

Staying Put Arrangements

Foster Carer's Guide



Care leavers should expect the same level of care and support that others would expect from a reasonable parent. The local authority responsible for their care should make sure that they are provided with the opportunities they need, which will include offering them more than one chance as they grapple with taking on the responsibilities of adulthood.

*The Children Act 1989 Guidance and Regulations Volume 3:
Planning transition to adulthood for care leavers*

Leaving Care

In accordance with Rochdale MBC's Pledge to its Cared For children and young people, Children's Services is committed to promoting the successful transition to adulthood for cared for children and young people by ensuring they have the opportunities to learn the skills they need towards becoming independent adults.

Children's Services is of the view that eligible cared for young people should expect the same level of care and support with regard to the transition to adulthood that others would expect from a reasonable parent.

The transition to adulthood can be a turbulent time and young people can become an adult in one area but not in another. Young people placed with Foster Carers establish familial relationships and that by extending the placement via 'Staying Put' arrangements this would support their transition to adulthood.

What is a Staying Put Arrangement?

'Staying Put' arrangements are designed to ensure that cared for young people:

- Do not experience a sudden disruption to their living arrangements
- Have the support they need to continue to achieve in education or employment
- Have the opportunity to develop the skills they need in order to live independently in the future, for example, financial capability skills
- Young people and their Foster Carer/s are supported in making the right decision in respect of 'Staying Put' arrangements and have the appropriate information and support in this respect.

'Staying Put' supports young people leaving care to continue to live with their foster carer/s when they reach 18 years of age. The decision would be taken by the young person, the foster carer and Children's Services.

The Government guidance defines those young people who were an 'eligible child' or cared for and placed with a foster carer, can continue to live with that carer after 18 years of age.

An 'eligible child' is someone who is cared for by the Local Authority, is aged 16 or 17 years and has been cared for, for a total of at least 13 weeks since the age of 14 years. These young people are eligible for support as a care leaver. Once a young person becomes 18 years they are known in law as a 'former relevant child'. It doesn't matter how long the young person has been living with the foster carer, even if it is only for a short period of time, but it is important that when a child or young person moves to live with a foster carer, 'Staying Put' arrangements should be considered as a possibility for the future. Children's Services understands that effective Foster Carer/Child matching can influence a Foster Carers decision to offer Staying Put and the young persons' willingness to Stay Put and that it is important to ensure that a Foster Carer's understanding of permanence includes Staying Put.

It doesn't matter whether the foster carer/s are Local Authority foster carer/s, family or friend foster carer/s, foster carers who receive a skill based payment to meet your needs or foster carer/s from an Independent Fostering Agency. There are certain restrictions in respect of Family or Friend Foster Carers in respect of Housing Benefit. In respect of Independent Fostering Agency Foster Carers, arrangements for ongoing support will be considered in relation to the 'Staying Put' arrangement,

and this would be provided by the Local Authority Fostering Team. It is therefore important that the Fostering Team is notified at an early stage that is the 'Staying Put' Meeting.

As the young person's legal status would change following their 18th birthday that is they would no longer be 'cared for', the foster placement changes to a 'Staying Put' arrangement, with the young person effectively lodging in the carer's home, who becomes a landlord. Despite the change in the arrangements of the placement, the nature of the support and relationship between the young person and their carer will not change. The rules of the house will no doubt stay the same however consideration regarding additional issues will be required and this will be recorded in the Living Together agreement, which is addressed later in the guidance.

'Staying Put' arrangements can continue until the young person is 21 years of age or ceases to live in the household before that time. If the young person leaves the 'Staying Put' arrangement for any reason, they could return but this would impact the support provided. This is explained later in this guidance.

Rochdale has a duty to monitor and support all 'Staying Put' arrangements, including financial support.

This Foster Carer's Guide to 'Staying Put' arrangements explains the conditions required to extend a former fostering arrangement beyond a young person's eighteenth birthday, the associated financial implications, the social care requirements associated with extending former fostering arrangements and the consequential Income Tax, National Insurance and Welfare Benefit issues.

Rochdale MBC is committed to ensuring that the associated change from fostered young person to adult member of the household, and for the Foster Carer from Foster Carer to landlord (Staying Put Carer), should be carefully and sensitively planned in order to ensure that both the young person and the Carer/s understand the nature of the arrangement and that the positive aspects of being in foster care are not diminished by the new legal and financial arrangements and terminology.

Why should I be a 'Staying Put' Carer

"I am now part of the staying put agenda and that has enabled me to stay put with my foster carers that I was living with before I was eighteen. This has helped me to stay on at college and to continue to reach my goals. My carers are really supportive of what I want to do. Being able to stay put has meant pretty much everything to me. If I had gone independent at eighteen I wouldn't have lasted and would have had to go back to my parents which wouldn't have worked out. I wouldn't have progressed as a person and I would have had different prospects."

Young Person

There are lots of reasons why you may want to consider becoming a 'Staying Put' carer/s. There are no additional rules other than those set out above regarding who can have a 'Staying Put' arrangement. Some of the reasons young people may wish to consider a 'Staying Put' arrangement would be due to needing stability whilst in education, employment or training, being vulnerable, having a disability or needing more time before a planned move.

The Government Guidance clearly states that Foster Carers should not be precluded from becoming 'Staying Put' carers and should not be financially disadvantaged by doing so.

'Staying Put' arrangements support young people to develop maturity, skills and confidence and help with a gradual transition to adulthood and independent living. 'Staying Put' arrangements make sure young people don't have a sudden disruption to their living arrangement and have the

support they need to continue to achieve in education or employment in support they need in making the right decisions for them at the right time.

Young people have stated that they want

- To be listened to regarding their thoughts and wishes.
- To keep lines of communication open, and let their thoughts and feelings be known.
- To ask for help when needed rather than letting things build up.
- To receive emotional support from the carers, with the carers in turn being properly supported.
- To keep mutual respect for each other including each other's belongings, space and privacy.
- To be given increased responsibility.
- Carers to receive training to teach young people independent living skills like budgeting, cooking and managing bills.
- To have regular meetings between the young person, their personal adviser and staying put carer to talk about what is going well or not so well, and any extra support needs.
- Training for everyone involved in the process, including young people.
- A support worker who knows all about staying put.
- A named person who understands the benefits system.

