfactorily, Children's Services may agree to pay rent based on the Local Single Room Rate Allowances. If the young person is sharing a bedroom, this amount decreases by 50%. There is no care element paid for this type of accommodation- it is rent only. The young person is responsible for paying for their food and utilities from their allowances or benefits. Rent should be paid directly to the person providing the accommodation.

Where a **Former Relevant** young person not in education commences this arrangement post 18, Children's Social Care only have an advisory role and do not provide any financial support. The young person should be advised about claiming benefits and about setting up, where appropriate, a tenancy agreement to enable them to pay rent in a formal manner (and claim Housing Benefit if necessary).

All accommodation options including the above should be fully addressed within the young persons Pathway Plan and agreed by managers in advance of the young person ceasing to be Looked After.

### 18.13 Young People living with a partner

The young person will continue to receive entitlement to assistance as if they were living on their own. However, where a family unit is established enabling the unit to access other

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benefits such as Income Support, Job Seekers Allowance or Housing benefit, assistance will be restricted to general support with education, health, leisure, social relationships and employment.

In such a situation financial assistance would be restricted to support within the framework outlined within this document, with the exception of maintenance and accommodation costs, which will not normally be paid from leaving care funds, as the family unit will have responsibility and access to family benefits.

### 18.14 Lone Parents

Care leavers who become lone parents are entitled to access benefits, from 11 weeks prior to the due date of birth, and are not then eligible for maintenance payments by the Leaving Care Service. Lone parents who are also care leavers should be able to access housing benefit, but if their claim is refused and appeal fails the Leaving Care Service will continue to support the cost of accommodation until their 18<sup>th</sup> birthday. Universal Credit will provide support beyond this date. .

## 19 Education Support

**NB. See Appendix Three for further details on education support funding.**

### 19.1 The Virtual School worker for post 18 year olds.

The Virtual School has a designated worker for post 16 year olds. This person is available to help young people with choosing a course and completing college applications. They will also help with the transition to Higher Education, should this be needed. This can include helping with the UCAS process and writing personal statements, along with applying for student finance and other funding streams. There is also advice available for young people aged 21-25 whose cases have been closed but who wish to return to education or training.

### 19.2 Adviza and The Elevate Hub

The Adviza Service also provides support and advice to all 13-19 year olds and up to the age of 25 if the young person has an Education, Health, Care Plan (EHCP) or a disability. The Elevate Hub, is available for young people aged 16 - 24 to offer careers guidance and support with education and seeking employment. This will include working with those young people who have left care or who are preparing to leave care and the Adviza Service may act as the liaison between the School and Children's Social Care.

### 19.3 Definitions

**Full-time Education** - a course that involves at least 16 hours of learning per week (e.g. lectures, supervised study, home study).

**Further Education** - for people over compulsory school age (currently 16 in England), which does not take place in a secondary school. It may be in a sixth-form college, a further education college or a higher education institution. Further education courses are generally up to the standard of A-level or Level 3.

**Higher Education** - education above the standard of A level or level 3. Usually this means a degree course at a University or College.

## 19.4 Statutory Requirements

### 19.4.1 General

**Eligible or Relevant** young people (aged under 18) can have their care and support needs met in full by the Local Authority while they are in full-time education, subject to a possible contribution if the young person has significant earnings.

**Former Relevant** young people aged 18 in further education are entitled to claim both income support and housing benefit. As a result their support need and accommodation costs are not normally eligible for assistance from leaving care finances. This eligibility ceases at age 20 for those in full-time education, with financial support then being dependent on claiming Jobseeker's Allowance.

Young people in full-time further education continuing a course (or continuing a course linked to their original course, e.g. 'Access to Nursing') and therefore unable to access the benefit system beyond aged 19 may be supported through the Leaving Care Service with their accommodation costs until the end of their course.

### 19.4.2 Higher Education Bursaries

Bracknell Forest will pay a £2000 bursary as a one off payment for the first year of the course for all for **former relevant** young people who attend higher education. Payment by instalments will be considered in all cases, to ensure that the bursary is used effectively over the full period of the higher education course. The first payment will be made before the end of the first term.

Other options for providing education support to care leavers are set out below.

## 19.5 Course Related Expenses

Financial assistance for those attending 6th form and Further Education courses is available through the education provider. All effort should be made to secure such assistance which may be through grant or loans. The young person should be encouraged to get advice from Advisa and from the college financial department.

In exceptional circumstances the Over 11s team manager may authorise reasonable costs **eligible** and **relevant** young people with respect to:

- Registration and examination fees;
- Specified course equipment e.g. textbooks essential for the completion of the course or
- Specified specialist clothing (e.g. a lab coat);
- Activities required to meet curriculum; &
- Public transport between accommodation and course centre for those young people who cannot access travel related support via college.

