



Staying Put Policy

For looked after children
with former foster carers

Policy Summary

This policy outlines Slough Children's Services Trust's Staying Put arrangements, including responsibilities for the Trust and its staff, the young person, Staying Put carer and any other agencies involved in post-18 living arrangements.

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A hands-on approach to help children in Slough be

..... Safe, Secure and Successful

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1. Policy and Guidance

For the purposes of this policy, the following Department for Education (DfE) Staying Put definition applies to arrangements where:

- A young person Looked After immediately prior to their 18th birthday as an 'Eligible Child' continues to reside with their former foster carers
- The carers were acting as foster carers for the child immediately prior to their 18th birthday i.e. the carers were approved as foster carers in accordance with Fostering Service (England) Regulations 2011 and the child has been placed with either the Trust's in-house or Independent Fostering Agency (IFA) carers
- The Staying Put arrangement is set out in the young person's Pathway Plan
- All or part of the allowance paid to the Staying Put carers is paid by Slough Trust Children's Services under section 23C of the Children's Act 1989

The Staying Put arrangement extends until:

- The young person leaves the Staying Put arrangement
- The young person reaches their 21st birthday (or 25th birthday if involved in Full-time education of 16-hours or more per week)
- If in full time education on their 25th birthday the arrangement will continue Until the young person completes their programme of education or training (By 31st July of the academic year)
- The young person stops living in the household before their 21st birthday

2. Introduction

1. Transition into adulthood is often a turbulent time for any young person. For many young adults, transition to adulthood can be extended and delayed until they are emotionally and financially ready. Young people who are Looked After may not have this option and many Care Leavers are expected to cope with independent living too early and without adequate support.

2. The Care Matters White Paper (2008) contained a significant focus on improving the support for children and young people preparing for adulthood, including a pilot programme, enabling young people to remain with their foster carers beyond the age of eighteen. To meet the commitments in the White Paper and the duties towards care leavers in the Children and Young Persons Act 2008, new guidance and regulations relating to Care Leavers emphasise a more graduated approach to planning transition to adulthood.

3. A new duty on Local Authorities in England regarding 'Staying Put' came into force on 13 May 2014, in part 5 Welfare of Children (98) of the Children and Families Act 2014. This requires local authorities in England to facilitate, monitor and support staying put arrangements for fostered young people until they reach the age of 21, with the

agreement of all parties – the young person, the foster carer, supervising social worker and the personal advisor.

4. The primary aim of Staying Put is to promote a gradual transition for young people from care to adulthood and independent living. It focuses on ways to extend this transition within a family setting for young people who are or who have been looked after by the Trust. The intention is to ensure these young people can:

- stay with their former foster carers until they are prepared for adulthood
- experience a transition similar to their peers
- Avoid social exclusion and be supported within a loving family home environment.

3. Principles of the Staying Put Policy

The primary aim of this policy is to support Slough Children’s Services Trust looked after young people in foster care to complete their education and training and or to be ready to work, transitioning when they are ready, at their own pace to adulthood and independence.

This policy covers the Staying Put arrangements that are provided by The Trust approved foster carers and those foster carers provided by Independent Fostering Agencies (IFA), subject to agreement by the carer.

The Staying Put arrangements put into place are designed to:

- Ensure young people can experience a transition to adulthood similar to that of their peers, within a supportive family environment
- Ensure young people are not obliged to leave their former foster family before they feel ready to move to greater independence.
- Help care leavers to maximize opportunities for education, employment or training
- Reduce the likelihood of periods of homelessness
- Ensure that care leavers develop the necessary emotional and practical skills before they are required to live independently
- Reduce the likelihood of social exclusion.

4. Policy Objectives

This policy sets out the:

- process for extending a foster care placement beyond a young person’s 18th birthday into a Staying Put arrangement
- roles and responsibilities of each party involved within a staying put arrangement
- financial and state benefit arrangements – young people and Staying Put carers
- contact between local authorities and independent fostering agencies (IFAs)
- monitoring and reviewing an arrangement
- complaints and advocacy

5. Involvement of Young People and Carers in the development of this policy

A number of discussions have taken place to inform the development of this policy with key stakeholder groups. Some key points from young peoples' feedback include:

- I can keep focused on my education without worrying where I am going to be living, so it's good.
- It means I can be stress free not having to worry and be anxious about where I am going to be living when I turn 18.
- Gives young people a more secure place to live. Other young people have to go and live somewhere like the YMCA.
- Other young people have to look at other places to live and sometimes on their own.
- The policy is like a tenancy agreement between the young person and the people they live with.
- It will be a relief when it is official; I won't have those scared or anxious feelings.
- I was 17 when 'Staying Put' was proposed and the information was not clear to me, this will help.
- The discussions with young people need to start early so that young people don't have to feel anxious when they are approaching 18.

6. Changing Status from Foster Care Placement to Staying Put Arrangement

From the age of 18 years, young people are legally adults; no longer in legal 'care' and so fostering regulations can no longer apply. Where Staying Put is agreed, following an 18th birthday of a young person, the legal basis on which they occupy the foster home changes. Young People will have a signed license agreement (the Trust's Living Together Agreement – see Appendix 1) and will become an 'excluded licensee', effectively a lodger in the Staying Put Carer's home. The carer will also become, and be deemed the young person's landlord. While this is a legal term, the young person should remain an integral part of the family home.

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

When a Staying Put carer does not plan to continue to foster, their foster carer registration can be cancelled. If the carer wishes to remain a foster carer and if there is no-one under the age of 18 years living in the household, the fostering service will complete an annual review, and consider future options with the foster carer/carers.

7. Entitlement to Staying Put

This policy applies to all young people looked after by Slough Children's Services Trust in foster care who are approaching 18 years of age.

The young person should be encouraged to continue, or to seek, and be engaged in a programme of full-time further education (at least 16-hours per week), full-time training or employment or other agreed activity which supports the development of their independence. If this is not the case, the financial support offered to the carer may be affected (see Section 3). If there is no engagement in education, employment or training, the Staying Put arrangement may be reviewed.

A Staying Put arrangement should be part of the Pathway Plan and include specific objectives for the young person to achieve during the Staying Put arrangement. The young person should be encouraged to share the Pathway Plan with their carer.

In order to maximise the opportunities for young people to participate in Staying Put, Slough Children's Services Trust will do everything possible to ensure that all foster carers who have a Slough Young Person in foster care, have equal opportunities to become Staying Put carers for former fostered young people.

8. Scope of this Policy

The processes outlined in this document are applicable to all young people looked after by Slough Children's Services Trust if they are living with their foster carers on their 18th birthday (the Trust's foster carers, friends and family carers or Independent Fostering Agency - IFA carers).