Young people who stayed put were more likely to turn to their former foster carers for advice and support than those who did not, and had a wider network of people they could turn to for support. As a registered Foster Carer you play a significant role in supporting young people in respect of the issues identified above and towards adulthood and can continue to support them beyond their 18th birthday to ensure that they have the skills and maturity to move towards independence at a time that is right for them. Training and support is available to Foster Carers in respect of supporting young people in their transition to adulthood and they are also supported via the Pathway Plan process. The supervising social worker must ensure that any learning and development needs are reflected in the carer's personal development plan and training and development portfolio and are considered in reviews. This is also true when supporting a young person post 18 via a 'Staying Put' arrangement and the challenges this can bring given that the young person is legally an adult will be considered and appropriate support provided. Where young people have more specialised needs, additional and bespoke training may be required for the carer.

How is my Foster Carer Registration Affected?

Following the young person's 18th birthday, the legal basis on which they occupy the property (former foster home) changes (the legal term is that the young person becomes an 'excluded licensee' lodging in the home), this should not denote that the young person will be treated differently than they were as a foster child. In addition the carer may also become, and be deemed, the young person's landlord / landlady.

Where the 'Staying Put' carer continues to be a registered Foster Carer and other cared for children are living in the household, the checks and requirements associated with Fostering legislation will apply and will continue to provide a framework for safeguarding and checking arrangements for the household. The carer will remain an approved Foster Carer and the Fostering Services (England) Regulations and Guidance will apply, requiring ongoing supervision, review and safeguarding. Whilst the fostering legislation mainly applies to the placements of the fostered children, it does ensure that a system of approval, checking and supervision is applied to the whole household.

If foster children remain in placement, the Foster Carer will be presented to the Fostering Panel due to a change in the circumstances, specifically in respect of the 'Staying Put' young person having

reached adulthood and being an adult member of the household. It is important that the timing of the review enables a full discussion of all relevant matters and provides time for the Fostering Decision Maker to act on recommendations, including any changes to the terms of the Carer's approval.

If cared for children and young people are in placement, the 'Staying Put' young person will require a valid DBS check and will need to be completed before their 18th birthday.

The Foster Carer may wish to continue as an approved carer. In these circumstances the Fostering Service will consider the appropriateness of continuing the approval, ensuring that it meets all of the statutory requirements, including visits by the supervising social worker, annual unannounced visits, review of approval, training, advice, information, support and support for CPD.

If the Foster Carer decides that they do not wish to continue to be an approved carer or will not be fostering children for a period of time, the Fostering Service will consider whether to terminate the carer's approval as a Foster Carer. If the Foster Carer wishes to consider fostering in the future, it would be inappropriate to terminate their approval.

The Foster Carer may submit their resignation, in writing, and in this situation their approval will automatically end 28 days after this is received by the Fostering Service.

Where the Foster Carer's approval is terminated, they will continue to receive support in respect of the 'Staying Put' arrangement and ensure that it continues to meet appropriate standards, including

- A system for considering if a person's approval as a foster carer should be ended and for implementing the deregistration/termination process in circumstances where the foster carer is unlikely to be caring for any further foster children in the future;
- A system for reviewing and approving the Staying Put arrangement and carer/s to ensure that the arrangement complies with local authority expectations;
- Safeguarding and risk assessment checks on household members and in certain circumstances regular visitors;
- Health and safety requirements (as a minimum this should comply with landlord and licensee/tenant requirements);
- Regular supervision and support, possibly, from their fostering supervising social worker;
- Opportunities to attend appropriate training.

Planning a 'Staying Put' Arrangement

There are a number of stages which will address the possibility of a 'Staying Put' arrangement. The initial stage would be at the point of matching a young person with a Foster Carer, in order to provide both the young person and Foster Carer with the opportunity to continue their relationship beyond the young person's 18th birthday and provide the support required.

Staying Put arrangements should be considered in respect of all children and young people where they are placed 'long term' or permanently with a Foster Carer. It is important that everyone understands the options for the future from the outset, even though circumstances may change over the years, it is important that 'Staying Put' is part of the care planning process.

'Staying Put' arrangements do not always arise out of long term foster placements. Where a young person is placed with foster carer/s at 16 or 17 years, it is important to consider via the care planning processes whether a 'Staying Put' arrangement is a viable contingency option for them at 18 years

and whether their needs would be best met through such an arrangement. The Local Authorities duty to monitor and support a 'Staying Put' arrangement is not linked to any qualifying period, so long as the eligible child/young person was placed with the Foster Carer when they reached 18 years of age.

In order to decide whether a 'Staying Put' arrangement is what you and the young person wants, it is important that you get clear information at an early stage. This should be something that is discussed on a regular basis by your social worker and in review meetings.

There are lots of things to consider therefore it is important that both you and the young person are aware of what is involved. The decision is not just with you, it is important that the young person is part of the discussions and receives support from their social worker.

The young person's social worker is responsible for completing a Leaving Care Assessment of Need within 3 months of the young person's 16th birthday or if they didn't become cared for until after their 16th birthday, within 3 months of the date they became cared for.

The Leaving Care Assessment of Need identifies the support the young person needs in preparing to become an adult and working towards living independently. The Assessment of Need will consider what support the young person needs to move towards independence and when. The young person and their Foster Carer will be involved in the Assessment of Need and your wishes and feelings should be clearly recorded. You will receive a copy of this assessment, which will be used to develop the young person's Pathway Plan. If the young person's circumstances change significantly it may be necessary to undertake a further Leaving Care Assessment of Need to make sure that the young person has the right support they need.

Some of the questions or issues which will be discussed are: -

- Does the young person wish to consider Staying Put?
- Is it likely that the young person will fit the criteria for Staying Put when they reach their 18th birthday?
- Have their individual support needs been considered in full?
- Does the young person and their Foster Carer/s understand the criteria for, and associated procedures for extending a foster placement into a Staying Put arrangement?
- Does the young person and their Foster Carer/s understand the 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 benefit income and on their Income Tax and National Insurance responsibilities and liabilities?
- Is the Foster Carer/s aware of the amount which would be paid, from whom (including the young person's contribution) and what it would cover i.e. fee element, additional discretionary payments, payments to the young person, costs of the carer supporting the young person?
- Is the Foster Carer/s aware of when payments would be reviewed and would cease?
- Is the Foster Carer/s aware what would happen if the young person was away from home for a temporary period, i.e. university or on holiday?
- Is the young person and Foster Carer/s aware of what would happen if the young person temporarily lost their entitlement to benefits due to a sanction?

