Services for Hillingdon Young People Leaving Care



Transition to Adulthood (Leaving Care) Financial Policy, Procedures and Guidance 2020/2021

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Introduction

This financial policy provides guidance on the payments that the Council will make to Looked After Children (LAC), including those deemed eligible and relevant who are aged 16 and 17 and living in semi-independent and independent accommodation; those who are former relevant care leavers aged 18 to 21, or until the completion of the education course being undertaken on their 21st birthday and those who are former relevant care leavers aged 21 to 25 who return to the authority to resume or commence education or training, fulfilling its' statutory role as the Corporate Parent.

This policy also covers the support provided to Unaccompanied Asylum Seeking Children, which, although shown separately, will attract the same levels of support as indigenous LAC, but due to their status there are some exceptions.

This policy also sets out the responsibilities of the Young Person and their relationship with the Council as the Corporate Parent, setting out the action that will be taken if one or the other side does not abide by the policy.

The policy has been agreed by the Council's Corporate Parenting Board, and Cabinet and will be reviewed each year as part of the Medium Term Financial Forecast Budget setting process, the draft of which will be considered at the December Cabinet meeting for consultation and approved at the Cabinet meeting in the following February.

No payments or other financial support is to be provided to LAC outside of this policy, without the prior agreement of the Deputy Director of Children's Services or HOS.

In a number of cases, LAC can access funds from other sources, predominantly central government departments, such as the Department for Works and Pensions. In all cases these should be prioritised and the relevant Social Worker or Personal Adviser needs to ensure that other funding sources are considered first before seeking approval to provide Council funds. The funding principle is that the public purse can only be accessed once.

University students will be expected to apply for a maintenance loan which is provided by Student Finance England and is paid directly to them, to help with living costs such as rent, food, bills, equipment and books. The Council will not support University students to pay for accommodation other than the vacation accommodation allowance and the HE Bursary.

Notes and Implementation Issues

- All allowances should be based on an assessment of need and be set out in the young person's Pathway Plan. The Plan must highlight any attached conditions, how payments will be made, the frequency of payments and when they will be reviewed and cease.
- 2. By the age of 16 all young people should have a National Insurance Number (with certain exceptions) and relevant identity documents with photographic evidence to ensure they can register for housing, bank accounts and claim welfare benefits.
- 3. Ensure all young people have a bank account and where possible pay all allowances to young people through their account.
- 4. It is a statutory requirement that allowances are index-linked, reviewed annually and are aligned with annual welfare benefit increases.
- 5. The allowances set out in the following sections apply to all 'Eligible', 'Relevant', 'Former Relevant' and 'Qualifying' young people dependent on their legal/immigration status and an assessment of their needs. Care leavers who are also unaccompanied asylum seeking children are entitled to the same allowances as any other care leaver. However, allowances to this group of young people may be affected and limited as a result of their immigration status.
- 6. Certain groups of children looked after and care leavers aged 16 & 17 are eligible to claim welfare benefits (lone parents and sick and disabled young people), where young people are eligible to claim, support should be provided to maximise income. Where young people aged 16 & 17 are in receipt of welfare benefits a number of the leaving care maintenance allowances cease.
- 7. Wherever possible VAT should be reclaimed on all purchases that are VAT rated. A VAT receipt is required for all purchases made with a purchase card. When purchasing items up to the value of £250.00 a receipt with a VAT number is required. For items over £250.00, a full VAT receipt is required.
- 8. This document template and content was developed by John Short Leaving Care Training and Consultancy and remains the intellectual property of that organisation. The content cannot be reproduced without the express permission of Hillingdon Council or John Short Leaving Care Training and Consultancy.
- 9. The headings used throughout this document are taken from the Children (Leaving Care) Act 2000 Guidance and the Planning Transition to Adulthood for Care Leavers Guidance and Regulations 2010 (revised 2015).

10. Document Structure:

- Section 1 Children Looked After (aged 16 & 17) and Eligible, Relevant and Qualifying Children aged 16 &17
- Section 2 Former Relevant and Qualifying Children aged 18 to 21/25
- Section 3 & 4 Appendices Eligible, Relevant, Former Relevant and Qualifying Children aged 16 to 21/25

SECTION 1

Looked After Children and those deemed Eligible and Relevant (Aged 16 and 17) who are living in semi-independent and independent placements.

- Section 31 'Care Orders' living in a semi-independent or independent placements
 Eligible children (and those who have not been looked after for 13 weeks)
- Section 20 'Accommodated' living in a semi-independent or independent placements Eligible children (and those who have not been looked after for 13 weeks Qualifying children)
- Young people previously looked after living in a semi-independent or independent setting – Relevant children

Basis and	Conditions and Comments
Amount	
Accommodation	Placement and accommodation costs to be met in full for young people up to the age of 18.
Where young	
people are moving into private sector accommodation the rent level	Where young people are moving into private sector accommodation the rent level must be within the Local Housing Allowance for that area. Any requirement to provide a deposit and rent in advance must be clarified prior to the tenancy agreement being authorised.
must be within the Housing Benefit – Local Housing Allowance rate	Since April 2008 Housing Benefit for private sector tenants who rent from a private landlord is calculated using the Local Housing Allowance (LHA) rates. The Rent Officer sets the level of the LHA for the different types of property in each LHA designated area; these are known as Broad Market Rental Areas.
for the specific area and type of property.	Under LHA, payments will generally be made directly to the tenant unless they are particularly 'vulnerable'. Care leaver status would, in principle, qualify a young person to have his or her LHA paid directly to the landlord. The intention of paying LHA directly to tenants is to encourage responsibility for paying the rent themselves.
	From April 2013 LHA rates are set annually.
	From 1 st January 2013, all LHA claimants will have their LHA rate reviewed every April. Rates will no longer be reviewed on the anniversary of the claim.
	The maximum weekly Local Housing Allowance rate for the Hillingdon area from 1st April 2020 is:
	shared accommodation £115.07
	one bedroom accommodation £212.88
	Current rates for different areas can be checked via the Rent Service website, or via http://www.direct.gov.uk and follow the links to Local Housing Allowance and individual council areas.

Continued

For general information about care leavers and the Local Housing Allowance visit: https://lha-direct.therentservice.gov.uk/Secure/pdfs/TRSHB(LHA)2CL.pdf

Independent accommodation should not be approved for any young person where the rent charged by a landlord is higher than the Local Housing Allowance for that given area. Young people leaving care are exempt from the Shared Accommodation Rate (SAR) up to the age of 22; therefore they are eligible to rent accommodation up to the 1 bedroom Local Housing Allowance rate. From January 2012 the SAR has been extended from the age of 25 to the age of 35.

In exceptional circumstances Children's Services may act as a guarantor for young people following an assessment of need and all other possible guarantors being explored and ruled out. In situations where Children's Services has acted as a guarantor for 16 and 17 year olds, a new tenancy agreement should be produced when the young person reaches their 18th birthday. This is particularly important where young people are living in private accommodation. The liability and responsibility for the condition and the cost of the accommodation should be transferred to the young person at 18. Where necessary Children's Services will pay for the new tenancy agreement, with the prior agreement of the Deputy Director of Children's Services.

Prior to seeking agreement to Children's Services acting as the guarantor, social workers should clarify the level and scope of any liability. Where possible, liability should only extend to the young person's rent and the buildings insurance excess.

Emergency accommodation or Bed and breakfast accommodation can only be used in exceptional situations, for a maximum of two nights and with the agreement of the Head of Service. In circumstances where appropriate accommodation cannot be found, emergency accommodation may be extended upon the approval of the Head of Service.

When young people move into privately rented accommodation their personal adviser should take digital pictures that show the condition of the property and any items that are included in the rent/inventory. The pictures should be stored and uploaded to Civica. This will assist with negotiating with the landlord if there are problems regarding the condition of the property and the return of the deposit when the young person leaves the property.

See contributions sections.

Deposit and Rent in Advance.

A claim should be made for Discretionary Housing payment in the first instance - only if this claim is unsuccessful should Children Services pay the deposit or rent in advance.

Where a young person has access to housing authority or housing association independent accommodation a deposit and rent in advance will not be (provided). In exceptional circumstances and depending on an assessment of need a deposit and

rent in advance may be considered if a young person would be at risk in housing authority or housing association independent accommodation.

Where young people are moving into private accommodation a deposit and rent in advance will only be provided if the rent level falls within the Local Housing Allowance rate. – Deposit equivalent to one month's rent and one month's rent in advance – total offer equivalent to two months' rent.

Social Workers should check if a 'Rent Deposit Scheme' exists in the area the young person is aiming to live and/or what 'Rent Deposit Protect Scheme' the letting agent/landlord uses.

Many local authority housing departments operate Deposit Guarantee Schemes that offers landlords a legally binding deposit bond in place of a cash deposit.

In circumstances where Children's Services is providing the deposit, or is providing a bond guarantee, the deposit/bond guarantee should be in the name of Hillingdon Council.

From April 2007, landlords and agents have, by law, had to sign up to one of three Government-backed schemes when they take a deposit. These schemes aim to ensure that letting agents, landlords and tenants have access to independent deposit protection.

Leaving Care Maintenance Allowance.

This allowance is based on the benefit rate for 16 to 24 year olds who are living independently. Page

£58.90 per week

(LCMA)

This is provided to young people who are studying, undertaking unpaid training, looking for employment, or taking part in voluntary work. Young people who are undertaking paid training will get the equivalent or a higher allowance from their training provider. In situations where young people are not involved in any education, training, employment or voluntary activity the allowance will be paid at or in association with meeting his/her social worker, leaving care personal adviser.

Young people who are undertaking low paid employment will continue to receive the Leaving Care Maintenance Allowance (LCMA) until they earn a given threshold, or until the age of 18, when they are no longer eligible for the LCMA.

This allowance is provided up to the age of 18 and can be provided in cash or kind depending on an assessment of need and the requirements and circumstances of individual young people.

Semi-Independent and Emergency Accommodation Adjustments.

Where young people are living in semi-independent placements they are expected to pay the service charge directly to the accommodation provider.

Young person is responsible for all utility and food costs	£58.90
Young person is provided with utilities but is responsible for food	£48.52
costs - semi-independent accommodation	
Young person is provided with utilities and food	£38.52
Young person placed in Emergency Accommodation - Bed and	£68 90
Troding person placed in Emergency Accommodation. Ded and	~00.00

	Young person placed in Bed and Breakfast with half board – Bed, £38.52 Breakfast and Evening Meal
	Due to Covid-19 an additional £20.00 per week is being paid on top on the above rates.
Benefit Entitlement	Young people placed in emergency accommodation will continue to receive the full LCMA where cooking facilities are available. Where cooking facilities are not available consideration will be given to an additional meals allowance of £10.00 per week.
	Sick and disabled young people and lone parents (aged 16 & 17) are able to claim means tested benefits and therefore they do not receive the majority of the 16 & 17 year old leaving care allowances as their welfare benefits are provided to cover these areas. As a result the Leaving Care Maintenance Allowance, Clothing Allowance and Leisure Allowance cease for these groups. These two groups remain ineligible for housing benefit.
	See reduction sections.
Lone Parent Allowances	Lone parents (children looked after and care leavers) aged 16 and 17, either Section 31 (Care Order) or Section 20 (Accommodated) are eligible to claim Income Support, Child Tax Credits, Child Benefit and Healthy Start Vouchers from the birth of their
Lone Parents Entitled to	baby.
Welfare Benefits Transfer to Benefits From	They will also be entitled to apply for a Sure Start Maternity Grant from the day their baby is born (or up to 11 weeks earlier if in receipt of a qualifying benefit such as Employment & Support Allowance at that time). This includes young people living in foster care and residential care, and includes those who are still in education.
the Birth of their Baby	The £500.00 'Sure Start' Maternity Grant is claimed from the Department for Work and Pensions (DWP). The Sure Start Maternity Grant is only available for the oldest or first child. Lone parents should be supported and assisted to claim their full benefit entitlement.
	From 2012 new claims for income support by lone parents can only be made if they have a child under five. When the youngest child reaches the age of 5, lone parents will have to register for Jobseeker's Allowance and look for work unless they are sick or disabled or can claim income support as a carer.
Healthy Start Voucher Equivalent £3.10 per week	Payments will be made equivalent to the Value of the Healthy Start Voucher, until the birth of the baby. From the birth of the baby entitlement is linked to a means tested benefit claim.
20.10 poi wook	This will be provided from at least 10 weeks into the pregnancy. £3.10 per week for Milk, Fruit and Vegetables. This ceases on the birth of the baby.

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	Whilst the young person is in receipt of these benefits the Leaving Care Maintenance Allowance and Clothing Allowance will cease. All other allowances will still be provided.
Cials as Disabled	
Sick or Disabled	Young people (looked after and care leavers) aged 16 and 17, either Section 31 (Care
Allowances	Order) or Section 20 (Accommodated) who are incapable of work due to ill-health
	(deemed Sick and Disabled by the DWP) are eligible to claim Employment & Support
	Allowance from their 16 th birthday. This includes young people living in foster care
Sick / Disabled	and residential care. It can also include those aged 16 and above who are
Young People	undertaking education. Being in receipt of a Disability Living Allowance/ Personal
Entitled to	Independence Payment at the higher rate makes claiming E&SA more straight
Welfare Benefits	forward.
Wellare Deficills	lorward.
	Young people should be supported and assisted to claim their full benefit entitlement.
	Due to having an entitlement to welfare benefits, when the young person is in receipt
	of these benefits the Leaving Care Maintenance Allowance and Clothing Allowance
	will cease. All other allowances remain.
	This states and trained formann
Travel	All young people aged 16 and 17 who are actively in contact with the Leaving Care
	Team will be supported to obtain a free or reduced rate TFL Discount Travel/Bus
16 and 17 year	Pass/Contactless. The travel allowance is conditional on young people being in
_	
olds –	regular contact with their leaving care personal adviser and actively engaged in the
	pathway planning process.
Travel/Bus Pass	
	Where young people live outside of the Hillingdon area they will be provided with a
Standard Bus	local area travel card subject to an assessment of need.
	local area travel card subject to an assessment of need.
and Tram Pass	
	With few exceptions young people (living in London) up to the age of 19 are eligible
Only provided	for a free or reduced rate TFL Discount Bus Pass (Contactless). Children's Services
by Hillingdon	must assist young people to obtain their free pass or the reduced rate pass, Children's
when a free or	Services will purchase the reduced rate pass for the young person. Only in
reduced rate	exceptional circumstances should it be necessary to purchase a full cost pass.
pass is not	
available	In the first instance the pass should be provided via the TFL discounts listed below.
	All young people under the age of 16 are entitled to free bus travel when they have a
16+, Bus and	valid Oyster Photocard.
Tram Pass and	
18 +Student	16/17 Year Olds
Bus and Tram	Can apply for a 16 plus Oyster Photocard which will allow travel at a reduced rate.
Pass	
	Young people still age 18 on 31 st August before the start of the academic year
The travel card	And are in full-time education
is available to	And live in a London borough
16 and 17 year	Can apply for a 16 plus Oyster Photocard which also gives free travel on buses and
olds with a valid	
	trams.
photocard that	
provides proof	Full-time education (for this purpose only) means:
of their age.	
_	

The bus pass allowance is available to all 16 & 17 year olds; if the bus pass is not required the allowance cannot be transferred.