The policy provides a framework to allow care leavers at University to return to their former carers during vacation time, and for young people who commence basic training with the armed services to return to their carers during breaks (see Section 2 point 14).

The policy also applies to unaccompanied asylum seeking children (UASC) who reach the age of 18. However, in circumstances where the young person is awaiting a 'Removal Notice' continued support must be reviewed on a case-by-case basis working with the Care Leavers' Service and the Fostering Service.

Young people who are in a residential placement are not covered by this policy.

It should be noted at this stage that although Staying Put will be the usual way to support Care Leavers from foster care through the transition to adulthood, it is not the only way to do so. Some young people will prefer other alternatives (which are independent from this Policy) including the following:

- **Supported Lodgings placement:** Young person aged 16 years plus who has finished Year 11 of their education and moved to live with a specific Supported Lodgings Provider
- **Shared Lives placement:** Where young people have an on-going cognitive disability and meet the Adult services – Fair Access to Care Services criteria (Putting People First), foster placements should be converted to Adult Placements/Shared Lives Arrangements when the child reaches their eighteenth birthday, This needs to be included in Transitions planning for young people, as per the Transitions Protocol, so

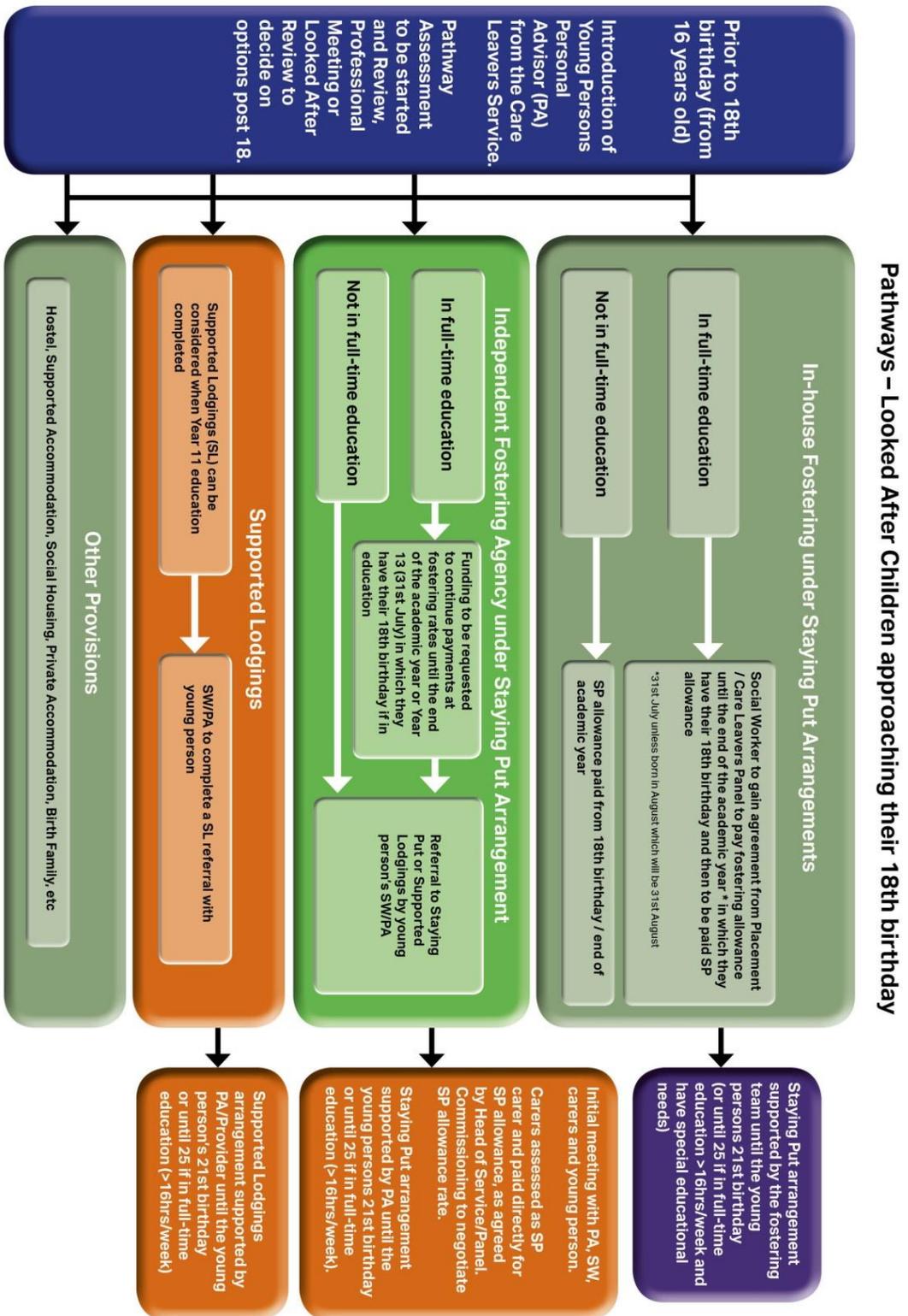
that appropriate decisions are made by Adults Services prior to the young person's 18th birthday.

- **Supported Accommodation:** Independent and semi-independent housing provision for former looked after young people which are not linked to family home provision

- **Other:** To include those placements in which a young person lives with former foster carer but not as a Staying Put carer or in Supported Lodgings or Shared Lives.

9. Section 2 Planning and Establishing a Trust Staying Put Arrangement

Chart 1 illustrates the Trust’s pathways that can be followed for a looked after young person approaching their 18th birthday



10. Early Planning – Preparation for transition to adulthood

The foster carer and other members of the team around the young person will have been helping them through their placement, irrespective of the length of time in placement, to develop life skills. As the child or young person gets older, their care plan should begin to consider their future beyond the time when they are looked after and this will be reflected in the placement plan and discussed at a Looked after Review.

When a long-term placement is being considered, there should be discussion at the earliest opportunity between the foster carer, the child's social worker and the supervising social worker regarding the possibility of the placement leading to a staying put arrangement. When the foster care placement is provided by an Independent Fostering Agency (IFA), there will be active engagement in exploring opportunities for staying put at the earliest opportunity. Even if the IFA will play no role post 18 years, the IFA must promote the opportunity to Stay Put and prepare the carer for the role (as appropriate) as well as to advocate for any support that might be needed in the best interests of the young person to fulfill their potential.

Under the new framework contract, providers are required to ensure that children are able to remain in placement through 'Staying Put' arrangements once they have reached the age of 18, if that is considered the best plan for the child.

Staying put arrangements do not always arise from long term placements. Even when young people enter a foster placement at 16 or 17 years, it is just as important to consider through the care planning process whether a staying put arrangement is an option available when the foster placement ends.

