

# Staying Put Policy

## SCOPE OF THIS CHAPTER

This policy is consistent with, and takes account of, 'Staying Put – Arrangements for Care Leavers aged 18 and above to Stay on with their Former Foster Carers – Government Guidance issued by the DfE, DWP and HMRC (2013).

This chapter was added to the manual in June 2015

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### 1. Introduction

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

Children's Services is aware that the transition to adulthood can be a turbulent time and that transitions are no longer sequential in that young people can become an adult in one area but not in another.

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

Children's Services recognises that whilst Staying Put is targeted at young people who have established familial relationships with their Foster Carers, there is no requirement on the length of time a young person has been living with their Foster Carers prior to their 18<sup>th</sup> birthday.

Children's Services understands that effective Foster Carer/Child matching can influence a Foster Carers decision to offer Staying Put and the young persons' willingness to Stay Put and that it is important to ensure that a Foster Carer's understanding of permanence includes Staying Put.

Statutory and good practice guidance require each Local Authority to have a Staying Put Policy that sets out arrangements where-by the local authority will promote the extension of foster care placements beyond a young person's eighteenth birthday. Local Authorities are also required to facilitate, monitor and support Staying Put arrangements for former fostered young people until they reach the age of 21, where this is what they and their Foster Carers want, unless the local authority considers that the staying put arrangement is not consistent with the welfare of the young person.

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

From the age of eighteen young people are no longer legally 'cared for' and therefore fostering arrangements no longer apply. Following a young person's eighteenth birthday, the legal basis on which they occupy the property (former foster care home) changes and they become an 'excluded licensee' who is effectively lodging in the Staying Put Carer/s home. Whilst the term 'excluded licensee' is a legal one, it should not denote that the young person will be treated differently than they were as a fostered child.

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

This Staying Put policy was developed in accordance with the relevant statutory and good practice guidance including:

- Children Act (1989)
- Children and Young Person Act (2008)
- Care Leaver (England) Regulation (2010)
- Fostering Service (England) Regulations and related Guidance (2011)
- National Minimum Standards (NMS) for Fostering Services (2011)
- Fostering Service Regulations (2011)
- National Minimum Standard for Fostering Services (2011)

It has now been revised in accordance with:

- Children and Families Act: Part 5 Welfare of Children Regulation 98 'Arrangements for living with former foster carers after reaching adulthood' (2014)
- Volume 3: Planning Transition to Adulthood for Care Leavers Regulations and Guidance – chapter 7 - revised statutory guidance regarding 'Arrangements for living with former foster carers after reaching adulthood' (2014)

## **2. 'Staying Put' Arrangement Principles**

The following principles underpin all 'Staying Put' arrangements: =

- Family Life – providing the young person with a 'normal' family life, with flexible rules and expectations to ensure that it meets individual circumstances and needs
- Best Interests – providing support to enable the best possible opportunities which lead to successful lives.
- Support – young people and their carers are provided with the right support which will address their circumstances and meet their needs. The carer can support the young person in developing skills to do well in life and keep themselves safe from harm.
- Clear Information – providing the young person and carer with the right information regarding the support available to help make choices about 'Staying Put' arrangements, including financial arrangements and implications for benefits and tax.
- Early Planning – arrangements for 'Staying Put' should be considered as part of the care planning process, from the time that a long term foster placement is planned. Decisions as to whether a 'Staying Put' arrangement is an option should be taken as early as possible and written into the young person's pathway plan.

- Equality of Opportunity – all foster carers should have the opportunity to become staying put carers, including Family and Friend Foster Carers and IFA carers, and should ensure that no young person is unable to benefit from a ‘Staying Put’ arrangement because the carer cannot afford to do so.
- Flexibility – arrangements should be flexible to enable support to be provided to meet the needs of the young person and carer.