- Is the Foster Carer/s aware how payments will affect benefit entitlement, tax liabilities and Council Tax discount if applicable
- Is the Foster Carer/s aware of how their learning and development needs will be supported and addressed?
- Is the Foster Carer/s aware of where to get advice including independent advice?
- Is the Foster Carer/s aware of what may happen in respect of their registration as a carer
- What advice, assistance and support is required to facilitate and maintain a 'Staying Put' arrangement in the future, and who will co-ordinate and provide this?
- What specialist advice and support will be in place for the young person due to special needs, vulnerability or disability?
- What are the contingency arrangements for the young person, should the Staying Put arrangement not be possible for whatever reason?

The above information should be included in the Pathway Plan and a copy provided to the young person and their carer. Alternatively a separate direct agreement may be appropriate including the Local Authority, carer and IFA if appropriate.

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

Leaving Care Assessment of Need

The **Leaving Care Assessment of Need** (also known as **Pathway Plan Part 1**) is undertaken within three months of the young person's 16 birthday, or where the young person does not become cared for until after their 16th birthday, within three months of the date they became cared for, identifies the assistance and timescale required for young people to move to independence and, in the context of 'Staying Put', should be used as the framework for beginning to explore the issues identified above. The 'Staying Put' Meeting outlined below is held as part of the Leaving Care Assessment of Need.

Pathway Plan

The young person's social worker will complete the **Pathway Plan** (also known as **Pathway Plan Part 2**) following the Leaving Care Assessment of Need. The Pathway Plan is based on and includes the young person's Care Plan, and will include information about the young person's health and development, education, training and employment including their Personal Education Plan, their emotional and behavioural development, identity, contact with their family, friends and people they are close to, skills in relation to managing money, budgeting and opening a bank account, making sure that they are in 'suitable' accommodation and anything else that they may need support with, in preparing to be independent.

The Pathway Plan addresses the above issues against the young person's individual needs, how support and services will be provided and by whom, and indicate the timescales within which these will be provided. In order to address all aspects of the Pathway Plan, appropriate professionals will be involved in developing the plan. All those involved in developing the plan and who are named in it will receive a copy of the plan and following subsequent reviews.

The focus of the Pathway Plan is to support the young person in their transition to adulthood and independence. It is updated on a regular basis in order to meet the young person's changing needs. The Foster Carer plays a significant role in providing support to young people placed with them and therefore will play an important part in both the Leaving Care Assessment of Need and Pathway Plan.

Staying Put Meeting

To ensure sufficient time is available to make the necessary planning arrangements for extending a placement beyond a young person's 18th birthday, a Staying Put Meeting should be arranged by the young person's Social Worker and take place as part of the Leaving Care Assessment of Need (**Pathway Plan Part 1**). The young person and the foster carer should be supported in understanding the nature of Staying Put arrangements, by way of a discussion with their allocated worker. This will establish whether a 'Staying Put' arrangement is viable and whether the young person and / or Foster Carer are interested in a 'Staying Put' arrangement.

The young person, their Social Worker and / or Personal Advisor, Foster Carer/s and their supervising Social Worker will be invited to attend the meeting. Consideration will be given, where appropriate to inviting the IRO, any person(s) with parental responsibility, young person's advocate if involved, Commissioning Team representative where the young person is placed with IFA Foster Carers, the IFA Provider and Local Authority Fostering Team. The young person will be consulted as to who should attend the meeting and depending on their wishes and feelings, it may be more appropriate to have the 'Staying Put' Meeting in two parts.

The 'Staying Put' Meeting will address the following: -

- Views and wishes of the young person
- Views and wishes of the Foster Carer/s
- Areas of support the young person requires in relation to skills, confidence and developing maturity to support transition to adulthood and independence
- Support currently being offered by the Foster Carer
- Support currently being offered to the Foster Carer
- Support currently being offered by the Social Worker and Personal Advisor
- Support currently being offered by other agency or professional
- Identifying unmet needs or gaps in provision of support
- Identifying all key tasks, roles and responsibilities related to considering and planning towards a 'Staying Put' arrangement
- The impact on the Foster Carer/s financial circumstances should a Staying Put arrangement be agreed.
- Specific reference to the criteria and financial framework for extending the Staying Put arrangement and the National Insurance, Income Tax and Welfare Benefit issues for the Foster Carer/s and Welfare Benefit / contribution issues for the young person
- Long Term goals and plans of the young person for their future
- 'In principle' decision as to whether a staying put arrangement is possible, which will be considered alongside other contingency arrangements for the young person post 18 years. NB remember that circumstances can change therefore the plan may change prior and up to the young person's 18th birthday.
- The 'living together' agreement and advice given about what this involves and why it is important. This is covered later in the guidance.
- Contingency Plans for the young person should a 'Staying Put' arrangement not be a viable option for whatever reason
- Staying Put / Care Planning meetings in between the statutory reviews, and a date agreed for the next planning meeting to take place.

Where the meeting agrees that a 'Staying Put' arrangement is a positive option then the Pathway Plan will clearly reflect this plan and include the support to be provided. Subsequent LAC and

pathway reviews will ensure that this is considered, and that the plans and support in place are working positively towards 'Staying Put'.

If the 'Staying Put' Meeting concludes that a 'Staying Put' arrangement is not viable, this should be clearly recorded in the **Pathway Plan** and **Placement Plan** so that both the young person and Foster Carer have clear information as to why decisions were made.

The meeting may decide that a 'Staying Put' arrangement will not go ahead. This could be because you don't think it is right for you, the young person doesn't think it is right for them or Children's Services don't think it is in their best interests. Whilst it is rare that Children's Services would think that a foster placement would not be suitable as a 'Staying Put' arrangement, if it is felt that the 'Staying Put' arrangement is not able to meet the young person's needs, it is important that a change of placement is considered to enable the young person to have the opportunity of a 'Staying Put' arrangement. Where Children's Services do not support the 'Staying Put' arrangement, this will be outlined in writing. The young person has the right of appeal.

Any decisions made at this stage of the discussions are provisional and both the young person and the Foster Carer will have the opportunity to gain additional information, discuss the options with their allocated worker, and to address a change of circumstances.

Staying Put Progress Meeting

It is important to review the preparation and planning in respect of a 'Staying Put' arrangement. A Staying Put Progress Meeting will be arranged by the young person's Social Worker when the young person is around the age of 17 years. The aim of the Staying Put Progress Meeting is to establish how the young person has progressed and whether a Staying Put arrangement is still a viable plan. The Staying Put Progress Meeting can be undertaken as a Staying Put or Care Planning Meeting and should take place after the second to last LAC review before the young person's 18th birthday.

If the young person or foster carer was initially or remains unsure about a 'Staying Put' arrangement, this should not preclude ongoing discussions during visits and reviews. It is recognised that circumstances can change, which may impact on the Carer or Young Person's decision regarding 'Staying Put'.