11. Post-16 Assessments and Pathway Planning

The Leaving Care Assessment of Need (Pathway Plan part 1 – Needs Assessment) which begins at the age of 15 years and 9 months will identify the timescale required for young people to move into independence and will be used as a framework for beginning to explore the likelihood of the young person transferring into a 'Staying Put' arrangement with the same carers post 18. If it is assessed as appropriate (Pathway Assessment), and the young person and their foster carer wish to make a staying put arrangement when the foster placement ends at 18, then Slough Children's Services Trust will ensure that advice, assistance and support is provided to facilitate this. Any decision not to support a staying put arrangement will be recorded and made clear to the parties involved (see Section P).

The following framework can be used to consider staying put with a former foster carer:

- a. Is the young person in agreement with the staying put proposal?
- b. Is the foster carer and or IFA (if appropriate) in agreement with the staying put proposal?
- c. What are the views of the other children in the foster placement and their social workers to the staying put proposal?
- d. When foster carers are considering applying for an SGO, the Trust should make sure that they are aware that the young person will not qualify for support under staying put. These are important matters to be considered as part of permanence planning.

- e. Does the young person and their foster carer understand the criteria for and procedures associated with converting a foster placement into a staying put arrangement?
- f. Does the young person understand their financial and benefit responsibilities associated with being in a staying put arrangement?
- g. Does the foster carer understand the changes in their funding arrangements associated with staying put?
- h. Does the foster carer understand the impact of a staying put arrangement on their welfare and income tax benefits?
- i. What is the contingency plan should staying put not be a viable option? This should be made clear in the Pathway Plan at the earliest opportunity.

It is important to note that young people remaining in an approved fostering household at 18 years will become adult members of that household and will require a valid Disclosure and Barring Service (DBS) disclosure where a foster child(ren) are in the same placements or planned to be in that placement. This process will need to start from 18 years (or slightly before to ensure that there is no time that the household is not covered if needed).

In the event that there is any information on the DBS, this will be subject to the Trust's standard risk assessment process.

For those young people who are unaccompanied asylum seekers, a DBS may not be possible. In this instance, other safeguarding procedures will be followed and a risk assessment completed. If the young person is placed with an IFA, a DBS and risk assessment must be completed and forwarded to the Trust for information.

12. Transferring to a Staying Put Arrangement

To ensure sufficient time is available to make the necessary planning arrangements to transfer a foster placement to a 'Staying Put' arrangement beyond the young person's 18th birthday, a professionals meeting should take place as part of the Pathway Assessment. This should ideally happen just after the young person turns 16 (unless the young person comes into care after their 16th birthday) and be led by the allocated social worker from the Children's Services case holding team working in partnership with the Care Leavers' Service, and the young person.

In the event that a placement is made beyond 16 years, a conversation will take place with the young person and their foster carer at the earliest opportunity to advise them of their options to stay put before the young person reaches 17.5 years.

The Post 16 Pathway Plan Review meeting should include the foster carer's supervising social worker, the young person's social worker and leaving care personal advisor. The meeting should establish the viability and likelihood of a Staying Put arrangement occurring. The meeting should identify all key tasks and roles and responsibilities related to extending the former fostering arrangement and should also explore the impact on the foster carer's financial circumstances should the placement continue after the young person's 18th birthday.

The Pathway Plan Review meeting, as chaired by the Independent Reviewing Officer (IRO), should be repeated at each pathway plan review so that the final arrangements and agreements are in place prior to the young person's 18th birthday.

The final arrangements and requirements should be produced in the Pathway Plan, which may happen as part of the final Looked after Child Review, in preparation for the young person's 18th birthday. The Pathway Plan and Living Together Agreement should be forwarded to the Trust's Care Leavers Panel for review.

13. Living Together Agreement

A Living Together Agreement (see appendix 1) should be agreed between the Staying Put carer, the young person and their social worker or personal advisor before a staying put arrangement goes ahead. The agreement should clarify the ground rules and matters which are important to the parties concerned, including the importance of information sharing between the young person and the carer.

The agreement includes the necessary information as part of a 'rental agreement' and also provides formal evidence of the nature of the relationship (excluded licensee) between the young person and carer (e.g. to support a claim for housing benefit).

The final Living Together Agreement needs to be in place by the time the young person reaches 17.5 years to support the transition to a staying put arrangement from 18 years.

14. Support for young people and Staying Put carers

All the Trust's Staying Put carers will be supported by the Trust's Fostering Service. The Trust will ensure that the monitoring and support for a Staying Put Carer is at the right level to support a young person to transition to independence. Key standards will continue to govern the expectations of the Staying Put carer including regular monitoring and support.

Staying Put carers will adjust the level of support required according to the young person's needs and increasing independence. The support should be set out in the young person's pathway plan. The fostering service will no longer expect placement diaries to be completed, but should inform the supporting worker of significant events.

Where young people have an ongoing disability and meet threshold for adult services (Fair Access to Care Services criteria – Putting People First), foster placements should be assessed by the Adult Services Transition Team (Shared Lives) before the child reaches their 18th birthday.

The following summarises what the policy means for specific circumstances:

15. Friends and Family foster carers

Family and friends foster carers can become Staying Put carers in exactly the same way as other foster carers. However, Housing Benefit cannot be paid to a young person who is living with a close relative.

16. Young people living away from home

Statutory guidance makes it clear that living away from home on a temporary basis does not preclude a staying put arrangement from continuing. This includes, but is not limited to, studying at university or a residential further education institution, undertaking induction

training for the armed services, and other training or employment programmes that require a young person to live away from home.

The principles which govern the Trust's foster carers will be applied. The carer may receive a reduced allowance whilst the young person is away from home but any payment should still cover reasonable cost of continuing to support and preserve a home for the young person. Carers will be paid an allowance on a pro-rata basis to pay for the number of nights that the young person stays at the carer's home.

17. Disabled Young People

Staying Put does not replace the process whereby disabled young people who meet relevant criteria transfer to adult services such as 'shared lives' placements. Where this is the case, adult social care will be involved in pathway planning in accordance with the Trust's policy and procedures and the Children Act 1989 statutory guidance. A shared lives placement with the young person's previous foster carer may fulfill the Trust's duty to provide support under Staying Put.

18. Independent Fostering Agency (IFA) Placements

Any foster placements with an IFA should be made aware at the start of the placement and through the placement review process of the opportunity for the young person to 'Stay Put' beyond 18 years, if all the parties are in agreement, to meet the best interests of the young person.

An IFA foster carer is able to choose to come across to the Trust as a Staying Put Carer for a former looked after young person if preferred. The carer is still able to maintain their registration with the IFA if they want to continue to foster other children and young people.

For those carers who wish to stay with the IFA as a Staying Put carer for a former fostered young person, the IFA will work with the Trust to support the transition to a Staying Put arrangement. The Placements Officers will negotiate staying put rates with individual IFA providers.