**Support will only be provided when the criteria below have been met:**

- Proof of acceptance on agreed course, plus timetable and proof of attendance must be supplied. The social worker or the Leaving Care Service worker is expected to monitor young person's attendance termly and review in line with the Pathway Planning process.
- Course equipment, including laptops, textbooks and specialist clothing must be specified in writing as essential for the completion of the course.

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- Activities required to meet curriculum (e.g. outings) are payable direct to the education provision. .

### 19.6 Higher Education Accommodation and Maintenance Support

Note that there is no statutory requirement for authorities to pay for the accommodation and living expenses of **former relevant** young people in higher education. Care Leavers in Higher Education have access to, and will be expected to apply for, student loans along with any other young person in full-time higher education.

#### 19.6.1 Post Graduate Courses

In addition to providing support with first degree courses Bracknell Forest will support young people undertaking post graduate courses. Following a needs assessment the Authority will provide a maximum of £2000 as a grant and also assist young people to identify financial support and resources from other areas to enable them to undertake post graduate studies.

#### 19.6.2 Care Leavers from Overseas

Young people who have lived in the United Kingdom for more than three years and have access to public funds are usually treated as 'home students' and will not have to pay overseas student fees if they attend a higher education course.

Former relevant young people who do not have access to public funds and therefore are not eligible for student loans and grants, will not be financially supported beyond the usual level provided to other care leavers. These young people will be offered advice and support in applying for financial support from charitable foundations and other institutions which may be available to them.

#### 19.6.3 Vacation accommodation

Financial support will be provided for vacation accommodation for care leavers in Higher Education. This will be to a maximum of the single person rent level for the area where the young person wishes to spend their vacation. There is an expectation that the care leaver will supplement their loans and grants wherever possible by part-time employment.

The local authority will only assist in contributing to the cost of one type of accommodation during this time (i.e. not pay for both rent at higher education accommodation and accommodation elsewhere). Social Workers and the Leaving Care Service Workers should confirm that the young person is attending higher education, in order for the criteria for the term break provision to be met. Proof of such attendance must be obtained from the young person or the education provision – e.g. attendance records or coursework marks.

Those young people in a Staying Put arrangement should be offered the opportunity to return to their former foster carers in the University vacations where all parties are agreeable. See BF Staying Put Policy 9.4.2 for details of retainers paid.

Upon completion of their course of study and the cessation of their student status, the young person will be supported to enter into employment or to claim the correct benefits as the Leaving Care Service will no longer be responsible for vacation accommodation costs. The date of this cessation is the date issued by their University as the final day of term

### 20 Employment

All care leavers who are not in education should be encouraged to develop employment skills. This could be through a range of activities, from obtaining full time employment through to building up skills and confidence through a series of short term work experience opportunities.

This will be supported through the Virtual Care Leaving Team meetings and the Participation Group meetings which will identify employment opportunities specifically for care leavers as part of a multi agency approach to implementing the NEET Strategy. The allocated workers will then link individual young people to employment opportunities available locally.

Where the care leaver is not in education and does not wish to consider this, emphasis must be put on maintaining plans towards employment. The Leaving Care worker needs to liaise closely with the Advise worker to identify and persist with these plans.

All care leavers will be supported with at least one move into employment of their choice, Costs may be met by the local authority for:

- Specified clothing / uniform;
- Any necessary equipment; &
- Public transport from accommodation to employment for first month.
- The cost of one professional license or membership of a professional body

### 21 Support for Leisure Activities

#### 21.1 BFC facilities, The Leaving Care Service provision and other activities

**Eligible, Relevant and Formerly Relevant** Care Leavers are all entitled to free access to BFC leisure facilities (swimming, gym membership) as well as discounted rates on classes etc through the enhanced E+ Card Scheme. The same young people can access a free pass for Swimming at Coral Reef and free entry to The Lookout. Those young people who reside outside BFC, will be supported in gaining similar access in their local area. Funding to meet this need should be set out in the Pathway Plan.

Young people may also be supported in activities of their own choosing identified in their Pathway Plan to help them to be healthy, and enjoy and achieve.

### 22 Support for Health Care

#### 22.1 Registration

All **Relevant** and **Formerly Relevant** young people should be registered with a GP and NHS dentist, local to them, as part of their Pathway Plan and reviewing process. Advice can be sought from the Nurse for Looked After Children regarding registration.