The young person, their Social Worker and /or Personal Advisor, Foster Carer/s and their supervising Social Worker will be invited to attend the meeting. Consideration will be given, where appropriate to inviting the IRO, any person(s) with parental responsibility, young person's advocate if involved, Commissioning Team representative where the young person is placed with IFA Foster Carers, the IFA Provider and Local Authority Fostering Team. The young person will be consulted as to who should attend the meeting and depending on their wishes and feelings, it may be more appropriate to have the 'Staying Put' Meeting in two parts.

The Staying Put Progress Meeting will address the same issues identified in the Staying Put Meeting. Where the young person or Foster Carer's circumstances have changed significantly, a further Assessment of Need should be undertaken to appropriately consider the young person's changed needs and circumstances and ensure that any unmet need has been addressed. This would then inform the Pathway Plan and a revised package of support for the young person.

Discussions will have been ongoing between the Staying Put and Staying Put Progress Meetings and this meeting will make sure that you are clear about the information shared and pull this together

into a more formal agreement, for example in respect of financial support and a 'Living Together' agreement.

Living Together Agreement

All 'Staying Put' arrangements must be supported by a written agreement or a 'living together' agreement between the carer and their supervising social worker, the young person and their social worker and /or Personal Advisor. The written agreement covers the ground rules and expectations of all concerned.

It is important to remember that a great deal of the 'Living Together' agreement will probably have been in place prior to the 'Staying Put' arrangement. There may be some changes when the young person is no longer cared for and is legally an adult. The written agreement therefore should include what will stay the same and what, if anything will change.

Young people living with their birth families would not complete a written agreement in preparation for their 18th birthday therefore the 'Living Together' agreement should be addressed as part of ongoing discussions, visits and reviews. The term 'Living Together' may also be difficult for the young person, therefore the name and mechanism for recording will be discussed as part of the ongoing discussions.

There are no restrictions in respect of what is included in the Living Together Agreement but these issues need to be agreed between the young person and their carer to ensure the young person is clear about the expectations, house rules and individual responsibilities. Some issues may be negotiable whereas others may not. The following issues may be relevant to include in the agreement however this is not an exhaustive list.

- Time the young person has to return home by at night
- Friends and partners visiting or staying at the address
- Staying out overnight – by agreement, with whom, how many (NB housing benefit and carer's financial support may be impacted if the young person is not residing in the 'Staying Put' arrangement on a consistent basis)
- Issues relating to younger foster children in the placement – safeguarding, being a positive role model and time keeping
- Safeguarding issues
- Checking room to ensure welfare and suitability
- Education, training and employment activities
- Health arrangements
- Use of alcohol inside and outside the home
- Smoking inside the home
- Use or ownership of illegal substances in the property
- Attending college, work
- DBS check to be completed and updated as required
- Pets
- Paying rent
- Notifying the carer of damage or things that are broken
- Paying for loss or damage to furniture or belongings in the home
- Utilising the support which the pathway plan identifies
- Not abiding by the expectations
- Attending appointments

- Support from carer regarding budgeting including credit cards, loan agreements, mobile phone contracts, benefit claims, shopping for a weekly meal plan, and general preparation for adulthood and independence.
- Moving on arrangements
- Notice period

Licence Agreement

The Licence Agreement, is specifically about the 'Staying Put' arrangement and will assist the young person to claim for benefits. These agreements make sure that all the arrangements are clearly recorded including the date the agreement was formally agreed and started; who the agreement relates to; where the young person will reside; the cost of the arrangement per week; the young person's income; contributions from Children's Services; benefits paid in respect of the 'Staying Put' arrangement; notice period for ending the 'Staying Put' arrangement and specific agreements and expectations. The Licence Agreement will be signed by the Foster Carer, Young Person and Children's Services.

What happens next?

Once a decision has been made that a 'Staying Put' arrangement is a viable option, and the appropriate documentation has been completed, the young person's social worker has also agreed that this is in your best interests, you will need to develop your 'Living Together' agreement.

This information will be presented to the Placement Panel following the Staying Put Progress Meeting. The Placement Panel may ask for more information in order to make a decision, and will set a review date for the social worker to return and provide that additional information.

The Placement Panel will approve the 'Staying Put' arrangement once they are confident that everything has been considered and it is in the young person's best interests. They will set a further review period within 6 months of the young person becoming 18 years of age. The Placement Panel will send written confirmation of their decision.

Final LAC review prior to the young person's 18th birthday

The Independent Reviewing Officers will ensure through the care planning process that cared for children are aware of their options, and that their permanence plan sets out expectations for when the placement ends.

The final review prior to the young person's 18th birthday will consider the information gathered during the Staying Put Meeting and Staying Put Progress Meeting, and ensure that the appropriate information, guidance and support has been provided and appropriate documentation has been completed.

The IRO will invite the young person and the Foster Carer to express their views and wishes in respect of the 'Staying Put' arrangements and ensure that appropriate and sufficient support is in place.

Staying Put Arrangement Not Approved

A 'Staying Put' arrangement should not be agreed if it is not considered to be consistent with the young person's welfare. This should be identified at an early stage. It will be rare for Children's

Services not to support a 'Staying Put' arrangement, however if this is the case it will be recorded and clearly communicated. The Placement Panel will consider all potential 'Staying Put' arrangements even if the social worker is not recommending the arrangement. The young person has the right of appeal. The young person's social worker and Foster Carer's supervising social worker will ensure that they arrange a meeting to discuss the decision in person and consider their wishes, feelings and options for the future.

The young person and Foster Carer may decide that the young person will continue to reside in the former foster care placement. Rochdale MBC will not financially assist the young person or the carer where they do not support the 'Staying Put' arrangement however will continue to offer support and advice as per their leaving care duties and responsibilities.

Where there are any safeguarding issues in respect of the young person, this must be referred to Adult Social Care if the young person is deemed at risk or a vulnerable adult. Where there are safeguarding issues with regard to other children within the home, this must be referred to Children's Services and the Fostering Service.

Financial Arrangements and Support

Rochdale MBC is committed to supporting Foster Carers to engage with 'Staying Put' arrangements by providing financial support, which covers all reasonable costs of supporting the care leaver to remain with them, in line with the level of support they receive as a Foster Carer.

The 'Staying Put' allowance is based on the former foster placement rate, which would commence on the young person's 18th birthday, minus the pocket money and clothing allowance element, which would be replaced by the young person's entitlement to benefits or income. Not all young people will be entitled to a 'Staying Put' arrangement therefore Christmas / Festival payments, Birthday payment and Holiday payments will not be made to ensure equity with other care leavers.