For those Staying Put arrangements which were previously established as an IFA placement, the arrangement will be considered by the Placement Panel in consultation with the Care Leavers Service. The Trust's Placements Officers will lead negotiations with an IFA on a case-by-case basis.

19. A Summary of Roles and Responsibilities

Chart 1 lists the pathways for looked after young people in Slough who are approaching their 18th birthday. The following lists the roles and responsibilities that each party involved should play to ensure that a staying put arrangement is successful.

Young Person

- Engage in the support provided by carers and participate in the pathway planning process in order to develop and improve independence skills

- Behave in a responsible way, showing respect for their carer(s), their property, neighbors, other children/ young people in placement and the local community
- Share information with carers and Personal Advisor (to include anything that may indirectly impact on a carers household i.e. if a young person is in contact with the Police, the carer should be made aware)
- Adhere to the license agreement and house rules (Living Together Agreement – see appendix 1) agreed as part of staying put arrangement
- Agree to pay a rental contribution of £70/week either from earnings or by
- Claiming housing benefit or a combination of earnings and housing benefit (as appropriate – see section 3) Notify the Trust when in receipt of housing benefit
- Set up a standing order to pay their staying put carer their housing benefit (if not paid directly to the Trust from the local housing team)
- Set up a standing order to pay the carer any additional rental amount that is not covered by housing benefit (i.e. if personal income is higher than allowance – see section 3)
- If the young person feels that the Trust has failed to provide appropriate support towards facilitating and maintaining a staying put arrangement, the young person should be encouraged to speak to their independent reviewing officer to request a review of their pathway plan
- Right to make a complaint and to contact an independent advocate if needed
- Complete relevant checks, including disclosure and barring service check
- (DBS) if other children and young people are in the family home and the career continues to offer foster placements to others
- Maintain room, furnishings and fittings in good order
- Ensure house keys are kept safe and not duplicated
- Inform staying put carer regarding any visitors or regular visitors
- Inform leaving care personal advisor if arrested, investigated, cautioned or convicted of any offence and agree to their personal advisor sharing this information with their staying put carer
- Let leaving care personal advisor and the staying put carer know in advance
- If I wish to end the Staying Put arrangement (giving at least 28-days notice)
- Cancel any payments / arrangements and re-route bills etc when the arrangement ends
- Contact leaving care personal advisor if they would like to change the Living Together Agreement and or raise any concerns.

Staying Put Carer

- Participate in reviews of Pathway Plan: Carers need clear information about the ways they will be supported, including financial arrangements before they indicate their ability to offer staying put.
- Provide a fully furnished bedroom (this is £70 per week in 2016/7) as a home for the young person
- Agree house rules with young person as part of living together
- Provide heating, hot water, lighting, food, a house key, support and Wi-Fi connection
- Comply with landlord responsibilities including ensuring accommodation is of

- a good standard and allow household health and safety checks to be carried out
- Provide day to day support and guidance helping the young person to
- Develop independent living skills and where to go for help if necessary
- Participate in the Pathway Planning process
- Inform the young person's leaving care personal advisor and the fostering worker if you wish to end the Staying Put arrangement (giving at least 28 days' notice). This notice period can be waived in exceptional circumstances where it would be deemed inappropriate or unsafe for the young person to remain for the full 28 days.
- Inform the young person's leaving care Personal Advisor as soon as possible of any significant incidents and if the arrangement is likely to be disrupted or end prematurely
- Ensure relevant staff / agencies are made aware if the young person is absent or missing
- Ensure (in conjunction with the Trust staff) an appropriate 'Safer Caring / Safeguarding Plan' is in place to manage any impact on other / younger children in the household
- Assist the young person to develop the emotional capacity and self- confidence to manage through adulthood
- Review mortgage, household and car insurance policies to cover individual circumstances as a Staying Put carer and adequate insurance in place
- Willingness to return to panel if also fostering other children and young people in order to acknowledge the change in circumstances with the staying put young person becoming an adult member of household
- Work with the Personal Advisor to provide support as needed for young person (as indicated in Living Together Agreement)
- To be prepared for a visit from the Housing Benefit Rent Officer if the young person is claiming housing benefit.

Social Worker

- Work with the young person and the carer at the earliest opportunity (from 16-years if possible) to raise awareness of opportunity to stay put (either the Trust carer or via IFA)
- Be clear on the key tasks, roles and responsibilities for all parties supporting the young person between 16-18 years to support the development of a potential staying put arrangement (if appropriate)
- Meet with Personal Advisor and carer alone in the early stages of discussing a staying put arrangement (at least six-months before) to run through financial arrangements including rental amount, tax information etc
- Participate in Pathway Planning Process ensuring all parties are fully aware of options post-18
- Ensure that the young person is on the Council's housing register
- Be a champion for early planning
- Liaise with Independent Reviewing Officer

Personal Advisor

- Provide advice and support to the young person, in accordance with regulation 8 of the Care Leavers (England) Regulations 2010
- Give young person clear information about advocacy services and how to make a complaint if needed
- Keep in touch with the staying put carer and provide advice and support as required (if agreed with young person)
- Ensure the pathway plan is regularly reviewed
- Ensure all claims for income support (when in full-time education), Job Seeker's allowance and housing benefit are ready to be actioned when the young person reaches 18
- If the young person is in employment, get copies of wage slips at least eight weeks before they turn 18
- Liaise with the Trust in implementation of the Pathway Plan
- Advise and assist the young person with applications for move-on accommodation
- Co-ordinate provision of services to support the young person
- Keep informed about the young person's progress and wellbeing
- Review the Living Together Agreement and the House Rules at least every six months with the young person and carer and as part of the Pathway Plan review.

Allocated Worker from the Fostering Service

- Provide advice and support to the staying put carer
- Inform the staying put carer or any likely risks and advise on risk management, safeguarding and safer care
- Carry out a DBS check on the young person and other household members prior to them reaching the age of 18 (if household continues to be registered for fostering)
- If carers are also Trust's foster carers, continue to provide monitoring and support and contribute to the review of their appraisal as foster carers
- Coordinate provision of services to support the staying put carer
- Ensure that the carer is receiving correct payments
- Participate in reviews of pathway plan
- Respond to learning and development needs of carers
- Provide information on tax and benefits
- When foster carers cease to foster in order to provide staying put, consideration will be given as to whether the supervising social worker can continue to provide support or whether support will be provided by a fostering family support worker.

