

Fosterline Wales Factsheet

Leaving foster care

Introduction

By law, fostered young people leave care some time between their 16th and 18th birthdays. Planning for those in permanent placements should start from age 14. Leaving care does not have to mean moving out. Young people now have the option of staying with their foster carers under When I Am Ready (Staying Put in England) or Shared Lives, as supported lodging or as a private arrangement. If they move on, it can be to their own accommodation, a hostel, or back to their own family.

There are a wide variety of services and resources, including Voices from Care Cymru the national, independent Welsh charity, dedicated to upholding the rights and welfare of care experienced children and young people

Legislation

Sections 105 to 115 of the Social Services and Well-being (Wales) Act 2014 place duties on a local authority to provide support for children and young persons who it has looked after, when they cease to be looked after (care leavers). See full government guidance: Code of Practice 6, Chapter 5, Leaving Care and Chapter 6, Post-18 living arrangements.

At the Looked After Child (LAC) Review during the young person's 16th year, the Independent Reviewing Officer (IRO) will initiate discussions about the Pathway Planning process, building upon the Care and Support Plan. The local authority must carry out an assessment of their needs, to help shape the advice, assistance and support and this is used to help create the Pathway Plan. The Pathway Plan and personal advisor will support them through their teenage years into adult life and confirm the legal right to support once they leave care.

The most significant change from previous legislation is that the local authority, including elected members (as corporate parents), are responsible for providing the kind of support that a reasonable parent would provide for their adult son or daughter. The IRO will continue to chair the Pathway Plan reviews and has the authority to challenge the local authority if there is evidence the local authority is not acting as a reasonable parent.

The aim is to assist young persons who have been looked after to move from being looked after to living independently. The advice and support care leavers receive depends upon their age and care leaving status, as described below.

As set out in the Act, to receive support as a care leaver, young people must have been in care for at least 13 weeks between their 14th and 16th birthdays and still in

care after their 16th birthday. Other young people (for example, those on Special Guardianship Orders, or who come into care after their 16th birthday) receive more limited support.

The information below (from Section 20(2) of the 2014 Act), sets out an overview of the six categories of young people who are, or who were being, looked after by a local authority.

Each category is entitled to differing types or levels of support (full details from Code of Practice 6, chapter 5 pgs 73-79).

Category 1

A young person aged 16 or 17 who is still in care:

- Usual support for a looked after child
- Pathway Plan
- Personal advisor.

Category 2

A care leaver aged 16 or 17:

- Somewhere to live
- Help with education, training or employment
- Financial help
- Pathway Plan
- Personal advisor.

Category 3

A care leaver aged between 18 and 21 (or 25 if still in full-time education or training):

- Help with somewhere to live and/or financial help
- Help with education, training or employment
- Keeping in touch
- Keeping the Pathway Plan under regular review
- Appoint personal advisor
- If in higher education, paying higher education bursary.

Category 4

A care leaver aged between 21 and 25, who goes back to the local authority for help because they are going back to full-time education or training

- Help with somewhere to live and/or financial help
- Help with education, training or employment
- Personal advisor
- Pathway plan
- If in higher education, paying higher education bursary

Category 5

Someone aged between 16 and 21 who was in care but then moved to a Special Guardianship Order.

- Help with somewhere to live and/or financial help
- Help with education, training or employment

Category 6

A young person between the ages of 16 and 21 who was in care, but who did not spend at least 13 weeks in care between their 14th and 16th birthdays.

- Help with somewhere to live and/or financial help
- Help with education, training or employment

Leaving care can mean [When I Am Ready](#) (or [Staying Put in England](#)).

As part of planning for early adult life, it is important that you obtain, in advance from the local authority, the full terms and conditions, finances and obligations of each of these various schemes, in order to consider whether you want to offer the young person to remain as part of your family for longer (When I Am Ready and Shared Lives), or to become more independent, but still live in your home (supported lodgings). When I Am Ready (from age 18 until age 21 - provided they have been continuously living in the arrangement since their 18th birthday) and supported lodgings are usually shorter-term arrangements, allowing time for a care leaver to become ready to set up their own home. Shared Lives is longer term and usually chosen when a young person will need significant support for the foreseeable future, often as part of meeting their needs as a disabled person.

Leaving care can mean moving on

Shared Lives and other alternatives, such as rented accommodation or supported lodgings/hostels with flexible support, primarily for vulnerable young people, are a range of accommodation options on offer to young people, aimed at preparing them for independence and adulthood.

Moving on to a supported household environment enables a young person to develop practical, emotional and relationship skills that will ensure they make a successful transition from care to independence and adulthood (see Code of Practice 6, 564-566). Note that the tax and benefit rules for supported lodgings are also different to those for 'When I am Ready', especially in relation to qualifying care relief for the carer/supported lodgings provider.