The 'Staying Put' allowance will be funded from a number of sources including Children's Services, Young Person's contributions and Benefits. The allowance paid will contribute to the cost of the young person's accommodation, support, utilities, food and associated placement costs.

Where the young person is in Year 13 of their education and become 18 years of age in that academic year, the foster placement rate of payment will continue until 2 weeks after the young person's final examination. The young person will not be expected to claim benefits if this interferes with their examinations.

Rochdale MBC is mindful that Fostering can be the main source of income for some Foster Carers and may be concerned that a 'Staying Put' arrangement would prevent them from taking other Foster Children. Such financial issues should be considered and 'Staying Put' arrangements should not be precluded on the basis of financial grounds alone, therefore each young person's circumstances should be taken into consideration and the financial implications explored.

Where a foster carer has been paid a skills fee in respect of the young person, consideration will be given as to the ongoing needs of the young person and whether additional financial support is required to facilitate the placement where appropriate. It is not anticipated that the fees paid will continue as the young person remains in the arrangement and achieves stability and requires less support.

Independent Fostering Agency Foster Carers will be supported in considering 'Staying Put' arrangements in line with Local Authority and Relative Friend Foster Carers. The financial support would be in line with the Local Authority foster carer payments. Additional financial support could be considered as per the skills fees paid to other foster carers, however this must be on the basis of the young person's needs and it would not be anticipated that the additional support would be required as the young person remains in the arrangement and achieves stability and requires less support. Consideration may be given to whether the IFA carer could be registered as a Rochdale Carer or as a Supported Lodgings Scheme.

- Young People living away from home

Some young people may wish to continue to remain with their former Foster Carer but may be living away from home for example joined the armed forces or is attending University. The 'Staying Put' arrangement will provide a secure and stable home for the young person. Under such circumstances a retainer fee will be paid to the Foster Carer at 50% of the weekly payment. For young people in the army, this would be for the first three months of basic training. For young people in University, they may wish to return to their home community during holiday periods, and the carer will be supported for the duration of their course. The young person will be expected to make a pro rata contribution based on their rent and personal contribution during the holiday times. Young people are not expected to make a contribution towards the retainer fee.

- Young People claiming Benefits

Guidance is available for young people to explain their entitlement to benefit entitlement including helpful website links.

The Department of Work and Pensions framework regarding 'Staying Put' arrangements primarily applies to a young person remaining with their former foster carer on a familial basis, where no commercial arrangement applies, until they first leave the arrangement (even if they later return), they reach 21 years of age and they complete an agreed programme of education or training being undertaken on their 21st birthday, provided that they live in the arrangement continuously.

The 'commercial' arrangement relates to whether any element of the cost of the 'Staying Put' arrangement is met from a source other than S23C of the Children Act 1989. S23C relates to the Local Authority's duty to support a former relevant child. Where the cost of the 'Staying Put' arrangement is met solely from S23C, it is disregarded, however where payment is from any other source, this will be taken into account when calculating any means tested benefit which may be payable to the 'Staying Put' carer.

Young people remaining in a "Staying Put" arrangement can claim a means tested benefits for their personal needs from their 18th birthday. These benefits replace the Pocket Money and Clothing Allowance previously contained in the foster carers maintenance allowance.

Calculations for contributions and payments have been based on the 2014 benefit rates however the following website link will enable Foster Carers and young people to access up to date payment rates and guidance. <https://www.gov.uk/universal-credit>

Universal Credit is being introduced in Rochdale in 2014 and replaces Jobseeker's Allowance, Housing Benefit, Working Tax Credit, Employment and Support Allowance and Income Support.

The rules in respect of young people claiming Housing Benefit are impacted by the circumstances of their 'Staying Put' carers and whether meals are provided in the 'Staying Put' arrangement. Support

from the Foster Carer's supervising social worker will be vital in establishing the circumstances of the 'Staying Put' carer and the impact on the young person's entitlement to benefits. Local Authority Housing colleagues will also provide support in respect of individual circumstances.

The following website provides information in respect of Housing Benefit.

<https://www.gov.uk/housing-benefit/further-information>

Where meals are provided in the "Staying Put" arrangement, the level of Housing Benefit is based on a reasonable rent for a one-bedroom dwelling with meals included, which is set by the Local Rent Officer who will provide what is called a Local Reference Rent or a Claim Related Rent for the "Staying Put" carers home. The lowest of these, less an amount for meals, will become the maximum rent used to work out the amount of help given with their rent.

Rochdale has identified a rent liability which is based on the Local Housing Allowance rate for a room in a shared house, excluding food and utilities. This has been used as a baseline for the purposes of calculation only and does not preclude the young person's circumstances being assessed when they make a claim for Housing Benefit. The rent liability may waver up or down.

The rent liability for young people in a 'Staying Put' arrangement (2014), excluding meals and utilities would be: -

Heywood	£46.80 per week
Middleton	£66.62 per week
Rochdale	£57.75 per week

The meals liability based on a full board basis is £26.55 and for utilities it is £36.15 in full which is broken down into heating, hot water and lighting. This gives a total amount of £62.70. Young people in 'Staying Put' arrangements would not be classed as living in supported accommodation therefore there would be no further reduction in respect of support provided.

Each calculation will address: -

- The boarding out payment
- The rent liability amount
- The meals and utilities amount
- The young person's benefit allowance including Housing Benefit
- The young person's contribution (if in employment or has other income)

Where Housing Benefit is based on the maximum rent, it is possible to request a Pre-Tenancy Determination (which is carried out by the Local Rent Officer) in advance of the Housing Benefit claim being submitted in order to determine the level of Housing Benefit that will be paid on a property.

To be eligible to claim Housing Benefit the young person must be liable to pay rent that is both enforceable and is established on a commercial basis. It is important that the Local Authority is satisfied that the arrangement is suitable and is not 'contrived'. Children's Services must therefore be involved in setting up the 'Staying Put' arrangement. The rent agreement needs to be clearly outlined and identify what contributions the young person will make. The Licence Agreement and Living Together Agreement, which is supported and endorsed by Children's Services sets out the nature of the agreement and evidences the young person's liability to pay rent. The full payment / costs are broken down into: -

- Rent
- Support
- Utilities
- Food / Meals

As fostering regulations cease when a child reaches the age of 18 the primary framework governing these arrangements is tenure law. Young people are deemed excluded occupiers on a licence. The Staying Put Carer and young person should sign a licence agreement outlining their liability to pay rent and where they are expected to claim Housing Benefit. The licence agreement should set out the costs, which are broken down into rent, support, utilities and food / meals. Further guidance is provided in the joint DfE/DWP/HMRC guidance.

