

# Staying Put Policy and Procedures

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## 1 Introduction

From the age of eighteen young people are no longer legally 'in care' or 'looked after' and therefore fostering arrangements and legislation relating to children placed with foster carers no longer apply. Many care leavers move into independent living at this age. However, in the general population the average age of leaving home is rising and the transition to adulthood is increasingly becoming more complex and protracted. Previously Bracknell Forest has taken an informal, case by case approach to young people remaining with foster carers beyond 18 years but now the legislation and guidance requires the Authority to formalise their policy on these arrangements. Defined nationally as 'Staying Put' this arrangement is a way to extend the transition to adulthood for looked after children/young people, by continuing to live within the supported environment of a family and household. This document should be read in conjunction with Bracknell Forest's Leaving Care Policy, which sets out the full range of services for Care Leavers.

### 1.1 Principles and Values

Staying Put supports Bracknell Forest's aspiration to be a good corporate parent to all young people to whom it has provided a substitute family. Bracknell Forest believes that no young person should leave care before they are emotionally and financially ready. The Authority is committed to preventing social exclusion among care leavers and to this end will continue to offer support through the Staying Put scheme to vulnerable care leavers and to those in employment, education and training, whilst they develop the skills necessary to manage their transition to independent living.

The Policy reflects Bracknell Forest's determination to improve the experiences of children in care, to challenge the poor outcomes historically experienced by young people in care, and to reduce the gap between the quality of life of young people in the care of the local authority and those raised in supportive birth families. Specifically it gives young people who are in stable and supportive placements the opportunity to pursue education, training and employment, without the disruption of having to move into 'independence' during this critical period of their lives. This will facilitate them to engage successfully as citizens, both socially and economically.

A further principle of the policy is that former foster carers should be encouraged to continue to support young people up to the age of 21 years and should not be disadvantaged by doing so. This is balanced against the change in expectations on the carer who will be supporting a young adult to develop life skills and independence and preparing them to move on, rather than caring for a child. There should be equality of opportunity for all young people and an SP arrangement should not be precluded because the former foster carer cannot afford to enter into the arrangement.

### 1.2 Aims of the Policy

- Enable young people to build on and nurture their attachments to their carers and to make the transition to adulthood in a more gradual way, just like other young people who can rely on their own families for this support
- Provide the stability and support necessary for young people to achieve in education, training and employment
- Give weight to young people's views about the timing of moves to greater independence from their final care placement.

## 2 Legislative Background

The Staying Put scheme meets the requirements set out within the relevant legislation and guidance, in particular

### 2.1 The Children Act 1989 and The Children Leaving Care Act 2000

The main aims of both are:

- To delay young people's discharge from care until they are ready and prepared
- To improve the assessment, preparation and planning for leaving care
- To provide better personal support for young people after leaving care
- To improve the financial arrangements for care leavers

### 2.2 The Children Act 2004 Care Matters – Time for Change

This programme put in place a national framework to support the joining up of services so that every child and young person can achieve the five Every Child Matters outcomes.

### 2.3 The Children and Young Persons Act 2008

This legislation makes requirements in response to evidence that young people leaving care experience poor outcomes.

### 2.4 Children and Families Act 2014

This amended the Children Act 1989, inserting a new section 23CZA. Former looked after children will be able to continue to live ("stay put") with their former foster parents until the age of 21, if the local authority determines that it would be appropriate for them to do so and both the young person and the foster parents wish to make a "staying put" arrangement (**s.98**).

### 2.5 Regulations, Guidance and Minimum Standards

This policy has also been developed in line with the requirements of:

- The Fostering Service Regulations 2011
- The National Minimum Standards for Fostering Services 2011 which set out a requirement that each Local Authority has a Staying Put Policy and the service standards relating to this policy.
- The Department for Education, Department for Work and Pensions and Her Majesty's Revenue and Customs Guidance May 2013. "Staying Put: Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers."
- Transitions to Adulthood for Care Leavers The Children Act 1989 Statutory Guidance revised May 2014

This scheme also fits within the Public Service Agreement 2 National Indicators 147 and 148, which identify whether:-

- The young person is living in suitable accommodation
- The young person is in Education, Training or Employment

## 3 Staying Put Definitions

### 3.1 Department for Education Definitions

The term "Staying Put" is used to define the following arrangements where:

1. A young person who was looked after immediately prior to their eighteenth birthday (as an eligible child) continues to reside with their former foster carer/s.

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2. The carer/s were acting as foster carers to the child immediately prior to the young person's eighteenth birthday (that is, the carers were approved as foster carers in accordance with the Fostering Service (England) Regulations 2011 and the child had been placed with them by the local authority, or via an Independent Fostering Agency).
3. A young person is deemed an eligible child, within the meaning of paragraph 19B(2) of Schedule 2 to the Children Act 1989, immediately before he/she reached eighteen.
4. The "Staying Put" arrangement is set out in the child/young person's Pathway Plan;.
5. A proportion of the allowance paid to the "Staying Put" provider/s is paid by the Local Authority Children's Services under section 23C of the Children Act 1989.
6. The "Staying Put" arrangement extends until:
  - the young person first leaves the "Staying Put" arrangement;or
  - the young person reaches their twenty-first birthday, if continuously, and still living in the arrangement;or
  - the young person completes the agreed programme of education or training being undertaken on their twenty-first birthday, if continuously living in the arrangement since their eighteenth birthday.

### 3.2 Department for Work and Pensions Definitions

The specific DWP legislation covering "Staying Put" arrangements highlights that (1) where a young person continues to reside with their former foster carer after their eighteenth birthday on a non-commercial and familial basis, and (2) where the child was looked after immediately prior to their eighteenth birthday, and (3) where the payments are made by the local authority to the carer under section 23C of the Children Act 1989, the payments are disregarded in calculating the carers entitlement to means tested benefits.

When a commercial arrangement is made, i.e. any element of the cost of the arrangement comes from a source other than section 23C; the non-section 23C element will be taken into account in the calculation of the "Staying Put" carers own means tested benefit claim.

Additionally, the disregard is lost on the whole payment (section 23C and non-section 23C elements) when the young person first leaves the "Staying Put" arrangement, should the young person return to their former foster/"Staying Put" carer or, move to another carer after their eighteenth birthday. Therefore the young person needs to be sure of the decisions they are making and fully aware of the consequences.

### 3.3 HM Revenue and Customs Definitions

The term "Staying Put" (HMRC) is used to define arrangements where:

1. A young person was looked after immediately prior to their eighteenth birthday.
2. The young person has a Pathway Plan.

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3. A proportion of the allowance paid to the “Staying Put” provider/s is paid by the Local Authority.

4. “Staying Put” arrangements can extend until:

- the young person reaches their twenty-first birthday;

or

- the young person completes the agreed programme of education or training being undertaken on their twenty-first birthday.

### 3.4 Definitions Overview

Where possible; DfE, DWP and HMRC definitions and frameworks relating to “Staying Put” have been harmonized. However, given the complexity of the three different legislative frameworks relating to “Staying Put” arrangements, and the fact that some of the legislation does not cover all four countries in the United Kingdom, this has not been wholly possible.