- At least 12 hours of guided learning per week between 09:00-18:00 Monday-Friday for at least 10 weeks on further education courses at Level 3 or below (up to and including A level or equivalent vocational qualifications) and
- At a school, sixth form college or further education college, or part of a Learning and Skills Council funded Entry to Employment (E2E) or Programme Led Apprenticeship

18 or over on 31 August

Eligible for the **18 plus Student Oyster Photocard Scheme** which gives 30% off adult Travelcards and Bus & Tram passes valid for seven days, one month or up to a year.

Under 16 on 31 August

If under 16 on 31 August before the start of the current academic year, they can apply for an 11-15 Oyster Photocard; which allows travel free on buses and trams and to buy Travelcard season tickets and pay as you go at child-rate.

If aged 18 or over

- And registered with an education establishment participating in the scheme, or on a mandatory placement in London
- And enrolled in an eligible full-time or part-time course

They can get an 18 year plus Student Oyster Photocard to:

 Save 30 per cent on adult Travelcards and Bus & Tram Passes valid for seven days, one month or up to a year

http://www.tfl.gov.uk/assets/downloads/tickets/getting-around-with-discounts.pdf

All expired travel cards/bus passes/receipts must be returned to Children's Services for audit purposes. In circumstances where a travel card/bus pass/contactless is misused the provision of a pass/allowance will be temporarily withdrawn. Where a young person misplaces their card, Children's Services will assist them to obtain a replacement. Where a young person misplaces their card a second time and within the period of a year, the young person will be expected to contribute 50% of the £1012 replacement charge to obtain a new card.

- The travel card will assist young people to access education, training and employment opportunities, facilitate family contact and contact with the leaving care team and enable access to leisure and cultural activities.
- Young people who are required to attend court appearances will be provide with travel warrants by the YOT.
- Young people undertaking education or training courses may be provided with a travel allowance by the education/training provider.
- Under no circumstances can cash equivalent payments be made.

Education, Training, Apprenticeships and Volunteering

- Young people who are undertaking full time education courses or unpaid training courses receive the Leaving Care Maintenance Allowance.
- Young people who are undertaking a paid traineeship or Apprenticeship will not receive the Leaving Care Maintenance Allowance but will receive the equivalent or a higher allowance from their training provider.
- Young people who are undertaking voluntary work will continue to receive the Leaving Care Maintenance Allowance.

Education and Training

16 and 17 year olds who are undertaking an education course or training activity will receive the Leaving Care Maintenance Allowance.

Additionally, young people who are undertaking full time education courses or unpaid training courses (12 hours study/training and contact time) are eligible for the 16-19 bursary (£1,200.00 per year, usually paid for 30 weeks at £40.00 per week) scheme (administered by individual colleges). Those aged between 16 & 19 who are in care, care leavers or claiming income support or getting both E&SA and DLA/PIP will be guaranteed a bursary of £1,200.00 spread over the academic year, for those attending college or sixth form (payments of £40.00 per week over a 30 week teaching year).

Young people are expected to attend the nearest college for the given course they wish to undertake. In exceptional circumstances, and following an assessment of need, the nearest college rule can be waved, where it can be demonstrated that it is not in the best interest of the young person to attend the nearest college.

Paid Training

Young people who are undertaking paid training will not receive the Leaving Care Maintenance Allowance but will receive the equivalent or a higher allowance from their training provider. If the traineeship allowance is paid at a rate less than £58.90 the allowance is topped up to £58.90.

Apprenticeships

Young people who are undertaking an apprenticeship will not receive the Leaving Care Maintenance Allowance but will be given the equivalent or a higher allowance from their training provider.

The National Minimum Wage (The **National Living Wage** (for over 25 year olds) will increase 6.2% from £8.21 to £8.72. The **National Minimum Wage** will rise across all age groups, including: A 6.5% increase from £7.70 to £8.20 for 21-24 year olds. A 4.9% increase from £6.15 to £6.45 for 18-20 year olds) The National Minimum Wage of £4.15 per hour applies to apprentices from 1 April 2020. The wage applies to:

- all apprentices aged under 19
- apprentices aged 19 or over in the first year of their Apprenticeship

This should mean that apprentices get a weekly wage of at least £129.20 (38 hours a week).

	Voluntary Work Young people who are undertaking voluntary work will continue to receive the Leaving Care Maintenance Allowance.
Employment	Young people who are working will continue to receive the Leaving Care Maintenance Allowance until their wage reaches a given threshold.
	See incentives section and contributions section.
Education Training Apprenticeships Employment Continued	Depending on an assessment of need, including the suitability of the course, Children's Services may provide equipment and travel expenses for the education/training course of the young person's choice and may provide this for subsequent courses. To be provided with an equipment grant for the second and any subsequent education/training course, the young person will need to demonstrate commitment to the education/training programme including consistent attendance.
Equipment and Extra Tuition Commencing Work Grant	In circumstances where young people are withdrawing from courses and equipment has been provided, this should be returned to Children's Services. Young people who are entering second courses will be loaned equipment until they have demonstrated consistent attendance. When they have demonstrated consistent attendance new equipment will be purchased following an assessment of need.
	Where appropriate and depending on an assessment of need Children's Services will consider funding extra tuition, subject to an approval from the panel.
	Any child care costs should be accessed through the Care to Learn Fund
	Training and Apprenticeships If special equipment is required for a traineeship/apprenticeship the provider should be approached in the first instance. If equipment is not provided, and depending on an assessment of need a grant of £75.00 will be provided by Children's Services. In circumstances where there is a need for an amount over £75.00, this will be provided subject to an assessment of need and with the approval of the Head of Service.
	Education Young people who are undertaking further education courses are entitled to: Stationary, Books, Equipment, IT and Educational Visits Grant of up to £150.00 per year.
	The Grant is subject to an assessment of need and the agreement of the Head of the Virtual School, is provided per academic year, is not transferable and is only available for stationary, books, general equipment, I.T. equipment and educational visits.
	Young people entering full time education (level 1 and ESOL <i>Entry</i> Level 3 or above) or higher education (academic courses) may be provided with a one-off Computer Grant of up to £420.00 (inclusive of VAT) for a note-pad, laptop or desktop computer. The Computer Grant for under 18's is dependent on an assessment of need and approval by the Head of the Virtual School. <i>Over 18's requires Head of Service approval.</i>

Young people should submit a list of requirements regarding equipment, course books etc. and return receipts to their social worker. Computers should be purchased by the social workers and gifted to young people in order to reclaim VAT. The provision of all support and grants is dependent on young people maintaining attendance of 90% (with the exception of authorised sickness, or agreed specific circumstances).

Employment

Depending on an assessment of need, Children's Services will purchase equipment and/or clothing to assist the young person with their chosen employment e.g. interview clothes, overalls, protective clothing (see Clothing Allowance section). Additionally, Children's Services may assist with the cost of travel to interviews, subject to approval by the Head of Service

A Maximum Commencing Work one-off Allowance of £150.00 is available, subject to an assessment of need.

See incentives section and contributions sections.

Incentives

Government 16 – 19 Bursary

Young people who are undertaking full time education courses or unpaid training courses (12 hours study/training and contact time) are eligible for the 16-19 bursary (£1,200.00 per year, usually paid for 30 weeks at £40.00 per week) scheme (administered by individual colleges). Those aged between 16 & 19 who are in care, care leavers or claiming income support or getting both E&SA and DLA/PIP will be guaranteed a bursary of £1,200.00 spread over the academic year, for those attending college or sixth form (payments of £40.00 per week over a 30 week teaching year).

16-17 year olds receive free travel. 18+ students may be entitled to discounted travel via their colleges. YP social worker/PA will review travel allowance with the education provision before requesting travel allowance.

LCMA Reductions

LCMA Reductions

- When a young person has a weekly income of £140.00 net or more but less than £185.00 their leaving care maintenance allowance will be reduced by 50%.
- When a young person has a weekly income of £185.00 net or more their leaving care maintenance allowance and clothing allowance will cease.

Reductions are undertaken from the principle of assisting with the development of money management and budgeting skills. For example, when young people are making contributions towards the cost of their accommodation, payments should always be made to Children's Services who will then cover the full cost of the accommodation

Leaving Care Maintenance Allowance, pocket money, wages and earnings, Traineeship Allowances, Modern Apprenticeship Allowances and the 16 - 19 Bursary (EMA replacement) count as income.

Young people should be issued with a Reduction Notice setting out the following:

- 1. The level of reduction of their allowance/s;
- 2. When the reduction will commence;
- 3. How the reduction will be applied;
- 4. What the young person can do if their circumstances change;
- 5. What the young person can do if they do not agree with the assessed reduction;
- 6. How the reduction will work and when it will be applied should be set out in the young person's pathway plan.

Reduction equation:

Net income, minus fares, work costs and the cost of lunches. See examples below

Example 1

Leaving Care Maintenance Allo	£58.90		
16 – 19 Bursary	£40.00		
Wages from part time job		£28.00	
Total Income		£126.90	
Costs (lunches X 2)	minus	£10.00	
		£116.90	no deduction
Example 2			
Leaving Care Maintenance Allo	£58.90	£29.45	
Wages from employment		£115.00	£115.00
Total Income		£173.90	
Costs (lunches X 4) minus -		£20.00	
		£153.90	

Leaving Care Maintenance Allowance reduced by 50%

LCMA reduced by 50% - total income becomes = £144.45

The adjustments are undertaken to assist young people to get used to saving and paying for utilities and to help with the development of financial capability and financial literacy skills, money management and budgeting skills.

	To assist a young person with making a successful transition to employment and managing their wages they will not be expected to experience a reduction until they have completed six weeks of employment. There will be no back charging of this six week grace period.
	A young person will need to provide proof of income in order that his/her social worker/personal adviser can calculate the given reduction. If proof is not forthcoming it will be assumed that earnings are exceeding £140.00 net per week. In these circumstances the minimum allowance (accommodation costs plus £29.45.or equivalent) will be provided. The £29.45 can be provided in cash, kind or food parcels. Additionally, all other allowances can be suspended.
Clothing Allowance	16 & 17 year olds - £10.00 per week clothing allowance.
16 & 17 year olds £10.00 Per Week.	The clothing allowance can be paid weekly, monthly or quarterly and can be paid directly to the young person or spent by the social worker or support worker with the young person. The arrangements for providing and spending the clothing allowance should be set out in the young person's pathway plan and placement plan and should be dependent on an assessment of need.
Initial Clothing Allowance	In circumstances where young people become looked after and are placed into semi- independent or independent accommodation they will be provided with an Initial Clothing Allowance, based on an assessment of need.
Up-to £150.00 One-off	The Initial Clothing Allowance is paid in situations where young people become looked after with insufficient clothing for everyday needs. When a young person is first looked after their social worker/leaving care personal adviser/support worker should make a list of the clothing that the young person has and another list setting out what clothing is required and the cost. The list and costing should be submitted to the Head of Service for approval.
Birthday	
17 th birthday £50.00	The birthday allowance will only be paid to young people who remain in contact with their social worker and are actively engaged in the care planning/pathway planning process.
18 th Birthday £100.00	All payments to be paid directly to the young person.
Young People Living in Semi- independent or Independent Accommodation	

Christmas/ Festivals £50.00 Age 16 and 17. Young People Living in Semi- independent or Independent Accommodation One Payment Per Year 1 st January to 31 st December	Young people who are non-Christians will be given a choice as to when their festival allowance is to be provided. If they do not have a preference, the allowance should be made available at Christmas to ensure that they receive their entitlement. Additionally, they should also be offered the choice of having a proportion of their allowance at their festival of choice. The Christmas/festival allowance will only be paid to young people who remain in contact with their social worker and are actively engaged in the care planning/pathway planning process. The £50.00 is provided per calendar year.
Family Contact and Travel Costs	Where young people have family members who live outside of the Children's Services area (more than a short bus/train journey), telephone and travel costs may be provided following an assessment of need. Wherever possible travel arrangements should be booked in advance in order to reduce costs. The use of the allowance and frequency of travel should be set out in the pathway plan.
Contact with Significant Others and Travel Costs	Where young people have significant contacts (primary relationships) that live outside of the Children's Services area, telephone and travel costs may be provided following an assessment of need. Wherever, possible travel arrangements should be booked in advance in order to reduce costs. The use of the allowance and frequency of travel should be set out in the pathway plan.

Social Activities and Leisure

Maximum of £10.00 per Week.

Up to £520.00 per Year

Access Hillingdon Card Where appropriate and dependent on an assessment of need, Children's Services will pay for the membership of a hobby or leisure club and contribute towards the cost of equipment or special clothing/fees or contribute towards the cost of a social activity. This could include the cost of trial sessions and a contribution to travel costs. Social workers should assist young people to obtain a local leisure pass (Access Hillingdon Card). Young people should be encouraged and assisted to explore the leisure facilities that accept the local leisure pass (Access Hillingdon Card).

Financial assistance provided to pursue hobbies, leisure interests and social activities should be governed by the principle that these activities can be afforded by the young person at the age of eighteen, when they take over financial responsibility for their own affairs.

Where young people live outside of the Hillingdon area, assistance will be provided to obtain a local leisure pass.

Young people should have access to at least one leisure/hobby/sports activity per week to ensure social inclusion.

Depending on an assessment of need, young people who are deemed, exceptionally gifted or talented in a particular sport, hobby or leisure activity may be provided with additional resources with approval of the Head of Service.

Cultural/Social Activity

Depending on an assessment of need the allowance could be used for a one-off cultural or social activity once per year. The activity could range from a visit to the theatre, sporting event, art gallery or a day trip to a city to visit several museums etc.

The allowance is dependent on an assessment of need and an assessment of the suitability of the activity.

Key Documents Up to £110.00	Children's Services will purchase a passport (including the check and send facility) and 1 birth certificate for each young person – Up to £110.00.
Up to £75	One passport, or passport renewal age 16 to 25, one birth certificate only if the young person does not have the original.
	Children's Services will purchase a travel document for Unaccompanied Asylum Seeking Children dependent on an assessment of need around educational or holidays with a carer/professional (£72.00 or £218.00).
£1,012.00 50% of cost = £506.00	The total cost of the nationality and citizenship process for young people who gain citizenship is £1,012.00 (under 18 year old rate as at 18 March 2016). Hillingdon Children's Services will contribute £506.00 (50% Cost [young person contributes 50% - £506.00] – total cost £1,012.00 under 18 year old rate) towards the cost of the nationality and citizenship process for young people who gain citizenship.
	Where young people have misplaced their passport or birth certificate, Children's Services will consider funding a replacement, subject to an assessment of the circumstances of misplacing the documents. Where Children's Services fund a replacement, birth certificate and/or passport, the documents should be retained by the Leaving Care Team to ensure they do not get lost a second time. Children's

Services will only fund one replacement (and subject to the original loss being a reasonable loss).

