

Report to:	EXECUTIVE CABINET
Date:	25 January 2023
Executive Member:	Councillor Bill Fairfoull, Deputy Executive Leader (Children and Families)
Reporting Officer:	Tony Decrop, Assistant Director, Children's Social Care
Subject:	STAYING PUT POLICY - CONSULTATION FEEDBACK
Report Summary:	<p>In September 2022 it was agreed to consult on a revised Staying Put policy.</p> <p>This report provides an overview of the outcome of this consultation and recommends changes to the policy in response to this, and an equality impact assessment.</p> <p>The report seeks approval to implement the revised Staying Put policy with effect from 1 February 2023.</p>
Recommendations:	<p>That Executive Cabinet be recommended to agree:</p> <ul style="list-style-type: none"> (i) Consultation feedback on the Staying Put Policy is noted. (ii) The new Staying Put Policy is agreed with effect from 1 February 2023. (iii) It is agreed that a detailed implementation plan is developed to ensure the agreed Staying Put policy is implemented effectively. (iv) It is agreed that improvements to the quality of data held about Staying Put carers and young people will be implemented. (v) That Special Guardianship order policy is reviewed in 2023 with the intention of ensuring aligned with this policy.
Corporate Plan:	The review of the Staying Put policy is in line with the corporate plan in terms of ensuring that children who become cared for are able to remain in a safe and supportive family environment with their former foster carers. This is a key delivery element of the Corporate Plan's priority of 'Resilient families and supportive networks to protect and grow our young people'.
Policy Implications:	This report seeks agreement to implement a revised Staying Put Policy with effect from 1 February 2023.
Financial Implications: (Authorised by the statutory Section 151 Officer)	<p>Tameside Council receives an annual grant from the DfE for expenditure lawfully incurred in respect of 'Staying Put' arrangements. The annual grant allocation is £173.5K and the DfE have confirmed funding at this level until the end of 2024/25.</p> <p>The new policy proposes that the financial package for the Staying Put carer will total £231.74 pcw. This total amount will consist of a £20 contribution from the young person to the carer, rent costs payable by either the young person if they are working or from benefits. The council will then pay the remainder of the balance which is likely to be in the region of £120 per week. The current staying-put policy is based on the council paying £177.67 per week..</p>
Legal Implications: (Authorised by the Borough	The Children and Families Act 2014 placed a new duty on Local Authorities to support young people to continue to live with their

Solicitor)

former foster carers once they turn 18 (the Staying Put duty). The Act inserted s23ZA into the Children Act 1989 and provided a duty that the Local Authority must provide staying put arrangements for former relevant children. The duty came into force on 13 May 2014.

A former relevant child is defined in s23C(1)(b) Children Act 1989 as a person who was being looked after when he attained the age of eighteen, and immediately before ceasing to be looked after was an eligible child.

It is the duty of the local authority to monitor the Staying Put arrangement, and to provide advice, assistance and support to the former relevant child and the former foster parent with a view to maintaining the staying put arrangement. Support provided to the former foster parent must include financial support. The duties continue until the former relevant child reaches the age of 21.

The current Council policy is based largely on the government Staying Put guidance and therefore requires updating in accordance with our Care Leavers local offer and Tameside Council Priorities.

The Council's current Staying Put allowance has remained the same since 2014 and has not increased in line with inflation or with the fostering allowance rate.

The Council receives a ring-fenced Staying Put grant from the Department of Education. The purpose of the grant is to provide support to local authorities in England for expenditure lawfully incurred or to be incurred in respect of a young person aged 18 or over and their former foster carer who wish to continue to live together in a 'Staying Put' arrangement.

In March 2022, the Council's grant was confirmed until 2024/2025.

There is an overriding duty for Council's to act fairly in their exercise of their functions and therefore there is a duty to consult on this change in policy.