## 4 Scope of Bracknell Forest Staying Put Policy

***This policy applies to all children looked after by Bracknell Forest Council, who are in a foster placement immediately prior to their 18<sup>th</sup> birthday, who are an “eligible child” for leaving care support and who continue to live with their former foster carers post eighteen.***

The agreement to stay put must be made by both the existing foster carer and the young person and is a way to extend the transition to adulthood for the looked after young person by continuing to live within the supported environment of a known family and household. Staying Put carers are therefore not recruited but transition into the role.

Once the young person has reached eighteen, having previously left care, there is no entitlement for them to return to a former foster carer in a Staying Put arrangement. Neither is there an entitlement for a young person to move to a different carer at eighteen to “stay put”.

However a young person may leave a Staying Put arrangement to live away from home temporarily (e.g. at university or other training or education programme that requires them to live away, or armed forces induction training) and subsequently return. This does not preclude a Staying Put Arrangement from continuing, although the DfE and DWP Staying Put Frameworks no longer apply in full.

A proportion of the allowance paid to the “Staying Put” provider/s must be paid by the Local Authority Children’s Services under section 23C of the Children Act 1989;

Consideration of and planning for a Staying Put arrangement must begin during the Pathway Planning needs assessment after the young person’s 16th birthday and be clearly set out in the young person’s pathway plan.

Agreement to a Staying Put arrangement must be made following a review and be part of Pathway Planning. This will be a formally documented process.

The policy does not apply to disabled young people in foster placements who are assessed as being unlikely to be able to live independently by 21 years of age. The transition to Adult Services guide sets out the support provided for these young people. Staying Put is focussed on extending former fostering arrangements where young people have delayed maturity rather than an on-going disability.

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The “Staying Put” arrangement extends until:

- The young person leaves the “Staying Put” arrangement.
- The young person has been without Employment, Education or Training for longer than six months (see below).

or

- the young person reaches their twenty-first birthday.

The guidance in relation to 'Staying Put' does not apply to young people in residential care.

This policy covers the Staying Put arrangements that are facilitated by Bracknell Forest Council approved Foster Carers. The Authority will expect Independent Fostering Agencies providing placements for Bracknell Forest looked after children and young people to have a Staying Put policy in place. This could include a joint Staying Put Protocol where consortium arrangements are in place. This will form a considered element of the future commissioning decisions on suitability of placements

### 5 Entitlement to Staying Put

A young person is entitled to Stay Put in their foster placement if on reaching 18 years of age they are engaged in education, training or employment (EET); and/or are vulnerable; or if they have a Move-On plan, (see 5.3)

Following a young person’s eighteenth birthday, the legal basis on which they occupy the property (former foster care home) changes and they become an ‘excluded licensee’ who is effectively lodging in the “Staying Put” provider/s home. Whilst the term ‘excluded licensee’ is a legal one, it should not denote that the young person will be treated differently than they were as a fostered child. In addition, the carer may also become, and be deemed the young person’s landlord.

An excluded licensee can be asked to leave the property by the “Staying Put” carer, who must give ‘reasonable notice’. In extreme circumstances it may be considered reasonable for the “Staying Put” carer to give very short notice and ask the young person to leave on the same day.

The decision to convert a foster placement to a Staying Put arrangement will be signed off by the Chief Officer following recommendation by the IRO after review.

#### 5.1 Education Training and Employment Criteria

##### 5.1.1 Young People who turn eighteen in their final year of secondary education

When a young person has embarked on a two year, full time course before their 18th birthday (e.g GCSEs, A levels, training or other equivalent full time course) they can Stay Put until the completion of their final term. The extension ceases when the young person leaves or completes the course, chooses to transfer to another course, or on their 21st birthday, whichever comes first.

##### 5.1.2 Further Education and Training

The extension may continue in circumstances where it is assessed that a young person would benefit from remaining with their “Staying Put” carer to complete a further level of the same course/qualification, and the young person will progress to the next level of the course without a break (other than a single vacation period). A report setting out the length of the proposed course/level, their circumstances and the commitment and motivation of the young

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person to complete the course should be presented at review and recorded via the Pathway Planning process.

In the situation where a young person does not get the required grades, or has to repeat an academic year the decision around staying put will be made at the discretion of the Chief Officer according to the individual circumstances.

### 5.1.3 Higher Education

Where a young person is going to university, and is not taking a gap year, the extension applies until September/October when they start university. The Staying Put agreement will continue for those young people where it is agreed that they will return to the carers for holiday periods. Where they are on a four year degree course that includes a year's work experience that year will be regarded as an extension of the degree course and they can continue to stay put. This arrangement is deemed a "Staying Put" - Higher Education Arrangement and is funded at a different rate. See 5.5 below Returning to a Staying Put Arrangement in Higher Education and 9.3.2 Retainers for University.

### 5.1.4 Not in Education Employment or Training (NEET)

Exceptionally a young person, who is not engaged in Employment, Education or Training (this includes apprenticeships) but is actively seeking to be engaged, may Stay Put. Young people not in EET have a three month window of opportunity to secure their engagement in EET. After the three months of not being engaged in EET has elapsed the opportunity to Stay Put may be extended for a further three months with the agreement of the Head of Service Looked After Children. This extension will only extend the opportunity to Stay Put for a further maximum period of three months in order to provide the young person with the support and stability to become engaged in EET.

After a six month consecutive period of not being engaged in EET the young person will be given 28 days formal notice and helped to move on from their Staying Put Arrangement to other suitable accommodation.

## 5.2 Vulnerability Criteria

It is recognised that the concept of 'vulnerability' is vague and subjective and that assessing the level of a young person's 'vulnerability' is not always clear cut. To meet the vulnerability criteria the young person will be displaying significantly delayed maturity and extreme difficulties regarding preparing for independence and making the transition to adulthood and independent living.

The social worker will present an up to date Pathway Plan at review setting out the young person's needs and vulnerabilities. This should include information on any learning difficulties; physical disabilities; communication difficulties; specific education needs; risk taking behaviour, exploitation and self-harm; mental health issues; emotional and physical development and alcohol and substance misuse. It should outline what work has been undertaken to assist the young person with the development of practical, relationship, emotional and resilience skills.

The Plan should set out how the young person's ability to cope will be improved by "Staying Put" and what support will be provided to increase the young person's ability to develop independent living skills and their ability to engage with education, employment or training.

The Supervising Social Worker report should identify all forms of support the young person will require and the Staying Put carer's role in providing this support. The young person

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should attend their review to present their reasons for wishing to stay put and their plans for their future progress.

Young people can remain with their former foster carer for up to one year under the vulnerability criteria. In exceptional circumstances an extension can be granted for a further year. An extension will require two further update reports – from the Family Placement Team worker, emphasising the expectations of the “Staying Put” provider/s and how the further time can be used to develop them; the second will be completed by the young person’s Personal Advisor alongside the young person, demonstrating progress and identifying outstanding issues.