Introduction to Children's Services will provide the funding for one provisional driving licence, one Driving theory test, one practical test and the cost of five (1 hour) motor car driving lessons to introduce young people to driving and will be based on a practical assessment of need and an assessment of affordability to own and drive a motor vehicle or motorbike Licence, must be undertaken. 1 Theory Test, 5 (1 hour) This is available to 17, 18, 19 and 20 year olds and is conditional on the young person Lessons matching the cost of the five (1 hour) car driving lessons provided by the Hillingdon and 1 Practical Children's Services. This will enable the young person to have ten trial lessons. Test This is only available to young people who have been engaged in education, training or employment for at least 3 months and do not have any driving convictions. Young people must pay the cost of the five lessons to their social worker/personal adviser who will then book the ten lessons. In general, by paying for ten lessons in a block, driving schools provide an extra lesson free. Additionally, Children's Services will pay for one theory and one practical driving test. This is dependent on an approved driving school recommending that the young person is ready to take the test. Young people must provide their contribution before the overall package is provided. Young people can use their birthday or Christmas/festival allowance to pay for their five lessons. No other allowances are transferable for this purpose. Depending on an assessment of need, (which must be linked to the need to travel to an education, training or employment opportunity) the driving package can be used to fund a moped/motor bike training programme. Young people must attend a Compulsory Basic Training (CBT) programme prior to driving on public roads. Depending on an assessment of need, lone parents and sick and disabled young people may be exempt from the 3 months in education, training or employment condition. The allowance is only available until the young person's 21st birthday. Health Social workers should complete form HC1 (SC) for all 16 & 17 year olds. The HC1 (SC) form enables young people to obtain an NHS low income exemption certificate. This will provide free or reduced cost dental, optician and prescription services. In situations where young people require specific health items these will be considered following an assessment of need.

services via CAMHS or universal health services.

Children's Services will assist young people to access counselling and/or therapeutic

Counselling and

Therapeutic

Child Maternity Support	Children's Services will assist young people who are parents to maximise their income from all available sources. Eligible and Relevant young people are entitled to claim Income Support from the day their child is born. Submitting a claim for Income Support is a pre-requisite for a Sure Start Maternity Grant (£500.00 paid for the first/oldest child). Subject to an assessment of need, undertaken by the Multi Agency Safeguarding Hub
	(MASH), Children's Services may provide financial support in order to assist a young person prepare for the birth of their child. The financial support will be provided by the MASH from the Section 17 budget.
Child Care Costs Care To Learn Fund	Lone parents, who wish to return to education, start a traineeship/apprenticeship or take up employment opportunities, will be assisted to identify funds to cover or contribute to child care costs. In the first instance the Care to Learn Fund and other universal services should be approached for funding to cover child care costs. Only in exception circumstances and subject to an assessment of need and a child in need plan would the local authority cover any child care costs.
	The Care to Learn Fund provides financial support to assist young parents under the age of 20 to undertake education.
	From April 2009 the majority of Unaccompanied Asylum Seeking Children who have applied for asylum and have an initial decision such as Humanitarian Protection (HP) or Discretionary Leave (DL) can apply for a Care to Learn Fund grant.
Emergency Payments	Children's Services will provide a maximum of 3 voucher payments/food parcels in any 12-month period. These payments will be dependent on an assessment of need and will not exceed £10.00 per payment.
	The young person's social worker will work with the semi-independent keyworker and young person to set out the provision of any emergency support and any conditionality which is attached to the support. The individual arrangements will be set out in the young person's placement plan and care/pathway plan.
	In situations where young people have lost, or had money/items stolen they must obtain a crime reference number before an assessment of need and compensatory payment is considered.
Exceptional Needs Payment	Where appropriate, and dependent on an assessment of need, Children's Services may provide funds for exceptional needs as a one off payments. These payments can only be agreed by the Head of Service.

SECTION 2

Former Relevant Children

Care Leavers Aged 18 to 25 - Former Relevant Children - Section 23 C (1)

Basis and	Conditions and Comments
Amount Accommodation	Accommodation costs for young people over age 18 will only be provided in exceptional circumstances. Post 18 placements for exceptionally vulnerable young
A Housing Benefit claim must be	people may be funded in part, or full, following an assessment of need and the case being considered by the Head of Service.
submitted for all young people on their 18 th birthday. The claim can be prepared in advance and submitted on their 18 th birthday.	In circumstances where placements are extended, leaving care personal advisers and young people must ensure a Housing Benefit claim is submitted on, or, within three days of the young person's 18 th birthday. Also see Hillingdon Staying Put Policy. In exceptional circumstances the three day rule may be extended for specific reasons, based on the agreement of the Head of Service.
	Emergency accommodation or Bed and breakfast accommodation can only be used in exceptional situations, for a maximum of two nights and with the agreement of the Head of Service.
	Placement and accommodation costs to be met in full for young people up to the age of 18. Where young people are moving into private sector accommodation the rent level must be within the Local Housing Allowance for that area. Any requirement to provide a deposit and rent in advance must be clarified prior to the tenancy agreement being authorised.
	Since April 2008 Housing Benefit for private sector tenants who rent from a private landlord is calculated using the Local Housing Allowance (LHA) rates. The Rent Officer sets the level of the LHA for the different types of property in each LHA designated area; these are known as Broad Market Rental Areas.
	Under LHA, payments will generally be made directly to the tenant unless they are particularly 'vulnerable'. Care leaver status would, in principle, qualify a young person to have his or her LHA paid directly to the landlord. The intention of paying LHA directly to tenants is to encourage responsibility for paying the rent themselves.
	The maximum weekly Local Housing Allowance rate for Hillingdon from 1st April 2020 is:
	 shared accommodation £115.07 one bedroom accommodation £212.88 Current rates for different areas can be checked via the Rent Service website, or via http://www.direct.gov.uk and follow the links to Local Housing Allowance and individual council areas.

For general information about care leavers and the Local Housing Allowance visit: https://lha-direct.therentservice.gov.uk/Secure/pdfs/TRSHB(LHA)2CL.pdf

Independent accommodation should not be approved for any young person where the rent charged by a landlord is higher than the Local Housing Allowance for that given area. Young people leaving care are exempt from the Shared Accommodation Rate (SAR) up to the age of 22; therefore they are eligible to rent accommodation up to the 1 bedroom Local Housing Allowance rate. From January 2012 the SAR has been extended from the age of 25 to the age of 35.

In situations where Children's Services has acted as a guarantor for 16 and 17 year olds, a new tenancy agreement should be produced when the young person reaches their 18th birthday. This is particularly important where young people are living in private accommodation. The liability and responsibility for the condition and the cost of the accommodation should be transferred to the young person at 18. If the landlord/young person is not able to transfer/take responsibility for the tenancy the young person will be supported to identify alternative accommodation.

Where necessary Children's Services will pay for the new tenancy agreement, subject to approval by the Head of Service

When young people move into privately rented accommodation their personal adviser should take digital pictures that show the condition of the property and any items that are included in the rent/inventory. The pictures should be stored and uploaded to Civica. This will assist with negotiating with the landlord if there are problems regarding the condition of the property and the return of the deposit when the young person leaves the property.

Deposit and Rent in Advance.

A claim should be made for Discretionary Housing payment in the first instance - only if this claim is unsuccessful should Children's Services pay the deposit or rent in advance.

Where a young person has access to housing authority or housing association independent accommodation a deposit and rent in advance will not be provided. In exceptional circumstances and depending on an assessment of need a deposit and rent in advance may be considered if a young person would be at risk in housing authority or housing association independent accommodation.

Where young people are moving into private accommodation a deposit and rent in advance will only be provided if the rent level falls within the Local Housing Allowance rate.

Deposit equivalent to one month's rent and one month's rent in advance – total offer equivalent to two months' rent.

Social Workers should check if a 'Rent Deposit Scheme' exists in the area the young person is aiming to live and/or what 'Rent Deposit Protect Scheme' the letting agent/landlord uses.

	Many local authority housing departments operate Deposit Guarantee Schemes that offers landlords a legally binding deposit bond in place of a cash deposit. In circumstances where Children's Services is providing the deposit, or is providing a bond guarantee, the deposit/bond guarantee should be in the name of Hillingdon Council.
	From April 2007, landlords and agents have, by law, had to sign up to one of three Government-backed schemes when they take a deposit. These schemes aim to ensure that letting agents, landlords and tenants have access to independent deposit protection.
Leaving Care Maintenance Allowance.	Maintenance costs should be met by the young person from their employment or benefits.
Failed Asylum Seekers with no Recourse to Public Funds.	Where a failed asylum seeker is deemed a Former Relevant Care Leaver and is ineligible for means tested benefits and has no right to work (ARE) they will be provided with a LCMA of £58.90 per week. Young people are expected to pay any service charge and utility charge from their LCMA. From April 2020 an additional £20.00 per week will be paid due to Covid-19 for one year.
£58.90 Per Week.	Failed asylum seekers and 'all rights/appeals exhausted cases' with no recourse to public funds are provided with the above allowances only after a human rights assessment has been completed and until the removal date is reached or the young person turns of 21(25), whichever comes first.
Initial Benefit Claim	Hillingdon Children's Services will provide up to four weeks Leaving Care Maintenance Allowance (£58.90) to assist young people whilst they wait for their initial benefit claim to be processed.
	The Leaving Care Maintenance Allowance is paid in advance and welfare benefits are paid in arrears. Even where a benefit claim is verified and established on the young person's 18 th birthday they will have to wait at least two weeks for the first benefit payment, obtaining the first payment in such a timescale would be exceptional.
	Supporting information and identity documents should be obtained prior to a young person's 18 th birthday, in preparation for a claim that should be started on the 18 th birthday and workers should contact the benefits agency after one week to clarify the first payment date.
	If the young person has not received their first benefit payment after four weeks they should be supported to claim a Short Term Benefit Advance (STBA) from the DWP.
Travel	All young people (age 18 to 25) living in the London area during term times are eligible for transport assistance and who are undertaking either qualifying education or mandatory work placements will receive a student 18+ oyster photo card and bus season tickets to allow for greater and cheaper travel throughout the London area. This will continue until the course of education or the work placement comes to an end, or they are no longer entitled to the support due to their age.

Those living outside of London will have equivalent transport assistance provided to them, dependent upon local public transport, which will be set out in their pathway plan.

If a travel document is required for a young person 18 - 25, an assessment of need will be undertaken and dependent upon the need 1 travel document will be considered (up to £75)

All such assistance is dependent upon the young person remaining in contact with their personal advisor and pursuing their agreed pathway plan.

Incentive Payments

Government 16 – 19 -Bursary

Young people who are undertaking full time education courses or unpaid training courses (12 hours study/training and contact time) are eligible for the 16-19 bursary (£1,200.00 per year, usually paid for 30 weeks at £40.00 per week) scheme (administered by individual colleges). Those aged between 16 & 19 who are in care, care leavers or claiming income support or getting both E&SA and DLA/PIP will be guaranteed a bursary of £1,200.00 spread over the academic year, for those attending college or sixth form (payments of £40.00 per week over a 30 week teaching year).

Which educational items the bursary should cover and how the bursary is to be used should be set out in the young person's pathway plan.

Education Training Apprenticeships

Equipment and Extra Tuition

Commencing Work Grant

Depending on an assessment of need, including the suitability of the course, Children's Services may provide equipment and travel expenses for the education/training course of the young person's choice and may provide this for subsequent courses. To be provided with an equipment grant for the second and any subsequent education/training course, the young person will need to demonstrate commitment to the education/training programme including consistent attendance.

In circumstances where young people are withdrawing from courses and equipment has been provided, this should be returned to Children's Services. Young people who are entering second courses will be loaned equipment until they have demonstrated consistent attendance. When they have demonstrated consistent attendance new equipment may be purchased following an assessment of need.

Any child care costs should be accessed through the Care to Learn Fund

Training and Apprenticeships

If special equipment is required for a traineeship/apprenticeship the provider should be approached in the first instance. If equipment is not provided, and depending on an assessment of need a grant of £75.00 will be provided by Children's Services. In circumstances where there is a need for an amount over £75.00, this will be provided subject to an assessment of need and with the approval of the Head of Service.

Education

Young people who are undertaking further or higher education courses are entitled to:

A Stationary, Books, Equipment, IT and Educational Visits Grant of up to £150.00 per year. The grant is subject to an assessment of need and the agreement of the Head of the Virtual School.

The Grant is subject to an assessment of need and the agreement of the Head of the Virtual School, is provided per academic year, is not transferable and is only available for stationary, books, general equipment, I.T. equipment and educational visits.

All young people entering full time further education (Entry level 3 or above) or higher education (academic courses) will be provided with a one-off Computer Grant of up to £420.00 (inclusive of VAT) for a note-pad, laptop or desktop computer. One off – age 16 to 21/24, regardless of placement type. The Computer Grant is dependent on an assessment of need and approval by the Head of Service.

Young people should submit a list of requirements regarding equipment, course books etc. and return receipts to their social worker/personal adviser. Computers should be purchased by the social workers and gifted to young people in order to reclaim VAT.

The provision of all support and grants is dependent on young people maintaining attendance of 90% (with the exception of authorised sickness/exceptional circumstances).

Employment

Depending on an assessment of need, Children's Services may purchase equipment and/or clothing to assist the young person with their chosen employment e.g. interview clothes, overalls, protective clothing. Additionally, Children's Services may assist with the cost of travel to interviews.

Maximum Commencing Work Grant/Allowance of £75.00 per year – one-off, subject to an assessment of need.

Further and Higher Education Funding

Funding for Further and Higher Education courses is available:

- 1. up to the young person's 25th birthday;
- 2. or until the completion of the course following the young person's 25th birthday where the course commenced before their 25th birthday;

In the first instance funding for Further and Higher Education courses is available until the completion of the course following a young person's 21st birthday.

Funding should be agreed as part of an assessment of need and set out and agreed in the pathway plan.

Wherever possible, young people should access universal credit benefits and welfare benefits these are available to young people studying further education who are deemed to be 'estranged' from their family and undertaking 'relevant education'.

From September 2011, the Education Maintenance Allowance (EMA) was replaced by a new 16-19 bursary scheme targeted at those who face financial hardship. Young people who are undertaking full time education courses or unpaid training courses (12 hours study/training and contact time) should qualify for the 16–19 education/training bursary payment (£1,200.00 per year). Those aged between 16 & 19 who are in care, care leavers or claiming income support or getting both E&SA and DLA/PIP will be guaranteed a bursary of £1,200.00 spread over the academic year, for those attending college or sixth form (payments of £40.00 per week over a 30 week teaching year).

From September 2011 the Adult Learning Grants has been replaced by the Discretionary Learner Support funding available to those aged 19 or over. The precise eligibility criteria and the grants themselves are set and administered and held by local colleges.

Disabled Students' Allowances (D.S.A.s')

Disabled Students' Allowances are grants to help meet the extra course costs students can face as a direct result of a disability, mental health condition or specific learning difficulty. They are aimed at helping disabled students to study on an equal basis with other students. Full-time, part-time and postgraduate students can apply for Disabled Students' Allowances. The amount they get does not depend on their household income. Disabled Students' Allowances are paid on top of the standard student finance package, and don't have to be paid back.

What they are for

Disabled Students' Allowances can help with:

- Specialist equipment they need for studying for example, computer software
- A non-medical helper, such as a note-taker or reader
- Extra travel costs they have to pay because of their disability
- Other costs for example, tapes or Braille paper

Eligibility

Young people can apply if they are doing:

A full-time course that lasts at least one year (including a distance-learning course) A part-time course that lasts at least one year and doesn't take more than twice as long to complete as an equivalent full-time course (can include an Open University or other distance-learning course).