The service has undertaken reasonable steps to consult whilst the policy was still at a formative stage. The consultation period was for a reasonable period and was extended to ensure a target group was included. The consultation included impacted groups who could be adversely impacted by the decision as identified in the EIA. The consultation appears adequate and fair.

Once feedback from consultation had been received, the service further considered the allowance element of the policy. Further benchmarking exercises were undertaken both within Greater Manchester and with TMBC statistical neighbours. The product of consultation was therefore conscientiously taken into account when finalising the policy.

The implementation of the policy will be staggered and any monies due will be back paid to the policy start date. If any former foster carers are financially impacted by the change in policy then there is the ability for discretion to be applied subject to a decision at Resource Panel.

There were several elements of the revised policy that needed further consideration.

1. The Housing Element of Universal Credit

This has been resolved.

2. The No Detriment element of the policy
This has been resolved.

All references to a blanket no detriment policy have now been removed from the policy. Any decisions that require discretion will be ratified at Resource Panel.

3. The Staying Put allowance
This has been resolved.

The policy now confirms that the allowance will be reviewed and will increase in line with fostering allowances.

4. Independent Fostering Agencies (IFA)
This has been resolved.

Any decisions that require discretion will be ratified at Resource Panel.

There are further items that require clarification before the policy can be implemented:

1. When Staying Put allowance commences
The policy provides that the Staying Put allowance commences from the young person's 18th birthday.
The Council's current SGO policy provides that an SGO allowance is payable to a young person's 18th birthday or if they are still in full time education, until the end of that course in the year of the 18th birthday. This discrepancy could be open to challenge.
2. Care Leavers' Offer
The service need to ensure that it is clear what Staying Put care leavers will receive from the care offer. Transport costs and holiday allowances need to be consistently applied.

Risk Management:

An Equality Impact Assessment has been undertaken on this policy and is included and analysed in this report.

Consultation as outlined in this report has been undertaken with Foster Carers, Staying Put Carers and Care Leavers in addition to the wider general public.

There is a risk that for pre-existing Staying put arrangements some benefit claims may not be paid as the young person is already living in the arrangement. This will need to be dealt with on a case by case basis.

Background Information:

The background papers relating to this report can be inspected by contacting Emily Drake, Head of Payments, Systems and Registrars.

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1. INTRODUCTION

- 1.1 Staying Put is about care leavers continuing to live with their foster carers when they reach the age of 18. Supporting care leavers to stay with their former foster carers in 'Staying Put' arrangements allows them to leave stable and secure homes when they are ready and able to make the transition to independence. It also helps them enter adult life with the same opportunities and life prospects as their peers.
- 1.2 The Council's current Staying Put offer has been in place for a number of years and it requires review to ensure that the offer remains fit for purpose.
- 1.3 A revised Staying Put policy has been developed with a view to continue to effectively support young people and their former foster carers already in Staying Put arrangements and support the Council's aim to increase the number of care leavers benefitting from Staying Put. Specifically the reviewed policy:
 - Increases the weekly Staying Put payment from £177 to 231.74 per week.
 - Provides a clear, consistent framework to operate our Staying Put provision within.
 - Makes our policy more transparent and easily understood by carers and young people about what they can expect in Staying Put.
 - Strengthens early planning (16+) through Cared for Reviews and Pathway Plans to make sure Staying Put is the right plan for young people.
 - Supports our Staying Put young people in having the right life skills moving into adulthood.
- 1.4 In September 2022, Executive Cabinet approved commencement of a 6 week consultation on the revised draft policy. Associated papers are available [here](#).
- 1.5 This report summarises the outcome of this consultation and seeks approval to implement the new policy as outlined below.