### 5.3 Planned Move On

A Planned Move-on ‘Actively Bidding’ extension is available in exceptional circumstances where young people are actively bidding for a Bracknell Forest (housing) tenancy, awaiting a private rented property, supported lodging or hostel placement. These young people can remain for up to three months beyond their 18th birthday, or until their tenancy is allocated, whichever is sooner. The young person must be registered on Bracknell Forest housing waiting list, and be bidding on a ‘reasonable’ range of areas within the housing authority boundaries and have not been allocated a property by their 18th birthday.

Where a young person is placed outside Bracknell Forest they must also be registered with the LA where they are placed. (Depending on the rules of the local authority housing department in the area that the young person is placed, Bracknell Forest CSC may be required to give the young person 28 days notice to leave a placement. This may be a requirement of the local authority homeless department and a pre-requisite for the allocation of accommodation under the ‘care leavers’ priority need’ category.)

### 5.4 Disability

The ‘Staying Put’ framework is aimed at former relevant children who require an extended period with their former foster carer/s due to delayed maturity, vulnerability and /or in order to complete their education or training. Where young people have an on-going cognitive disability and meet the Adult Services Fair Access to Care Services criteria (Putting People First) the Adult Services will be responsible for the plan of support for the young person, including the formal regulatory and safeguarding framework regarding the placement. As a care leaver the young person would continue to have a Pathway Plan and allocated Personal Advisor. For further information see the Bracknell Forest Transitions Policy.

### 5.5 Residential Care

The ‘Staying Put’ framework is focussed on the relationship between care leavers and their former foster carers. The guidance in relation to ‘Staying Put’ does not apply to residential care for young people.

### 5.6 Returning to a Staying Put Arrangement in Higher Education Vacation

Where a young person leaves a “Staying Put” arrangement and subsequently returns in their Higher Education vacation the DfE and DWP “Staying Put” frameworks no longer apply in full. However, the following applies:

- Where a young person returns in the vacation to their carer who has a foster child/ren they will be treated as an adult member of a foster care household;
- Where no foster child/ren are living in the arrangement they will be treated as being in ‘Suitable Accommodation’.

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In these situations and providing there is 1) a pathway plan in place; 2) an element of the allowance is paid by the local authority; 3) the young person was previously defined as “Staying Put”; 4) the young person is under 21, or, if over 21 is still engaged in the education being undertaken on their 21<sup>st</sup> birthday the HMRC “Staying Put” framework will continue to apply.

## 6 Expectations of Staying Put Carer and Support Offered

### 6.1 Expectations of Staying Put carers

Staying Put Carers will be expected to be proactive in encouraging the young person to take up opportunities in education or employment, access advice from other agencies and promote the need for healthy living.

### 6.2 Dual Role Fostering and Staying Put

Foster Carers can offer both Fostering and Staying Put provisions. The only requirements are that the foster carers have:

- Sufficient bedrooms to ensure that every fostered child and young person Staying Put post 18 have their own bedroom.
- The ability to provide support and guidance and enable the young person Staying Put to develop independent living skills. The ‘Staying Put’ commitment will be written into an agreed Pathway Plan with clear objectives and preparations made for independence during the period of the Staying Put arrangement
- The ability to continue to provide looked after children/young people with a safe, nurturing and supportive environment.

Foster carers offering a dual role will continue to be subject to all appropriate checks. These continued checks will be extended to include the Staying Put young person and any of their friends/family members who stay overnight. Staying Put Provision will be noted as part of the Foster Carers matching criteria and may impact on the foster carer’s ability to be available for a range of placements through reduction in bedrooms.

### 6.3 Deregistration from Fostering

Foster Carers may decide that they have reached a point in their fostering journey where they no longer wish to foster but do wish to continue caring for a young person through the Staying Put arrangement. In this case the carer will continue to require enhanced DBS checks. The objectives of the Pathway Plan will form the basis of the expectations of the Staying Put carer which will be supported by the Personal Advisor. Where appropriate the advice and support of the Family Placement team may be sought. Where the pathway plan review identifies that the arrangement is not meeting the needs of the young person an action plan to address the issues will be agreed or the Staying Put arrangement will end.

### 6.4 Formal checks

There is no requirement for any formal checks to be made of households visited by the young person Staying Put. Young people Staying Put are likely to have developed friendships in their home and community. As adults they are likely to be able (with or without support) to make judgments and decisions about individuals or circumstances and be able to determine (and take action to avoid) perceived risks to their welfare.

Staying Put arrangements will be the subject of a Pathway Plan Review and may remain in place up to the young person’s 21<sup>st</sup> Birthday.

### 6.5 Support Offered to Staying Put Carers

#### 6.5.1 Advice, Guidance and Training

Staying Put carers will be expected to have attended specialist training on developing the independence skills of care leavers. This will be included in Skills to Foster Training. For Bracknell Forest carers the family placement team will continue to offer advice and support to the carers. The young person will have access to support and guidance from their Personal Advisor. Both will be able to advise and signpost the carer and young person to appropriate specialist resources as they work to develop skills for adult life. Where a young person has stayed on with Independent Foster Agency carers the training and support needs of the carer will be specified in the contract/protocol with the IFA.

#### 6.5.2 Monitoring and Review

A review of the Pathway Plan will be held at a minimum of six month intervals. The review will be chaired by an Assistant Team Manager, Over 11s and Leaving Care service; the Staying Put carer will be expected to contribute to the review of the young person's Pathway Plan and any other review of the progress being made by the young person in placement.

## 7 Establishing a Staying Put Arrangement

### 7.1 Identifying Staying Put as an Option

The possibility of Staying Put should be identified as an option with the young person, the carer and the professionals involved with the young person, through the pathway planning process at 16 years. A framework for exploring whether a Staying Put Arrangement may be suitable is found in **Appendix 1**. If a Staying Put Arrangement has been identified as an option and is being considered by the young person and foster carers this must be reported to the IRO at the next statutory LAC review. It is essential that the Head of Service, the FPT Manager and IFA supervising social worker are also informed at this point.

An early decision may reinforce a sense of stability for the young person and help to ensure that sufficient time is available to make the necessary arrangements. Occasionally young people or carers may change their minds after making an initial decision about Staying Put. The system should always allow both young people and foster carers to change their minds about establishing a Staying Put Arrangement, but care should be taken to avoid disruption to a young person's education at a critical time.

### 7.2 Written Information

Written advice about the differences between a foster placement and a Staying Put arrangement should be given to the young person and carers by the Personal Advisor / Social Worker, in order for both parties to make an informed decision about proceeding with the arrangement. Consideration should be given to informing the young person's birth parents or others with Parental Responsibility about the plans. Following the 18<sup>th</sup> birthday the young person is an adult and must give consent to sharing information.

### 7.3 Timescales for agreement

The process for planning a Staying Put arrangement will start as early as possible, and be the product of many discussions. An arrangement to Stay Put should, wherever feasible, be formalised and a draft agreement drawn up by the time the young person reaches 17 ½ years. This will ensure that details are fully discussed and understood in plenty of time for

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any contingency plan to be put into place. It is recognised, however, that the final agreement may not be signed until immediately before the young person's eighteenth birthday.

### 7.4 Other Young People in the Foster Home

If there are other young people in the foster home, the Foster Carers Supervising Social Worker must discuss the proposal with the young people and their social workers.