### **3. ‘Staying Put’ Arrangement**

In order for a young person to be considered for a ‘Staying Put’ arrangement the following criteria must be addressed: -

- The young person was looked after immediately prior to their 18<sup>th</sup> birthday and intends to continue to reside with their former foster carer
- The carer/s were acting as foster carers to the young person immediately prior to their 18<sup>th</sup> Birthday i.e. the carers were approved as foster carers in accordance with the Fostering Service (England) Regulations 2011 and the child had been placed with them by the Local Authority or via an Independent Fostering Agency.
- The young person is deemed an eligible child, immediately before s/he reached 18 years
- The ‘Staying Put’ arrangement is set out in the young person’s Pathway Plan
- A proportion of the allowance paid to the ‘Staying Put’ carer/s is paid by the Local Authority Children’s Services (under S23C Children Act 1989)
- The ‘Staying Put’ arrangements will continue until
  - The young person first leaves the ‘Staying Put’ arrangement
  - The young person reaches their 21<sup>st</sup> birthday, if continuously, and still living in the arrangement
  - The young person completes the agreed programme of education or training being undertaken on their 21<sup>st</sup> birthday, if continuously living in the arrangement since their 18<sup>th</sup> birthday.

‘Staying Put’ arrangements can therefore be relevant to all young people who were previously eligible children living in foster carer, and who were looked after immediately prior to their 18<sup>th</sup> birthday, as long as the arrangements meets the criteria set out above, regardless of whether the young person is undertaking full or part time education, training or employment, or none of these activities.

A ‘Staying Put’ arrangement promotes the gradual transition to adulthood and independent living. Cared for children can experience delayed maturity, skills and confidence and therefore it is unreasonable to link leaving foster carer to the end of their ‘cared for’ status at 18 years.

All young people in foster care can be considered for ‘Staying Put’ arrangements. Young people may require ‘Staying Put’ arrangements because they are assessed as being vulnerable, are continuing in education, training or are in employment, have a plan to move in the future or are disabled.

### **4. Care Planning for Staying Put**

The Leaving Care Assessment of Need undertaken within three months of their 16 Birthday, identifies the assistance and timescale required for young people to move to independence and, in the context of Staying Put, should be used as the framework for beginning to explore the following issues:

- Does the young person wish to consider Staying Put?
- Is it likely that the young person will fit the criteria for Staying Put when they reach their 18th birthday?
- Does the young person and the Foster Carer/s understand the criteria for, and associated procedures for extending a foster placement into a Staying Put arrangement?
- Does the young person understand their financial and benefit responsibilities associated with remaining in a Staying Put arrangement?

- Does the Foster Carer/s understand the changes in their funding arrangements associated with a Staying Put arrangement?
- Does the Foster Carer/s understand the impact of a Staying Put arrangement on their welfare benefit income and on their Income Tax and National Insurance responsibilities and liabilities?
- What advice, assistance and support is required to facilitate and maintain a 'Staying Put' arrangement in the future?
- What is the parallel plan for the young person, should the Staying Put arrangement not be viable?

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

The aim of the Staying Put Meeting is to establish the potential viability of a Staying Put arrangement occurring.

The Staying Put Meeting should include the young person, their Social Worker and / or Personal Advisor, the Foster Carer/s and their Supervising Social Worker and if appropriate the IRO, person(s) with parental responsibility and any advocate involved. Where the meeting agrees that a 'Staying Put' arrangement is a positive option then the Pathway Plan should be updated and include the support to be provided in this respect. Subsequent LAC and pathway reviews should ensure that this is considered and plans and support in place are working positively towards 'Staying Put'. If the decision is that the 'Staying Put' arrangement will not go ahead, this should be clearly recorded in the Pathway Plan and Placement Plan so that that the young person and foster carer have clear information as to why decisions were made.

The Staying Put Meeting should:

- Identify all key tasks and roles and responsibilities related to extending the former fostering arrangement.
- Explore the impact on the foster carers' financial circumstances should the placement continue after the young person's 18th birthday

A Staying Put Progress Meeting should be arranged by the young person's Social Worker when the young person reaches the age of 17 years to review the support and plans in place and ensure all final arrangements and requirements will in place by the young person's 18th birthday. If the young person or foster carer is initially unsure about a 'Staying Put' arrangement, this should not preclude ongoing discussions during visits and reviews. It is recognised that circumstances can change which may impact on the Carer or Young Person's decision regarding 'Staying Put'.