#### 22.2 Funding

Health services offered by the NHS are free of charge to **eligible** or **relevant** care leavers; e.g. eyeglasses for under-18s and prescriptions or dental treatment for under-19s in full-time education are free of charge. These and other benefits should be obtained where possible to

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meet the cost of treatment, including budgeting loans or application to the LA Hardship Fund for those young people on benefits

Some young people who have begun a course of treatment whilst in placement in one area then move to another may need to travel to complete the course of treatment. The Pathway Plan should identify this need so that the Leaving Care Service can pay for the cost of travel.

Where NHS funding is not available for specific essential treatment and the young person is unable to access Social Fund monies, discussions should take place with the team manager to consider whether further assistance can be offered.

## 23 Additional Provisions

### 23.1 Passports

**Eligible, Relevant and Formerly Relevant** young people should have a valid passport, for identification purposes. Children's Social Care will fund the cost of 1 passport from the age of 11-21. The details of this passport must be recorded in the Pathway Plan. Any replacement (due to loss or theft) during this period will not be paid for by Children's Social Care. If the young person had a passport obtained **prior** to the age of 11 which expires within this prescribed period, **one** renewal will be paid for by Children's Services.

Unaccompanied young people from abroad will be assisted to obtain documentation setting out their status regarding right to remain in the UK (see Unaccompanied Children from Abroad Policy).

### 23.2 Birthday Cards and 18th Birthday Grant

All **Relevant** and **Formerly Relevant** young people will receive a birthday card from the Leaving Care Service on their birthdays. On their 18<sup>th</sup> and 21<sup>st</sup> birthdays, will receive a £50 birthday grant. The allocated Social Worker or the Leaving Care Service worker is responsible for administering this grant.

### 23.3 Gifts at Religious Festival Times

All **Relevant** and **Formerly Relevant** young people will receive gifts and food vouchers at a religious festival of their choice. The Pathway Plan should identify which festival they wish to celebrate and ensure that gifts and food vouchers are provided and recorded on case notes.

### 23.4 Transport

Transport costs should be considered at the lowest possible rate including the use of appropriate coach or railcards; e.g. 16-25 railcard. Where assistance is required for transport for other agency appointments e.g. YOS, Police bail etc, that agency should first be approached to see if they can fund the transport. It should be highlighted that the young person is on a low income and the Leaving Care Service are not obliged to fund their travel for these purposes.

### 23.5 Driving licence and lessons

In order to equip young people with essential Identification Documents, Children's Social Care will pay for 1 provisional licence from the age of 16-21 for a young person (either whilst they are Looked After or after they transfer to the Leaving Care Service). Any replacement licence (due to loss or theft) has to be paid for by the young person. The Leaving Care

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Service will fund six hours of driving lesson tuition for young people who are engaged in education or employment. The young person is responsible for obtaining 3 quotes for lessons, the cheapest will be funded. Additional lessons will be paid for by the young person. The Leaving Care Service will pay for one theory and one practical driving test.

### 23.6 Cold Weather Payments

In line with the policy of the Benefits System, all **Eligible** and **Relevant** young people who live in accommodation where they pay their own utility bills will receive a cold weather payment during periods of extreme cold weather. This is at the discretion of the Head of Service Leaving care and should wherever possible be given to the young person through in credit on their key meter rather than as cash.