### 7.5 Preparing the Young Person

Prior to the young person reaching 18 years the allocated social worker, alongside the Personal Advisor, will ensure that the young person is as fully informed of the implications and expectations of the Staying Put arrangements.

The Personal Advisor will provide information for the young person to establish their projected income, either from employment or benefits, in order to establish their level of financial contribution to the costs of Staying Put.

The Personal Advisor will ensure that all claims for benefits are submitted in a timely fashion that minimises any potential disruption in allowances being received by the former carer. The Personal Advisor will, in conjunction with the young person, follow up these claims for benefits until a decision has been made and a payment commences. In certain circumstances it may be necessary for the Advisor to apply to the Head of Service for contingency arrangements so that the former carer's level of remuneration is not disrupted.

### 7.6 Licence Agreement

A Licence Agreement will be drawn up between the young person and the former foster carer, setting out the nature of the arrangement and a breakdown of the costs. This will be essential to ensure the young person can claim maximum housing benefit to cover the rent element of costs.

#### 7.6.1 Impact of Licence on Staying Put Providers

The Staying Put Provider will need to ensure that where appropriate their own tenancy, or mortgage and their household insurance, allows for them having a young person living with them.

### 7.7 Staying Put Agreement

The Personal Advisor / Social Worker will convene a Staying Put Support meeting immediately prior to the young person's 18th birthday, and in collaboration with the young person and foster carer and the Family Placement Social Worker finalise the draft Staying Put Agreement. The Staying Put Agreement replaces a placement plan and its purpose is for both the former foster carers and the young person to appreciate what is expected of each other and what they can both expect from Bracknell Forest. It sets out the terms, rules and finances of the Staying Put arrangement and identifies the changes going from a fostering placement to a Staying Put arrangement. Once the young person reaches the age of eighteen and legal adulthood, the local authority is no longer making a placement, but facilitating a "Staying Put" arrangement for the young person.

The agreement should cover:

- Preparation for independence tasks
- Finance, including young people's responsibilities if they wish to have credit cards loan agreement and mobile phone contracts registered at the address

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- Income and benefit claims
- Friends and partners visiting and staying at the address
- Staying away for nights/weekends and informing carers of movements
- Education, training and employment activities
- Health arrangements
- Move-on arrangements
- Issues related to younger foster care children in the placement, safeguarding, role modelling and time keeping
- Support arrangements

See **Appendix 2** for sample Staying Put Agreement

## 8 Professional Roles

### 8.1 Personal Advisor

The Personal Advisor will continue to provide support to the young person throughout the Staying Put process. They will complete Pathway Plans and support the young person within the new arrangement with the former foster carers. The Personal Advisor will ensure that the young person understands the terms of the Staying Put Agreement. This may include reinforcing what the young person is expected to purchase from their salary and/or benefits, supporting the young person to apply for relevant funding and benefits, and helping them to establish a method of making any regular payments to the former carer according to the terms of the agreement.

### 8.2 Supervising Social Worker

The Supervising Social Worker will continue to provide support to the carer until the Staying Put agreement starts. The Family Placement Team's role will involve supporting the carer to understand the nature of the Staying Put Arrangement, their entitlement to funding and advise the carer about their changing role with the young person under the Staying Put Arrangement.

### 8.3 Independent Foster Agency

The role of an IFA will be described in the contract, or in any agreement reached where Bracknell Forest is part of a consortium commissioning IFA placements. Where an IFA does not wish to be involved in a Staying Put arrangement Bracknell Forest will, in agreement with the IFA, negotiate directly with the foster carer and support will be offered on the same basis as that for a Bracknell Forest carer.

### 8.4 Independent Visitors and Independent Advocates

When a young person is no longer looked after there is no statutory entitlement to Independent Advocacy or Independent Visitors, However Bracknell Forest will continue to provide advocacy for Care Leavers where there is an assessed need.

## 9 Finance

### 9.1 Young Person's Income

#### 9.1.1 Means Tested Benefits

Young people who remain in a "Staying Put" arrangement can and will be expected to claim means tested benefits for their personal needs from their eighteenth birthday. These benefits

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will replace the pocket money, clothing allowance and personal element previously contained in the Foster Carers Allowance.

The following benefits (1 to 4 below) do not have any impact on the “Staying Put” carer’s welfare benefits, should they be claiming a means tested benefit.

Young people commencing Higher Education courses at any age are not eligible to claim means tested benefits, with the exception of certain lone parents and sick and disabled young people.

1. Young people can claim Income Support under the ‘Relevant Education’ rules if they remain ‘estranged’ from their family and are undertaking a full time (over 12 hours) education or training course which is under the higher education level. Young people can claim Income Support at any point prior to their 21st birthday and will continue to receive payment until the end of the academic year following their 21st birthday, i.e. generally until July following their 21st birthday. (Income Support rate - £57:35 per week- 2014-2015).

2. Lone Parents can claim Income Support until their child is 5 years old, Healthy Start Vouchers and a Sure Start Maternity Grant 11 weeks before the due birth date (the Sure Start Maternity Grant is only provided once for the oldest or first child). From the birth of their baby they will also be eligible to claim Child Tax Credits and Child Benefit. (Eligible and Relevant lone parents aged 16 & 17 can also claim the above benefits, but only from the birth of their baby).

3. Employment and Support Allowance can be claimed in circumstances where young people are deemed ‘sick or disabled’. (If the young person fits the eligibility criteria this benefit can be claimed from their 16th birthday regardless of being section 20, or section 31, or living in foster care).

4. Jobseekers Allowance where young people are registered as unemployed and are actively seeking employment.

### 9.1.2 Housing Benefit

All young people are expected to claim Local Housing Allowance (LHA) from their eighteenth birthday which is paid directly to the Staying Put Provider to cover the rent/accommodation element of the “Staying Put” arrangement.

If the young person does not make these payments to the provider it will result in the placement ending, it may impact on their future ability to claim LHA and it could result in them being considered “intentionally homeless” by the local housing authority. Thus in circumstances where concerns are anticipated regarding the young person managing their financial affairs, or where rent arrears have built up over eight weeks, arrangements can be made for the LHA to be paid directly to the carer.

Young people living in kinship “Staying Put” placements with sisters, brothers and certain extended family members who are formally approved as foster carers are not eligible to claim housing benefit on reaching the age of 18. In situations where a young person is not eligible to claim Housing Benefit, Bracknell Forest CSC will pay the rent/accommodation element of the staying put arrangement.

In circumstances where young people claim Housing Benefit and the “Staying Put” provider/s are in receipt of a means tested benefit, the young person’s benefit claim will result in the “Staying Put” carers benefit being reduced. This reduction will be off-set by

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the local authority Bracknell Forest, paying an amount equivalent to the level of the benefit reduction as section 23C compensatory payment.

### 9.1.3 Earnings

The young person may be in work or an apprentice and earning.

### 9.1.4 Allowance

Where a young person is not able to earn or claim Benefits, because they are in college or for other reasons, the Council will continue to provide weekly financial support. This is based on the current Job Seeker's Allowance rate.