Checking if they are eligible for student finance.

To apply for financial help through Disabled Students' Allowances, both the young person and the course must be eligible. It is important to check this before an application is made. Information is available at:

https://www.gov.uk/disabled-students-allowances-dsas/overview

Further Education

Children's Services is committed to assisting and supporting young people to maximise their potential through educational opportunities.

- 1. Eligible and Relevant young people (16 and 17 year olds) who are studying at sixth form college or further education colleges will be supported via their foster care placements or children's homes and for those living independently via their leaving care maintenance allowance.
- 2. From the age of 18 to the end of the academic year following their 21st birthday, care leavers who are 'estranged from their families' and who are studying full time (12 hours or more of 'guided learning') can claim Income Support and Housing Benefit on the grounds of being in 'Relevant Education'. Young people can start or change courses at any point up until their 21st birthday.
- 3. Where young people aged 21 to 25 wish to resume or commence education or training and have ceased to be supported by the Leaving Care Service the following arrangements apply:
 - Young people should resume contact via the Leaving Care Service Duty Officer;
 - Young people will be provided with support and services following an Assessment of Need;
 - The Assessment of Need will consider the young person's motivation for undertaking the chosen education/training activity, the likelihood of it taking place and the commitment to the activity (see below);
 - The Assessment of Need will consider what resources may be available to the young person and will assist in maximising universal provision, for example college bursaries and learner support funds, welfare benefits and nursery vouchers and child care support;
 - Children's Services will consider making individual grants towards the chosen activity which will range from paying enrolment, registration & exam fees and making specific equipment and study grants;
 - Young people aged 21 to 25 who are undertaking courses of less than 16 hours of 'guided learning' (part time) may be eligible to claim Housing Benefit if they have a 'low income'. It is advisable to check with the Housing Benefit Department regarding the circumstances of individual young people and their eligibility;
 - Any request for financial support (for courses that extend beyond a young person's 21st birthday, or where they wish to resume/commence a course of study/training that exceeds the policy will be presented to the Care Leavers Education and Training Panel.

Funding requests will be considered by the Care Leavers Education and Training Panel following an assessment of need (including the young person's access to financial resources) and will be based on need, motivation to gain education/training qualifications and the commitment, ability and practicality of the young person to undertake, sustain and complete the course and whether the candidate has any education qualifications. A key priority will be to ensure all young people obtain/hold a level 2 qualification.

The following activities immediately prior to the start of a resumed or new education or training course will be taken as evidence of motivation and commitment:-

- 1. A course of study relating to the request leading to a level 1 and ESOL Level 3 (not entry level) qualification or above, that is sufficient to progress to a subsequent level/qualification;
- 2. Employment in the field relating to the requested education/training course;
- 3. Voluntary work relating to the requested education/training course;
- 4. Training courses relating to the requested education/training course;
- All activities must have lasted for at least 3 months and have been undertaken within the previous 3 months.

Further Education (continued)

Young People Aged 21 – 25 Resuming Education or Training - Continued

Young people may also be required to demonstrate that they can contribute to the funding package via part time employment. In such circumstances an assessment of financial need will be completed in order to assist the young person with their weekly maintenance. As part of this assessment the nature of the course will be considered and particularly if it is full time or part time (less than 12 or 16 hours). Those on Part time courses will be expected to work or claim benefits if eligible and will not have accommodation provided to them.

Following the assessment of need the request for financial support will be presented to the Care Leavers Education and Training Panel who will consider all requests.

The Care Leavers Education and Training Panel consist of:

- 1. The Head of Service for Looked After Children and Care Leavers;
- 2. A Leaving Care Team Manager;
- 3. The Head of the Virtual School:
- 4. The Corporate Parenting Manager.
- 5. The Finance Manager

Following the Panels' agreement to funding, each case will be allocated to a Leaving Care Personal Adviser who will develop a Pathway Plan and a system for monitoring the young person's education/training progress.

Financial Support - Traineeships and Apprenticeships - 21 to 25 year olds

Apprenticeships

The majority of apprenticeships are classed as employment with a study component. These types of apprenticeships are generally secured by young people gaining employment with a company or organisation that is a registered apprenticeship provider. The young person is employed and also undertakes a study component towards a:

- National Vocational Qualification (NVQ)
- Technical Certificate
- Functional Skills (Mathematics, English)
- Personal Learning and Thinking Skills (PLTS)
- ERR (Employment Rights and Responsibilities) Workbook

From the 1st April 2020, the minimum wage rate is £4.15 per hour for apprentices 16-18 year old and extends to 19 year olds if they are in their first year of their apprenticeship. All other apprentices are entitled to the National Minimum Wage for their age and can be found on www.gov.uk/national-minimum-wage-rates

As the (employment based) apprenticeship is deemed employment, young people will be eligible for a range of benefits, including housing benefit depending on their circumstances. If the apprenticeship is deemed employment, the young person would not be covered by the age 21-25 education and training, financial support care leaver entitlements.

Traineeships and Programme Led Apprenticeships

These types of traineeships and apprenticeships are provided by a training provider or college, with work experience provided at the establishment site, and are therefore deemed education/training rather than employment. In general young people aged 22 to 25 undertaking education or training will not be able to access benefits or tax credits (unless they are parents or have a disability). Young people undertaking

these courses are eligible for the 21-25 education and training care leaver entitlements, assessment of need and the conditions above being met.	subject to an

Further Education (continued)

Financial Support - Traineeships and Apprenticeships - Continued

Financial Support – 21 to 25 year olds

Access to financial support will always be dependent on an assessment of the young person's financial circumstances. Where appropriate; young people will be provided with practical support to help them access education, training or benefits funding, rather than with the provision of direct grants. The level of practical support and financial support should be set out within the young person's pathway plan and highlight any conditionality to the support being provided.

Financial Support – 18 to 21 year olds

From September 2011, the Education Maintenance Allowance (EMA) was replaced by a new 16-19 bursary scheme targeted at those who face financial hardship. Young people who are undertaking full time education courses or unpaid training courses (12 hours study/training and contact time) should qualify for the 16–19 education/training bursary payment (£1,200.00 per year). Those aged between 16 & 19 who are in care, care leavers or claiming income support or getting both E&SA and DLA/PIP will be guaranteed a bursary of £1,200.00 spread over the academic year, for those attending college or sixth form (payments of £40.00 per week over a 30 week teaching year).

From September 2011 the Adult Learning Grants has been replaced by the Discretionary Learner Support funding, held, and administered by local colleges.

Where appropriate, and dependent on an assessment of need, Children's Services may provide assistance for specific grants and one off payments to young people who are studying, for items such as books and equipment.

(Also see "Staying Put" Policy - Young people remaining in placement prior to undertaking a course of higher or residential further education and the section on young people's allowances).

Welfare Benefits for Lone Parents and Sick or Disabled Young People in Further Education Aged over 21

The majority of young people over the age of 21 who undertake full time further education courses are ineligible for welfare benefits such as Income Support and Housing Benefit. Certain limited groups of young people over the age of 21 such as lone parents and sick and disabled young people, who undertake further education courses, may remain eligible for welfare benefits. If a young person is entitled to welfare benefits (Income Support, Employment and Support Allowance, Housing Benefit, Child Benefit and Child Tax Credits) he/she is not eligible for Children's Services' further education support as this is intended to replicate family and/or welfare benefit support. Young people will be able to access one-off fees and equipment grants.

Additional Funding and Financial Information

Care leavers are a 'priority group' in terms of college (Discretionary) Learner Support Funds which are sometimes called Access Funds. Many colleges also have bursaries and specific welfare grants which care leavers may be able to apply for. The students' support service should be able to provide information on both the practical and financial support that may be available.

Higher Education Continued

Loan Repayment

Graduates repay the combined tuition fee and maintenance loan when they have finished studying and are earning over £21,000.00 per year. The monthly repayments are linked to the person's income and the interest charged is linked to the retail price index (RPI), plus 3%. After a certain amount of time (30 years), any outstanding loans will be written off, if the money has not been repaid.

Support From Individual Universities

In addition to the financial support provided by Student Finance England, most Higher Education Institutions will offer their own financial support. Each university will have its own eligibility criteria and any awards may only be available to a limited number of students:

- Bursaries
- Scholarships
- Fee Waivers

Bursaries and Scholarships will generally not have to be repaid and Fee Waivers are applied to part, or all of the course costs.

Access To Learning Fund

Most universities also have an Access to Learning Fund which is available to students who are experiencing financial hardship. Some universities offer care leavers priority access to Access to Learner Funds.

National Scholarship Programme (NSP)

The National Scholarship Programme is designed to offer support to students from low income backgrounds. The NSP is funded jointly between the government and individual universities. Individual universities can make their own decisions as to who receives a National Scholarship. Some universities may offer care leavers priority access to the NSP. Support may be offered in a variety of ways including cash grants, reduced cost accommodation or a fee waiver. Any funds received from the NSP are non-repayable.

The Care Leavers Higher Education Bursary

The Care Leavers Higher Education Bursary is provided by the student's local authority (Children's Services) and is provided as a grant of £2000.00 throughout the length of the whole course.

Grants and Awards From Charitable Trusts

Trusts and charities provide financial grants and awards to students. Advice about what may be available is available through individual universities or through the Educational Grants Advisory Service (EGAS).

Public libraries should have directories of charitable trusts that provide grants and awards:

- The Educational Grants Directory
- The Charities Digest
- The Grants Register
- The Directory of Grant Making Trusts

Higher Education Continued

General Information

Care leavers considering attending university should check with the universities that they are thinking about applying to, for information about the support that each institution will provide. This information can then assist when making a final choice about which university to apply for.

The students' support service should be able to provide information on both the practical and financial support that may be available.

Many universities are now accredited under the Buttle Trust Quality Mark Award Scheme. The Quality Mark acknowledges and highlights additional support that establishments provide to young people leaving public care. http://www.buttletrust.org/quality_mark

Information about additional support to care leavers can be found via the Fair Access Agreements that each institution is required to have. Information can be found on the web site of each institution or via: http://www.offa.org.uk

Welfare Benefits

The majority of young people who undertake higher education courses are ineligible for welfare benefits such as Income Support and Housing Benefit/Local Housing Allowance. Certain limited groups of young people who undertake higher education courses such as lone parents and sick and disabled young people may remain, or be eligible for welfare benefits whilst studying. If a young person is entitled to welfare benefits (Income Support, Employment and Support Allowance, Housing Benefit/Local Housing Allowance and Child Benefit/Child Tax Credits) they are not eligible for the full Children's Services Higher Education Grant, but continue to receive the Government Higher Education Bursary.

Lone Parents and Sick and Disabled Students who are in receipt of Welfare Benefits should check with the Department for Work and Pensions regarding the rules about student finance. Being in receipt of student finances may cause disqualification for welfare benefits. Generally, lone parents and sick and disabled young people will be required by the DWP to take out Student Loans and apply for the Special Support Grant. Their level of welfare benefit will be calculated by taking into account the loans and grants. Lone Parents may be eligible for the Government's **Childcare Grant** (£155.24 per week for one child and up to £266.15 per week for more than one child) and/or **Parents' Learning Allowance** (up to £1573.00 per year). Disabled students may be eligible for the **Disabled Students' Allowance**. Students who have adult dependents may be eligible for an **Adult Dependents' Grant (ADG)** (up to £2757.00 per year).

Where a young person is eligible to claim welfare benefits Children's Services will continue to provide the Government's Higher Education Bursary of £2000.00, which is provided over the period of a two, three or four year course. Depending on the length of the course the £2000.00 per year will be constituted of £1000.00 per year (2 year course) H.E. Bursary, £666.67 per year (3 year course) H.E. Bursary, £500.00 per year (4 year course) H.E. Bursary.

Children's Services – Higher Education Financial Support

All young people entering higher education will be provided with the following financial support (for a maximum of four years):

1. The Governments Higher Education Bursary which is set at £2000.00 over the whole length of the course. Depending on the length of the course the £2000.00 per course will be constituted of £1000.00 per year (2 year course) H.E. Bursary, £666.67 per year (3 year course) H. E. Bursary, £500.00 per year (4 year course) H. E. Bursary.

2. A Vacation Accommodation Allowance:

- Accommodation costs will be variable and will depend on the young person's accommodation arrangements, educational establishment and location.
- The Vacation Accommodation Allowance will be paid for the three vacation periods, the length of the vacation periods will vary, depending on the particular educational institution. The maximum vacation period (cumulative) is 13 weeks.
- Where the young person remains in university accommodation during the vacation period, the Vacation Accommodation Allowance will be paid at the rate that covers the accommodation costs.
- Where the young person is living in private sector accommodation, the Vacation Accommodation Allowance will be paid up to the level of the rent or the Local Housing Allowance (LHA) rate for a one-bedroom property, up to the young person's 22nd birthday whichever is lower. From the age of 22, the Vacation Accommodation Allowance will be paid up to the level of the rent or the Local Housing Allowance (LHA) rate for a shared property whichever is lower.
- How the Vacation Accommodation Allowance is provided to each individual young person will be set out in their Pathway Plan. Any Vacation Accommodation Allowance granted will be based upon an assessment of need.
- Young people who are living in a 'Staying Put' arrangement will be expected to pay the rent element during term time (from their student finance package) and will be provided with a Vacation Accommodation Allowance during the vacation period.
- 3. For Qualifying Young People aged 16 to 21/24, Children's Services has a duty to provide vacation accommodation, or the means to secure accommodation, to any care leaver qualifying for advice and assistance, who is between the ages of 16 and 25, who is in higher education or in residential further education and who needs it.
- The Higher Education Bursary and the Vacation Accommodation Allowance is available to the end of the academic course and can be used in circumstances where a young person switches courses.
- For a young person to be considered to be engaging with their course, they must have a 90% record
 of attendance, or, have completed 90% of compulsory work on time. Where a young person does
 not achieve 90% attendance due to sickness, consideration will be given to their specific
 circumstances.
- The Care Leavers Education and Training Panel will consider requests for the Higher Education Bursary and the Vacation Accommodation Allowance that involves exceptional and/or specific circumstances. It will also consider requests for second degree and post graduate courses.
- In circumstances where a young person is awaiting their Student Finance England package on commencing their course, subject to an assessment of need and approval of the Head of Service a bridging loan can be provided up to the prevailing benefit rate (£58.90) which will need to be repaid as soon as the funding becomes available.

Additional Funding/Second Chance Funding and Funding Specific to Hillingdon Children Looked After and Care Leavers

The following information provides additional guidance on financial support that may be available to children looked after and care leavers.

The Buttle Trust - Estranged Young People Programme

http://www.buttleuk.org:

The Buttle Trust UK can help address the needs of young people (including care leavers) by providing funding to enable them to fully access and participate in education, employment or training opportunities. The fund can also be used to help settle care leavers into secure accommodation by contributing to setting up home costs. Through this funding, young people can be offered a personalised package of support created in collaboration with the young person and their support worker. This project offers an 'enhanced' level of grant award, with a maximum allocation of £2,000 per case.

The Estranged Young People Programme can only be considered by the Buttle Trust in circumstances where a young person has already used their local authority entitlements.