Where the young person is placed with a foster carer approved by an Independent Fostering Provider, it is important that the Commissioning Manager is invited to attend the Staying Put Meeting and Progress Meeting and is involved in discussions. Where a young person becomes cared for or changes foster placement after their 16<sup>th</sup> birthday, this should not preclude discussions regarding 'Staying Put' arrangements.

Both the Staying Put Meeting and the Staying Put Progress Meeting should make reference to the criteria and financial framework for extending the Staying Put arrangement and the National Insurance, Income Tax and Welfare Benefits issues for the Foster Carer/s and Welfare Benefit issues for the young person.

A Looked After Child (LAC) Review should be arranged to take place subsequent to the Staying Put Progress Meeting and prior to the young person's eighteenth birthday during which the outcome of these meetings should be discussed.

Whether a young person intends to remain in their foster placement or not post 18, foster carers have a key role to play in supporting young people in gaining skills and knowledge to support their maturity and prepare them for adulthood and independence. Appropriate training and support is available to carers in this respect and they are also supported via the Pathway Plan process. The supervising social worker will ensure that any learning and development needs are reflected in the carer's personal development plan and training and development portfolio and are considered in reviews. This is also true when supporting a young person post 18 via a 'Staying Put' arrangement and the challenges this can bring given that the young person is legally an adult will be considered and appropriate support provided. Where young people have more specialised needs, additional and bespoke training may be required for the carer.

Children's Services acknowledges: -

- The new legal duties placed on Local Authorities ensure that a young person can remain with their Foster Carer until they are 21, unless it would not be in their best interests to do so;
- The primary aim of Staying Put is to promote a gradual transition from care to independent living that recognises the relative vulnerability of many Cared For young people and that new legal duties

This Staying Put Policy is designed to ensure that cared for young people:

- Do not experience a sudden disruption to their living arrangements
- Have the support they need to continue to achieve in education or employment
- Have the opportunity to develop the skills they need in order to live independently in the future, for example, financial capability skills

All 'Staying Put' arrangements should be supported by a written agreement or a 'living together' agreement between the carer and their supervision social worker, the young person and their social worker and / or Personal Advisor. The agreement will cover the ground rules and expectations of all concerned. Many of the issues included in this agreement may have been in place prior to the 'Staying Put' arrangement and will support a smooth transition. Some young people and carers may feel the development of an agreement is inappropriate as it detracts from the idea of 'family life'; other young people don't do this when they turn 18. Therefore preparation for and support of the 'Staying Put' arrangement should be handled sensitively and discussed in advance of any arrangement being put in place. The Pathway Plan may be a positive way of recording arrangements which would then naturally continue post change of arrangements rather than developing a new agreement.

## **5. Legal Status and Safeguarding**

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

The associated change from foster child to adult member of the household, and for the carer from foster carer to 'Staying Put' carer, (technically the young person's landlord) should be carefully and sensitively planned in order to ensure that both the young person and the carer understands the nature of the arrangement and the positive aspects of being in foster care are not diminished by the new legal and financial arrangements and terminology.

It is important that prospective foster carers are supported in understanding from the time of their assessment that young people may wish to enter into a staying put arrangement when they reach 18.

### **5.1 Where Foster Children are living in the 'Staying Put' arrangement**

Where fostered children are living in the household, the checks and requirements associated with fostering legislation will apply and will provide a framework for safeguarding and checking arrangements for the whole household.

In these situations the carer must remain an approved foster carer and the Fostering Services (England) Regulations and Guidance will apply with the consequential requirements of supervision, review and safeguarding. Whilst the fostering legislation will primarily apply to the placements of the fostered children, it does ensure that a system of approval, checking and supervision is applied to the whole household.