### 9.1.5 Young Person's Financial Contribution to Staying Put Arrangement

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.

## 9.2 Staying Put Carer's Finance

The general principle is that the Staying Put carer will not be financially disadvantaged in comparison to when they were receiving the fostering allowance. However, the payments will reflect that the level of care and responsibility for an 18+ year old is less than that for a looked after child, thus the market supplement element will decrease in the second and third year of an arrangement.

Also whereas foster carers receive the fostering allowances directly from the council, in a staying put arrangement different components of the financial package will come from different sources, as detailed below.

The package of support will need to be based on individual circumstances and set out in the formal Staying Put Agreement. The components of the payment will be based on

- The Local Housing Allowance (LHA) or Housing Benefit
- A contribution from the young person, from income or entitlement to grants, allowances or benefits
- A Staying Put allowance paid by Bracknell Forest to the former foster carer

As the circumstances of young people change over time each arrangement will be individual and subject to regular review. It is recognised that the change in financial arrangements will add a potential complication, as young people take up the challenge of managing an income, which in itself may be inconsistent for a time as the young person tries out different options. This will be kept under review through the Pathway Plan. If a young person is unable to successfully manage over time the staying put arrangement may cease.

### 9.2.1 Young Person's Contribution Following Completion of Secondary Education

One purpose of the Staying Put arrangement is that the young person has to learn to manage their own budget responsibly and gradually become more independent. Thus following the completion of education the young person will contribute towards their rent and keep. This may be through claiming benefits or working. Specific Benefits, such as

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Housing Benefit will be paid directly to the carer. Where a young person is in work they will be expected to pay towards their rent and keep just like any other young person. The contributions made by the young person are set out in the Bracknell Forest Leaving Care Policy and found in Appendix 3

### 9.2.2 Staying Put Allowance

The core allowance paid by Bracknell Forest Council to foster carers includes 'pocket money', clothing allowance, travel, social activities and education materials. A young person Staying Put will have greater financial autonomy and be expected to manage this expenditure themselves, thus the Core Allowance to the staying put carer will be reduced correspondingly.

### 9.2.3 Financial Recording

The carer will be expected to record all payments made by the young person to them as part of the agreement. These payments will be taken into account in assessing the contribution of the authority to the financial remuneration to be paid to the carer.

## 9.3 Section 23 Payments and Benefits, Tax and NI issues for Staying Put Providers

This section covers the rules regarding payments to "Staying Put" provider/s that are in receipt of a means tested benefit/s.

**Carers considering a Staying Put arrangement should access independent advice regarding their finances, tax, NI, benefits from the Fostering Network.**

**The following information is from the DfE, DWP and HMRC Staying Put Guidance May 2013. It is the responsibility of a carer in a Staying Put Arrangement to keep up to date on these matters.**

Payments made to the "Staying Put" carers from the Local Authority Children's Services under section 23C of the Children Act 1989 via the young person, or directly to the provider/s on behalf of the young person are disregarded when calculating the carer's entitlement to means tested welfare benefits. The section 23C payment is disregarded in its entirety in circumstances where young people continue to live as a member of their former foster carer's family on a non-commercial basis.

In circumstances where all funding for a staying put arrangement is made as an allowance from CSC budget under Section 24 of the Children Act 1989 a letter should be written to the former carer confirming this and that the payment should be disregarded for income tax and benefit purposes.

Where young people contribute to the arrangement and/or claim housing benefit (which requires a commercial arrangement) they cannot continue to be deemed to be living solely in a familial arrangement. Therefore any element of the payment from a source other than the section 23C element is taken into account when calculating the impact on the "Staying Put" carers own welfare benefit claim. The section 23C element will always be disregarded when calculating the "Staying Put" carer's welfare benefit entitlement. Where a commercial arrangement applies and Housing Benefit is paid to the young person based on a rent officer determination, all non-section 23C payments regardless of their source ( e.g. contributions from the young person, including Housing Benefit) will be counted as income under the 'Boarder' rules.

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Under these rules the first £20.00 and 50% of the remainder is disregarded. For example, if a carer receives £238.20 per week in total for the “Staying Put” arrangement of which £176.20 is paid by the local authority under section 23C and £62.00 is paid by the young person from housing benefit, the amount taken into account by the DWP will be £62.00. Of the £62.00, £20.00 and a further £21.00 (50%) is disregarded, therefore the carer will be deemed to have a £21.00 per week income from the ‘Boarder’ (“Staying Put”) arrangement and they will lose £21.00 of their benefit/s. This arrangement would apply to each young person, if two or more young people aged eighteen or over remain in the placement.

In these situations where the “Staying Put” carer is in receipt of a means tested benefit the young person should still claim Housing Benefit, an amount equivalent to the carers DWP benefit reduction will be paid to them from section 23C. The section 23C compensatory payment will be disregarded in full by the DWP. In the above example a £21.00 compensatory section 23C payment will be made.

Where the “Staying Put” carer is over the pension credit age (the pension credit entitlement age is rising from 60 to 65 between 2010-2020) and is in receipt of Pension Credit more generous disregard rules regarding income from ‘Boarder Arrangements’ apply and should be explored. In practice, the whole amount paid (in respect of a ‘Boarder Arrangement’ to the carer in receipt of Pension Credit is likely to be disregarded, regardless of the young person claiming Housing Benefit and the source of the payment to the carer.

Early planning for, and identification of, the benefits and financial circumstances of individual carers is critical to ensuring that appropriate plans and arrangements are in place for both the carers and young person. Given the complexity of making these arrangements, commencing planning these from the child’s 16th birthday should provide sufficient time to ensure the necessary arrangements and support are in place by their 18th birthday.

### 9.3.1 Council Tax, Council Tax support and non-dependent deductions

From April 2013 Council Tax Benefit has been replaced by Council Tax Support Schemes that reflect individual local authority priorities and are administered through local rules.

The impact of the “Staying Put” arrangement on “Staying Put” Carer’s Council Tax and Council Tax Support will depend on both the circumstances of the “Staying Put” carer and the young person. For example, full time students are ‘invisible’ for Council Tax purposes and will not have any impact on the “Staying Put” carers Council Tax or Council Tax Support.

In circumstances where a “Staying Put” carer is working and in receipt of the 25% single person Council Tax reduction, this discount may continue when a “Staying Put” young person is living in the arrangement. The continuation of the 25% discount will depend on the circumstances of the young person.

Where “Staying Put” young people are claiming a means tested benefit, a Non-Dependent Deduction should not be applied to the “Staying Put” carers own means tested benefit claim.

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When planning for a “Staying Put” arrangement, consideration should be given to the impact of the arrangement on the “Staying Put” carers Council Tax, Council Tax Support and whether a Non-dependent Deduction will be applied. In circumstances where an increase in Council Tax occurs; a reduction in Council Tax Support applies, or a Non-dependent Deduction is applied a payment from section 23C equivalent to the carers financial loss should be made.

“Staying Put” young people will not incur an ‘Under Occupancy’ or bedroom tax charge on the “Staying Put” carers.