The Princes Trust

Princes Trust: Young people may be eligible for a grant if you are a UK resident, and they are:

- Aged 14-17 still in compulsory education and do not have/are not expecting to achieve five GCSEs grades A-C (or equivalent)
- Aged 17-25 and unemployed or working fewer than 16 hours a week, or in education fewer than 14 hours a week

Examples of what can be funded include:

- tools or equipment for a job or qualification e.g. hairdressing kit, carpentry tools, chef's whites
- course fees
- interview clothes
- license fees e.g. CSCS card (construction) or SIA license (security)
- childcare costs to help single parents access short term education
- transport to a new job until a young person receives their first wages/salary.

	Key Documents Jp to £110.00	Children's Services will purchase a passport (including the check and send facility) and 1 birth certificate for each young person – Up to £110.00.
		One passport, or passport renewal age 16 to 25, one birth certificate (only if the young person does not have the original).
	Jp to £218.00	Children's Services will purchase a travel document for Unaccompanied Asylum Seeking Children dependent on an assessment of need (£75.00 or £280.00) around education or holidays with a carer/provider.
() £	C665.00 – 50% aged 18 and over rate - C1,330.00) owards the Nationality and	Children's Services may contribute £665.00 (50% Cost [young person contributes 50% - £665.00] total cost £1,330.00 (18 year olds and over [18 th March 2020] towards the cost of the nationality and citizenship process for young people who gain citizenship. It will be the Panel's decision to consider each request on its merits.
(Citizenship Process	In circumstances where a young person gains citizenship the case worker must inform the Finance Team Manager in order to adjust the Home Office Asylum returns.

Where young people have misplaced their passport or birth certificate, Children's Services will consider funding a replacement, subject to an assessment of the circumstances of misplacing the documents. Where Children's Services fund a replacement, birth certificate and/or passport, the documents should be retained by the Leaving Care Team to ensure they do not get lost a second time. Children's Services will only fund one replacement (and subject to the original loss being a reasonable loss).

Introduction to Driving

Children's Services will provide the funding for one provisional driving licence, one theory test, one practical test and the cost of five (1 hour) motor car driving lessons to introduce young people to driving.

Licence, 1 Theory Test, 5 (1 hour) Lessons and 1 Practical Test. This is available to 17, 18, 19 and 20 year olds and is conditional on the young person matching the cost of the five (1 hour) car driving lessons provided by the Hillingdon Children's Services. This will enable the young person to have ten trial lessons.

This is only available to young people who have been engaged in education, training or employment for at least 3 months and do not have any driving convictions and linked to the need to travel to an education, training or employment opportunity. Additionally an assessment of affordability to own and drive a motor vehicle or motorbike must be undertaken Young people must pay the cost of the five lessons to their social worker/personal adviser who will then book the ten lessons. In general, by paying for ten lessons in a block, driving schools provide an extra lesson free.

Additionally, Children's Services will pay for one theory and one practical driving test. This is dependent on an approved driving school recommending that the young person is ready to take the test.

Young people must provide their contribution before the overall package is provided.

Depending on an assessment of need, which must be linked to the need to travel to an education, training or employment opportunity the driving package can be used to fund a moped/motor bike training programme. Young people must attend a CBT programme prior to driving on public roads.

Depending on an assessment of need, lone parents and sick and disabled young people may be exempt from the 3 months in education, training or employment condition.

The allowance is only available until the young person's 21st birthday.

Child Care Costs

Lone parents, who wish to return to education, start a traineeship/apprenticeship or take up employment opportunities, will be assisted to identify funds to cover or contribute to child care costs. In the first instance the Care to Learn Fund and other universal services should be approached for funding to cover child care costs. Only in exception circumstances and subject to an assessment of need and a child in need plan would the local authority cover any child care costs.

The Care to Learn Fund provides financial support to assist young parents under the age of 20 to undertake education.

From April 2009 the majority of Unaccompanied Asylum Seeking Children who have applied for asylum and have an initial decision such as Humanitarian Protection (HP) or Discretionary Leave (DL) can apply for a Care to Learn Fund grant.

parcel following an assessment of need. The food parcels should not exceed £10.00 in value and should include a £5.00 utility component. No more than 2 emergency food parcels will be provided in any 12 month period. In exceptional circumstances and dependent on an assessment of need a cash payment may be considered. The individual arrangements will be set out in the young person's pathway plan. Emergency food parcels and vouchers are discretionary and will only be provided following an assessment of need. In situations where young people have lost, or had money/items stolen they must obtain a crime reference number before an assessment of need and compensatory payment is considered.
Where appropriate, and dependent on an assessment of need, Children's Services may provide funds for exceptional needs as a one off payments. These payments can only be agreed by the Head of Service.

Section 3

Eligible, Relevant and Former Relevant Children Aged 16 to 25.

Setting Up Home Allowance						
£145.50	For TV licence. (First licence paid for by Children's Services and subsequent ones					
Not Transferable	paid for by young person).					
£1500.00	To be spent on items for equipping accommodation. This allowance should be spent in stages; initially on semi-independent setting needs and subsequently, on independent accommodation needs. The allowance should always be spent collaboratively between the social worker/personal adviser and young person. Original receipts should be retained by the social worker/personal adviser for audit purposes, reclaiming VAT and in case defective items need to be returned.					
Up to £60.00	Setting up home starter pack.					
Not Transferable	Coffee, tea, washing-up liquid, light bulbs, laundry and cleaning equipment, utility card/key top-up etc.					
Up to £80.00	Removal and transport costs.					
Not Transferable	 One-off, only in exception circumstances will this be available for a second move. 					
Up to £80.00	One year's contents insurance.					
Not Transferable	 This is provided for the first year of independent living age 18 plus (£9000 cover). 					
	Time to provided for the type. Or independent niting ago to place (20000 00101).					
	Health and safety pack					
Up to £55.00	Two smoke detectors, one carbon monoxide detector, door security chain, fire					
Not Transferable	blanket and first aid kit.					
Up to £80.00	Cooker and washing machine connection cost.					
Not Transferable	 One—off, only in exception circumstances will this be available for a second connection 					
	OGNITION OF THE PROPERTY OF TH					
Total Amount						
Up To £2000.50	me Allowance is available up to the age of 25 or uptil the completion of an					

The Setting Up Home Allowance is available up to the age of 25 or, until the completion of an education/training programme extending beyond the age of 25.

The Setting Up Home Allowance should always be used to purchase household items and cannot be provided where the young person does not have accommodation to furnish.

The entitlement to the Setting Up Home Allowance extends up to the age of 25, or until the end of the agreed program of education/training being undertaken on the 25th birthday is completed.

Section 4 Appendices

Appendix A

Eligible and Relevant Children who are 'detained' (16/17 year olds) The Care Leavers (England) Regulations Section 23A (3) paragraph (2)

- Children and young people who are detained and are subject to a Section 31 Care
 Order remain looked after on entering custody (on being remanded and being
 sentencing) and on reaching age 16 they become 'Eligible' care leavers.
- Young people, who are Accommodated under Section 20, remain looked after when 'remanded' and cease to be looked after if they receive a custodial sentence.
- Young people who are remanded become looked after on being remanded and cease to be looked after on being sentenced.
- Young people who have been looked after for 13 weeks from the age of 14 (remand and non-remand) and receive a custodial sentence (or are still on remand) before their 16th birthday become 'Relevant' care leavers on reaching their 16th birthday.
 - Young Offender Institution (YOI).
 - Secure Training Centre (STC).
 - Secure Children's Home (SCH).

Where a young person is 'detained' in hospital or custody, the majority of their financial allowances will be suspended. Financial support for young people who are detained in Young Offenders Institutes is governed by the rules of the particular establishment they are detained in. In general, young people are expected to undertake education or training and are provided with pocket money for engaging in these activities. Additionally, they will often be provided with clothing, or are able to bring clothing with them. As such, they will not be provided with any allowances while detained. In exceptional situations where education, training or work opportunities are not available and no pocket money or remuneration scheme exists, young people will be provided with a £10.00 per week allowance. This will be provided in-line with any recommendations of the particular establishment.

Additionally, and in exceptional circumstances (subject to an assessment of need), a clothing allowance commensurate with the leaving care clothing allowance of £10.00 per week may be provided, following agreement of the Head of Service.

Where appropriate, and dependent on an assessment of need, Birthday and Christmas/festival allowances will continue to be paid and depending on the rules of the institution, will be given to the young person or retained until their release. The use of the Birthday/Christmas/Festival Allowance can only be authorised by a Head of Service.

On release young people will have access to their 'Setting Up Home Allowance' and, where a young person has been detained for more than six months, and dependent on an assessment of need, an Exceptional Needs Payment for clothing etc. will be

considered. The maximum clothing payment for 16 and 17 year olds who are being released from detention is linked to the Initial Clothing Grant of £150.00.

The Pathway Plan for young people who are detained should set out the provision of all financial allowances.

Young people who are detained / residing in hospital will be provided with a pocket money allowance of £10.00 per week. Additionally, and in exceptional circumstances (subject to an assessment of need), a clothing allowance commensurate with the leaving care clothing allowance of £10.00 per week may be provided, following agreement of the Head of Service.

On release young people will have access to their 'Setting Up Home Allowance' and, where a young person has been detained for more than six months, and dependent on an assessment of need, an Exceptional Needs Payment for clothing etc. will be considered. The maximum clothing payment for 16 and 17 year olds who are being released from hospital is linked to the Initial Clothing Grant of £150.00.

Qualifying Young People

Where young people are detained and become looked after under section 21, all allowances will be subject to an assessment of need and will be dependent on the level of parental involvement and the approval of the Head of Service.

Former Relevant Children who are 'detained' The Care Leavers (England) Regulations Section 23C (1)

On release young people will have access to their 'Setting Up Home Allowance' and if they are claiming Jobseekers Allowance, or Income Support, they can apply for a Short Term Benefit Advance (STBA) from the DWP or a grant/loan through the Local Authority Welfare Assistance Scheme.

Where family member are in receipt of welfare benefits prison visits and contact can be facilitate by the 'Assisted Prison Visits Scheme' allowances provided by the DWP. Travel costs for family members not in receipt of welfare benefits may be provided following an assessment of need.

Appendix B

Guidance on the Provision of Financial Support to Children aged 16 or 17 who are A) Placed with Parents, or B) Return to Live with Parents in a Planned, or Unplanned Manner

Principles:

- Wherever possible, parents should be financially responsible for their own children and should not be funded by the local authority to support their own children.
- Where financial allowances are provided to parents, these should not create inequalities with other siblings and children within the family/household who have not been looked after.

Section 1

Placement with Parents – Children Reaching the Age of 16 Subject to a Care Order or Interim Care Order

The Care Planning, Placement and Case Review Regulations 2010 and associated Guidance sets out that the Responsible Local Authority is required to assess and meeting the needs, including the financial needs of an 'Eligible' child.

Her Majesties Revenue and Customs (HMRC) Guidance sets out that where a child aged 16 or 17 is resident with a parent and is undertaking full-time education or training, the parent will normally be eligible for child benefit. As a result of being eligible for child benefit, the parent should also be eligible for child tax credit and/or working tax credit (depending on income), and any benefits arising from a child's disability. Where a child is placed with a parent, a transitional payment equivalent to the level of child benefit and child tax credit/working tax credit that a parent would be entitled to will be provided for a period of up to six weeks. On average it takes four to six weeks to establish a child benefit and child tax credit and/or working tax credit claim.

Transitional payment example:

Child benefit equivalent - £20.70

Child tax credit:

Family element - £10.48
Child element - £53.46
Total Paid – 6 weeks maximum £84.64

For a parent to be eligible for child benefit and tax credits no part of the child's accommodation or maintenance costs should be met by the local authority, as such Children's Services should set a date to cease any transitional payments. The date to cease financial support should be set at a point between four and six weeks after a placement with a parent or a return home.

Child benefit can continue, or be reinstated if a child is residing with a parent on a regular basis, generally on at least 2 nights per week from Monday to Sunday or is home for a complete week. – HMRC Guidance.

Where a child was placed with a parent/s prior to their 16th birthday a review of the financial support for the child and parent/s must take place when the child becomes an **'Eligible'** child. The review must be undertaken within the framework of the Leaving Care Assessment of Need.

The majority of 'Eligible' children will be living in foster care, residential care or, in a placement deemed 'Other Arrangements'. The financial support provided to the child will be set out in the fostering financial policy, residential financial policy and leaving care financial policy.

In situations where a child aged 16 & 17 is placed with a parent or returns home to live with a parent and is not engaged in any education or training, Section 1 and 2 of this leaving care financial policy provides guidance on the provision of any allowances.

In circumstances where the child is living with a parent/s and the Care/Pathway Plan is focused on revoking the Care Order, or Interim Care Order, both the assessment of, and financial support should be based on assisting the transition to parental financial support and for the child to enter/resume or continue education or training.

The primary aim of leaving care financial support for 16 & 17 year olds is to enable young people to prepare for independent living and develop money management skills; as such, each young person should have an assessment of their individual leaving care financial needs and any subsequent allowance provided to those not in education or training should be provided to the young person in a manner that assists with the development of these skills and a return to education or training.

Young people placed with parents who are not engaged in education or training should therefore be provided with the standard Leaving Care Maintenance Allowance for a maximum of 6 weeks.

In order to avoid any inequalities within the family by the provision of leaving care support, an assessment must be undertaken regarding the need for supplementary allowances, i.e. those in addition to the Leaving Care Maintenance Allowance. For example, where there are children in the family who have not been looked after, it may be inappropriate to provide any allowances other than the Leaving Care Maintenance Allowance if these allowances create disparities, inequalities and potentially undermine parenting responsibilities.

The provision of a leaving care birthday allowance for one child would potentially create an inequality if other family members do not receive a similar allowance, as such, the leaving care birthday allowance should not be provided and parents therefore take responsibility for the level of all birthday allowances to their children. The assessment of, and the reason behind this decision should be made using the guidance contained in this document and should be set out in the young person's Care/Pathway Plan.

When developing a Care/Pathway Plan for a young person placed with parent/s or living with a parent/s who is not engaged in education or training, consideration should be given to whether the young person should provide a percentage of their Leaving Care Maintenance Allowance to their parent/s as a contribution to living costs. The

level of the contribution should be set out in the young person's Care/Pathway Plan. For example, it may be appropriate that the young person retains an amount for pocket money and clothing i.e. £10.00 pocket money and £10.00 clothing allowance and provide a contribution to the parent of £37.90 per week.

In circumstances where a contribution has been set and the young person does not make the necessary contribution, the amount set can be deducted from the young person's Leaving Care Maintenance Allowance and paid directly to the parent/s.

As noted above, there is an obligation on the local authority to provide financial assistance to young people leaving care that would normally fall on parents, and/or on the welfare benefit system. Being an Eligible or Relevant child not engaged in education or training (regardless of them being placed at home) disqualifies parents from welfare benefits/tax credits/universal credit. In situations where the child is not engaged in education or training, the leaving care financial policy should be used as the framework for the provision of allowances to the child and/or parent.

The majority of Eligible or Relevant children, regardless of being engaged in education or training are disqualified from welfare benefits/tax credits/universal credit, with the exception of sick and disabled children and children who are also lone parents.