### 23.7 Emergency assistance

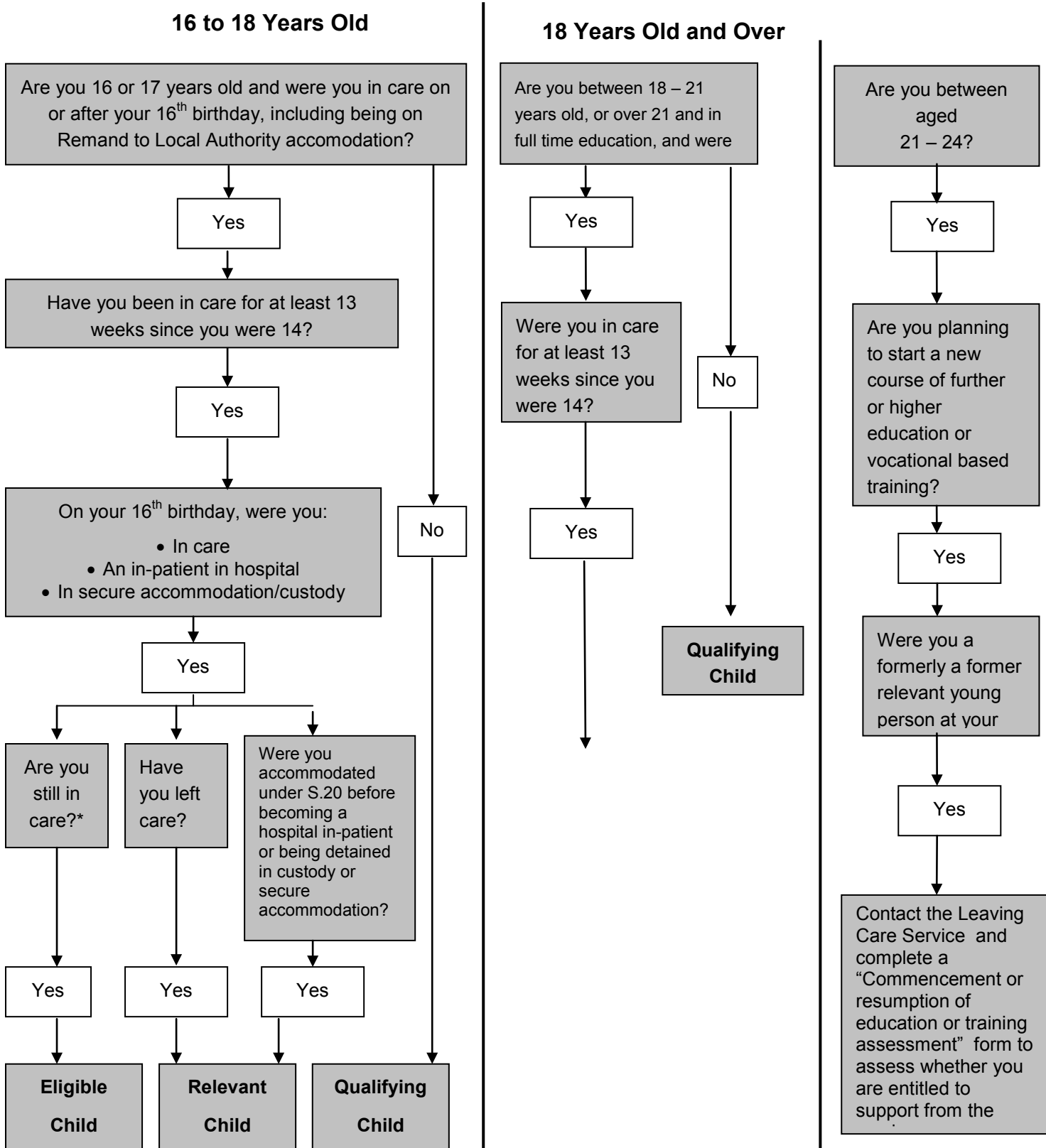
Where an emergency payment is being considered the following applies:

- The reason for making a payment and the young person's circumstances must be fully assessed together with the young person's other available means.
- Making a payment should be part of an overall support plan and contract for the young person to work within the agreed levels of maintenance provided for all the Leaving Care Service clients.
- The amount paid out must be recorded on the electronic record immediately so that if further requests are made this information is available to any the Leaving Care Service worker dealing with the request.

It is acknowledged that there will be periods in a **Relevant** or **Formerly Relevant** young person's life where circumstances leave them with reduced income, often due to issues with benefits or a change in circumstances.

Young people must be supported in the first instance to access Budgeting loans if they are able to ([www.direct.gov.uk](http://www.direct.gov.uk) for more information on this) or the LA hardship fund. The Leaving Care Service are able to provide some time limited practical assistance in the form of food parcels, emergency clothing etc. Where the young person has need of emergency financial support they can be loaned a small amount from their usual allowance which can be repaid at an agreed rate.

23 Appendix One: Flowchart Showing Pathways to Eligibility





## 24 Appendix Two: Care Leaver's Consent to Share Information Form

The Leaving Care Service work with lots of organisations and teams in our work with young people. We go to meetings with Housing, Careers services, the DWP, Health and Adults Social Care Services and others to make sure that the young people that we work with get the best opportunities and outcomes. An example would be the Young People's Housing Resource Panel where we look at all the young people in Bracknell who do not have accommodation and we get people like Housing and Look Ahead to help us come up with a solution for them.

We will only share **relevant** information with other professionals and we will normally do so only **with your agreement**. We want to make sure that you understand that we will review the situation at every Pathway Plan and that you can change your mind at any stage.