### 9.3.2 Payments under sections 17, 20, 23, 24 and 31 of the Children Act 1989

Payments from Children’s Services to young people under section 17, section 20, section 23, section 24 and section 31 (Children Act 1989) do not count as income for benefit purposes. Payments made to young people and passed to former foster carer/s from section 23C (Children Act 1989) are disregarded in the assessment of the former foster carer/s’ income for benefit purposes, if the young person was formerly in the claimant’s care, is aged 18 or over and continues to live with the claimant within a non-commercial family type arrangement. If the arrangement is a commercial one the section 23C disregard ceases on any non-section 23C element of the payment.

### 9.3.3 Income Tax, National Insurance for Staying Put Arrangements

Where young people remain living with their former foster carer/s under a “Staying Put” arrangement, the Income Tax and National Insurance rules that apply are set out in the ‘Shared Lives Carers’ – ‘Qualifying Care Relief’ Guidance.

The ‘Shared Lives Carers’ – ‘Qualifying Care Relief Guidance’ sets out that “Staying Put” carers receive tax exemptions up to a given ‘qualifying amount’ for each “Staying Put” young person living with them. The “Staying Put” qualifying rate mirrors the system and amounts that applied when the placement was previously a foster care placement. “Staying Put” carers will be covered by the Qualifying Care Relief system where they provide a “Staying Put” arrangement for a young person who was looked after immediately prior to the young person’s 18th birthday. Qualifying Care Relief can continue until the young person reaches the age of 21, or, until they complete a programme of education or training being undertaken on their 21<sup>st</sup> birthday. The Qualifying Care Relief system provides for foster carer/s and/or “Staying Put” provider/s to earn up to a given amount without paying Income Tax or Class 4 National Insurance Contributions on their caring income. The Income Tax free allowance consists of two elements. Firstly, a fixed amount per foster care or “Staying Put” household per year (for 2013 -2014 this is set at £10,000). Secondly, an additional amount per week per child (£200 per week under the age of eleven [0-10], £250 per week age eleven to their eighteenth birthday [11-17] 2013-2014) and £250 per week per adult aged eighteen to the twenty-first birthday [18-20] or until the end of the programme of education or training, as defined as “Staying Put” by HMRC (see terminology section).

The £10,000 per year applies once per household regardless of how many foster children or “Staying Put” young people are placed. The additional amount applies per child/young person per week. Where there is more than one paid “Staying Put” carer in the household, the allowance is shared equally by both carers.

The tax free allowance is only available to households with three or fewer placements. However, foster care placements are excluded for this purpose, and sibling groups are counted as one placement.

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If the “Staying Put” provider/s exceed the allowance they will have a choice of using the ‘simplified’ method or the standard profit and loss method to calculate their taxable profits. The provider/s will also be liable to pay Class 4 National Insurance Contributions on their taxable profit. Under the simplified method, a carer’s taxable profit is the income they receive from caring which exceeds their tax free allowance. Where foster carer/s or “Staying Put” provider/s do incur an Income Tax and Class 4 National Insurance liability and they have not used their personal allowance this can be used to off-set this liability. Individual carers can consult their local HMRC office for guidance on their circumstances and liabilities.

In practice HMRC will treat the taxable profit from foster care or “Staying Put” care as earnings from self-employment for National Insurance Contributions purposes. “Staying Put” provider/s as well as foster carer/s should note that they may be able to claim Working Tax Credits which are administered by HMRC. Fostering/“Staying Put” care is counted as work for Working Tax Credit purposes. The carer’s taxable income is included in the total household income that is used to assess the amount of tax credits that they are entitled to. So, where the carer is paid less than their tax free allowance, their income from caring for tax credits purposes is also nil.

HMRC is aware that a number of foster carers and “Staying Put” carers may not have registered for Class 2 National Insurance Contributions because they make little or no taxable profit. Foster care and “Staying Put” care is deemed as self-employment and as such carer/s should register as self-employed. All self-employed people aged 16 and over who are below State Pension age are liable and must register to pay Class 2 National Insurance Contributions. Failure to do this may affect their entitlement to Employment and Support Allowance, Maternity Benefit, State Pension and Bereavement Benefit. However, self-employed carers may be able to apply for Carers Credits which have replaced Home Responsibilities Protection, and those with low taxable profits may be able to apply for a Small Earnings Exemption.

To claim a carers credit, foster carers/“Staying Put” carers must complete form CF411A available from HMRC ([www.hmrc.gov.uk](http://www.hmrc.gov.uk)).

If carers have not previously registered as self employed they can obtain further information by calling the Newly Self-employed Helpline on **0845 915 4515**. If they are currently registered to pay Class 2 National Insurance Contributions they can obtain further information by calling the Self-employed Helpline on **0845 915 4655** instead.

HMRC Helpsheet (hs) 236 sets out information about the ‘Shared Lives Carers’ – ‘Qualifying Care Relief Guidance’ - Fostering and “Staying Put” Income Tax and National Insurance framework. <http://www.hmrc.gov.uk/helpsheet/hs236.pdf>

Foster carers and “Staying Put” carers should always inform the DWP and HMRC if their circumstances change and should always check with the DWP and HMRC regarding their personal circumstances and how payments for foster care or “Staying Put” care may affect their means tested benefits or any Income Tax or National Insurance liability.

### 9.3.4 Working Tax Credit

Staying Put carer/s should note that they may be able to claim Working Tax Credits which are administered by HMRC. Fostering/Staying Put care is counted as work for tax

## Staying Put Policy and Procedures

credit purposes. The taxable income is used to assess the amount of tax credits that they are entitled to. So, where the provider is paid less than their tax free allowance, their income from caring for Working Tax Credit purposes is also nil.

### 9.4 Retainers

A retainer can be paid in certain situations. Young people are not expected to make a contribution to the retainer.

#### 9.4.1 Armed Services:

If a young person joins the armed services the Staying Put carer/s can be paid the retainer while the young person completes the first three months of basic training.

#### 9.4.2 University:

Where a young person goes to university and it is agreed that they will return for holiday periods a £50 per week retainer will be paid to carers during the University term, plus an additional £30 per night when the young person returns for weekends and short breaks. The full fostering allowance would be paid for the remaining 22 weeks. When the young person returns during university breaks the Staying Put carer/s will receive their usual Staying Put rate.

The bursary which University Students receive from the Council is not classed as income and the young person will be not expected to contribute towards the cost of returning to their Staying Put carer/s during periods of vacation from University. Bracknell Forest Council is wholly responsible for all vacation accommodation costs for care leavers at University under the Leaving Care Act 2000. Where a young person attends a local university and commutes daily the expectation will be that the young person will contribute from their grant and bursaries as they would if they had left the area.

## 10 Regulatory Framework

### 10.1.1 Where Fostered Children are also living in the Staying Put Household.

Where a young person reaches the age of 18 and fostered children are also living in the placement, all aspects of the legislation relating to fostering continue to apply and govern the regulation of the household.

The major change being that the previously fostered child (from age 18) becomes a “Staying Put” young person and therefore an adult member of the household. As such the young person will require a Disclosure and Barring Service check. To ensure the check is completed by the young person’s 18th birthday the process will need to commence in sufficient time. This is the responsibility of the Supervising Social Worker as part of the preparation for the change of the fostering household. The Staying Put carer/s DBS checks will continue routinely.