In circumstances where a care leaver aged 16 or 17 (not engaged in education or training) is placed/living with a parent who is in receipt of a welfare benefit/tax credit/universal credit, the difference between the young person's Leaving Care Maintenance Allowance and the level of the welfare benefit/tax credits/universal credit that the parent would be entitled to in respect of that child, (if they were not an Eligible or Relevant child) can be provided directly to the parent/s. This would only apply to a child not engaged in education or training.

Care Order Revocations and Ceasing Financial Allowances

Where an 'Eligible' child has lived with a person with parental responsibility for at least 6 months and they cease to be looked after, due to the revocation of the Care Order, or Interim Care Order they become a 'Qualifying' child (a Qualifying child is a 16 to 21/24 year old subject to Section 24 of the Children Act 1989). The 6 month period living with parents that is required to be deemed a Qualifying child, can include time both prior to and after the revocation of the Care Order.

Welfare benefit legislation relating to 'Qualifying' children sets out that both parents and children are entitled to welfare benefits/tax credits/universal credit in their own right.

'Qualifying' child status does not have any impact on either the child, or parents benefit or tax credit entitlements. Once a child is deemed a 'Qualifying' child and following a financial re-assessment of their financial needs, the majority, if not all, of the leaving care financial support being provided should cease. The primary responsibility for meeting a 'Qualifying' child's financial needs rests with the parent/s.

The detailed financial and practical arrangements to support the child and parent should be set out in the Care/Pathway Plan and Placement Plan. The level of the

leaving care financial support should be based on an assessment of need and set out in the Care/Pathway Plan.

Placement with Parents – Children aged 16 or 17 Subject to Care Order or Interim Care Order Being Placed with Parent/s

In circumstances where, following an assessment of suitability, it is deemed appropriate to place a child with a parent/s at the age of 16 or 17, the assessment of financial support to the child and parent should be completed prior to the placement being made and should be set out in the Care/Pathway Plan and Placement Plan.

The principles and financial approach set out above in section 1, i.e. the Leaving Care Maintenance Allowance being provided to the young person (if not engaged in education or training), and, an assessment of the need for any additional allowances being undertaken to consider the types and level of financial support to be provided should be followed. The Care/Pathway Plan should be used to evidence and explain the level of, and the types of financial support to be provided.

Section 2

Children aged 16 & 17 Accommodated Under Section 20 Returning to Live with a Parent/s in a Planned Manner who Cease to be Looked After and Become 'Relevant' children

In circumstances where it is deemed appropriate for a child to return to a parent/s at the age of 16 or 17, following an assessment of suitability, the evaluation of financial support to the child and/or parent should be completed prior to the child returning to the parent/s. On the child returning to the parent/s the child becomes a 'Relevant' child. Where the young person is undertaking an education or training activity, financial responsibility should transfer to the parent as set out in section 1. Transitional financial support will be provided for a period of four to six weeks.

In circumstances where a young person (subject to section 20) aged 16 & 17 returns to live with a parent, agreement to, and approval of the ceasing to be looked after must be sought from the Director of Children's Services - Regulation 39 (The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015). Applied from 1st April 2015.

In circumstances where the 'Relevant' child is living with a parent/s as part of planned return to a parent/s, both the assessment of, and financial support should focus on assisting the transition to parental financial support. The principles set out above in section 1 should be used to assess the type and level of financial support. The Pathway Plan should be used to evidence and explain the level of and the types of financial support to be provided (for those not engaged in education or training).

Where a child remains living with a parent/s for six months (after a planned return) the child's status changes from a 'Relevant' child to that of 'Qualifying' child. Once a child becomes a 'Qualifying' child, both parent/s and child are entitled to claim welfare benefits/tax credits like other parents/children. See above section 1.

Once a child is deemed a 'Qualifying' child and following a financial re-assessment of their financial needs, the majority, if not all of the leaving care financial support being provided should cease. The primary responsibility for meeting a 'Qualifying' child's financial needs rests with the parent/s.

Section 3

Children Subject to a Care Order or Interim Care Order Returning to a Parent/s Against the Assessment of the Child's Needs and the Wishes of the Local Authority

Social workers will need to undertake an assessment and risk assessment of the appropriateness of the child remaining with the parent/s where the child has returned to a parent/s against the wishes of the authority and follow due procedure.

Financial support should only be provided to the child in line with the Leaving Care Finance policy. No payment or any percentage of the Leaving Care Maintenance Allowance should be made to the parent/s until it is deemed an authorised placement with parent/s.

The Pathway Plan and the provision of financial support should focus on positive engagement or re-engagement with the child.

Section 4

Children Accommodated Section 20 Returning to a Parent/s Against the Assessment of the Child's Needs and the Wishes of the Local Authority

Social workers will need to undertake an assessment and risk assessment of the appropriateness of the child remaining with the parent/s where the child has returned to a parent/s against the wishes of the authority and follow due process. A statutory review should take place to approve the decision to cease the child's Section 20 status. In circumstances where a young person (subject to section 20) aged 16 & 17 returns to live with a parent, agreement to, and approval of the ceasing to be looked after must be sought from the Director of Children's Services - Regulation 39 (The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015). Applied from 1st April 2015.

Financial support should only be provided to the child in line with the Leaving Care Finance policy (where the young person is not engaged in education or training). No payment or any percentage of the Leaving Care Maintenance Allowance should be made to the parents until it is deemed appropriate for the 'Relevant' child to remain living with the parent/s.

The Pathway Plan and the provision of financial support should focus on positive engagement or re-engagement with the child.

Summary

In essence, financial support to 16 and 17 year olds living at home should be provided by parents:

- where a child/young person is engaged in an education or training activity, the parent/parents are entitled to claim child benefit/child tax credits;
- Where children/young people are not engaged in education or training the guidance above and the leaving care finance policy provides the framework for the provision of allowances.

Appendix C

Qualifying Children and Young People over 16

Section 24 (advice and assistance) of the Children Act 1989 [as amended by the Planning Transitions to Adulthood for Care Leavers 2010 Guidance and the Care Leavers (England) Regulations 2010] covers 'Qualifying Young People'.

Depending on an assessment of need, Children's Services has a responsibility to provide practical and financial support and assistance to Qualifying Children and Young People over 16. Individual young people may be given practical support and financial assistance (Children Act 1989 (Section 24A (5)) and Section 24B) with priority being given to support relating to education, training and employment opportunities. Leaving care personal advisers should assist young people to maximise financial support available from employment, benefits and education allowances and opportunities.

Children's Services has a duty to provide vacation accommodation, or the means to secure it, to any care leaver qualifying for advice and assistance, who is between the ages of 16 and 25, who is in higher education or in residential further education and who needs it.

Depending on an assessment of need Qualifying Children and Young People may require, and should be provided with the same level of service as Eligible, Relevant or Former Relevant young people.

See Volume 3 Planning Transition to Adulthood for Care Leavers Guidance – Care Leavers (England) Regulations 2010 – Para 2.6 to 2.11 Page 15 & 16. Para 8.43 to 8.51 Page 84 & 85.

Young People Deemed Qualifying Children and Young People Over 16

- Young people aged 16 & 17 who are subject to a Special Guardianship Order
- Young people aged 18 to 21, or up to 25 who were previously subject to a Special Guardianship Order.
 - The young person must have been looked after immediately prior to the making of the Special Guardianship Order.
- Young people who were privately fostered
- Young people who were looked after for less than 13 weeks between their 14th and 18th birthdays, but for at least 24 hours aged 16 or 17.
- Young people who returned home and are subject to a Section 31 Care Order and were looked after for a minimum of 13 weeks (age 14 or 15) become an 'Eligible' child on reaching their 16th birthday (if still looked after). If they live at home successfully for 6 months or more and their care order is revoked they become Qualifying on the revocation of their order.
 - o If the arrangement at home breaks down before the age of 18, they automatically become 'Relevant' children.
- Young people aged 16 or 17 who are deemed 'Eligible' and are accommodated under Section 20 cease to be looked after and become 'Relevant' children on

returning to parents or those with parental responsibility. After a stable and settled six month period as 'Relevant' children this group become Qualifying.

- o If the arrangement at home breaks down before the age of 18, they automatically revert to being 'Relevant' children.
- Young people subject to respite care arrangements do not become Eligible or Relevant even where their period of being looked after exceeds 13 weeks between their 14th and 18th birthday. The respite periods must all be planned periods with no individual period exceeding 4 weeks. This group are deemed Qualifying.

Appendix D

Unaccompanied Asylum Seeking Children (UASC)

Section to be updated in March 2017 following the implementation of the Immigration Act 2016

Eligible and Relevant Children

Key Guidance

Social Workers and Personal Advisers must ensure a UASC has applied to extend their leave to remain and the application is submitted to the Home Office before their leave status expires. In the majority of UASC cases their leave status expires at the age of 17½, or on their 18th birthday. If this task is completed and submitted within time the young person is eligible to claim means tested benefits on their 18th birthday. See section on - Access to Public Funds and Welfare Benefits at the end of this appendix.

Consideration should also be given to appealing an initial asylum decision where a young person is initially granted limited leave to remain.

Unaccompanied Asylum-Seeking Children (UASC) are covered by the Children Act 1989 and the provisions of the Care Planning, Placement and Case Review Guidance and Regulations 2010 [16 & 17 year olds] and the Planning Transition to Adulthood for Care Leavers Guidance 2010 and the Care Leavers (England) Regulations 2010 [16 to 21/25 year olds] in exactly the same way as other children in this country.

However, they will also have an immigration status:

- 1. Applying for Asylum;
- 2. Accepted as a Refugee;
- 3. Granted Exceptional Leave to Remain [divided into:
 - a. Humanitarian Protection, or
 - b. Discretionary Leavel,
- 4. Indefinite Leave to Remain:
- 5. Limited Leave to Remain:
- 6. Refused Leave to Remain;

all of which will need to be taken into account when undertaking their Leaving Care Assessment of Need and developing their subsequent Pathway Plan.

In addition to checking the young person's length of stay entitlement, it is important to check their eligibility to work and/or to receive public funds. Before the young person turns 18 they should be supported to make the required applications and appeals to extend their leave to remain, receive the right to work and to access to public funds.

It should be noted that applicants who are granted refugee status may not automatically receive indefinite leave to remain. Applicants granted refugee status may be given limited leave to remain for five year periods. At the end of each five year

period their circumstances will be reviewed and if the conditions in their home country have improved they will be expected to return.

Most Eligible and Relevant (16 & 17 year olds) unaccompanied asylum-seeking children will receive the same entitlements as any other young person. However, there may be some differences in entitlement, which will need to be acknowledged in their Pathway Plan. For example, unaccompanied asylum-seeking children who are applying for asylum and are awaiting an initial decision, or have been granted exceptional leave to remain are not entitled to the 16- 19 Bursary.

When developing Pathway Plans with Eligible and Relevant (UASC) particular attention must be paid to their immigration status and contingency plans developed which take account of their possible status options at the of age eighteen.

Department for Education guidance highlights that pathway planning for the majority of UASC who do not have permanent immigration status should initially take a dual or triple planning perspective, which, over time should be refined as the young person's immigration status is resolved.

Planning may be based on:

- a transitional plan during the period of uncertainty when the young person is in the United Kingdom without permanent immigration status;
- longer term perspective plan in the United Kingdom should the young person be granted long term permission to stay (for example through the grant of Refugee Status); or
- a return to their country of origin at any appropriate point or at the end of the immigration consideration process, should that be necessary because the young person decides to leave the UK or is required to do so.

Failed Asylum Seekers aged 18 to 21/25

Former Relevant Children

Where young people have an immigration status that means they have permission to work and/or have recourse to public funds they will be expected to be working or claiming benefits like other Former Relevant Children. Additionally, Children's Services will apply all of the aspects of the Former Relevant Children section of the leaving care financial policy with some exceptions to the Higher Education and Further Education sub-section.

Where young people have:

- limited leave to remain;
- exceptional leave to remain;
- (are) appealed an adverse decision;

They are only eligible for a Children's Services Higher Education Grant for higher education courses that finish in the academic year prior to their status expiring. Children's Services will provide a Higher Education Grant to unaccompanied asylum seeking young people only if all of the following circumstances are met:

- a) They have been offered a higher education place
- b) Student Finance England have award them a loan and/or grant
- c) They are classified as a home student.

Children's Services will work with education establishments and training providers to ensure that young people who have limited leave to remain have access to purposeful activities such as short education courses, training opportunities and courses and voluntary activities.

Where asylum seeking young people:

- have lodged an asylum application, but do not have an initial decision;
- have no recourse to public funds;
- are all rights exhausted;

they will not be eligible for higher education funding.

Consideration will be given to supporting young people with short term universal access courses that provide enhanced education and training skills.

Young people who have exhausted all 'avenues and rights' regarding appealing an adverse asylum decision, and/or are unable to extend their exceptional leave to remain, and/or lose access to public funds and the right to work are deemed 'end of line cases' or 'all appeal rights exhausted' cases (at this point the young person will usually receive a removal directions notice).

Where young people lose access to welfare benefits and are deemed 'end of line cases' or 'all appeal rights exhausted' case Children's Services will provide an allowance commensurate with benefits following the completion of a Human Rights Assessment. This allowance can continue to be paid until the removal date or the young person's 21st birthday (or the end of their education course following their 21st birthday) whichever comes first. In addition, the provision of an allowance and accommodation is dependent on the young person remaining in contact with their personal adviser and actively engaging in the pathway planning process.

Pathway Planning Guidance

When undertaking the Leaving Care Assessment of Need with unaccompanied asylum-seeking children at age fifteen and a half and subsequently developing their Pathway Plans, personal advisers must take account of young people's immigration status and how this may limit access to public funds and services at the age eighteen. Every effort must be made to clarify young people's immigration status as soon as possible in order to develop clear plans for their future e.g. ensure that extensions to Discretionary Leave and Humanitarian Protection are applied for within timescale i.e. six to eight weeks before expiry.

Pathway Plans should explore how an unaccompanied asylum-seeking child's immigration status may limit future support and financial opportunities. Pathway Plans for unaccompanied asylum-seeking children should always incorporate a dual plan approach. For example, Pathway Plans should highlight what support would be given if the young person gains indefinite leave to remain, and an alternative Pathway Plan should highlight what support would be available should they be granted limited leave

to remain and/or receive removal directions and/or require support to access public funds and/or access the right to work.

Appealing an Initial Asylum Decision

When young people receive their initial asylum decision consideration should be given to lodging an appeal against the decision if they receive a status other than Indefinite Leave to Remain/Refugee Status. In effect, Limited Leave to Remain is a failed asylum decision. Young people are more likely to obtain a positive decision if they appeal at the first decision stage rather than wait until their limited leave status expires. Social workers and personal advisers should liaise with the young person's solicitor to support/consider an appeal. Young people have to lodge an appeal within a very limited time (14 days of the initial decision). Evidence highlights that a high percentage of initial decision appeals are successful.

Young people who receive an initial decision giving them Limited Leave to Remain for a year or less may not be able to appeal the initial decision.

Summary

Unaccompanied Asylum Seeking Children (UASC) making the transition from care to adulthood have both a leaving care status and an asylum and immigration status in addition to their placement and accommodation, education, health, financial and religious and cultural needs.