2 SUMMARY OF THE REVISED STAYING PUT POLICY

- 2.1 Proposed changes in the draft policy aim to provide a more robust financial model for remunerating Staying Put carers. These changes are summarised below:
- 2.2 The standard weekly Staying Put allowance is increased from £177.67 to £231.74 per week. This is based on the *average* currently weekly allowance currently paid to Staying Put carers and provides a more comparable rate with neighbouring Greater Manchester authorities.
- 2.3 The financial package for the Staying Put carer will total £231.74. This amount will increase in line with the foster care allowance for 16-18year olds (it will be uplifted at the same time and by the same % amount). The amount will be made up of funding from:
 - **Rent costs** which will be based on the Local Housing Allowance rate for the area the property where the Staying Put arrangement is situated in. This cost will be met by the Universal Credit Housing Element (UCHE) where applicable, paid directly to the former foster carer. It is acknowledged that UCHE will vary dependant on the area in which the young person / former foster carer lives (the total final package to the Staying Put Carer will be unchanged at £231.74). Where a young person is in employment and not entitled to UCHE they will be required to cover rent costs through their income.
 - **A minimum contribution of £20 from the young person**, from income or entitlement to grants, allowances or benefits paid directly to the carer. This is in addition to their rent. This will be discussed at their Pathway Planning meetings.

- **Tameside Children's Services Contribution.**

- 2.4 Young people commencing higher education courses at any age are not eligible to claim means tested benefits and therefore will be expected to meet any rent costs through employment or their student loan.
- 2.5 All young people where eligible are expected to claim Universal Credit from their 18th birthday and the housing element be used for rent.
- 2.6 Allowances for birthdays, festivals and holidays would continue to be paid under the local Care Leaver offer.
- 2.7 Targeted assistance for benefits advice for both carer and young person will be provided by Welfare Rights.
- 2.8 Discretion may be used in exceptional circumstances to vary financial payments depending on the circumstances of the Staying Put carer / young person. Any such variations must be considered by the Local Authority Resources Panel to ratify any financial decisions.

3 CONSULTATION APPROACH

- 3.1 Consultation was originally undertaken for 6 weeks from 3 October 2022 to 15 November 2022 as follows:
 - Foster carer workgroups (2 virtual 1 face to face) – 17 households attended
 - Children in Care Council – 3 young people in person and 2 virtual attended
 - Care Leaver forum (face to face) – 3 young people attended
 - Big Conversation questionnaire – open to the wider public and Independent Fostering Agencies (IFAs). There were 14 total respondents to the online questionnaire consultation. Due to anonymity, we cannot identify the proportion of IFA Staying Put carers and local authority Staying Put carers who answered the survey.
- 3.2 To increase the voice of young people in the gathered responses, consultation via the online questionnaire was extended up to 25 November 2022. Targeted emails were sent to all foster carers (Tameside and IFAs) encouraging young people to complete the online survey. A further 2 responses were gathered due to this extension.

4 SUMMARY OF CONSULTATION OUTCOMES

- 4.1 Consultation focussed on key areas on the proposed Staying Put Policy regarding the financial package, roles and responsibilities and support from Welfare Rights. Respondents were also able to provide any general comments on the policy. Full details of responses are detailed in the Equality Impact Assessment at Appendix 1.
- 4.2 A summary of key themes of feedback and the Council's response are outlined below.
- 4.3 **Question 1- Please give your feedback on the financial package being offered to you as a Staying Put carer (carers only).**
- 4.4 Feedback on the financial package offered in the revised Staying Put Policy was mixed but in general fewer carers thought the package was good compared to those who thought the offer should be more. The survey results demonstrate this with almost half of respondents to the question (6, 46.15% online) expressing that the financial package being offered was unsuitable, with most respondents describing it as 'poor' or 'very poor'.