From the age of 18 the requirement for a young person to have a placement plan that sets out the day to day arrangements for the placement ceases; the placement plan should be converted to a ‘Living Together Agreement’ which sets out the practical arrangements. See 7.6 Staying Put Agreement

In addition, the foster carer/s should be returned (review report presented) to the fostering panel for a change of circumstances (new adult member of the household – “Staying Put” young person).

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Fostering panel will need to give due consideration to the impact of the “Staying Put” arrangement on foster carers’ terms of approval, including the numbers approved for, and whether this number includes the “Staying Put” young person.

### 10.1.2 Where no Fostered Children are also living in the Staying Put Household.

Whilst fostering regulations no longer formally apply when a young person reaches the age of 18 the following requirements and standards will continue to govern the Bracknell Forest “Staying Put” arrangements in circumstances where no fostered child/children are living in the household:

- The placement plan which included the roles, responsibilities and the expectations of the foster carer and the young person should be converted into a ‘Living Together Agreement’;
- A return to fostering panel for termination/deregistration (particularly where it is envisaged that no further foster children will be placed);
- A six monthly review of the “Staying Put” arrangement;
- Safeguarding and risk assessment checks on household members and regular visitors;
- Health and safety checks;
- Regular supervision from the supervising fostering officer for the first year of the “Staying Put” arrangement and longer if appropriate or required;
- The opportunity to attending appropriate training.

In circumstances where “Staying Put” carers only have an 18 year old, (or older) “Staying Put” young person living with them, the supervising fostering officer will need to assess individual circumstances and consider the appropriateness of all of the above checks, particularly where it is envisaged that no further foster children will be placed in the future.

### 10.1.3 Minimum Standards and Practical Requirements.:

In situations where no foster children live in the placement and a decision is taken to terminate/deregister the “Staying Put” carers fostering registration, the overall arrangement then comes within the ‘Suitable Accommodation’ framework as set out in the Planning Transition to Adulthood Guidance, which includes the Care Leavers (England) Regulations 2010 and must comply with Regulation 6, 7 & 9 and Schedule 2.

“Staying Put” carers should ensure they inform their mortgage provider or landlord and their buildings and contents insurance provider that they will continue to be supporting a former foster child as a young adult under a “Staying Put” arrangement. Failure to inform the above may cause a breach of mortgage/tenancy requirements and may result in insurance cover being void due to a ‘failure to disclose material facts’.

“Staying Put” carers who transport young people are required to apply the same level of standards and care when transporting “Staying Put” young people as they did when they were transporting a foster child, i.e. comprehensive business insurance, a valid MOT, a valid Road Vehicle License and a road worthy vehicle.

“Staying Put” carer’s should consider liability insurance cover in situations where “Staying Put” young people may make an allegation against a foster child in placement, or against their “Staying Put” carer/s, or an allegation is made against the “Staying Put” young person. The majority of foster carers hold public liability insurance stemming from

## Staying Put Policy and Procedures

their local authority membership of Fostering Network or the British Association for Adoption and Fostering. This cover should be extended after a child/young person's 18th birthday.

"Staying Put" expectations should be incorporated into the 'Fostering Agreement' that foster carers sign on initial approval and then on a yearly basis following a successful review of their terms of approval.

### 11 Young Parent

If a young person in a Staying Put arrangement has a child living with them who is looked after by the Local Authority, the Staying Put carer/s will be entitled to the current fostering allowance rate for the child. If the child is not looked after the amount paid to the carer will be agreed according to individual circumstance.

### 12 Independent Sector

Currently Under Review by SE Consortium with view to agreeing a joint protocol to include

- adherence to the Council's policy with respect to post 18 arrangements.
- Facilitating Staying Put arrangements If the young person and carer/s are willing to convert the placement to a Staying Put arrangement
- Levels of support provided by the IFA
- Costs

### 13 Monitoring and Review

A monitoring meeting will take place after the first month of the new arrangements. Participants must include the young person, Staying Put carer/s, the young person's Personal Advisor and the Family Placement Team worker. At this meeting the Placement Agreement rules can be amended if necessary.

In line with requirements, the Personal Advisor must ensure a review the Pathway Plan at a minimum of six monthly to ensure that the young person's needs are being met. A written record must be kept of the outcome of the review. This should include a review of any problems or difficulties which have emerged, and what is working well.

A review can be arranged earlier by agreement between the young person, Staying Put carer/s, and the professionals involved.

The young person and carer/s can also access advice at other times from the Personal Advisor and/or Family Placement Team Worker.

Another means of monitoring and review is the Foster Carer/s Household Review. This will be undertaken on an annual basis in line with the National Minimum Standards and Fostering Regulations 2011 where a staying put carer is also registered as a foster carer.

### 14 Ending a Staying Put Arrangement

**Staying Put placements are not long term arrangements.** Procedures should be agreed at the outset regarding how the Staying Put carer/s or young person will bring the arrangement to an end. Both parties should give as much notice as possible, and this should in most circumstances be a minimum of 28 days' notice. The licence agreement allows for the ending of the arrangement with 7 days' notice for a breach of the agreement, but this minimum should only be used in exceptional circumstances.

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A young person deciding to leave the placement, should consult his/her Personal Advisor before giving notice to ensure they can be supported to find alternative accommodation. They must give the Personal Advisor and Staying Put carer/s at least two weeks' notice.

The Staying Put carer/s or Social Worker/ Personal Adviser may give immediate notice to terminate the placement if the young person is involved in any of the following:

- A threat to the wellbeing of others or self or property.
- Harassment of others involved in the service or neighbours.
- Misuse of the Staying Put carer/s property
- The possession of any illegal substances whilst in the property.
- Theft from the Staying Put carer/s or others of the property
- A serious criminal conviction during the placement.

Otherwise the Staying Put arrangement will end when the young person becomes 21 or earlier by agreement and via review of the Pathway Plan. If a young person is at a critical time in their education (e.g. final exam period) at the time when they reach 21 years they will be able to Stay Put until after this period. The young person in education between the age of 21-25 will be entitled to a review of their Pathway Plan to identify the options that may be available to meet their needs. This may include remaining with their current carer, however, the legislation for Staying Put ends at 21 years so any arrangement to remain beyond this age will be under different arrangements, e.g. Supported Lodgings, and will mean a change for the carer under the tax or benefit agency rules.

When planning to end a Staying Put arrangement as a young person approaches 21, consideration must be given to the fact that a young person will no longer be classed as in "priority need" for social housing when they reach 21 years. It may be necessary to plan for the young person to move shortly before this time if social housing is to be accessed.

### 15 Appendices

#### 15.1 Appendix 1 Framework for assessing suitability for Staying Put

- Is it likely that the young person will fit the criteria for Staying Put when they reach their 18th birthday?
- Is there evidence that the young person and foster carer have been working together to develop the young person's skills over time in recognition that eventually they will be moving on into independence?
- Does the young person and the foster carer/s understand the criteria for, and associated procedures for extending a foster placement into a Staying Put arrangement?
- Does the young person understand their financial and benefit responsibilities associated with remaining in a Staying Put arrangement?
- Does the foster carer/s understand the changes in their funding arrangements associated with a Staying Put arrangement?
- Does the foster carer/s understand the impact of a Staying Put arrangement on their welfare benefits, tax and housing benefit?
- What is the parallel plan for the young person should the Staying Put arrangement not be viable?

