

Staying Put

Guidance for Children and Young People Services, Fostering Services and Leaving Care Services

Part three: Things to consider in implementation



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Planning arrangements

1. Effective matching

- Effective matching can influence a carer's decision to offer staying put and young people's willingness to 'stay put' due to quality of relationships. Ensure carer's understanding of permanence includes staying put.

2. Early planning

- Early consideration of available 18 plus options before 16 years (some flexibility in timing in response to individual need): staying put arrangement, returning home, semi-independent accommodation, supported lodgings, foyers, private arrangements, higher education etc.
- For young people with disabilities, early joint working between social workers from children's services and adult social care – visit to discuss transitions and relevant assessments to enable continuity of support/assessment as Shared Lives carer, if appropriate.
- Everyone's involvement: young person, birth parents, carers, children's social worker, fostering social worker, personal advisor, leaving care team, independent reviewing officer, school/college, (relevant) health professionals, (relevant) adult services team and advocate – same for local authority or independent fostering provider carers.
- Undertake an assessment of need to determine what assistance is required and appropriate.
- Discuss and record decisions in statutory review.
- Develop a pathway plan that is inclusive of the young person and carer's wishes and feelings on a staying put arrangement.
- Funding – consider the impact and entitlement to welfare benefits for a carer and the young person via your advice and support role in this discussion (see finances).
- Keeping in touch - support networks both when staying put not possible/preferred or post-staying put arrangements to maintain relationships (with carers, personal advisor) and enable an effective move to independence (not just another cliff edge).

Agreements

1. Living together agreement

- Ground rules of household, responsibilities of all involved, for example finances, income/benefits, friends/partners visiting, having a key, staying away, role modelling to other household members, development of skills required for independent living.
- Is the young person residing with a former foster carer on a non-commercial and familial basis or on a commercial basis as an 'excluded licensee' (with the former foster carer as 'landlord')?
- Supporting documentation – re welfare benefits, housing benefit, council tax, post staying put accommodation etc.
- Agreements regarding how to plan and manage the ending of a staying put arrangement, including contingencies where an ending is unexpected.

2. Protocols

- To govern safeguarding arrangements.
- To review health and safety/suitability of accommodation checks.
- DBS checks for over 18s.
- Insurance liabilities and responsibilities for staying put carers, local authorities and impact for independent fostering providers.

3. Joint protocols

- Established links between DfE, DWP and HMRC – see guidance.
- Developing links with further and higher education, housing departments, health providers, and employment, training and advice services.
- Commissioning frameworks to include reference to staying put arrangements with foster carers approved by independent fostering providers

Support to young people and carers

1. Support to young person

- Clarify support to young person via social worker, personal adviser, transitions' workers to advise and support throughout staying put arrangement.
- Advice and support on finance, accommodation, employment, education, training, independence skills.
- Written information available about care leaver entitlements (see finances).

2. Support to carer

- Clarify role and establish support and training needs of carer, and how these will be met.
- Consideration of roles and responsibilities of the fostering social worker, personal advisor, and/or other professionals throughout the staying put arrangement.

3. Approval and review

- Foster carer approval – consider where appropriate changes to fostering approval/terms of approval if a staying put arrangement is to be offered.
- Fostering panel and fostering service decision maker – terms of approval, reviewing or ending approval, dual role if carer is to continue to offer other foster placements or resume fostering post staying put arrangement.
- Implications for foster carer agreement and supervision agreement.
- Services will need to consider ongoing supervision, support and training to the carer; by whom/how will this be achieved?

Finances

1. Fee/allowances

- Clarify your allowance/fee payment to carers undertaking staying put.
- Clarify allowances to young people based on an assessment of need.
- Define breakdown of staying put arrangement i.e. housing element via housing benefit or children's services funding, young person's personal contribution via potential benefit entitlements/earnings.
- Consider contingencies if sanctions or disrupted benefit claim and develop key external partnerships with DWP (single point of contact).

2. Benefits

- Former foster carers in receipt of means-tested benefits will need to discuss and seek appropriate advice on the rules and implications upon entitlements.
- Depending on circumstances, young people who remain in a staying put arrangement may be able to claim means-tested benefit from the age of 18-years-old.
- Consider council tax and council tax reduction implications.

3. Tax and national insurance

- Former foster carers will continue to be able to claim qualifying care relief and treated under the Shared Lives arrangements if HMRC criteria for staying put are met (see HMRC Help Sheet 236).
- Self-employment status continues with associated tax and national insurance contribution rules.

4. Retainer fees

- Consideration of how retainer fees may be calculated if young person living away from home (for example, university, residential, the armed forces).

5. Entitlements

- Young people in education i.e. student 16-19 bursary, further education, higher education bursary etc.

6. Fees to independent fostering providers

- Fee payable to independent fostering providers for undertaking role in supporting staying put carers?

Policy and procedures

1. Staying put policy

- Fostering services to produce or review this policy (to include information on criteria, impact of staying put on allowances and funding, financial contributions from young people, insurance issues, impact on approval and terms of approval and safeguarding arrangements).

2. Finances policy

- Allowances/fee payments to carers – given in advance to enable decision-making.
- Entitlements for young people – written information available.

3. Participation

- How will you involve young people and foster carers in the process of establishing and implementing staying put arrangements?

4. Commissioning

- Commissioning frameworks to include reference to staying put arrangements.
- To involve children's services commissioning teams in developing approaches to staying put that apply equally to young people in local authority and independent fostering provider foster placements.

5. Ofsted

- The new inspection frameworks have strengthened the requirement on Ofsted to consider the service for young people who have left care.
- This will mean that staying put arrangements should be a focus for inspection (i.e. the overall experiences and progress of children and young people).

6. Complaints

- Young people have a right to use the complaints process to voice their concerns, and seek an advocate (for example, National Youth Advisory Services (NYAS), Coram Voice, Office of the Children's Commissioner).

Monitoring and outcomes

1. Monitor

- Local authorities have a duty to monitor staying put arrangements. Is there a quality assurance role or is this arrangement between the carer and young person?
- Review of pathway plans, support services and standards.
- Feedback from young people and former foster carers.
- Joint protocols and procedures with independent fostering services.

2. Statistics

- Collection of data of number of young people who choose to remain in staying put or not, and reasons for this.
- Data collection of number of former foster carers that do or do not offer a staying put arrangement, and reasons why? Will inform and support recruitment.

3. Recruitment

- Recruitment and retention of carers – increase in numbers required to address carer availability in the longer term. Introducing concept of staying put and understanding of permanence from the outset.

4. Outcomes

- How will you measure outcomes? Do you collect data sets on what happens to care leavers in terms of accommodation, education, employment, health once they have left care?
- Children in care councils – responsibility to review services offered to looked after children and care leavers and report back to senior management and corporate parenting boards.
- Changing the culture of children and young people's journey and experience through the 'care system'.