Housing Benefit is paid to individuals who are required to pay rent, on a low income or claiming benefits, have savings below a certain level, are employed or unemployed. For individual who are single and under 35 years of age, Housing Benefit is only paid for bed sit accommodation or single shared room in shared accommodation.

Housing Benefit is not paid if the individual has savings, live in the home of a close relative, are a full time student (unless disabled or have a child), are an asylum seeker or sponsored to be in the UK and are residing in the UK as an European Economic Area Jobseeker. The benefit cap places a limit on the total amount of benefits an individual can receive.

Housing Benefit can be claimed up to 13 weeks in advance, for example a planned move. Housing Benefit can pay for part or all of the rent; the amount will depend on income and circumstances. Housing Benefit will not be paid for heating, hot water, energy or food. There is not set amount in respect of Housing Benefit and the amount will depend on 'eligible' rent, whether there is a spare room, household income and circumstances. Eligible rent relates to the reasonable rent for a suitable property in the area and includes service charges. Housing Benefit could be reduced due to spare bedrooms. The Government guidance provides advice in respect of reductions for spare bedrooms, sharing bedrooms, single bedrooms (including single adult). Rooms used by students and members of the armed or reserve forces will not be counted as 'spare' if the individual is away and intends to return home.

Private rent will be based on the local housing allowance in the area, the individual's income and savings and circumstances.

Where Housing Benefit is paid under the 1996 Housing Benefit rules Children's Services "Staying Put" Schemes can request that the Housing Benefit payments are paid directly to Children's Services as agents (sometimes deemed a third party claim) of the carer/s.

Where Housing Benefit is paid under the Local Housing Allowance rules this should be paid to the claimant, unless the claimant is 'vulnerable' in which case the payment can be paid to the landlord or Children's Services as an agent for the landlord. Being previously looked after, and requiring an on-going supported environment should help to highlight the continued 'vulnerability' of the claimant.

Housing Benefit cannot be paid to close relatives; therefore young people who remain living with closely related former kinship/family and friends carers under a "Staying Put" arrangement will not be able to claim Housing Benefit towards their rent liability.

Young People are able to claim Housing Benefit even when their “Staying Put” carer/s are in receipt of Housing Benefit themselves. However, where carers are in receipt of benefits the non-section 23C element will be counted as income from the “Staying Put” arrangement; this non-section 23C element will be treated as income from a ‘Boarder’.

Where the ‘Staying Put’ Carers’ are in receipt of a means tested benefit, payments made by Children’s Services under section 23C of the Children Act 1989 via the young person, or directly to the carer/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.

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 and 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 (Supporting People [or successor funding framework] payments, contributions from the young person, including Housing Benefit) will be counted as income under the ‘Boarder’ rules.

Where meals are provided, under these rules the first £20.00 and 50% of the remainder is disregarded. For example, if a carer receives £220.00 per week in total for the “Staying Put” arrangement of which £100.00 is paid by the local authority under section 23C, the amount taken into account by the DWP will be £120.00. Of the £120.00, £20.00 and a further £50.00 (50%) is disregarded, therefore the carer will be deemed to have a £50.00 per week income from the ‘Boarder’ (“Staying Put”) arrangement and they will lose £50.00 of their benefit. This arrangement would apply to each young person if two or more young people aged eighteen or over remain in the placement. The local authority could however make a compensatory payment of £50.00 from section 23C (that would be disregarded by the DWP) which would negate the loss of the carer’s benefit.

Where meals are not provided and a commercial arrangement applies and Housing Benefit is paid to the young person based on the Local Housing Allowance rules, all non-section 23C payments regardless of their source will be counted as income under the ‘Income from Sub-Tenants’ rules. Only the first £20.00 per sub-tenant is disregarded. For example, if a carer receives £220.00 per week in total for the “Staying Put” arrangement of which £100.00 is paid by the local authority under section 23C, the amount taken into account by the DWP will be £120.00. Of the £120.00, £20.00 is disregarded, therefore the carer will be deemed to have a £100.00 per week income from the ‘Sub-Tenant’ (“Staying Put”) arrangement and they will lose £100.00 of their benefits. This arrangement would apply to each young person who is deemed a sub-tenant. The local authority could make a compensatory payment of £100.00 from section 23C (that would be disregarded by the DWP) which would negate the loss of the carers benefit.

If the “Staying Put” carer is in receipt of Housing Benefit themselves and the young person claims Housing Benefit or Local Housing Allowance (depending if food/meals are included) the amount over the disregarded or ignored sum (see above – ‘Boarder’ or ‘Sub-Tenant’ rules) will be treated as

income. The carer/s will then have an amount deducted from their Housing Benefit or Local Housing Allowance based claim according to Housing Benefit income rules.

If the carer/s is in receipt of two means tested benefits i.e. Income Support and Housing Benefit the deduction made will initially be from their Income Support and then Housing Benefit. If Income Support remains in payment then the carer is treated as having no income for purposes of the Housing Benefit claim and maximum Housing Benefit would continue to be payable.

In reality this will result in "Staying Put" carers who are in receipt of means tested benefits losing a percentage of their benefit and possibly opting out of a "Staying Put" Scheme. However, local authorities could choose to make an additional section 23C payment equivalent to the amount of benefits the carer would lose to avoid the carer being out of pocket.

It is important to note that where "Staying Put" carers are not in receipt of any means tested benefits the loss of some of the section 23C payment and disregard will not have any effect if a commercial arrangement is established and the young person claims Housing Benefit for the rent element of the arrangement.

It is also important to note that the section 23C DWP disregard only extends until the young person first leaves the "Staying Put" arrangement. If a young person returns to a "Staying Put" arrangement the whole payment from whatever source will be taken into account by the DWP.

In certain circumstances where a "Staying Put" carer is in receipt of Housing Benefit a Non-dependent Deduction may apply in respect of the "Staying Put" young person. Non-dependent Deductions are normally applied to a person's Housing Benefit claim in relation to people who are living in their household and who are not counted as part of their family. This is likely to be the case in regard to "Staying Put" young people who are working and have an income. The level of the Non-dependent Deduction would relate to the income of the young person. This would still be the case if the local authority pays the "Staying Put" carer the full cost of the arrangement from section 23C and the young person does not make a contribution to the cost of the arrangement, either through Housing Benefit or a personal contribution. It is also important to note in this circumstance that if the young person claims Housing Benefit, or makes a contribution to the "Staying Put" arrangement it would become a commercial arrangement and the income would be treated as 'Boarder' or Sub-tenant' income on the non-section 23C element.