We will only share information without your consent in exceptional circumstances, such as when we believe that you or a child or young person may be at risk of significant harm, or an adult may be at risk of serious harm, or to prevent, detect or prosecute a serious crime

**We want to make sure that by giving the consent, you fully understand what they are consenting to: You are allowing us to discuss**

- **your current situation and any relevant past experiences,**
- **your current opinion, our assessment and the actions from your Pathway Plan.**

I give consent for my Leaving Care Personal Advisor to share the information above with the following organisations, as part of supporting me to get the outcomes that I want:

Name or Organisation	Reason	I give Consent	I do not give consent
My Local Council's Housing and Benefits Department	To support my search for Accommodation and/or my housing and council tax benefit claims.		
My Local Careers service/Connexions service	To support my search for education, Employment or Training		
The DWP	To help access the correct benefits or to deal with issues with my claims		
Local Housing Providers	To support my tenancy or to help me access accommodation		
People who can help keep me safe once I become 18	To support me if I need help in the community or where I live if I or other people feel I am not safe or placing myself at risk		
Any other people relevant you Care Leaver (please list)	I might like you to speak to the following people without you having to ask my permission all the time		

A parent or guardian or appropriate adult may be required to sign this form if the young person is not able to fully understand and give consent.

## 25 Appendix Three: Human Rights Assessment Form

This form is designed to supplement, not replace local authority needs assessment formats. Where appropriate, the most recent statutory assessment should be appended to this ECHR assessment.

### Section 1: Key Information

Family Composition: **Include date of birth, other names and aliases under which individuals are known**

Confirmation of Identity: **Is there a certificate, nationality document etc?**

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**Background / Chronology:** Provide give a brief history of background and any social service support. In completing this section the following questions should be used as a checklist:

1. How long has the family/each applicant been in the country?
2. What is their immigration or asylum status, what is the date of any decision or appeal and what applications remain outstanding?
3. What are the medical, educational, social or other needs of each family member (include details of the GP and any person or organisation consulted or being consulted)?
4. What is the financial situation? What accommodation is available? What previous accommodation has the applicant/family had? How was that lost?
5. How has the applicant/family supported itself until now?
6. Are there any other people or organisations who have provided or could provide any support?
7. Is there any reason why the family cannot return to their country of origin (please set out in full)?
8. What other family or relatives do the family have in this country? What contact does the family have with them?
9. What difficulties, whether in terms of employment, schooling, medical provision or otherwise, would be caused were the family to return home?
10. Is there any other factor or factors which ought to be borne in mind?

**Section 2: Immigration Status 2a. EU Nationals<sup>2</sup>: Complete this section for individual EU nationals who have applied for financial or social work support from the Council. For other people subject to immigration control with no recourse to public funds, including failed asylum seekers, complete section 2b.**

**Purpose of Assessment: Please record and explain to the individual/family the purpose of this assessment.**

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<sup>2</sup> Austria; Belgium; Bulgaria; Cyprus; the Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Ireland; Italy; Latvia; Lithuania; Luxembourg; Malta; the Netherlands; Portugal; Romania; Slovakia; Slovenia; Spain; Sweden; UK. [A2 Nationals](#): Bulgaria and Romania.

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**Assessment of current situation:** Is the individual/family destitute? Have they any other available means of support? Are children attending school?

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**Assessment of ability to work:** Is the individual or anyone in the household able to work? Are there health needs that affect the service user's ability to work? Please record/obtain relevant medical proof where appropriate.

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**Other Means of Support:** Does the individual think that they might be able to become self-supporting in the near future? Are they having support from friends, family, religious communities, charities etc? If yes, obtain details.

Travel needs: **Establish whether or not it is possible for client to return home to their country of origin. Have they the means (finance, passport, travel documents)? If not, what help would the family need?**



**EU Convention rights:** Is the client working or have they been working recently and a) are now seeking work or b) are temporarily unable to work due to illness? Is the client self-employed? Is the client studying?

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2b Failed Asylum Seekers/Overstayers: **Complete this section for failed asylum seekers who have been issued with removal directions or who did not claim asylum at port of entry (e.g. at an airport), and other people subject to immigration control who have no recourse to public funds.**

Purpose of Assessment: **Please record and explain to the individual/family the purpose of this assessment.**

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**Assessment of current situation:** Does the family originate from a “ Safe State” as defined by the Home Office?<sup>3</sup> Is the individual/family destitute? Has the family any other available means of support? Are children attending school?

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<sup>3</sup> Albania; Bolivia; Bosnia Herzegovina; Brazil; Ecuador; India; Jamaica; Kosovo; Macedonia; Mauritius; Moldova; Mongolia; Montenegro; Peru; Serbia; South Africa; South Korea Ukraine; Ghana (men only); Gambia (men only); Kenya (men only); Liberia (men only); Malawi (men only); Mali (men only); Nigeria (men only); Sierra Leone (men only).

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**Assessment of Health Needs:** if the individual or anyone in the household was legally able to work, could they do so? Please record/obtain relevant medical proof where appropriate.

