



Centre for Professional Practice

STAYING PUT ARRANGEMENTS

Information for Independent Fostering Agencies

1. Introduction

In England, the Children and Families Act 2014 received Royal Assent on 13 March 2014 and a new duty on local authorities to provide advice, assistance and support to enable young people in foster care to remain living with their former foster carers (a 'staying put arrangement') came into effect on 13 May 2014.

Dudley MBC is committed to preventing social exclusion amongst care leavers and has developed a policy in order to ensure that care leavers for whom there is a suitable option receive appropriate support.

This policy is designed to ensure young people do not experience a sudden disruption to their living arrangements, that educational achievement and continuity is promoted and that 'vulnerable' young people can make a gradual transition from care to independence.

2. Legal

From the age of eighteen young people are no longer legally in 'Care' and therefore fostering arrangements no longer apply. Unlike with foster placements, this agreement is not with the independent fostering agency, though clearly you will be involved in planning for the staying put arrangements. Our contract will transfer to the Staying Put Provider.



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" carer(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.

The associated change from foster child to adult member of the household, and for the carer from Foster Carer to landlord ("Staying Put Provider"), will be carefully and sensitively planned in order to ensure that both young people and their 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.

3. Staying Put Planning

For young people in an independent fostering placement staying put arrangements will be agreed between the Local Authority, the former Foster Carer and the young person.

The young person's views should be sought to see if they want to remain with the Foster Carer(s) past their 18th birthday.

A professionals meeting should take place once the young person has completed Year 11. It is the responsibility of the Social Worker to arrange this meeting. The "Staying Put" meeting should include the Foster Carer(s), Social Worker and Social Worker/Personal Adviser who should establish the viability and likelihood of a "Staying Put" arrangement occurring. The meeting will identify all key tasks and roles and responsibilities related to transferring the former fostering arrangement. The meeting will explore the impact on the foster carers' financial circumstances should the placement continue after the young person's 18th birthday.

Any arrangements will form part of the recommendations of the LAC review following completion of year 11.

The Staying Put professionals meeting will be repeated when the young person reaches the age of 17 years and 9 months. The agreement should be signed and all final arrangements and requirements are in place by the young person's 18th birthday. This will be part of the Pathway Planning process.

4. Finance

a) Payment

Staying Put Provider will receive up to £200 per week for each former foster child over eighteen. Dudley will pay Staying Put Provider direct and not through the agency as our contract with the agency will expire on the young person's eighteenth birthday.

b) Benefits

The young person's Personal Advisor will work with them to apply for any benefits to which they are entitled.

c) Young People Attending University or Living Away

Living away from the Foster Carer's home for temporary periods of time, such as attending higher education courses, will not preclude young people from remaining in a Staying Put arrangement. It is recognised that supporting Staying Put arrangements enables the continuation of familial relationships which gives the young person the security and stability they require whilst they are focusing on their education.

Where the Young Person is resident at University or other residential study establishment the Staying Put Provider(s) will be paid a pro-rata payment of the full weekly allowance for each 24hour period that the young person resides at the provider's home plus a £150 retainer payment per term.

5. Fostering other Children

We understand that this may have implications on your own service especially where the former foster carer has other children in placement or you are looking to make new placements.

Foster Carers may continue to be registered to foster other children but their terms of approval may need to be amended to acknowledge the change of circumstances.

DBS checks may need to be obtained for previous foster children who have now turned eighteen.

6. Reviewing the Arrangement

A staying put arrangement is part of the young person's Pathway Plan towards independent living. It will be considered at each review of the young person's Pathway Plan and the arrangement will normally be brought to an end within this planning process. If any of the parties wish to end the arrangement outside the current plan an immediate review will be arranged.

Both parties should give as much notice as possible and in most circumstances this should be a minimum of 4 weeks.

7. Dudley Contacts

We want to make this process as smooth as possible so if you have any queries please speak to the Young Persons Social Worker or Young Persons Adviser.