Planning transition to adulthood for UASC is a particularly complex process that needs to address young people's care needs in the context of wider asylum and immigration legislation and how this changes over time. Pathway planning to support a UASC's transition to adulthood should cover all areas that would be addressed within all young people's plans as well as any additional needs arising from their specific refugee and immigration status and issues.

The majority of young people making the transition from care to independence, will, with support and assistance develop a settled life in the U.K. Whilst this may be the case for some UASC this may not always apply due to the outcomes of their asylum claim. Planning for many UASC may have to be based around short term achievable goals whilst entitlement to remain in the UK is being determined.

Planning for a return home may be difficult (for both young people and staff working with them), but care and pathway plans should include contingencies for durable and best interest plans for UASC and young people who are likely to have to return to their country of origin. It will be essential that arrangements for returns should be managed in a sensitive and consistent way.

Transition to adulthood planning and pathway planning for the majority of UASC who do not have permanent immigration status should initially take a dual or triple planning perspective which over time should be refined as the final asylum outcome becomes known:

- Longer term perspective plan in the United Kingdom should the young person be granted Refugee Status
- A transitional plan during the period of uncertainty when they are in the United Kingdom without permanent immigration status.
- A return to their country of origin at an appropriate point or at the end of the process should that be necessary due to their immigration status.

Claiming asylum can be a complex process and social workers/personal advisers should work with the young person's legal representative and the dedicated case owner at the Home Office to ensure that the young person understands the process of claiming asylum, the possible outcomes and to provide them with necessary support.

Pathway plans should always consider the implications for the young person if their application to extend their leave to remain or their appeal against refusal of that application is dismissed. In such circumstances the person will become unlawfully present in the United Kingdom and be expected to make plans for return to the country of origin. Pathway plans should highlight the risks associated with young people disappearing ('going underground') to avoid returning and the difficulties associated with returns that occur quickly with little or no planning. Liaison with the Home Office case owner may be necessary to manage these risks.

Schedule 3 of the Nationality, Immigration and Asylum Act 2002

It is important that Personal Advisers and others working with the young people understand that their immigration status may affect their eligibility to leaving care support after they turn 18 because of the provisions of Schedule 3 of the Nationality, Immigration and Asylum Act 2002.

This is especially the case for any of the young people who are "unlawfully present in the UK" – which includes those who have been refused asylum and have either not applied for an extension of further Discretionary Leave to remain or have applied for an extension but that application and any appeal has been rejected.

Liaison with the legal adviser may be required to establish whether Schedule 3 applies in a particular case, as refusal of asylum does not necessarily indicate that a young person is 'unlawfully present in the UK', particularly if removal directions have not yet been issued.

In these cases, the young people can generally only be supported to the extent necessary to avoid a breach of their human rights (under the European Convention of Human Rights).

Access to Public Funds and Welfare Benefits

Young people must apply to extend their leave to remain at least two months before their immigration leave status expires. If this task is completed by a young person's eighteenth birthday and they have proof that the Home Office has received their application the young person is eligible to apply for benefits. Personal Advisers should obtain a letter from the young person's solicitor that includes details of the young person's immigration status; the date of the application to extend the leave to remain

was submitted. The solicitor submits the renewal/extension by recorded post. The recorded post item will have a tracking number that can be used to verify that the Home Office received the application. The letter from the solicitor and a print out of the Post Office tracking statement should be submitted with the young person's benefit claim.

Appendix E

Unaccompanied Asylum Seeking Children, Standard Benefit Claim Letter

Children Looked After and Leaving Care Team Address

YOUNG PERSON'S NAME: D.O.B:

N.I. NUMBER:

IMMIGRATION STATUS:

IMMIGRATION REGISTRATION NUMBER:

ADDRESS:

Dear Sir/Madam,

This letter is provided to verify the identity of the above named young person and to confirm and clarify his/her circumstances. The above named young person who is an unaccompanied asylum seeking young person and was granted (Add Immigration Status) on (Add Date). As (Add Full Name) applied to (extend/appeal) (his/her) immigration status prior to (his/her) immigration status expiring, I believe (he/she) will be entitled to claim means tested benefits.

Please find attached a letter from <u>(Add Full Name)</u> solicitor detailing <u>(his/her)</u> application to extend <u>(his/her)</u> immigration status including the recorded delivery registration number and a printout confirming the recorded delivery application was received by the Home Office prior to <u>(his/her)</u> immigration status expiring. See Access to Public Funds and Welfare Benefits Above.

I can confirm that (<u>Add Full Name</u>) was previously an 'Eligible' child, or an 'Eligible' and 'Relevant' child and became a 'Former Relevant' child on <u>(Add Date)</u> as defined by the Care Planning, Placement and Case Review Regulations and Guidance 2010 and Care Leavers (England) Regulations 2010.

I can also confirm that (<u>Add Full Name</u>) was previously 'Looked After' by Children's Services and was 'Accommodated' under Section 20 of the Children Act 1989.

(Add Full Name) ceased to be 'Looked After' on (Add Date) and will continue to receive practical support and, in specific circumstances, financial help from Children's Services under Section 24 of the Children Act 1989 or Section 23C of the Care Leavers (England) Regulations 2010. Section 23C and Section 24 payments must be declared when claiming benefits but are not be counted as income for welfare benefit purposes. Whilst (Add Full Name) is establishing his/her welfare benefit claim (he/she) will be provided with a £57.90 leaving care maintenance allowance under these powers (for 4 weeks).

- As (<u>Add Full Name</u>) has now become a 'Former Relevant' child and ceased to be 'Looked After', I believe (<u>he/she</u>) will be entitled to claim Jobseekers Allowance at the rate of £57.90 per week and full Housing Benefit and Council Tax Support.
- As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After' and is engaged on a traineeship at the rate of £57.90 per week, I believe (<u>he/she</u>) will be entitled to claim full Housing Benefit and Council Tax Support.
- 3. As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After', remains estranged from (<u>his/her</u>) parents and is covered by the relevant education criteria, I believe (<u>he/she</u>) will be entitled to claim Income Support at the rate of £57.90 per week and full Housing Benefit and Council Tax Support.
- 4. As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After', remains estranged from (<u>his/her</u>) parents and has been given a 'Fit Note' by (<u>his/her</u>) Doctor, I believe he/she will be entitled to claim Employment and Support Allowance and full Housing Benefit and Council Tax Support.
- 5. As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After' and is earning a low income, I believe (<u>he/she</u>) will be entitled to claim Housing Benefit and Council Tax Support. Please find attached relevant wage slips/prove of income.

As (<u>Full Name</u>) was 'Looked After' on/or after <u>his/her</u> sixteenth birthday <u>he/she</u> is exempt from the single room rent restriction.

- A s (Add Full Name) was previously 'Looked After' and remains vulnerable I would request that the Housing Benefit is paid directly to Children's Service as an agent of the landlord.
- B As **(Add Full Name)** was previously 'Looked After' and remains vulnerable I would request that the Housing Benefit is paid directly to his or her Landlord.

(Add specific information)

If you require any further information please do not hesitate to contact me.

Yours faithfully

Approved Signatures

<u>Team Manager</u> <u>Deputy Team Manager</u>

^{*} Please complete, or delete, either section A or B, the subsequent three bullet points and complete the bold text sections and the relevant sections 1 to 6. All other sections must be completed.

Information about disregarding Social Services payments to care leavers.

Welfare Benefits and Tax Credits Handbook; Child Poverty Action Group: 2014/2015

Part 3 General rules for means tested benefits Chapter 14 Income under pension credit age

4: Income other than earnings Page 286

Payments by Social Services

The Following payments are ignored:

A payment from a social services department under ss17, 23B, 23C or 24A of the Children Act 1989 or, in Scotland, a payment from a social work department under s12 of the Social Work (Scotland) Act 1968 or under ss29 or 30 Children (Scotland) Act 1995 – i.e., payments from social services to assist children in need or young people who have been in care or who have been looked after. For IS and income-based JSA, such payments are not ignored if you or your partner are involved in or, for IS only, have returned to work after a trade dispute. 208

JSA Sch 9 para 28 IS Regs JSA Sch 7 para 29 JSA Regs ESA Sch 8 para 30 ESA Regs HB Sch 5 para 28 HB Regs CTB Sch 4 para 29 CTB Regs

Appendix F

Criminal Injuries Compensation Award Payments

The rules on Criminal Injuries Compensation Award (C.I.C.A.) payments have recently changed and allow a young person a 52 week 'grace period' regarding an eligibility for benefit entitlement after receipt of the award. The following guidance should still be followed.

Housing Benefit, Income Support, Jobseekers Allowance and Employment and Support Allowance legislation sets out that a C.I.C.A. payment is disregarded in terms of calculating benefit entitlement for the first 52 weeks after receipt of the award.

Young people who receive a C.I.C.A. payment should be assisted to seek independent financial advice regarding establishing a Discretionary Trust Fund. Additionally, young people should be made aware of the implications of the C.I.C.A. payment for any benefit claim they may make after the 52 week disregard period. Young people should visit the Citizen's Advice Bureau and choose an independent solicitor and financial adviser to explore opportunities to use their award in a positive manner.

Generally, young people will receive their C.I.C.A. payment on their eighteenth birthday. If young people establish a 'Discretionary Trust Fund' prior to, or within 52 weeks of receiving their payment they continue to be eligible for benefits. Establishing a 'Discretionary Trust Fund' results in their award payment being 'tied up' until they reach the age of 21.

If a C.I.C.A. award has not been placed in a Trust Fund, or used after 52 weeks the following will apply; if the award was less than £6000.00 it will not affect a claim for benefit. If the award is between £6000.00 and £16,000.00, it will result in a reduced benefit payment and an award of over £16,000.00 will disqualify a young person from benefit. Strict benefit rules apply in regard to spending the award after the 52 week disregard period, consideration should be given to the DWP rules on the inappropriate disposal of 'capital'. It is important that young people are given independent advice regarding C.I.C.A. payments and that social workers/personal advisers are not responsible for choosing who gives advice.

Where a young person has been awarded a sum in compensation for a criminal injury, Children, Schools and Families is required to disregard that capital entirely. See page 62 para 4 - Children (Leaving Care) Act 2000 Guidance.

Welfare Benefits and Tax Credits Handbook; Child Poverty Action Group: 2014/2015

Part 3 General rules for means tested benefits

Chapter 17: Capital: under pension credit age

4: Disregarded capital Page 347 and 356

A payment that does not come from a trust and is made because of a personal injury to you or your partner is disregarded for 52 weeks. 25

IS Sch 10 para 12A IS Regs JSA Sch 8 para 17A JSA Regs ESA Sch 9 para 17ESA Regs HB Sch 6 para 14A HB Regs UC Reg 75 (6) UC Regs

Appendix G

Criminal Injuries Compensation Award Payments Standard Letter

Children Looked After and Leaving Care Team Address

YOUNG PERSON'S NAME:	D.O.B:
	N.I. NUMBER:
ADDRESS: Criminal Injuries Compensation Award Page	yments
This pro-forma is used to verify that a young perassistance and guidance regarding his/her responderimental Injuries Compensation Award Payment.	nsibilities associated with receiving a
Housing Benefit/Local Housing Allowance, Inco and Employment & Support Allowance legislation disregarded in terms of calculating benefit entitiveceipt of the award.	n sets out that a C.I.C.A. payment is
I ADD FULL NAME confirm that I have been adv Payment in a Discretionary Trust Fund within a gage of nineteen (if the payment is over £6000.00 being eligible for means tested welfare benefits of I confirm that my social worker/personal advis appointments at the Citizens Advice Bureau or advice agencies. I confirm that after being given a affect my means tested welfare benefits, I have on my eighteenth birthday. I have been advised that before the age of eighteen/nineteen and place my it will remain in the Fund until my twenty first bir eligible to claim/receive means tested welfare be worker/personal adviser may be duty bound to it Pensions and Housing Benefits Section that I am	year of receiving it (generally by the 0) the payment may result in me not or my benefits being reduced. Ser has set up and/or taken me to rether independent welfare benefit advice that my C.I.C.A. Payment may chosen to receive the full payment on if I set up a Discretionary Trust Fund by C.I.C.A. Payment in the Trust Fund rthday and I would therefore remain benefits. I am aware that my social inform the Department for Work and
Signed	
Young Person	
Social Worker/Leaving Care Personal Adviser	

Appendix H

Capital and Trust Funds Other Than Criminal Injuries Compensation Board Payments and Child Trust Funds

Eligible and Relevant Children

If young people have funds of their own, such as legacies, trust funds or money in savings and bank accounts the following guidance should apply. Children's Services, as recommended in the Children (Leaving Care) Act 2000 Guidance (page 62, para 3) will treat capital according to the Department for Work and Pensions regulations governing Income Support (the Income Support (IS) (General) Regulations 1987). This sets out a scale whereby capital up to £6000.00 is disregarded and someone with capital assets of £16,000.00 or more is not entitled to assistance. Where a young person's capital exceeds £6000.00 but is not more than £16,000.00 an amount corresponding to the excess is treated as a weekly contribution against council support. For every £250.00 of capital above £6000.00 young people will lose £1.00 (Tariff Income) per week of their Children's Services allowance. Housing Benefit regulations sets out a similar scale whereby capital up to £6000.00 is disregarded and someone with capital assets of £16,000.00 or more is not entitled to assistance.

The details will be recorded in the Pathway Plan. Where a young person has been awarded a sum in compensation for a criminal injury, Children's Services is required to disregard that capital entirely.

Appendix I

Starting Work Loans

In exceptional circumstances Children's Services will provide a financial loan to Former Relevant Children, following an assessment of need and where they are assessed as being able to repay their loan. Situations where loans would be considered appropriate would primarily be related to education, training and employment opportunities. For example, when a young person is commencing a monthly paid job and was previously in receipt of benefits and/or paid weekly.

Where young people have been in receipt of Housing Benefit, Income Support or Jobseekers Allowance for more than 26 weeks they may be eligible for 'back to work' and 'benefit run-on' payments available from the Department for Work and Pensions and Housing Benefit Section.

All loans must be certified by the Head of Service and a written agreement established which sets out the amount to be loaned and repayment dates.

Appendix J

Starting Work Loan – Draft Example

Agreement Between Hillingdon Children's Services and (Add Full Name)

Hillingdon Children's Services will loan (Add Full Name) £57.90 per week for four weeks, from 26/04/2016 to 22/05/2016 (four weekly payments). This will cover (his/her) first month's employment, for which (he/she) will receive payment in arrears on the 29th May 2016. During this period (Add Full Name) will claim 'extended housing benefit'. (Add Full Name) will repay the £231.60 on 30th May 2016.

riousing bei	iciit. (Add	i dii itaiii	(c) will repay the 2251.00 of 30th May 2010.
Amount £5	7.90	Signed	(Add Full Name)
Date			Personal Adviser
			Team Manager
Amount £5	7.90	Signed	(Add Full Name)
Date			Personal Adviser
			Team Manager
Amount £5	7.90	Signed	(Full Name)
Date			Personal Adviser
			Team Manager
Amount £5	7.90	Signed	(Full Name)
Date			Personal Adviser
			Team Manager
Amount Re	turned £23	<u>1.60</u>	
Date			
Signed	Personal A	Adviser	

Appendix K

Information Regarding Benefits and Education Allowances

From 1st October 2013 Universal Credit was introduced. Universal Credit is a single payment for people who are looking for work or on a low income. Universal Credit has been fully implemented since 2017.