Slough Children's Services Trust:

Overall responsibilities include:

- Planning from age of 16 years to support young person to transition into

- Adulthood within a family and supported housing environment, ensuring that there is clear information available to all foster carers who care for Slough young people to inform them of their choices
- External liaison with IFAs to ensure awareness of Slough Children's Services Trust's Staying Put Policy
- State in the pathway plan whether or not staying put is planned, and keep the plan under review
- Provision of advice, assistance and support for staying put arrangements if appropriate
- Written agreement with all the parties involved
- Tax and benefit advice to carer and young person
- Assistance to access education and training for young person
- Ensure all claims for income support (when in full-time education), Job Seeker's allowance and housing benefit are ready to be auctioned when the young person reaches 18
- Monitoring and supporting the arrangement.

Independent Fostering Agency (if applicable)

Overall responsibilities include:

- Ensuring that all parties are aware of the opportunity to Stay Put from age of 18+ years
- Ensuring that carers are aware of their options to transition to a Staying Put arrangement with the Trust or the IFA as a Staying Put carer whichever is in the best interests of the young person
- Having their own Staying Put Policy which includes detail on risk management and support. This should also include detail on who completes the DBS checks (for young person turning 18) and who signs off the check and monitoring which is agreed with LA in advance of arrangement
- Foster carers will be supported to offer Staying Put arrangements wherever possible to meet best interests of young person (as supported by internal IFA protocols in line with this policy to ensure everyone is working in partnership)
- Maintain carers' registration and supervision as a foster carer (if applicable) for any other foster placements
- Information sharing with the Trust in advance of Staying Put arrangement.

20. Monitoring and reviewing

In line with requirements, the social worker or personal advisor must review the Pathway Plan and Staying Put arrangement six monthly to ensure that the young person's needs are being met.

The Personal Advisor will consult with the young person, carer and supporting worker to ensure all parties are involved in the review plan, using discretion if needed. A written record will be placed on the carer's file on the SCC ICS system.

21. Ending an arrangement

Moving on plans should be in place for young people who are in a staying put arrangement to support an arrangement to end positively.

Staying Put arrangements are made through agreement of the young person and foster carer. Either party is able to bring the arrangement to an end before the young person is 21. All parties must give as much notice as possible and in most circumstances this must be a minimum of 28 days. Advance planning is necessary to ensure the young person can move on to suitable accommodation from their staying put arrangement.

The Staying Put arrangement will end when the young person reaches their 21st birthday (or 25th birthday if involved in full-time education of 16-hours or more per week). This will be formalized in writing ensuring all parties recognize the end of the agreement. If the young person is at a critical time in their education (i.e. final exams), they will stay put until the exams have ended (no later than their 25th birthday).

In the event that Slough Children's Services Trust regards the arrangement as not consistent with the young person's welfare, it may withdraw its support, but it does not have the legal power to bring the arrangement to an end. The Trust will endeavor to ensure that all parties work together to help to plan a move to an alternative living arrangement.

The Staying Put arrangement may be terminated if the young person does not make use of the arrangement within the spirit it was agreed. There is an expectation that the young person will stay at the family home at least 5 of 7 nights of the week (unless otherwise agreed see section M).

22. Section 3 Financial and Monitoring Arrangements

22.1. Financial Arrangements for Young People - Summary

Where a young person is in education (Years 12 and 13) the fostering service will continue to provide full fostering allowance to in-house foster carers until the young person has completed the course they commenced prior to their birthday.

The full fostering allowance will continue to be paid no later than the 31st July following their 18th birthday and this allowance will include clothing, pocket money and activities. Whilst the full fostering allowance is being paid, the young person should not be in receipt of independent living allowance or benefits.

At the end of the academic course (no later than 31st July – Year 13 or 31st August if the young person is 18 in August), the fostering allowance will change to the Staying Put Allowance (if agreed). The allowance paid directly to the carer covers rent, utilities and time in supporting the young person.

It is expected that the young person will be either in education, employment or training. It is also expected that the young person should pay their carer £20 (2016/17) per week for food directly (unless there is an agreement to buy their own food).

Depending on their circumstances, young people in a Staying Put arrangement can claim one or more of the following benefits from their 18th birthday:

- Income support

- Education bursary
- Employment and support allowance
- Jobseeker's Allowance
- Housing benefit

From their income, the young person will be responsible for buying their own clothes, toiletries, mobile phone contracts/ phone top-ups and other items previously covered by the fostering allowance paid to the carer, helping the young person to develop budgeting and independent living skills.

23. Rent and Housing Benefit

Recognising the transition to adulthood, all young people are expected to make a contribution towards food and rent.

Young people will be expected and supported to claim Housing Benefit (if applicable) to help pay their rent. Rent is set in regard to the local housing allowance.

For those who are earning more, a young person may be expected to make up the difference between rent set and the amount of housing benefit received from their income.

Please note: Each local housing office has a housing benefit calculator that can be viewed online if required to calculate individual benefit.

Slough Children's Services Trust has developed a license agreement (Living Together Agreement - see Appendix 1) setting out costs broken into rental contribution, support, and food / meals enforcing the liability on a commercial basis.

All young people should be supported by their carer and encouraged by their Personal Advisor to apply for housing benefit if a license agreement is put into place.

A rental amount will be agreed at the start of the Staying Put arrangement.

Please note: If no rental amount is agreed and a license agreement not in place, housing benefit cannot be applied for by the young person.

If eligibility prevents a young person from claiming housing benefit, this will also be detailed in the Living Together agreement.

For those in full-time education up until the age of 25 years (16 hours of more of education per week), housing benefit is calculated on the basis of the local housing shared room rate. It may be necessary to discuss rates and possible discretionary payments with the local housing team if a young person in full-time education (aged 22-25) is challenged financially.

Please note: This does not apply to those young people attending university who are entitled to financial support from the Leaving Care team.

24. Liability to pay rent and eviction process

In setting and agreeing a rent amount, the young person becomes an excluded occupier and the Staying Put carer becomes a tenant landlord. The Living Together Agreement also includes the rental agreement which is necessary to claim housing benefit and to establish the excluded occupier – tenant landlord relationship between the young person and Staying Put carer.

In situations where a young person does not pay their rent, either by not making the required payment or by not claiming housing benefit (unless otherwise agreed), they may be subject to an eviction process.

In all situations where a young person owes four weeks rental contribution, a network meeting will be called. The network meeting will decide on the action required by the young person to address the rental arrears. Young people will be given every opportunity to repay any arrears and eviction will only take place as a last resort in situations of rental arrears.