Some young people become homeless after leaving care. [Meic](#), [Shelter](#) or [Llamau](#) (see Resources) can explain their rights and provide support to help the young person to enforce these rights. If you still have a relationship with the young person, they will almost certainly value and benefit from your support and advocacy, which should be confirmed in the Pathway Plan

Advocacy

Section 178 of the 2014 Act maintains the existing statutory duties of local authorities to make arrangements for the provision of assistance (advocacy) to former looked after children who intend to make representations, which fall within sections 174, 176 and 177. (see Resources)

In Trouble

Some young people may be known to the criminal justice system including the courts, police, prison or probation. Carers should be satisfied that young people are aware of their rights and have access to legal advice, advocacy and support. See resources: Children's Legal Centre

Asylum seekers, refugees and migrants

If the young person you foster, or fostered until their 18th birthday, is an asylum seeker, refugee or migrant then their 18th birthday may change their right to live in the UK and/or what is called 'recourse to public funds'. The Refugee Council for Wales can provide detailed information about the effect of turning 18 on young people who came to the UK by themselves and those who came with their family. See FLW Fact Sheet on Asylum Seekers. See Resources

Education - Care leavers who go to university or residential college.

Full-time education as a young adult is challenging, and particularly difficult without family support or if the young adult is unwell or is overwhelmed by day to day challenges. Consider what support you may be able to offer and attempt to ensure that they apply for their full funding entitlements.

If the young person you foster has the potential to go to university, remind them that they can access, as a care leaver, support with education from their local authority, up to the age of 25. It is not essential to go straight after A-levels if they do not feel ready. Student Support Services in further education and higher education have a dedicated service to support care leavers. (see Resources)

Foster carers and the care leaver who is now an adult

Legally, an adult who you fostered is not part of your family. In practical terms, relationships can range from being family in all but name, to having no contact from the day the young person leaves foster care. As part of the Pathway planning for leaving care, be transparent about what level of relationship you want to have after the young person leaves care and have that relationship formally written into the Pathway Plan.

If you remain in contact, be aware that young people may be anxious when their 25th birthday approaches, as this marks the end of any potential support from social services as a care leaver. If they continue to have additional support needs, they will need to transition to adult services, either with the local authority or 3rd sector services. You may like to consider, with the young person and experienced staff, what options and services there are available to offer them.

Young people subject to special guardianship order (SGO)

Local authorities are required to make arrangements for the provision of special guardianship support services. These include counselling, advice, information and such other services (including financial support) as are prescribed in the Regulations. The Regulations also provide for the assessment of needs for special guardianship support services, and the planning and reviewing of those support services. Foster carers should be made aware of the substantial change in the nature of relationships and responsibilities prior to an SGO application (see Resources)

Resources

Leaving Care

Voices from Care Cymru. 029 2045 1431

vfcc.org.uk/

catch-22.org.uk/offers/looked-after-children-and-care-leavers/

Coram Voice

coramvoice.org.uk/professional-zone/national-voice

careleavers.com/

thecareleaversfoundation.org/

Refugees

Refugee Council for Wales can be contacted on 029 2048 9800. Before contacting them, read

welshrefugeecouncil.org.uk/migration-information/legal-briefings/migrant-care-leavers-duties-of-welsh-local-authorities-under

Children's Legal Centre - Migrant Child Project Advice Line

020 7636 8505 - Tues, Weds and Thurs 10.00am – 12.00noon

Migrant Help

migranthelpuk.org/welcome

Asylum Help 0808 8000 630

Refugee Council

refugeecouncil.org.uk/

Children's Section - under 18 020 7346 1134

Migrant Resource Centre

migrantsresourcecentre.org.uk/

Asylum Advice Line: 020 7354 9264 Tuesdays 1.00pm – 4.00pm

Housing

Shelter Cymru 0345 07 55 005

Can advise foster carers and care leavers about housing.

sheltercymru.org.uk/get-advice/advice-for-young-people/young-people-in-care/

Education

studentfinancewales.co.uk

For all matters related to student finance in Wales

0300 20 04 050

For advice about going to university as a care leaver, check <http://propel.org.uk/UK/>

As part of choosing a university, check each university's website.

All universities provide additional support to care leavers.

How The Fostering Network can help

The Fostering Network offers advice, information and support. Our expertise and knowledge are always up-to-date and available through our vital member helplines, publications, training and consultancy.

Advice

Fosterline Wales

Call us on 0800 316 7664 from 9.30am - 12.30pm Monday to Friday.

If you call outside this time, please leave a message and someone will call you back as soon as possible.

You can email us at:

fosterlinewales@fostering.net

Support and resources

Our website is an essential source of information, while our online community brings together foster carers for peer support and advice. You can login to share your experience and get advice from other foster carers. Our online community is a safe and secure area to discuss foster care matters.

thefosteringnetwork.org.uk

Training and consultancy

Wherever you are in your fostering career, as a foster carer, social worker or manager, The Fostering Network has a range of training designed to meet your development needs.

For more information contact our learning and development manager, Sarah Mobedji at sarah.mobedji@fostering.net

About The Fostering Network

The Fostering Network is the UK's leading fostering charity, bringing together everyone who is involved in the lives of fostered children to make foster care the very best it can be.

Contact

To find out more about our work in Wales, please contact:

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Cardiff CF11 9HB

Telephone: 029 2044 0940

Email: wales@fostering.net

Web: thefosteringnetwork.org.uk

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