Additionally, where foster children are in placement, the foster carers will need to be returned to the fostering panel due to a change in circumstances as the child/young person Staying Put will have reached adulthood and become an adult member of the fostering household. The review should be planned to facilitate a full discussion of all relevant matters and also allow time for the Fostering Service's Decision Maker to act upon its recommendations, including any changes to terms of approval.

Young people remaining in a foster care household at the age of eighteen will become adult members of the household and will require a valid Disclosure and Barring Service check in settings where a foster child or foster children are living. To ensure that the check (and possible subsequent risk assessment) is completed by the young person's eighteenth birthday the process will need to commence in sufficient time.

### **5.2 Where No Foster Children are Living in the Staying Put Arrangement**

From the age of eighteen, young people are no longer legally 'in care' or 'looked after', and therefore fostering arrangements and legislation relating to children placed with foster carers no longer apply. Whilst legislation relating to fostering will no longer apply (if no foster child remains in the household), key standards should continue to govern the expectations of the Staying Put arrangement. The foster carer may decide they no longer wish to foster and are free to submit their resignation in writing, in which case their approval automatically ends 28 days after this is received by the Fostering service.

Sometimes 'Staying Put' carers are not able to take another foster placement whilst the young person remains living with them, but wish to remain approved as foster carers. The Fostering Service will consider the appropriateness of continuing their approval and ensure that it meets the statutory requirements including visits by the supervising social worker, annual unannounced visit, review of approval, training, advice, information and support and support for CPD.

In circumstances where it is clear that the carer will not be fostering any further children, it may be deemed appropriate to terminate their approval as a foster carer. In situations where it is possible that they may foster again in the future, it would be inappropriate to terminate their approval; given the length of time that re-approval would take. Where a foster carer's approval is terminated, the local authority will need to ensure that the Staying Put arrangement continues to meet appropriate standards, including

- A system for considering if a person's approval as a foster carer should be ended and for implementing the deregistration/termination process in circumstances where the foster carer is unlikely to be caring for any further foster children in the future;
- A system for reviewing and approving the Staying Put arrangement and carer/s to ensure that the arrangement complies with local authority expectations;

- Safeguarding and risk assessment checks on household members and in certain circumstances regular visitors;
- Health and safety requirements (as a minimum this should comply with landlord and licensee/tenant requirements);
- Regular supervision and support, possibly, from their fostering supervising social worker;
- Opportunities to attend appropriate training.

## **6. Financial Implications**

Rochdale MBC endeavours to support foster carers in engaging with 'Staying Put' arrangements by providing financial support which will cover all reasonable costs of supporting the care leaver to remain with them, and therefore in line with the level of support they receive as a foster carer. The 'Staying Put' Allowance therefore is based on the former foster placement rate, which would be applied on the young person's 18<sup>th</sup> birthday minus the pocket money and clothing allowance element as this should be replaced by the young person's welfare benefit claim. The 'Staying Put' allowance is funded from a number of sources including Housing and other Benefits, Young Person's Contribution, Personalised Budget and Local Authority.

The 'Staying Put' Carer will receive the boarding out rate minus pocket money and clothing element on a weekly basis. They will not receive contributions in respect of Christmas or Festival payments, Birthday payment or Holiday payment in order to ensure equity with other care leavers. The allowance paid will contribute to the cost of the young person's accommodation, support, utilities, food and associated placement costs.

Where the young person is in Year 13 of their education, and they turn 18 years in that academic year, foster carers will continue to receive the same level of remuneration until 2 weeks after the young person's final examination.

Where applicable the young person is required to apply for the maximum Personal and Housing Benefit for which they are entitled. The timing of such claims should not interfere with the young person's education or examinations. Where the young person is not in receipt of benefits and is in employment, they will be expected to make a contribution towards the cost of the 'Staying Put' arrangement.

Fostering can be the main source of income for some foster carers and therefore they may be concerned that a 'Staying Put' arrangement may prevent them taking other foster children. Such financial issues should be considered and 'Staying Put' arrangements should not be precluded on the basis of financial grounds alone. Where a foster carer has been paid a skills fee in respect of the young person, consideration should be given as to the ongoing needs of the young person and whether additional financial support is required to facilitate the placement where appropriate. It is not anticipated that the fees paid will continue as the young person remains in the arrangement and achieves stability and requires less support.