25. Financial Payments for Carers

The following summarises the allowances paid to the Trust’s Staying Put carers on a weekly basis (2015/16). The Staying Put fees regarding IFA carers are also clarified below. The financial position should be made clear to any carer considering a Staying Put arrangement as early as possible during discussions:

Allowances	Fees or costs
Trust carers- Staying Put allowance for support costs for	£200 per week- if the young person is able to claim benefits they will contribute towards a service charge and the Trust will accordingly adjust the staying put allowance to carers.
Trust carers - Supported lodgings carer	£200 per week
Staying Put for support costs with an IFA carer	As negotiated by the Placements Officers with IFA providers.
Young person’s contribution to food	£20 payable by young person to carer (unless otherwise agreed)
Housing Benefit and Rent	Dependent on individual circumstances

In a minority of instances, depending on the level of need of the young person, it may be possible to agree an extra payment for additional support from the carer with the Trust. This must be agreed by the Group Manager for the Care Leavers’ Service or the Chair of Placements panel.

Any extra payment arrangement will be regularly reviewed and the Trust will maintain the right to revert back to the standard agreed rate if the level of need for the young person changes. The above payments could be subject to change in future, but will be updated and advised.

All payments will cease when the young person reaches their 21st birthday (or 25th birthday if in full-time education of 16 hours or more).

In the event that the carer is previously in receipt of the 25% Single Person’s Council Tax reduction, a compensatory payment can be discussed with the Council on a case-by-case basis.

When a young person turns 18 and stays put with their carer, the carer has to count all income (which includes the £20 payable from the young person to carer for utilities and

food). In the event that the carer is in receipt of other benefits i.e. Housing Benefit, the carer will need to discuss their position with their relevant local authority to determine if their benefits will be affected by change in status to Staying Put carer.

The carer should be very clear on their finances and any implications for any benefits claimed in advance of starting a Staying Put arrangement.

26. Income Tax

Staying Put carers receive the same qualifying care relief (HMRC 3) for income tax purposes as do foster carers: Where a carer of a previously 'looked after' child continues to care for that person when they stop being looked after, the person being cared for must be aged 18, 19 or 20 or in further education, higher education or vocational training. The carer must be receiving payments for providing care from the Trust or health service body and the person cared for must have a Pathway Plan in place.

Staying Put carers must be registered as self-employed with HMRC (HMRC 4).

All The Trust's carers (including Staying Put carers) can receive further advice from the Fostering Network .

27. Insurance and Legal Support

All The Trust's carers are entitled to support from Fostering Network including support on insurance cover and legal support available.

28. Loss of entitlement

If a young person loses their entitlement to benefits temporarily through a sanction or imposition, The Trust will continue to pay the Staying Put allowance to the carer. The Care Leavers' Service will work with the young person to provide food vouchers which can be given directly. The carer must make sure that the Personal Advisor is made aware of the loss of entitlement as soon as they are aware.

29. Additional Support

Any additional support should be identified in the Pathway Plan in advance of agreeing a staying put arrangement (except in very exceptional circumstances). Accommodation and support for young people with a disability should be managed through a Shared Lives arrangement.

Appendix 1

Slough Children's Services Trust Staying Put Arrangement Living Together Agreement

This Living Together Agreement sets out the details of the young person who will reside, the Staying Put carer who will provide accommodation, the ground rules and support that is available for use by the young person. The agreement also details how the arrangement can

end and how disagreements can be resolved. Appendix 1 lists the roles and responsibilities for each party involved in the arrangement.

This Living Together Agreement serves as the license agreement for young people over 18 allowing them to live in the accommodation. It includes the rental agreement. Please see terms at the end of this document for more information.

Important: This agreement is an excluded license as defined in section 3A Protection from Eviction Act 1977 (because the accommodation and amenities are shared with the owner occupier).

Please note: The Fostering Service will support this arrangement by paying the Staying Put carer the Staying Put allowance to support the young person. The Staying Put allowance currently covers utilities and the carer’s time in supporting the young person.

Young people are expected to pay rent and to claim housing benefit where eligible. The housing benefit should be paid direct to the carer where possible and young people should pay their contribution to the rent direct to the staying put carer by standing order. Young people who are on a low income can still apply for housing benefit. Those that are on a higher income will need to pay the full rent.

Date of Agreement	
Staying Put Carer’s Details	
Carer’s Name Carer’s Address Carer’s supporting worker Carer’s signature	
Young Person’s Details	
Young Person’s Name	
Young Person’s Date of Birth	
Young Person’s Worker	
Young Person’s signature	
Arrangement Details	
Expiry Date/Estimated Length of Arrangement	
Desired outcome of Arrangement	
Rental amount Start date of rental period	
Frequency of rental payment	
How rent will be paid	
Parties involved in this agreement	
Housing Benefit payments (from local housing office to Staying Put carer) should be paid direct by BACS transfer	

Any additional rental payment from the young person to the Staying Put Carer should be paid by Standing Order to the following bank details:	
Bank Details:	
Account and Sort Code:	

1. The Young Person agrees:

1.1 To remember that their Staying Put carer is available to support them and to talk things through if they would find this helpful

1.2 To raise any concerns as soon as possible if there are any problems they are having in this arrangement

Please note: Young person's worker refers to either a social worker or personal advisor depending on the age of the young person

1.3 To keep their room clean, tidy and free from rubbish and ensure that their laundry is completed regularly

1.4 To NOT keep any pets in the property without prior permission from the provider

1.5 To NOT allow illegal substances to be used, sold or grown at this address. (This also includes 'legal highs')

1.6 If of legal age, alcohol will be consumed responsibly considering the impact on the household. If younger people are in the household, alcohol will not be consumed in the home without permission of the Staying Put carer

1.7 To NOT allow people into the address unless with the prior permission of the carer

1.8 To treat guests and visitors to the address with respect and to not cause nuisance, damage, disturbance, annoyance or interference to such person

1.9 To NOT willingly allow the house to fall into disrepair and report all damages to the carer at the earliest opportunity

1.10 To observe the house rules as described in this document and any reasonable requests/rules from the carer

1.11 To spend at least five nights a week in the staying put household and to notify the Staying Put carer if not returning

1.12 To return by the agreed time during weekdays & weekends

1.13 To attend meetings with your worker, the carer and their supporting worker

1.14 To work towards agreed aims and targets

1.15 To actively seek education, employment or training

1.16 To treat the property with respect and seek to repair, replace or compensate for any damaged caused by you

1.17 To share information with your carer, particularly in relation to anything that has an indirect effect on the Staying Put carer's household e.g. if you have been in contact with the police

2. The Staying Put carer agrees:

2.1 To provide non-judgmental support and take an interest in the young person

2.2 Ensure all information relating to the young person is kept confidential

2.3 To notify the supporting worker or duty worker immediately and anyone on the young person's contact list if there is a serious illness or accident, or concerns about the young person's safety and welfare

2.4 To notify you're supporting worker and relevant parties if the young person is missing without prior arrangement or contact

2.5 To notify your supporting worker or duty worker if the young person is not staying with you

2.6 To notify your supporting worker in advance if you are planning to be away overnight or longer

2.7 To notify the young person's worker and your worker of any problems, serious issues or concerns without delay

2.8 To provide assistance with developing the young person's independence skills

2.9 To respect the privacy of the young person's room except for some specific circumstances

2.10 To keep the property in good repair and in a safe condition including fixtures & fittings

2.11 To provide suitable furnishings including bedding and to provide all reasonable access to shared areas including laundry and kitchen facilities and bathroom

2.12 To ensure the home and its contents are adequately insured and to notify insurance company and mortgage lender/landlord of the staying put arrangement.