- 4.5 A respondent in support of the offer who is a current foster carer and Staying Put carer stated,
- 'The offer is fair and based on the current financial climate.'*
- 4.6 However, significantly more comments were made regarding the financial package not being enough. Comments regarding pressures from the cost of living crisis and affordability were made.
- 4.7 A number of comments were made by carers who felt that the Staying Put allowance should mirror the Foster Care Allowance and Skills Payment they receive.
- 'A carer stated they wish to continue fostering long term and have 1 room available to foster. Fostering is their career and only source of income which currently amounts to £550pw reflecting their level of experience and training. The financial package offered makes SP untenable.'*
- 'Not financially viable today. Carers are having to choose between keeping a vulnerable person for a very low fee compared to taking a new placement at a higher rate. It's not fair when your heart wants your young person to stay but you can't personally finance the placement'*
- 4.8 A carer also raised concerns that as a single carer they get a 25% reduction on their Council Tax. However when the young person turns 18 this discount will be removed.
- 4.9 **Council Response** – The Council acknowledges that an increased cost of living and decrease in payment from fostering payment to Staying Put arrangement could have a negative impact on the income of the carer. This is of particular relevance when considering that national data from the Fostering Network 2021 indicated that 61% of foster carers who responded do not combine fostering with other work.
- 4.10 The introduction of a formalised Staying Put policy with a higher weekly rate than is currently paid may have a positive impact on the finances of low income carers, enabling them to consider a Staying Put arrangement. The proposed weekly rate of £231.74 is higher than the 2021 standard weekly Staying Put Allowance which was £177.67.
- 4.11 In response to the consultation feedback the Council revisited the basis of how the proposed weekly rate of £231.74 was reached.
- 4.12 The proposed rate was determined by benchmarking and an analysis of the average Staying Put payments under the existing policy. The rate is comparable to that of a number of Greater Manchester Authorities. It is also higher than the fostering allowance rate for 16-17 year olds (£207 per week). Although this is less than the combination of a fostering allowance and skills payment, the young person as an adult will be responsible for paying for clothing, holidays and recreation through employment or benefits, previously paid for by their foster carer. The young person also receives money from the local authority under the local care offer for birthdays and festivals.
- 4.13 Further analysis was undertaken to compare the proposed Staying Put weekly rate with the Staying Put offer for four Greater Manchester authorities with comparable rates of deprivation. Two authorities, Rochdale and Oldham offered financial payments higher than the proposed Tameside rate, whilst Wigan and Bolton offered payments slightly less than the proposed Tameside rate. There was significant disparity in the offer between these comparable authorities. Consequently it was not possible to identify a consistent trend in offer however Tameside's proposed package is the median value from the five authorities.
- 4.14 Further analysis was also undertaken to compare the proposed Staying Put weekly rate with the Staying Put offer of ten authorities who are Tameside's nearest statistical neighbours. This

revealed Tameside's proposed rate is the median value from these ten authorities. This is shown at Appendix 2.