**Other Means of Support:** Does the individual think that they might be able to become self -supporting in the near future? Are they having support from friends, family, religious communities, charities etc? If yes obtain details

Travel needs: **Establish whether or not it is possible for client to return home to their country of origin. Have they the means (finance, passport, travel documents)? If not, what help would the family need?**

Section 3: Assessment and Recommendations

Human Rights: **Consider whether there would be a breach of Article 3 or**

**Article 8:**

**Article 3: if support were refused or withdrawn would the individual/family be subject to treatment amounting to torture or to inhuman or degrading treatment or punishment.**

**Article 8: If the family or individual returned to county of origin, would the right to respect for private and family life be compromised?**

In the case of failed asylum seekers, should individual/ family be applying for support under section 4 of the Immigration and Asylum Act 1999 or do they have other means of support?

In the case of clients from the EU, would returning to their country of origin interfere with their exercise of EU Convention rights?

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**Recommendation:** Assessing officer should make recommendation as to the future of this case based on their assessment. Is there any other support to be considered? Provide a reasoned conclusion.

**Confirmation of recommendation/decision:**

Team manager should make a decision as to why this person should/should not receive continued support.

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<b>Name of Service User</b>	<b>Signature</b>	<b>Date</b>
<b>Name of Assessment Officer</b>	<b>Signature</b>	<b>Date</b>
<b>Name of Team Manager</b>	<b>Signature</b>	<b>Date</b>



## 26 Appendix Four: Summary of Education Funding available to Care Leavers

Type of study	Funding type	Accessed through	2015 Figures	To be used for	Does it have to be paid back?
<b>Further Education</b>	Guaranteed Bursary	Application form through college	Approx £30 per week	General expenses such as lunch at college, photocopying, stationary	No
	Learner Support Fund	Application directly to the person at the college who deals with the LSF. Supporting letter from worker will be required	Amount varies	To cover college expenses such as travel, trips, equipment	No
	Income Support	Claimed via Job Centre Plus. <b>Only available to 18 and 19 year olds</b>	Around £50 per week	To pay for all household expenses (food, bills, clothes, toiletries)	No
	Housing Benefit	Claimed by application to the Local Authority. <b>Only available to Care Leavers aged 18+.</b>	Rent which falls within the local allowance rates (Care Leavers are exempt from single room rate allowances)	To pay rent.	No
<b>Higher Education</b>	Tuition Fee Loan	Applied for within the large	Maximum of £9000 per year	Is paid directly to the University to	Yes- once the student gets a job earning £21,000

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Type of study	Funding type	Accessed through	2015 Figures	To be used for	Does it have to be paid back?
		'Student Finance England' application form		cover the cost of the course fees only.	per year or more.
	Bursary	Claimed by application directly to the University	A discretionary bursary for students on low incomes. Is normally about £400-£500 for the year	Is designed to meet any shortfall if the tuition fee loan doesn't cover all the course fees.	No
	Maintenance Grant	Applied for within the large 'Student Finance England' application form	Maximum of £3,475 per year	Is designed to cover the cost of living expenses (food, travel, bills, other expenses)	No
	Maintenance Loan	Applied for within the large 'Student Finance England' application form	Between £4,565 and £8009 per year depending on location of University (London based students get the most)	Is designed to cover the cost of rent whilst studying	Yes- once the student gets a job earning £15,000 per year or more.
	Local Authority Bursary	Set out in a Young Person's Pathway plan and paid directly by the Leaving Care Service	£2000 one off lump sum. Can be paid in instalments, or in one go depending on the needs of the student.	Designed to assist the student in repaying some of their loans to reduce the amount of debt the student acquires.	No. However, it has to be stated in the Pathway Plan when this amount will be paid to the student, which may be in instalments.
	Care Leavers Funding	Most universities offer additional financial	This can be anything from extra money to free laptops or the provision of	Designed to support Care Leavers in their studies	No

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Type of study	Funding type	Accessed through	2015 Figures	To be used for	Does it have to be paid back?
		and practical support to Care Leavers	52 week accommodation packages.		

### Support which can be claimed by Higher Education Students who are also parents

Type of funding	Designed to meet the cost of
Access Package- Child Care	85% of child care costs can be claimed back (up to £140 per week)
Parental Learning Allowance	£1540 per annum to help with living expenses
Additional Student Loans	To meet any other expenses.

## 27 Appendix Five: Care Planning, Placement & Case Review (England) Regulations (2014)

The factors set out in the Schedule below will need to be taken into account in assessing whether any accommodation arranged for a **relevant** or a former **relevant** care leaver is “suitable”.