3. The young person's worker agrees:

3.1 To liaise with the Staying Put carer concerning any plans for the young person and be available for consultation when needed

3.2 To ensure financial support is arranged for the young person where appropriate

3.3 To provide ongoing support to the young person throughout the placement in the form of telephone access and regular visits (minimum of once every six weeks)

3.4 To ensure a Pathway Plan is completed for the young person and this is reviewed every six months

3.5 To support and encourage the young person to manage their finances and gain independence skills

3.6 To attend meetings in relation to the young person

4. The Staying Put carer's worker agrees:

- 4.1 To provide ongoing support to the carer throughout the placement in the form of telephone access and regular visits
- 4.2 To ensure Staying Put allowance is paid to the staying put carer
- 4.3 To liaise with young person's worker over plans for the young person
- 4.4 To attend meetings in relation to the young person

5. The Arrangement:

- 5.1 The young person will have use of their bedroom, and will share use of the kitchen, lounge, dining and bathroom
- 5.2 No one in the house will go into other people's bedrooms; however the carer must retain the right of entry to all rooms if necessary for legal, health & safety and in case of any emergency
- 5.3 The carer will provide a front door key; the young person must agree to keep this safe and not to give them to anyone else
- 5.4 Visitors may be invited to the house only with the carer's prior knowledge and consent
- 5.5 If the carer feels uncomfortable with a particular visitor, they have the right to ask that person to leave or insist that they do not come again
- 5.6 All visitors are to leave by: (please insert agreed time)
- 5.7 The fixed line telephone is for emergencies only
- 5.8 As agreed in Para 3.2 the financial arrangements in place are:
- 5.9 Arrangements for Food are: (please insert arrangements)
- 5.10 Arrangements for contact are: (please insert arrangements)

6. If things go wrong:

- 6.1 If any difficulties arise between, the young person and the Staying Put carer cannot be resolved through discussion between themselves. A meeting will be convened to talk through the issues arising with the aim to find a resolution
- 6.2 Present at the meeting will be the young person, the Staying Put carer, the young person's worker, the provider's worker and any other person agreed to be relevant

7. When the arrangement ends:

- 7.1 Planned endings are to be considered the preferable option and need to be discussed and agreed with sufficient time to allow a positive outcome
- 7.2 If the behavior of the young person is agreed to be not acceptable a Notice to Quit will be served which will state that the placement will end in 28 days from the date received
 - 7.2.1 If a young person is served a Notice to Quit they will be asked to sign up to an 'improvement plan' which will set out specific targets or changes of behavior relevant to the Notice to Quit

7.2.2 If the young person is able to fulfill the requirements of the 'improvement plan' within the notice period the Notice to Quit will be withdrawn

7.3 If the young person displays behavior which possess a risk to the carer or their home they will may be required to leave immediately

8. Any other issues or house rules as agreed by the young person and Staying Put carer(s)

9. Agreement:

Staying put carer's name and signature	
Young person's name and signature	
Carer's supporting worker's name and signature	
Young person's worker's name and signature	
Date:	

10. Terms:

10.1 Throughout this document the term young person refers to the Licensee following their 18th birthday.

10.2 Throughout this agreement the term Staying Put carer or carer refers to the person(s) who is offering to provide accommodation and support to the young person and following their 18th birthday, are the Licensor

10.3 Throughout this agreement the term worker refers to the person responsible for supporting their designated person to ensure positive outcomes

10.4 The term Excluded License refers to the fact the young person is an Excluded Occupier as defined in the Protection from Eviction Act 1977 and has no claim on the accommodation.

Standard Housing Benefit Claim letter for the young person in a Staying Put Agreement (to be accompanied by a copy of the licence agreement)



Slough Children's Services Trust
Ground Floor West
St Martins Place
51 Bath Road
Slough
Berkshire
SL1 3UF

Tel: 01753 690960

10th August 2016

(Address of benefits office)

Client:

DOB:

NI Number:

Current Address:

Name of Landlord (Staying Put Carer):

Type of Accommodation Tenancy: previous foster care placement (staying put arrangement) – excluded licence

Dear Sir/Madam,

This letter is provided to verify the identity of the above young person and to confirm and clarify his/her circumstances

The above named young person was previously placed in foster care at the above address. As the young person has now reached the age of eighteen (18yrs) (he/she) is no longer in

foster care and (he/She) is remaining with (his/her) previous foster carer under a “staying put” arrangement.

The young person is now deemed ‘independent in (his/her) own right’ and is liable for accommodation costs of £ _____ per week, excluding meals, utility and support charges.

The information provided below sets out (his/her) legal status and financial circumstances.

- I can confirm that _____ was previously looked after by Slough Children’s Services Trust
- I can confirm that _____ will become a former relevant child on their 18th birthday (date) as defined by the Care Planning Placement and Case review and Guidance 2010 and Care Leavers (England) Regulations 2010
- I believe that (he/she) will be entitled to claim Housing Benefit and Council Tax Support
- As _____ was looked after on/or after (his/her) sixteenth birthday (he/she) is exempt from single room rent restrictions
- The Staying Put carer will also receive a qualifying care payment under section 23c of the Care Leavers (England) Regulations 2010, from Slough Children’s Services Trust for providing food and support services for the young adult. (sections 23c and section 24 payments must be declared when claiming benefits but are not to be counted as income for welfare benefit purposes)
- As _____ was previously ‘Looked After’ and remains vulnerable I would request that the housing benefit is paid directly to the householder (staying put carer) as detailed above.