- 4.15 It is also noted that foster carer payments being higher than Staying Put payments reflects the regulated nature and expectations of a foster carer to meet and maintain national minimum standards when overseeing children in care. The care and support associated with regulated provision for children places significant duties on foster carers which are not required in Staying Put. Staying Put, in contrast, is not regulated under fostering national minimum standards, as this is a support arrangement for young adults.
- 4.16 With regards the loss of the 25% single person reduction in Council Tax the Council will consider meeting this loss to the carer.
- 4.17 It is therefore recommended that the weekly allowance for Staying Put carers is set as outlined in the policy at £231.74 per week.
- 4.18 **Question 2 / 3 – As a Carer / Young Person what do you think of the financial contribution being offered to you by the young person being cared for?**
- 4.19 The amount proposed to be contributed by the young person to their carer under the new policy was found to be neither good nor bad. Carers expressed a variety of views in the comments ranging from the view that the payment amount is fair, to concerns around ensuring the contribution is proportionate and does not cause the young person hardship, to concerns that the stipulated payment does not reflect the true costs of living. Comments from young people also overwhelmingly expressed that the contribution amount was 'neither good nor bad'.
- 4.20 **Council Response** – Based on feedback received and the fact that the young person's contribution was found to be neither good nor bad it is recommended that no change is made to the young person's contribution in the Staying Put Policy.
- 4.21 **Question 4 - The offer of a Welfare Rights appointment and advice is part of each Staying Put arrangement, do you think this is something you would find useful?**
- 4.22 The majority of respondents (91.67%) expressed that they would find the offer of a Welfare Rights appointment as part of the Staying Put arrangement useful.
- 4.23 **Council Response** – It is recommended that no change is made to the policy on this issue and the offer of a Welfare Rights appointment be made to every Staying Put carer and young person.
- 4.24 **Question 5. Is there anything else that you think may benefit you in terms of advice and support that is not currently on offer that you would like to see in the future?**
- 4.25 When asked if there was any other help or support they would like to see in the future, the following themes were raised: three comments were around additional support for young people to develop life skills. Further comments regarding providing useful information and advice on benefits and tax, providing direct financial support whilst young person is at university and specific situation enquiries were made.
- 4.26 **Council Response** – As part of the Staying Put offer, training and documentation will be available for carers to ensure they can support young people in developing life skills. Staying Put carers prevented from taking a further foster placement due to a Staying Put arrangement will also continue to receive a payment of £100 per week from the Council whilst young people are at University and a pro rata Staying Put allowance when the young person returns home. This is already included in the proposed Staying Put offer therefore no proposed changes are made to the Staying Put policy with regards these comments.

- 4.27 Any situation specific queries not already addressed in the policy are responded to under question 8 below.
- 4.28 **Question 6. - Do you think there is enough information provided to you about roles and responsibilities of each key person involved once the child being cared for has reached 18.**
- 4.29 Most respondents thought they receive enough information about the roles and responsibilities of each key person involved once the child being cared for has reached 18 (online 54.55%). Of those who felt they did not, problems highlighted included conflicting advice, lack of practical guidance, late planning and/or issues with the way information was communicated between the carer, young person and key professionals. A respondent commented:
- 'Not enough time is allowed prior to the young person turning 18. It's always a rush and often the carers and young person are spoken to separately and the advice is not always the same.'*
- 4.30 There was also feedback that suggested work between social worker and personal assistant was not joined up.
- 4.31 **Council Response** – The policy provides a consistent framework for the service to operate within. To ensure communication, advice and planning is timely, training of all staff will be mandatory as part of the policy implementation plan and supporting documentation provided. Proactive monitoring of service performance will also be undertaken.
- 4.32 **Question 7 - Regarding the expectations of Staying Put Carers to support the young person into independence, do you think there are any additional or specific support that would be helpful to either the Staying Put Carer or the Young Person?**
- 4.33 Most online respondents to this question felt that additional support would be helpful (60%). More detailed responses were given in the comments, whereby respondents expressed that better communication through regular meetings and including detailing responsibilities of the foster carer in the pathway plan would be desired, more information and advice for young people to be provided on useful topics e.g. in person support for claiming benefits, and the provision of a holiday grant and clear criteria for the leaving care grant.
- 4.34 **Council Response** – The policy provides a consistent framework for the service to operate within. To ensure roles of all parties are clear from the outset, training of all staff will be mandatory as part of the policy implementation plan and supporting documentation provided. Proactive monitoring of service performance will also be undertaken.
- 4.35 Any situation specific queries not already addressed in the policy are responded to under question 8 below.
- 4.36 **Question 8 – Any General Comments**
- 4.37 A number of queries raised covered key these and responses to these are summarised below:

Table A – Responses to general comments on the Staying Put Policy

Consultation Comment	Council Response
Special Guardianship Orders (SGO) and if they could remain under a Staying Put arrangement post 18 years.	An SGO carer is separate to a foster carer and so a Staying Put arrangement would not apply – if a foster carer becomes a special guardian they will have finance set out in a SGO support