Information for young people and care leavers has been developed to support decision making in respect of 'Staying Put' arrangements.

### **6.1 Independent Fostering Agency**

Young person placed in Independent Fostering Agency Foster Care placements who wish to remain as part of a 'Staying Put' arrangement will be supported and treated as other young people placed with Local Authority or Relative Friend Foster Carers. The financial support would be in line with the foster carer payments. Consideration may be given to whether the carer could be registered as a Rochdale Carer or as a Supported Lodgings Scheme.

### **6.2 Retainer Arrangements**

**6.2.1 Armed Services** – if the young person joins the armed forces, the carer will receive 50% of the weekly payment whilst the young person completes the first three months of basic training.

**6.2.2 University** – if the young person moves away to University, and wishes to return to their home authority under 'Staying Put' arrangements outside term time, the carer will receive 50% of the weekly payment whilst they are away. The young person will be expected to make a pro rata contribution based on their rent and personal contribution.

**6.2.3 Other Circumstances** – where other circumstances arise which require a retainer for the 'Staying Put' carer, this must be presented to the Head of Service for approval of payments being made at 50% of the weekly payment whilst they are away. For example a young person may be in hospital over a prolonged period of time.

Young people are not expected to make a contribution towards retainer fees.

### **6.3 Benefits for Young People**

Young people remaining in a "Staying Put" arrangement can claim a means tested benefits for their personal needs from their 18th birthday. Further information and guidance is included in the Staying Put Procedure and Guidance document.

### **6.4 Housing Benefit for Young People**

Depending on the circumstances of the "Staying Put" carer, all young people will be expected to claim Housing Benefit from their 18th birthday. Where Housing Benefit is paid, this should be to the Local Authority to fund the accommodation element of the 'Staying Put' arrangement. The level of benefit is based on a reasonable rent for a one bedroom dwelling with meals included, which is set by the Local Rent Officer who will provide what is called a Local Reference Rent or a Claim Related Rent for the "Staying Put" carers home.

Young people living in kinship "Staying Put" placements with sisters, brothers and certain extended family members who are formally approved as foster carers are not eligible to claim housing benefit on reaching the age of 18.

Young people who are living with "Staying Put" carers who are in receipt of a means tested benefit will not be expected to claim Housing Benefit.

### **6.5 Section 23C Payments and Housing Benefit Issues for "Staying Put" Arrangements**

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

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

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



## 6.6 Council Tax and Council Tax Benefit

The arrangements are dependent on the circumstances of the 'Staying Put' carer.

- Where the Staying Put carer(s) are not in receipt of Council Tax benefit and pay full Council Tax, the young person does not have any impact on their Council Tax liability. The young person should submit a claim for Council Tax Benefit for administrative purposes
- Where the Staying Put carer is working and in receipt of the 25% single person reduction, this may continue in respect of a 'Staying Put' arrangement where the young person is a student, as they are counted as 'invisible' in regard to the 'Staying Put' carer's discount.
- Where the Staying Put carer is working and in receipt of the 25% single person reduction, and the young person is not counted as 'invisible' consideration should be given to a Second Adult Rebate, which compensates people who lose a 25% single person discount when a low income person moves in.
- Where the Staying Put carer(s) are in receipt of Council Tax benefit, and a commercial rate is charged in respect of the 'Staying Put' arrangements, the carer's benefits are likely to be impacted.
- In certain circumstances a young person may be treated as a Non-Dependent in terms of the "Staying Put" carers Council Tax Benefit. If this is the case there are set amounts of non-dependent deductions or (NDD's) that are deducted from Council Tax Benefit according to age, status and income

## 6.7 The Treatment of Benefits

Payments from Children's Services to young people under section 17, section 20, section 23, section 24 and section 31 do not count as income for benefit purposes.