### **SCHEDULE 6: Regulation 28**

*Matters to be considered before placing a child in accommodation in an unregulated setting under section 22C(6)(d) of the 1989 Act*

#### **1. General/state of repair**

- (a) How many rooms are there in the property?
- (b) Are there enough facilities being provided for the number of people who will be sharing the house?
- (c) Furnished or unfurnished? If furnished - is the furniture in a good state of repair?
- (d) How is the property heated?
- (e) Access to utilities and services.
- (f) Is the house free of damp and/or mould?

#### **2. Safety**

- (a) Does the landlord possess a current gas safety certificate; fire safety for the property?
- (b) Is the accommodation secure - burglar alarms/locks on the windows?
- (c) Have the previous tenants all returned their keys?

#### **3. Location**

- (a) Is the area convenient for access to education, training, employment?
- (b) Proximity to public transport?
- (c) Community safety - is the area safe at night (including information about local crime characteristics)?

#### **4. Support**

- (a) How will housing related support respond to the child have assessed needs.
- (b) Where accommodation is to be provided in a domestic setting (not with former foster carers) how have hosts been selected, assessed and trained.
- (c) Was assessment subjected to independent scrutiny? Who by?
- (d) How are supported lodgings providers supervised? What arrangements are in place for keeping their suitability under review?

#### **5. Tenancy status**

- (a) Does the young person understand the nature of their rights and responsibilities set out in their tenancy agreement?
- (b) Has the tenancy been independently scrutinised and the young person been provided with independent advice about the implications of their accepting this tenancy.

#### **6. Young person's views**

Does the young person understand how the position of accommodation and related support is intended to respond to their assessed needs as set out in their pathway plan.

## 28 Appendix Six: Accommodation Suitability Assessment

### **ACCOMMODATION**

- 1.1 The factors set out in the Schedule below will need to be taken into account when assessing if the proposed accommodation for an eligible, relevant or a former relevant care leaver is “suitable”.
- 2.0 ***Facilities and services provided:***
- (a) How many rooms are there in the property?
  - (b) Are there enough facilities being provided for the number of people who will be sharing the house?
  - (c) Furnished or unfurnished? If furnished - is the furniture in a good state of repair?
  - (d) How is the property heated?
  - (e) Access to utilities and services.
  - (f) Is the house free of damp and/or mould?
- 3.0 ***State of repair:***
- (a) Is the property fit for habitation?
  - (b) Are there any outstanding repairs?
  - (c) Is there a clear and effective system of reporting repairs?
- 4.0 ***Safety:***
- (a) Does the landlord possess a current gas safety certificate; fire safety for the property?
  - (b) Is the accommodation secure - burglar alarms/locks on the windows?
  - (c) Have the previous tenants all returned their keys?
- 5.0 ***Location:***
- (a) Is the area convenient for access to education, training, employment?
  - (b) Proximity to public transport?
  - (c) Community safety - is the area safe at night (including information about local crime characteristics)?

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### 6.0 **Support:**

- (a) How will housing related support respond to the child have assessed needs?
- (b) Where accommodation is to be provided in a domestic setting (not with Former foster carer) how have hosts been selected, assessed and trained.
- (c) Was assessment subjected to independent scrutiny? Who by?
- (d) How are supported lodgings providers supervised? What arrangements are in place for keeping their suitability under review?

### 7.0 **Financial arrangements:**

- (a) Is the property affordable post 18?
- (b) Does the young person have access to any financial support e.g. Community Care Grant/SUHG?
- (c) Does the young person require additional support to attend EET?

### 8.0 **Relevant Young Person:**

- (a) Does the young person understand the nature of their rights and Responsibilities set out in their tenancy agreement?
- (b) Has the tenancy been independently scrutinised and the young person been provided with independent advice about the implications of their accepting this tenancy.
- (c) Does the young person understand how the position of accommodation and related support is intended to respond to their assessed needs as set out in their pathway plan?

**ACCOMMODATION SUITABILITY AGREEMENT**

(Schedule 6 Care Planning, Placement & Case Review Regulations)

**Name**.....

**DOB**.....

**Address**.....

.....

.....

**Please confirm the accommodation provided is safe, suitable and in accordance with the following:**

	<b>Accommodation</b>	<b>Yes</b>	<b>No</b>	<b>Comments/Questions?</b>
<b>Facilities:</b>				
(a)	Are there sufficient rooms for your personal use?			
(b)	Is the furniture in a good state?			
(c)	Does the property have an adequate source of heating?			
(d)	Does the property have adequate access to utilities and services?			
(e)	Is the property free of damp/mold?			
<b>Repair:</b>				
(a)	Is the property fit for habitation?			
(b)	Are there any outstanding repairs?			
(c)	Is there a clear system of reporting repairs?			
<b>Safety:</b>				
(a)	Is there a current gas and fire safety certificate for the property?			
(b)	Is the accommodation secure (e.g. alarm, window locks, etc)?			
(c)	Have previous tenants returned all keys?			
<b>Location:</b>				