Consultation Comment	Council Response
	<p>plan agreed by the court. The SGO policy including the SGO allowance will be reviewed in 2023.</p>
<p>If a young person turns 18 years old during their last academic year whether the fostering payments would continue until the end of the summer term.</p>	<p>A young person who was being fostered but then turns 18 and is 'Staying Put' are entitled to claim Universal Credit on the basis that they are studying full time and:</p> <ul style="list-style-type: none"> • They are under 21 • They are on a full-time non-advanced course of education (up to A Level and equivalent) • They are not being looked after by the LA and are without parental support. <p>On that basis the Staying Put policy and associated financial package would apply from the young person's 18th birthday rather than fostering allowances.</p> <p>This will be updated in the Staying Put policy.</p> <p>The Council's SGO policy will be reviewed in 2023 to ensure parity (if appropriate) between policies on this matter.</p>
<p>Carers raised concerns that as a single carer they get a 25% reduction on the Council Tax. However when the young person turns 18 this discount will be removed.</p>	<p>The Council will consider meeting this loss to the carer.</p> <p>This will be updated in the Staying Put policy.</p>
<p>A carer raised that they had been told no Personal Advisor for their young person can be provided due to lack of resources.</p>	<p>A Personal Adviser must work with young people alongside a social worker from the age of 16 as part of the care planning process.</p> <p>This will be addressed during the implementation of the Staying Put policy.</p>
<p>Young people should have holiday grant available to them, to enable to take annual holiday with their peers, etc. Also clear criteria should be given regarding leaving care grant.</p>	<p>The Care Leaver offer includes a range of financial support for Care Leavers including birthday, festival and holiday allowances.</p> <p>Young people in a Staying Put arrangement will be able to apply for a holiday allowance under the local Care Leaver offer. The allowance does not form part of the Staying Put offer. The Care Leaver offer is due for review in 2023.</p> <p>This will be updated in the Staying Put policy.</p>
<p>Some kind of booklet listing things they (young people) need to know.</p>	<p>The service will provide advice and documentation on assisting young people in preparing for independence.</p>
<p>Some carers thought it was positive that everyone would be getting the same and that a really good job has been done on the policy.</p>	<p>Noted.</p>
<p>What would the position be for Unaccompanied Asylum Seeking Children (UASC) in Staying Put?</p>	<p>If the young person is a UASC it may be that the young person's immigration status is pending and as such employment and benefit claims are not possible. In these situations it is proposed that the individual case is considered at Resources Panel as a matter of priority to ensure the right outcome for the young person and carer.</p>

Consultation Comment	Council Response
	This will be updated in the Staying Put policy.

5 EQUALITY IMPACT ASSESSMENT

5.1 An Equality Impact Assessment (EIA) was undertaken to ensure the proposed Staying Put Policy promotes fairness and equality of opportunities for young people and carers. The full EIA is at Appendix 1.

EIA Findings

5.2 The main findings of the EIA are that the policy will

- Have a direct impact on the protected characteristic of age due to young people leaving care aged between 18-21 being directly affected by the changes. The Staying Put Policy will directly affect children in foster care from age 15 ³/₄ onwards due to preparation for leaving care beginning at this age. The policy will also directly affect, 18-21 year old care leavers and 18-21 year olds currently in Staying Put arrangements. If in education, the policy may also affect young people leaving foster care up to age 25.
- Have a direct impact on low income groups and carers.
- Have an indirect impact on grounds of ethnicity, disability and mental health.
- Have an indirect impact on young people seeking asylum who are awaiting status determination as they may be unable to contribute towards the Staying Put allowance as they will be unable to claim benefits or work.
- Have an indirect impact on care leavers with disabilities or mental health needs. In some cases, where a young person has complex needs or a disability which restricts or undermines their ability to care for themselves, it may not be in their best interests to remain in the former foster carer's home.