Payments made to young people and passed to former foster carer/s from section 23C (Children Act 1989) are disregarded in the assessment of the former foster carer/s' income for benefit purposes, if the young person was formerly in the claimant's care, is aged 18 or over and continues to live with the claimant within a non-commercial family type arrangement. If the arrangement is a commercial one the section 23C disregard ceases and the information in section 5.5 applies.

## 6.8 Income Tax and National Insurance Issues for "Staying Put" Arrangements

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

The 'Shared Lives' - 'Qualifying Care Relief Guidance' sets out that "Staying Put" carers receive tax exemptions up to a given qualifying amount for each "Staying Put" young person living with them. The "Staying Put" qualifying rate mirrors the system and amounts that applied when the placement was previously a foster care placement.

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

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

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

- Plus a weekly amount for each “Staying Put” young person.

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

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

“Staying Put” carer/s as well as foster carer/s should note that they may be able to claim Working Tax Credits which are administered by HMRC. Fostering / ‘Staying Put’ care is counted as work for tax credit purposes. The carer’s taxable income is used to assess the amount of tax credits that they are entitled to. So, where the carer is paid less than their tax free allowance, their income from caring for Working Tax Credit purposes is also nil.

### **6.9 Contribution from Young People to Staying Put Arrangements**

Every effort will be made to ensure that young people will be engaged in either education, training or employment, however there may be circumstances whereby some young people are in receipt of benefits.

Contributions will be based on the maintenance allowance and any subsequent earnings or income. Where a young person is in receipt of benefits, 50% of the maintenance amount will be contributed in respect of meals and utilities. The young person will also be responsible for their day to day expenses, clothing and toiletries.

For every additional income or earnings received the young person would be expected to contribute 50 pence in every pound (50%). A **maximum contribution has been set at £100 per week.**

### **7. Monitoring Arrangements**

All ‘Staying Put’ arrangements will be monitored and supported via the Pathway Plan which will include visits to the young person and the carer at an agreed frequency and a review meeting at least every 6 months. Where a ‘Staying Put’ arrangement is not supported but continues to take place, the Personal Advisor will continue to monitor and support the young person. Any safeguarding issues will be appropriately raised with Adult Social Care if no children are involved. All ‘Staying Put’ Carers and staff are aware of their responsibilities in respect of sharing safeguarding concerns regarding an adult, who was a former cared for child, and is living in a ‘Staying Put’ arrangement, and children are not involved including: -

- Contact made to Adult Social Care responsible for the area the adult / young person is living
- Consent obtained from the adult potentially at risk
- Consideration in relation to the capacity of the adult at risk unless other people appear to be at risk of harm, it is in the public interest, the person is exposed to life threatening risk and they are unreasonably withholding consent, the adult appears to lack mental capacity or has impaired mental capacity re consent

### **8. Ending a ‘Staying Put’ Arrangement**

Both the young person and the ‘Staying Put’ carer are able to terminate the arrangement before the young person reaches the age of 21 years.

Where the ‘Staying Put’ arrangement is considered to be in the best interest of the young person, support will be withdrawn in respect of financial assistance but not in respect of visiting and monitoring arrangements. Every effort would be made to discuss the areas of concern with the young person and the carer and to come to an agreed plan to end the ‘Staying Put’ arrangement and support alternative accommodation arrangements.

The 'living together' agreement will address circumstances whereby the arrangement would end, whether a period of notice is required where appropriate and implications of ending the arrangement. Support will continue to be provided where appropriate to maintain the relationship between the young person and the carer.

#### **9. Appeal against Local Authority Decisions**

Where a young person does not feel that the Local Authority has provided sufficient or appropriate support they should speak to their Independent Reviewing Officer and request a review of their pathway plan. All young people cared for and care leavers are advised of their right to complain and access to an independent advocate and should be reminded of these rights if they are dissatisfied. All complaints from young people are treated seriously and will be investigated according to the Procedure.

Where a carer is dissatisfied with the support provided to a young person they can also complain. Where their dissatisfaction relates to their role as a 'Staying Put' carer, this will be considered under the Complaints Procedure if it is not within the scope of Children's Services Procedure.

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