The majority of the current rules governing entitlement to welfare benefits will also apply to the conditionality regarding care leavers' entitlement to Universal Credit.

For current information see: www.dwp.gov.uk/policy/welfare-reform/universal-redit/

The following websites provide useful information about benefits and education support.

<u>www.adviceguide.org.uk</u> The Citizens Advice online

guide has a large section on

benefits

http://www.gov.uk/student-finance/overview Information on all aspects of

student funding

https://www.gov.uk/browse/tax Information on Tax and

Benefits

http://www.dwp.gov.uk Information on Benefits

http://www.direct.gov.uk/CareToLearn Information about the Care to

Learn initiative

http://www.nhs.uk Information about the HC1

(SC) and HC1 form. Info line

0845 850 1166

When applying for benefits it is important to seek expert advice regarding entitlements and any conditions attached to particular benefits. A useful source of information is the Citizens Advice Bureau. www.adviceguide.org.uk

National Insurance Numbers

All young people should automatically receive a National Insurance Number at the age of 15 and 9 months (with the exception of certain UASC). The National Insurance Number is sent to the address where Child Benefit is being claimed for the young person. As the majority of children looked after do not have a Child Benefit claim

National Insurance Numbers do not automatically get issued. At the age of 15 and 9 months the social worker for the young person needs to contact the New Registrations Section of the National Insurance Number Office – HMRC. For detailed guidance see: http://www.hmrc.gov.uk/manuals/nimmanual/NIM39310.htm

Former Relevant Young People can claim the following benefits and payments, depending on their circumstances:

- From the age of 18 young people who are undertaking non-advanced full time (12 hours contact time) education courses and are estranged from their family can claim Universal Credit on the grounds that they are in 'Relevant Education'. This is available from the young person's 18th birthday (care leavers) until the end of the academic year following his/her 21st birthday. Income Support is available where young people change courses and/or return to education as long as they commence a course prior to their 21st birthday.
- From the age of 18 young people who are sick or disabled and unable to work can claim Employment and Support Allowance. This is paid at different levels. In certain circumstances Employment and Support Allowance is available to 16 and 17 year olds (children looked after and care leavers).
- At any point, disabled children, young people and adults can claim Disability Living Allowance for care and mobility needs/Personal Independence Payment for daily living and mobility needs. It is not affected by other income or savings, care status or accommodation (unless the claimant is in hospital or residential accommodation). See below.
- From the age of 18 young people who are 'actively seeking employment' are eligible
 to claim Jobseekers Allowance. Those who are studying part-time (less than 16
 hours per week) in non-advanced education may still be able to claim JSA so long
 as they are willing to give up the course if offered a job.
- From the age of 18 young people are eligible to claim Housing Benefit and Council Tax Support. Housing Benefit is generally paid where young people live in council or housing association accommodation and Housing Benefit based on the Local Housing Allowance is paid where young people live in private accommodation. Where young people live in situations where meals are provided, such as Staying Put arrangements housing benefit can still be claimed and will be based on the local reference rent and claim related rent level.
- From April 2013 Council Tax Benefit has been replaced by Council Tax Support that reflects individual local authority priorities and will be administered through local rules.
- Young people leaving care are exempt from the Shared Accommodation Rate of LHA up to their 22nd birthday. Single young people aged 16 to 35 are only eligible for housing benefit up to the LHA Shared Accommodation Rate.

- Young people who are attending college/sixth form, or undertaking a training course are eligible for the education/training bursary scheme targeted at those who face financial hardship. Those most in need (aged between 16 & 19), such as those in care, care leavers or those claiming income support (or E&SA and DLA/PIP combined) will be guaranteed an education/training bursary. The education/training bursary scheme will provide a set of incentive payments amounting to spread over the academic year for those attending college or sixth form
- The 16-19 Year olds Bursary does not affect eligibility for Income Support and Housing Benefit.
- The Adult Learning Grant has now been discontinued and replaced by Discretionary Learner Support funds administered by individual colleges, care leavers are a priority group.
- Section 24 and Section 23 leaving care payments are not counted as income for benefit purposes and therefore do not affect care leavers' benefits.

https://www.gov.uk/government/publications/benefit-and-pension-rates-2020-to-2021/benefit-and-pension-rates-2020-to-2021

Appendix L

Agencies and individuals I agree to share information with

I agree to my Social Worker/Leaving Care Personal Adviser sharing my information and discussing my situation with the following agencies:

LICK	each agency or person as relevant:
	Connexions Service
	Job Centre Plus
	Housing Benefit Department
	Housing Department and Partner Housing Associations
	Local College
	Employment and Training Providers
	Health Services
	Other Agency or Individuals (Specify)
pers relevented be sof seand	derstand that my Social Worker/Leaving Care Personal Adviser will only share my sonal information with these agencies on a 'need to know' basis and in situations want to each particular agency. If a situation arises where my information needs to hared as a result of safeguarding issues, i.e. where I or others are at imminent risk erious harm, or if there is a legal requirement to share information I will be consulted informed beforehand.
Full	Name
Sign	ned
Date	e of Birth
Add	ress
Nati	onal Insurance Number
•	Social Worker/Leaving Care Personal Adviser will review this consent to share mation on a yearly basis.
Date	e agreement made
	e agreement to be reviewed(not more than one year after

Appendix M

Standard Benefit Claim Letter 2020-2021

CHILDREN'S SERVICES COUNCIL LOGO

ADDRESS

CLIENT NAME: D.O.B:

(Tenant)

N.I. NUMBER:

CURRENT ADDRESS:

TYPE OF ACCOMMODATION AND TENANCY: (Licence Agreement/Assured Shorthold)

PLACEMENT TYPE NAME OF LANDLORD ADDRESS OF LANDLORD

Dear Sir/Madam,

This letter is provided to verify the identity of the above named young person and to confirm and clarify **(his/her)** circumstances in support of their welfare benefit claim.

The above named young person was previously placed in <u>(private accommodation /semi-independent accommodation)</u> by Children's Services at the above address. As the young person has now reached the age of eighteen and <u>(he/she)</u> is deemed 'independent in <u>(his/her)</u> own right' and is liable for accommodation costs of <u>£00.00</u> <u>per</u> week, excluding utility and support charges they are making a claim for the benefits set out below. The information provided below sets out <u>(his/her)</u> legal status and financial circumstances.

I can confirm that (<u>Add Full Name</u>) was previously an 'Eligible' child, or an 'Eligible' and/or 'Relevant' child and became a 'Former Relevant' child on <u>(Add Date)</u> as defined by the Care Planning, Placement and Case Review Regulations and Guidance 2010 and Care Leavers (England) Regulations 2010.

- A. I can also confirm that (<u>Add Full Name</u>) was previously 'Looked After' by Children's Services and was 'Accommodated' under Section 20 of the Children Act 1989.
- B. I can also confirm that (<u>Add Full Name</u>) was previously 'Looked After' by Children's Services and was subject to a Section 31 Care Order under the terms of the Children Act 1989.

(Add Full Name) ceased to be 'Looked After' on (Add Date) and will continue to receive practical support and, in specific circumstances, financial help from Children's

Services under Section 24 of the Children Act 1989 or Section 23C of the Care Leavers (England) Regulations 2010. Section 23C and Section 24 payments must be declared when claiming benefits but are not be counted as income for welfare benefit purposes. Whilst (Add Full Name) is establishing his/her welfare benefit claim he/she will be provided with a £57.90 leaving care maintenance allowance under these powers (for 4 weeks).

- As (<u>Add Full Name</u>) has now become a 'Former Relevant' child and ceased to be 'Looked After', I believe (<u>he/she</u>) will be entitled to claim Jobseekers Allowance at the rate of £57.90 per week and full Housing Benefit and Council Tax Support.
- As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After' and is engaged on a traineeship at the rate of £57.90 per week, I believe (<u>he/she</u>) will be entitled to claim full Housing Benefit and Council Tax Support.
- 3. As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After', remains estranged from (<u>his/her</u>) parents and is covered by the relevant education criteria, I believe (<u>he/she</u>) will be entitled to claim Income Support at the rate of £57.90 per week and full Housing Benefit and Council Tax Support.
- 4. As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After', remains estranged from (<u>his/her</u>) parents and has been given a 'Fit Note' by (<u>his/her</u>) Doctor, I believe (<u>he/she</u>) will be entitled to claim Employment and Support Allowance and full Housing Benefit and Council Tax Support.
- 5. As (<u>Add Full Name</u>) has now become a 'Former Relevant' child, has ceased to be 'Looked After' and is earning a low income, I believe (<u>he/she</u>) will be entitled to claim Housing Benefit and Council Tax Support. Please find attached relevant wage slips/prove of income.

As (<u>Full Name</u>) was 'Looked After' on/or after <u>his/her</u> sixteenth birthday <u>he/she</u> is exempt from the single room rent restriction.

- A As <u>(Add Full Name)</u> was previously 'Looked After' and remains vulnerable I would request that the Housing Benefit is paid directly to Children's Service as an agent of the landlord.
- B As **(Add Full Name)** was previously 'Looked After' and remains vulnerable I would request that the Housing Benefit is paid directly to his or her Landlord.

(Add specific information)

If you require any further information please do not hesitate to contact me.

Yours faithfully

Approved Signatures

<u>Team Manager</u> <u>Deputy Team Manager</u>

* Please complete, or delete, either section A or B, the subsequent three bullet points and complete the bold text sections and the relevant sections 1 to 6. All other sections must be completed.

Information about disregarding Social Services payments to care leavers.

Welfare Benefits and Tax Credits Handbook; Child Poverty Action Group: 2014/2015

Part 3 General rules for means tested benefits Chapter 14 Income under pension credit age

4: Income other than earnings Page 286

Payments by Social Services

The Following payments are ignored:

A payment from a social services department under ss17, 23B, 23C or 24A of the Children Act 1989 or, in Scotland, a payment from a social work department under s12 of the Social Work (Scotland) Act 1968 or under ss29 or 30 Children (Scotland) Act 1995 – i.e., payments from social services to assist children in need or young people who have been in care or who have been looked after. For IS and income-based JSA, such payments are not ignored if you or your partner are involved in or, for IS only, have returned to work after a trade dispute. 208

JS Sch 9 para 28 IS Regs JSA Sch 7 para 29 JSA Regs ESA Sch 8 para 30 ESA Regs HB Sch 5 para 28 HB Regs CTB Sch 4 para 29 CTB Regs

Appendix N

Categories of Care Leavers

Categories of Young People Eligible for Leaving Care Services and Support

Eligible children: [paragraph 19(2)(b) of Schedule 2 to the Children Act 1989 and Regulation 40 of the Care Planning, Placement and Case Review (England) Regulations 2010]

- An eligible child is a young person aged 16 or 17 who is looked after and has been looked after for at least 13 weeks after the age of 14. [Can become an eligible child at any point from 16th to 18th birthday as long as they have completed 13 weeks] [must complete 24 hours looked after age 16/17]
- The 13 weeks can be continues period or a series of episodes.
- In calculating the 13 weeks no account is taken of pre-planned short breaks amounting to no more than 4 weeks and where a child returns to their parent, or someone with parental responsibility.
- The 13 weeks includes periods of remand.

Relevant children: [Section 23A(2)] Planning Transition to Adulthood Guidance, including the Care Leavers (England) Regulations 2010

- A relevant child is a young person aged 16 or 17 who was an 'eligible' child' but is no longer looked after.
- Additional relevant children:
 - Detained (sentenced), or in hospital prior to 16th birthday, and
 - Looked after for at least 13 weeks after age 14 and looked after at point of being detained (sentenced) or entering hospital.
- In calculating the 13 weeks no account is taken of pre-planned short breaks amounting to no more than 4 weeks and where a child returns to their parent, or someone with parental responsibility.
- A child who has lived with someone who has parental responsibility or a residence order for a continuous period of 6 months or more, and has ceased to be looked after (whether that period commenced before or after they ceased to be looked after) is not deemed a Relevant child (but is deemed a qualifying child).

 If the above arrangement breaks down and the child ceases to live with the person concerned, the child becomes a relevant child.

Former Relevant children (age 18 to 21, or, until the education or training programme being undertaken on their 21st birthday is completed): [Section 23C (1)]

• A young person who was previously an 'eligible' child or a 'relevant' child

Former Relevant children (age 21, and under 25) [Section 23CA (1)]

 Young people who inform the local authority that they want to pursue education or training between the age of 21 and 25 and where previously a former relevant child.

Persons Qualifying for Advice and Assistance (aged 16 to 21, and under certain circumstances aged under 25)

- Young people aged at least 16, and under 21 who were subject to a special guardianship order and were looked after before the making of that order
- Young people who were previously subject to a private fostering arrangement
- Young people who successfully returned home for six months (aged 16/17) and were previously eligible and/or relevant
- Young people who were looked after for less than 13 weeks between the age of 14 to 18, but were looked after for at least 24 hours aged 16 and 17
- Young people aged 16, and under 21 who were looked after in a series of preplanned short breaks.

Appendix O

Reaching	Age ⁻	Twenty	/-One	Leaving	Care	Letter
			,			

	-
	Leaving Care Team Address
YOUNG PERSON'S NAME:	D.O.B:
ADDRESS:	
Dear (ADD NAME), I wanted to take this opportunity to wish you well for the that you can access from the leaving care team now that (21 and/or) are no longer a Former Relevant Care Leaver have a pathway plan or meet with a personal adviser. What we think you have achieved and highlights the organization of the continue to support you.	at you have reached the age on the age of the second of th
If you would like support in the future to resume or compound to any point before your 25th birthday, the leaving with you and decide what support you may require. It team would need to meet with you and talk to you an activity you would like to do, what you are aiming to ach may need. Any request for support would then be preceded to the support would be prece	ng care team are able to mee A member of the leaving care bout the education or training lieve and also assess what you presented to Hillingdon's Care we can provide can range from
Set out information about how to resume contateam:	ct with the leaving care
Good luck and best wishes.	
Signed	
Leaving Care Personal Adviser	
Set out addresses and contact details for organ care leavers:	nisations that can support

- A. Local / Hillingdon / Young Person Specific
- B. Regional / National Care Leaver Organisations
 - Care Leavers Foundation etc.

Appendix P

HILLINGDON - LEAVING CARE FINANCIAL SUPPORT CHART

- If you have left Foster Care or a Children's Home, and you are an Eligible, Relevant, or a Former Relevant young person, this chart provides information about the financial support that Children Services can offer you. It is important to talk to your Social Worker/Leaving Care Personal Adviser about the allowances that may be available to you and what your responsibilities are when receiving them.
- With your Social Worker/Leaving Care Personal Adviser, explore what you may be entitled to and complete the chart.

Entitlements	Comments	Amount
Lagring Care Maintenance Allewage		£
Leaving Care Maintenance Allowance		
Accommodation or Placement Support		
Education/Training/Employment Costs		
Clothing		
Birthday/Christmas & Festival Allowances		
Health		
Key & Identity Documents		
Travel & Contact Costs		
Exceptional Needs Costs		
Setting Up Home Allowance Costs		
Other Payments and Allowances		
	Your Weekly Total	
	Your Monthly Total	
	Your Yearly Total	