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

Yours faithfully

(name of worker)

(title of worker)

Contact:

Appendix 2 – Roles and Responsibilities for everyone involved in a Staying Put Arrangement

Young Person

- Engage in the support provided by carers and participate in the pathway planning process in order to develop and improve independence skills
- Behave in a responsible way, showing respect for my carer(s), their property, neighbors, other children/ young people in placement and the local community
- Share information with Carers and Personal Advisor
- Adhere to the license agreement and house rules (Living Together Agreement – see Appendix 1) agreed as part of Staying Put arrangement
- Agree to pay a rental contribution of £70/week either from earnings or by claiming housing benefit or a combination of earnings and housing benefit
- Notify the Trust when in receipt of housing benefit
- Set up a standing order to pay carer housing benefit (if not paid directly to carer from the local housing team)
- Set up a standing order to pay the carer any additional rental amount that is not covered by housing benefit (i.e. if personal income is higher than allowance)
- If the young person feels that the Trust has failed to provide appropriate support towards facilitating and maintaining a staying put arrangement, the young person should be encouraged to speak to their independent reviewing officer to request a review of their Pathway Plan.
- Right to make a complaint and to contact an independent advocate if needed
- Complete relevant checks, including disclosure and barring service check (DBS) if other children and young people are in the family home and the carer continues to offer foster placements to others
- Maintain their room, furnishings and fittings in good order
- Ensure house keys are kept safe and not duplicated
- Inform Staying Put carer regarding any visitors or regular visitors
- Inform leaving care personal advisor if they are arrested, investigated, cautioned or convicted of any offence and agree to their personal advisor
- Sharing this information with my Staying Put carer
- Let their leaving care personal advisor and the Staying Put Carer know in advance if they wish to end the Staying Put arrangement (giving at least 28 days notice)
- Contact their leaving care personal advisor if they would like to change the Living Together Agreement and or raise any concerns.

Staying Put carer

- Participate in reviews of Pathway Plan: Carers need clear information about the ways they will be supported, including financial arrangements before they indicate their ability to offer Staying Put
- Provide a fully furnished bedroom (for rent of £70/week) as a home for the young person
- Agree house rules with young person as part of living together
- Provide heating, hot water, lighting, food, a house-key, support and Wi-Fi connection

- Comply with landlord responsibilities including ensuring accommodation is of a good standard and allow household health and safety checks to be carried out
- Provide day to day support and guidance helping the young person to develop independent living skills and where to go for help if necessary
- Participate in the Pathway Planning process
- Inform the young person's leaving care personal advisor and the fostering worker if you wish to end the Staying Put arrangement (giving at least 28 days' notice). This notice period can be waived in exceptional circumstances where it would be deemed inappropriate or unsafe for the young person to remain for the full 28 days.
- Inform the young person's leaving care personal advisor as soon as possible of any significant incidents and if the arrangement is likely to be disrupted or end prematurely
- Ensure relevant staff / agencies are made aware if the young person is absent or missing
- Ensure (in conjunction with the Trust staff) an appropriate 'Safer Caring / Safeguarding Plan' is in place to manage any impact on other / younger children in the household
- Assist the young person to develop the emotional capacity and self- confidence to manage through adulthood
- Review mortgage, household and car insurance policies to cover individual circumstances as a Staying Put carer and adequate insurance in place
- Willingness to return to panel if also fostering other children and young people in order to acknowledge the change in circumstances with the Staying Put young person becoming an adult member of household
- Work with the Personal Advisor to provide support as needed for young person (as indicated in Living Together Agreement)
- To be prepared for a visit from the Housing Benefit Rent Officer if the young person is claiming housing benefit.

Social Worker

- Work with the young person and the carer at the earliest opportunity (from 16-years if possible) to raise awareness of opportunity to stay put (either the Trust carer or via IFA)
- Be clear on the key tasks, roles and responsibilities for all parties supporting the young person between 16-18 years to support the development of a potential Staying Put arrangement (if appropriate)
- Meet with Personal Advisor and carer alone in the early stages of discussing a staying put arrangement (at least six-months before) to run through financial arrangements including rental amount, tax information etc
- Participate in Pathway Planning process ensuring all parties are fully aware of options post-18
- Ensure that the young person is on the Council housing register
- Champion for early planning
- Liaison with Independent Reviewing Officer.

Personal Advisor

- The role of the Personal Advisor is to provide advice and support to the young person, in accordance with regulation 8 of the Care Leavers (England) Regulations 2010
- Give the young person clear information about advocacy services and how to make a complaint if needed
- Keep in touch with the staying put carer and provide advice and support as required (if agreed with young person)
- Ensure the Pathway Plan is regularly reviewed
- Ensure all claims for income support (when in full-time education), Jobseeker's Allowance and housing benefit are ready to be actioned when the young person reaches 18
- If the young person is in employment, get copies of wage slips at least eight weeks before they turn 18
- Liaise with the Trust in implementation of the Pathway Plan
- Advise and assist the young person with applications for move-on accommodation
- Co-ordinate provision of services to support the young person
- Keep informed about the young person's progress and wellbeing
- Review the Living Together Agreement and the House Rules at least every six months with the young person and carer and as part of the Pathway Plan review
- Allocated Worker from the Fostering Service
- Provide advice and support to the Staying Put carer
- Inform the Staying Put carer of any likely risks and advise on risk management, safeguarding and safer care
- Carry out a DBS check on the young person and other household members prior to them reaching the age of 18 (if household continues to be registered for fostering)
- If carers are also Trust foster carers, continue to provide monitoring and support and contribute to the review of their appraisal as foster carers
- Coordinate provision of services to support the Staying Put carer
- Ensure that the carer is receiving correct payments
- Participate in reviews of Pathway Plan
- Respond to learning and development needs of carers
- Provide information on tax and benefits
- When foster carers cease to foster in order to provide Staying Put, consideration will be given as to whether the supervising social worker can continue to provide support or whether support will be provided by a fostering family support worker.

Slough Children's Services Trust:

Overall responsibilities include:

- Planning from age of 16 years to support young person to transition into adulthood within a family and supported housing environment, ensuring that there is clear information available to all foster carers who care for the Trust's young people to inform them of their choices
- External liaison with IFAs to ensure awareness of Slough Children's Services Trust's Staying Put Policy

- State in the Pathway Plan whether or not staying put is planned, and keep the plan under review
- Provision of advice, assistance and support for staying put arrangements if appropriate
- Written agreement with all the parties involved
- Tax and benefit advice to carer and young person
- Assistance to access education and training for young person
- Ensure all claims for income support (when in full-time education), Jobseeker's Allowance and housing benefit are ready to be auctioned when the young person reaches 18
- Monitoring and supporting the arrangement.

Independent Fostering Agency (if applicable)

Overall responsibilities include:

- Agency Staying Put Policy which includes detail on risk management and support. This should also include detail on who completes the DBS checks and who signs off the checks and monitoring process as agreed with LA in advance of arrangement
- Foster carers will be supported to offer Staying Put arrangements wherever possible to meet best interests of young person (as supported by internal IFA protocols in line with this policy to ensure everyone is working in partnership)
- Maintain carer's registration and supervision as a foster carer (if applicable) for any other foster placements
- Even if the IFA will play no role post-18 years, the IFA must help the foster carer to understand the opportunity for staying put and the opportunity for carer to move across to the Trust as a Staying Put carer (if appropriate)
- Completion of DBS check and risk assessment of young person (as required) and shared with the Trust for information in advance of Staying Put arrangement .