Young people aged 18 to 25 in receipt of Income Support, income based Jobseekers Allowance and income related Employment and Support Allowance are unlikely to have an NDD applied to their "Staying Put" carers Housing Benefit claim

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.

A Discretionary Housing Payment may be made if the Housing Benefit doesn't cover the rent. Additional advice can be obtained from the Government Website regarding heating and energy costs via the link above.

Where the individual obtains employment, works more hours or earns more money, some benefits may stop, however Housing Benefit could continue for an extra 4 weeks – Extended Payment of Housing Benefit – if the individual has received certain benefits continuously for at least 26 weeks up to the time they returned to work. Once the extended payment ends, ‘in work Housing Benefit’ may be payable.

- Section 23C Payments and Housing Benefit issues for ‘Staying Put’ arrangements

Payments made to the “Staying Put” carer by the Local Authority Children’s Services under section 23C of the Children Act 1989 via the young person, or directly to the carer/s on behalf of the young person are disregarded when calculating the carer’s entitlement to means tested welfare benefits. However, the section 23C disregard only applies where young people continue to live as a member of their former foster carer’s family (“Staying Put”) on a non-commercial basis. Where young people claim housing benefit (which requires a commercial arrangement) they cannot continue to be deemed to be living as a member of their former foster carer’s family (“Staying Put”) and therefore any payment from whatever source is taken into account and the section 23C disregard does not apply.

Where a “Staying Put” carer is in receipt of a means tested benefit the young person will not be expected to claim Housing Benefit as the carer is not able to set a commercial rent. The rent element of ‘Staying Put’ arrangement would be funded by the Children’s Services under S23C therefore the carer’s benefits are not affected.

Where a ‘Staying Put’ carer is not in receipt of means tested benefits, the young person is able to claim Housing Benefit without impacting on the ‘Staying Put’ carers.

- Section 17, 20, 23, 24 and 31 Payments

Payments from Children’s Services to young people under section 17, section 20, section 23, section 24 and section 31 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 and the information in section 5.5 applies.

- Council Tax and Council Tax Benefit

The arrangements are dependent on the circumstances of the ‘Staying Put’ carer. Where the Staying Put carer(s) are not in receipt of Council Tax benefit and pay full Council Tax, the young person does not have any impact on their Council Tax liability. The young person should submit a claim for Council Tax Benefit for administrative purposes.

Where the Staying Put carer is working and in receipt of the 25% single person reduction, this may continue in respect of a ‘Staying Put’ arrangement where the young person is a student, as they are counted as ‘invisible’ in regard to the ‘Staying Put’ carer’s discount.

Where the Staying Put carer is working and in receipt of the 25% single person reduction, and the young person is not counted as ‘invisible’ consideration should be given to a Second Adult Rebate,

which compensates people who lose a 25% single person discount when a low income person moves in.

Where the Staying Put carer(s) are in receipt of Council Tax benefit, and a commercial rate is charged in respect of the 'Staying Put' arrangements, the carer's benefits are likely to be impacted.

In certain circumstances a young person may be treated as a Non-Dependent in terms of the "Staying Put" carers Council Tax Benefit. If this is the case there are set amounts of non-dependent deductions or (NDD's) that are deducted from Council Tax Benefit according to age, status and income.

- Income Tax and National Insurance Issues for 'Staying Put' arrangements

Staying Put arrangements are defined more broadly by HMRC that is the young person was looked after immediately prior to their 18th birthday, and has a pathway plan, and a proportion of the allowance paid to the staying put carer is paid by the local authority.

In such circumstances the arrangement will be regarded as staying put until the young person reaches the age of 21, or completes an agreed programme of education or training being undertaken on their 21st birthday.

The staying put carer need not ever have been a foster carer, so this approach covers some arrangements which are beyond the scope of the Children Act 1989 definition.

Where young people remain living with their former foster carer/s under a "Staying Put" arrangement, Income Tax and National Insurance framework and liabilities apply. All foster carers and "Staying Put" carers must register as self-employed.

The 'Shared Lives' - '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. The HMRC tax concession for shared lives carers is given on the basis that the carer uses their own home in their work and includes the person they support in their family life. It is a generous concession, similar to the agreement which exists for foster carers. People who provide care and support, but who do not use their own home or include someone in their family life are not entitled to the Shared Lives Tax Concession. Clear guidance is provided via [Help Sheet 236 Foster and Adult Placement Carers is here](http://www.sharedlivesplus.org.uk/support/tax-break#sthash.kcscOHxT.dpuf). - See more at: <http://www.sharedlivesplus.org.uk/support/tax-break#sthash.kcscOHxT.dpuf>

H.M. Revenue and Customs Help Sheet (hs) 236 sets out information about the 'Shared Lives' - 'Qualifying Care Relief Guidance' - Fostering and "Staying Put" Income Tax and National insurance framework. The Help Sheet highlights that 'If your total receipts from "Staying Put" care in the tax year (the period from 6 April to 5 April) do not exceed your qualifying amount, those receipts will be free from Income Tax for that year. This means that, for tax purposes, you will be treated as having made no profit or loss from "Staying Put" care for that year'.

The qualifying amount consists of two parts which should be added together:

- An annual fixed amount (NB If two or more carers within the same household separately receive payments for "Staying Put" care, the fixed amount should be applied to their combined receipts; If you are a registered foster carer for less than a full year you can claim an appropriate proportion of your fixed amount);
- Plus a weekly amount for each "Staying Put" young person.

The qualifying amount does not affect the personal tax allowance. If the 'Staying Put' care receipts are exempt, the full amount of the personal allowance is available to use against any other income the carer is in receipt of.

The 'Staying Put' exemption does not affect any income from other sources, for example, from employment or from investments. Such other income will be taxed in the normal way.

"Staying Put" carer/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 tax credit purposes. The carer's taxable income 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 Working Tax Credit purposes is also nil.

- Insurance

Staying Put Carers should ensure that they extend any insurance cover which was in place when they were Foster Carers. Parties should be clear in respect of the terms for the insurance policy. The Fostering Team will ensure that Staying Put Carers, including those who no longer have foster children in placement or who have been de registered what support is available to them, including legal support.

The Fostering Team will also ensure that Staying Put carers are advised in respect of their household and car insurance policies, to ensure that this covers their particular circumstances.

- Contribution from Young People to Staying Put Arrangements

Every effort will be made to ensure that young people will be engaged in either education, training or employment, however there may be circumstances whereby some young people are in receipt of benefits. The maintenance allowance has been based on the Jobseeker's Allowance, which in 2014 is £57.35, and this will be taken to calculate contributions from young people in receipt of benefits.