5.3 It is anticipated that the policy will not:

- Disproportionately impact on the grounds of gender or sex.
- Impact upon military veterans as a result of the changes.
- Affect people who are breastfeeding as a result of the changes.
- Impact on grounds of religion/belief, pregnancy/maternity, sexual orientation or gender reassignment. However, there is insufficient data to identify the effects of the policy upon young people on grounds of religion/belief, pregnancy/maternity, sexual orientation or gender reassignment as full data on these characteristics for young people aged 17-25 in foster care, in Staying Put arrangements or who are care leavers was not available.

Mitigations

5.4 To understand and mitigate the impact of the terms of the Staying Put arrangement upon the carer's entitlement to benefits and council tax reductions/discounts, they will be offered an appointment arranged with the Council's Welfare Rights Service. Additionally, where a single carer would lose their 25% Council Tax discount for single carers as a result of a Staying Put arrangement we will consider meeting this loss to the carer.

5.5 Responding to the risk that the new policy could disproportionately affect carers and low income groups due to the Staying Put allowance being lower than the rate previously received through fostering allowances, this was also the case under the previous policy. Additionally, under the new policy as the Staying Put allowance has increased from £177.67/week to £231.74/week, reducing the disparity and positively impacting low income groups and carers. Through planning for care leavers which begins at 15³/₄, carers and young people will have two years to prepare for the change.

- 5.6 Responding to the risk that carers could be negatively directly impacted by facilitating a Staying Put arrangement as it could limit their capacity to take on any further foster placements, this has been mitigated by Children's Services committing to pay for the enhanced disclosure for the young person over 18 from the Disclosure Barring Service. Where space for both the young person under the Staying Put arrangement and another foster placement at the same time is not available within the former foster carer's home, this will be a choice to be made by the former foster carer. **This will be updated in the Staying Put policy.**
- 5.7 As per the current arrangements, where the young person eligible for a Staying Put arrangement has a disability and complex needs that would be more effectively managed outside of a Staying Put arrangement, the child's reviewing officer would assess whether a referral should be made for a shared lives arrangement.
- 5.8 Responding to the risk that the policy may disproportionately negatively affect unaccompanied asylum seeking young people who have no recourse to public funds/ who are awaiting status determination will be unable to claim benefits or work in order to contribute financially towards the Staying Put arrangement. In these situations the individual case will be considered at Resources Panel as a matter of priority to ensure the right outcome for the young person and carer. In the event that the former UASC has no recourse to public funds pending an immigration decision then we would match the Staying Put payment to support this arrangement. Benefit claims will be made as soon as the young person is able to do so and this would then contribute to the Staying Put arrangement. **This will be updated in the Staying Put policy.**
- 5.9 As per the previous policy, where the young person eligible for a Staying Put arrangement have mental health needs that would be more effectively managed outside of a Staying Put arrangement, the child's reviewing officer would assess whether a referral should be made for a shared lives arrangement.
- 5.10 As comprehensive data relating to sexual orientation, gender reassignment, pregnancy and maternity, and religion/beliefs was unavailable for young people leaving care aged 17-25, to monitor the effects on particular groups, these characteristics should be included as part of reporting within Children's Services.
- 5.11 The success of these mitigations will be measured by quarterly reviews of Staying Put cohort numbers to monitor the effectiveness of the new policy in increasing the opportunity for young people and former foster carers to form Staying Put arrangements.

6 IMPLEMENTATION

- 6.1 The new Staying Put policy will come into effect on 1 February 2023.
- 6.2 Any new Staying Put arrangements agreed on or after this date will be subject to the new policy.
- 6.3 Any existing Staying Put arrangements where the weekly allowance paid to the carer is less than that stated in the new policy (£231.74) will be implemented on a phased basis from 1 February 2023 – 30 April 2023. This is to allow time for young people and carers to seek benefit and tax advice and for any necessary arrangements for young people to make benefit claims. Payments will be backdated to 1 February 2023.
- 6.4 For the small number of Staying Put arrangements that have a rate higher than the current policy due to exceptional circumstances these cases will be reviewed on a case by case basis by Resources Panel by 30 April 2023.