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### 15.2 Appendix 2 Example Staying Put Agreement

#### Staying Put Arrangement Agreement

This is an Agreement between a young adult who has attained 18 years and their previous foster carer/s who have agreed for the young adult to continue to live with them on a Staying Put basis.

A person cannot be legally fostered under the Fostering Regulations 2002 after they reach their 18th birthday. Due to the change in the young person's status, the arrangement is now a Staying Put Agreement. The Staying Put carer will continue to support and encourage the young adult through their transition to independence, within an agreed period.

The young adult and their host carer/s will discuss and agree general principles under the headings below, to include those outlined in the young adult's Pathway Plan. The Staying Put Carer will also agree to support the young person to achieve the practical skills identified in the Life Skills programme.

Start date of agreement:

Start date of Staying Put arrangement:

Anticipated end date of Staying Put arrangement:

Young Adult	
Host/carer/s	
Address of Staying Put SP carer	
Young Adult's Allocated Worker	
SP carer's Support worker	

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### **Confidentiality**

*To include the use/management of prior knowledge of the young adult gathered when fostered; the handling of post; telephone messages; visitors, etc*

### **Household Rules**

*To include smoking; use of alcohol; over night guests; staying out overnight/weekends; household chores i.e. clean up after self; use of landline telephone; laundry; arrangements for food prep cooking and cleaning etc*

### **Budgeting**

*The young adult and the SP carer carer/s agree to discuss the sensible/responsible/appropriate use of the young adult's limited finances. This is to include managing a bank account, budgeting, savings, benefit claims, understanding of bill paying as a priority, credit, phone contracts etc*

### **Education/Training/Employment Activity**

*Statement of young person's plans for EET and how carer will support the YP to sustain these plans.*

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### Health Arrangements

*GP, Dentist, Optician any other appropriate health services*

<p><b>Communication</b></p> <p>Exchange of contact details of young adult and SP carer carer/s and use</p>	
<p>Statement of action to be taken by SPcarer carer/s if concerned (i.e. contacting the young adult's LA Allocated Worker)</p>	
<p>Statement of action to be taken by young adult</p>	
<p>Statement regarding what information to be shared by SP carer carer/s with LA Allocated Worker</p>	
<p>Support to young adult including frequency of meetings</p>	
<p>Support to SP carer including frequency of visits</p>	

## Staying Put Policy and Procedures

### **Safeguarding Issues**

*Issues relating to Foster children in placement, DBS checks role modelling etc*

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- **Fee & payments**
- **How food/meals will be covered**
- **Additional support packages where required**

### **Moving on from Staying Put Placement**

--

**Objective of this 'Staying Put' arrangement between ..... and  
.....:**

By adhering to the above agreement and by working with their SP carer, the young adult will develop skills that will enable them to care for themselves, enable them to live responsibly independently, within an agreed period.

<b>Young Adult (print)</b>	
<b>Signature</b>	

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<b>Date</b>	
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<b>Staying Put Provider (print)</b>	
<b>Signature</b>	
<b>Date</b>	

<b>Support worker (print)</b>	
<b>Signature</b>	
<b>Date</b>	

<b>Young Adult's Allocated Worker (print)</b>	
<b>Signature</b>	
<b>Date</b>	

### 15.3 Appendix 3 Staying Put Financial Structure and Rates 2015/16.

The “Staying Put” provider will receive reimbursement from three sources

- the Staying Put Allowance,
- the young person
  - in the form of a payment for their rent, which may come in the form of Housing Benefit
  - and a contribution towards their keep from either benefits or wages.

Bracknell Forest Children’s Social Care is committed to ensuring former foster carers are not financially disadvantaged by supporting a former foster child under a “Staying Put” arrangement. This is balanced against the change in expectations on the carer who will be supporting a young adult to develop life skills and independence and preparing them to move on, rather than caring for a child. To reflect the reduced role over time as the young person matures the market supplement element of Staying Put Allowance will decrease by a proportion over three years.

#### 15.3.1 The Staying Put Allowance

The Staying Put allowance paid to the carer by Children’s Social Care is exclusively for the practical and emotional package of support that is being provided by that carer (ie food, household and support). Unlike the fostering allowance previously paid to that carer, it does not include any element to be given to or spent on the young person such as personal, clothing, travel and holiday allowances. These are provided from the young person’s income or by Children’s Social Care. Thus the allowance paid to the former foster carer will be reduced by the amount covering pocket money, clothing and personal items.

The disability component may be paid by Children’s Social Care where Adult Services are not involved.

The skills element relates to specific qualifications in childcare and will not be paid in relation to an adult staying put.

All foster carers, with the exception of connected person’s carers, are eligible for a £105 weekly market supplement which is deemed remuneration for the care offered. For Staying Put Providers the market supplement will be reduced by 25% at the beginning of the second year and a further 25% at the start of the third year. This is to reflect the growing independence of the young adults, and the reduction in direct care that would be required.

#### 15.3.2 Housing Benefit

In addition to the Staying Put allowance the Carer will receive Housing Benefit for the young person.

#### 15.3.3 Contribution from Benefits

If the young person is on income support they would pay a contribution.

#### 15.3.4 Contribution from Wages

Young people who are in employment and in a Staying Put Arrangement where Bracknell Forest Council is providing financial support, will be expected to contribute to the cost of their

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accommodation from their earnings. The amount they pay will be worked out according to the amount they earn. Details are set out in the Bracknell Forest Leaving Care Policy

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 from Children's Social Care or identified responsible adult. Payments will be accounted for and regular statements provided to the young person. The maximum contribution a young person will be expected to pay is £100 week.

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Item	Note	Phased reduction in £105 Market Supplement					
		Year 1		Year 2		Year 3	
		Full Market Supplement		75% Market Supplement		50% Market Supplement	
		Foster Carer	Connected Person	Foster Carer	Connected Person	Foster Carer	Connected Person
<b><u>Financial impact under Staying Put for the carer:</u></b>							
Housing Benefit	1	£151	£151	£151	£151	£151	£151
Job Seekers Allowance / Earned income	2	£30	£30	£30	£30	£30	£30
Contribution from BFC	3	£157	£51	£131	£51	£105	£51
Total income to carer		<b>£338</b>	<b>£232</b>	<b>£312</b>	<b>£232</b>	<b>£286</b>	<b>£232</b>
Carer's saving on spending	4	£28	£28	£28	£28	£28	£28

### **Notes:**

- 1 Based on Local Authority Housing Allowance that young people will be eligible to receive.
- 2 Minimum affordable payment by young person from Job Seeker Allowance or income from job.
- 3 Weekly cost to BFC
- 4 Young person now to pay for personal / pocket money, transport and clothing from own income rather than carer funding from BFC allowance.

All figures are weekly amounts

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