Where the young person is in receipt of benefits, they are responsible for their day to day expenses, clothing, toiletries and contributing towards meals and utility costs. The young person would be expected to contribute 50% of their benefit towards the 'Staying Put' arrangement in respect of meals and utilities.

Where the young person is in employment, their contributions would be based on additional income or earnings which are above the benefit rate, at 50 pence in every pound or 50% up to a maximum of £100. For example where a young person is on minimum wage of £5.13 (2014) working 36 hours per week giving a total of £184.68 per week, the maintenance allowance (£57.35) would be deducted, giving £127.35. This would then be divided by 2 to give 50% giving a contribution of £63.66, leaving the young person with £121.02 per week.

- 'Staying Put' Payments

As stated the 'Staying Put' payment is based on the former foster placement rate, minus pocket money and clothing allowance. The Staying Put allowance is paid from a number of sources therefore it is important to establish the financial circumstances of the young person and the Staying Put carers.

Where the prospective Staying Put carers are in receipt of skill payments, or are IFA carers, the weekly payment must be taken into consideration when calculating the ongoing financial support. It

is recognised that skills payments are paid due to additional needs of a young person therefore with ongoing support from the carer and the stability of the arrangement, it is anticipated that the skills payment would reduce over the three years to 21. Therefore skills payment would reduce by 1/3 each year. Where the former foster carers are IFA carers, it is recognised that this placement may be in relation to the additional needs of the young person therefore a similar arrangement to the skills payment should be considered. These issues must be discussed with the prospective Staying Put Carers prior to submitting the request for extension of payment to the Placement Panel and indicate whether the carers are in agreement.

A number of key issues will need to be considered in calculating the payments to be made, including benefits claimed, young person's contribution and Children's Services payments. There is a Finance Calculation Tool which will be used to collate relevant information, find out how much will be paid and who will contribute. The following examples show how this will be calculated. If your circumstances are not covered in these examples, your supervising social worker will help you to understand how the financial assistance paid to you is worked out.

Example 1 - Foster Carer is a Level 1 carer receiving £175 per week. Deduct £30.63 (pocket money and clothing allowance) = £144.37. Young Person is claiming maintenance allowance and contributes £28.67 = £115.70. Housing Benefit is paid at the rent rate identified above, for example for Rochdale at £57.75 = £57.95. Local Authority pays £57.95, Housing Benefit pay £57.75, Young Person contributes £28.67 and also is responsible for clothing and pocket money. NB Housing Benefit can be paid to the Local Authority therefore they would pay £115.70 and be reimbursed £57.75

Example 2 - Foster Carer is a Level 2 carer receiving £266.07 per week. Deduct £30.63 (pocket money and clothing allowance) = £235.44. Young Person is on minimum wage (£5.13) working full time (36 hours) = £184.68, minus £57.35 = £127.33, of which 50% = £63.66 and therefore contributes £63.66 = £171.78. Young Person has no savings. Young Person is not entitled to Housing Benefit. Local Authority pays £171.78, Housing Benefit pay £0.00, Young Person contributes £63.66 and also is responsible for clothing and pocket money

Example 3 - Foster Carer is a Level 1 carer receiving £175 per week. Deduct £30.63 (pocket money and clothing allowance) = £144.37. Young person is at university and receives £57.35 maintenance and £50 rent per week. During holiday times they would contribute £28.67 plus £50 rent = £78.67 = £65.70. Young Person has no savings. NB young person may be entitled to Housing Benefit and any claim will be paid to the Local Authority and deducted from Local Authority payment. Local Authority pays £65.70, Housing Benefit pay £0.00 however the young person may be entitled to claim, Young Person contributes £78.67 and also is responsible for clothing and pocket money

Example 4 - Foster Carer is a Level 4 carer receiving £638.27. Deduct £30.63 (pocket money and clothing allowance) = £607.64. Young person has savings from Criminal Injuries payment which takes them over the benefit rate. Calculate the contributions on the weekly allowance for the young person from their savings or allowance agreed by financial consultant. Deduct £57.35 from the weekly allowance and divide the remaining amount by 2 (50%) – this would be the young person's contribution. NB once the young person's savings falls below the benefit amount they would revert to the examples given above.

Children's Services Finance Officers will support the calculation of contributions from young people and in respect of the payments to Foster Carers and provide written confirmation of the amounts calculated to both the young person and Foster Carer.

Monitoring 'Staying Put' arrangements

All 'Staying Put' arrangements will be monitored and supported via the Pathway Plan which will include visits to the young person and Foster Carer at an agreed frequency and a review meeting will take place at least every 6 months. Where a 'Staying Put' arrangement is not supported but continues to take place, the Personal Advisor will continue to monitor and support the young person and the Fostering Service will support the 'Staying Put' carer and address their status as a Foster Carer.

Any safeguarding issues in relation to the young person or Carer should be appropriately raised with Adult Social Care if no children are the home. All 'Staying Put' Carers will be made aware of their responsibilities in respect of sharing safeguarding concerns regarding an adult, who was a former cared for child, and is living in a 'Staying Put' arrangement, and children are not involved including contact made to Adult Social Care responsible for the area the adult / young person is living, consent obtained from the adult potentially at risk and consideration in relation to the capacity of the adult at risk unless other people appear to be at risk of harm, it is in the public interest, the person is exposed to life threatening risk and they are unreasonably withholding consent, the adult appears to lack mental capacity or has impaired mental capacity re consent.

Ending a 'Staying Put' arrangement

The Living Together and Licence Agreement will clearly set out the arrangements for ending the 'Staying Put' arrangement and the length of notice required. It is important that the young person is supported in moving to independent living in a planned way.

The 'Staying Put' arrangement can continue until the young person is 21 years of age however the young person can leave at any time prior to that time with agreed notice.

If the 'Staying Put' arrangement ends prior to the young person's 21st birthday, following the notice period, the young person can return but it will no longer be considered as a 'Staying Put' arrangement and the support of the 'Staying Put' carer receives in respect of financial assistance will be affected. It is therefore important that careful consideration is given to ending the 'Staying Put' arrangement and that support and advice is obtained from the relevant allocated workers.

Questions

You may have a number of questions following reading this guidance, and your supervision social worker will be able to help you.

Rochdale would like to support young people to leave care when they are ready and for Foster Carers to be supported in offering the support young people need by way of a 'Staying Put' arrangement and are happy to provide information and assistance to help make the decision that is right for you.

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