- 6.5 There is as risk that for pre-existing Staying put arrangements some benefit claims may not be paid as the young person is already living in the arrangement. This will need to be dealt with on a case by case basis.

7 FINANCIAL IMPLICATIONS

- 7.1 There are no changes to the financial implications of this policy following consultation. Financial implications are as detailed in the pre consultation report as shown below.
- 7.2 The Council currently has a net budget of £119k for Staying Put placements. The budget includes a £293k gross expenditure budget for Staying Put allowances along with a central government grant for Staying Put of (£174k). The grant has been in place since 2017 and the annual funding amount of £174k has been confirmed between 2022/23 and 2024/25.
- 7.3 As of July 2022, there were 26 young people in Staying Put arrangements. The average cost of a Staying Put allowance payment in July 2022 was £231.74. The estimated annualised cost of this average payment for all current Staying Put arrangements is £314,200 resulting in a pressure of £21,600 to budget.
- 7.4 The new policy would allow the service to fund the current 26 young people in Staying Put arrangements by fully utilising the Staying Put grant and make a budgetary saving of £115,100. This is due to the Young Person's benefit claims and contributions. This is based on a 90% benefit recovery rate.
- 7.5 Alternatively, the new policy, while not reducing the average payment to carers, would allow the service to increase Staying Put numbers to 42 young people within the boundaries of the current budget. This is based on a 90% benefit recovery rate, with a minor budget saving of £6,000. This will be dependent on the number of eligible young people, where Staying Put is the preferred option for both the young person and former foster carer.
- 7.6 While the average weekly cost of a Staying Put Placement is currently £231.74, the median and mode cost of a weekly payment is £177.67. This indicates that the majority of Staying Put agreements are paid at a weekly rate of £177.67. The average rate is increased due to placement enhancements on specific Staying Put agreements. The financial implications do not include any discretionary enhancements made by the Council or back pay to 1 February 2023 as part of implementation.
- 7.7 The policy details that any arrangement with former Independent Fostering Agency carers will adhere to the rates set out in the policy. In exceptional circumstances discretionary enhancements may be considered but must be ratified at a Resources Panel.
- 7.8 The Local Housing Allowance (LHA) rate which determines the UCHE varies in borough dependent on postcode. The proposed Staying Put policy indicates that this will be used to when considering the amount of rent payable and cost breakdown agreed as part of the Staying Put agreement and reviewed at least 6 monthly as part of the Pathway Plan Review. It also emphasises the responsibility of the carer and young person to notify Children's Services should their financial arrangements change.

8 CONCLUSION

- 8.1 A revised Staying Put policy has been developed and out for consultation from 3 October 2022 to 15 November 2022. Consultation via the online survey was extended to 25 November 2022 to ensure as many young people had had the chance to put their views forward.

- 8.2 Consultation feedback on the policy was analysed. The most significant feedback was given regarding the financial package on offer to carers, with over half of respondents feeling the offer was poor or very poor.
- 8.3 In response to this consultation, the weekly Staying Put allowance was revisited to ensure it was set appropriately. Additional analysis of Staying Put rates in other local authorities was undertaken and confirmed that Tameside's newly proposed rate was the median value out of the authorities assessed. It was concluded that the proposed increased rate of £231.74 was set appropriately.
- 8.4 All other aspects of the policy were not as strongly commented on. Most comments requested clarity for specific situations including but not limited to young people at college and single person's council tax deductions. These queries have been clarified in more detail in the policy.
- 8.5 The final proposed policy amended as outlined above is at Appendix 3.
- 8.6 This policy if approved would be implemented from 1 February 2023 for all new Staying Put arrangements and on a phased basis for pre-existing arrangements.

9 RECOMMENDATIONS

- 9.1 As set out on the front of this report.