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(a)	Is the area convenient to access education, training, employment (EET)?			
(b)	Is public transport easily accessible?			
(c)	Are there any known safety concerns in the area?			
<b>Support:</b>				
(a)	Are you happy with the level and nature of your ongoing support?			
(b)	Have those providing your support been approved by Bracknell Forest Council?			
(c)	Has your plan for independence been agreed by your IRO?			
<b>Financial:</b>				
(a)	Is the property affordable post 18?			
(b)	Do you have access to appropriate financial support?			
(c)	Do you require additional support to attend your place of EET?			
<b>Rights:</b>				
(a)	Have you been given a tenancy agreement?			
(b)	Do you understand your rights, duties and responsibilities as set out within the tenancy agreement?			
(c)	Have you been offered independent advice regarding the implications of accepting the tenancy (e.g. IRO/ advocate)?			
(d)	Do you understand how the provision of accommodation and support is linked to your Pathway Plan and assessed needs?			
<b>Other:</b>				
(a)	Do you have any questions relating to your accommodation not covered within this agreement?			
Question:		Answer:		
Question:		Answer:		



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Question:	Answer

I hereby agree that the property provided for my accommodation meets the above requirements and the needs identified within my Pathway Plan.

Young Person:

Print Name.....

Signed.....

Date.....

Leaving Care Service:

Print Name.....

Signed.....

Date.....

## **29 Appendix Seven: Financial Contributions to be made by Eligible and Relevant Young People**

### **In employment**

Young people who are in employment and in supported lodgings or unregulated accommodation where Bracknell Forest Council is providing financial support, will be expected to contribute to their cost of their accommodation from their earnings. The amount they pay will be worked out according to the amount they earn. From their earnings they will keep £100 per week. From the remainder they will pay 10p in every pound to the Council. The maximum contribution a young person will be expected to pay is £50 week.

The young person can choose to pay their contribution through a variety of means according to their individual circumstances. They may choose to pay their landlord directly or pay the council through a bank account or in cash each week through a paying in book to be signed by either worker or identified responsible adult. Payments will be accounted for and regular statements provided to the young person.

### **Staying Put**

A young Person who stays in a Staying Put Arrangement will be expected to make a financial contribution to the household.

The Staying Put agreement will set out the contribution the young person will be expected to pay out of their income (whether from full or part time earnings, the LA allowance or benefits). Any payment, whether made by the carer or young person should be recorded in order to ensure that it meets the relevant regulations of the HMRC and DWP and Local Authority. This will ensure an audit trail of payments.

Further detail can be found in Section 9.1 of the BF Staying Put Policy.

## 30 Appendix Eight: The Care Planning and Fostering (Miscellaneous Amendments) (Eng) Regulations 2015 Reg 39

The 2015 Regulations have amended the Care Planning, Placement & Case Review Regs 2010. In particular Reg 39 now states:

39.— Arrangements to be made when the responsible authority is considering ceasing to look after C

(1) This regulation applies where the responsible authority are considering ceasing to look after C.

(2) Before deciding to cease to look after C the responsible authority must—

(a) carry out an assessment of the suitability of the proposed arrangements for C's accommodation and maintenance when C ceases to be looked after by them,

(b) carry out an assessment of the services and support that C and, where applicable P, might need when the responsible authority ceases to look after C,

(c) ensure that C's wishes and feelings have been ascertained and given due consideration, and

(d) consider whether, in all the circumstances and taking into account any services or support the responsible authority intend to provide, that ceasing to look after C will safeguard and promote C's welfare.

(3) The responsible authority must include in C's care plan (or where regulation 47B(4) applies, the detention placement plan) details of the advice, assistance and support that the responsible authority intend to provide for C when C ceases to be looked after by them.

(4) Subject to paragraph (5), where C has been a looked after child for at least 20 working days, any decision to cease to look after C must not be put into effect until it has been approved by a nominated officer.

(5) In any case where C is aged 16 or 17 and is not in the care of the local authority, the decision to cease to look after C must not be put into effect until it has been approved by the responsible authority's director of children's services.

(6) Before approving a decision under paragraph (4) or (5), the nominated officer or director of children's services must be satisfied that—

(a) the requirements of regulation 9(1)(b)(i) have been complied with,

(b) ceasing to look after C will safeguard and promote C's welfare,

(c) the support the responsible authority intend to provide will safeguard and promote C's welfare,

(d) C's relatives have been consulted, where appropriate,

(e) the IRO has been consulted, and

(f) where appropriate, regulations 40 to 43 have been complied with.