

APPENDIX 2

KEY POINTS THE COUNCIL MUST ADDRESS IN ITS STAYING PUT POLICY FROM CHILDREN'S ACT 1989 GUIDANCE

Preparing for Staying Put

- In order to be eligible for a 'staying put' arrangement the young person will need to be a former relevant child and have lived with their former foster carer immediately before turning 18.
- Local authorities should start discussions with the young person and foster carer regarding the option of staying put as early as possible, ideally before the young person reaches the age of 16.
- The possibility of a 'staying put' arrangement would first of all depend on whether both the young person and foster carer express a wish to enter into such an arrangement at the point when the young person will become 18.
- From the outset, the local authority with the young person and former foster carer should assess how they will help the young person develop the skills required for independent living once they move on from the arrangement.
- Young people should be supported as part of the 'staying put' arrangement to continue to develop a range of skills.
- The opportunity to 'stay put' should apply equally to young people that have been cared for by foster carers from the local authority or independent fostering services.

Procedures

- Local authorities will have their own protocols governing 'staying put' arrangements. As best practise this should include drawing up a 'living together agreement' prior to the new arrangement commencing. This should be agreed by the young person, the former foster carer and the social worker/personal adviser.
- Whilst the Fostering Services Regulations 2011 will no longer apply, basic standards should continue e.g. health and safety rules, attending training etc.
- The pathway planning process should review the arrangement on an ongoing basis and progress should be recorded.

Support

- The young person should be supported through the pathway planning process, ensure that the personal adviser and other leaving care professionals support the young person in a 'staying put' arrangement.
- The former foster carer should be supported by the Local authority exploring with them the type of training and support they think they will require, particularly in helping the young person develop their independent life skills.

Higher Education and Living Away from Home

- Local authorities should consider supporting a young person in 'staying put' if they are living away from home e.g. higher education, induction training for the armed services, other employment programmes that require a young person to live away from home

Financial Support

- Local authorities should pay former foster carers an allowance that will cover all reasonable costs of supporting the care leaver to remain living with them. Careful consideration will have to be given to the impact of the 'staying put' arrangement on the family's financial position. The impact will vary from family to family.
- Consideration should be given to any additional income that the young person may obtain such as income from employment/benefits/entitlements.
- Young people and foster carers may need advice and help on benefits and tax issues relating to 'staying put' arrangements.
- Local authorities must provide clear information on financial support.

Communications

- Local authorities should have clear and easily accessible information about how they support 'staying put' arrangements. This should be disseminated to the young person and foster carer at the start of a fostering placement and/or at least at the point when the young person turns 16.
- Local authorities should ensure that their 'staying put' protocols are published on their websites and disseminated to all their foster carers.

Entitlements

- Young people in a 'staying put' arrangement continue to be entitled to existing leaving care support such as the allocation of a Personal Adviser and a Pathway Plan. E.g. access to the 16-19 Bursary if pursuing a further education course
- The local authority should explain to the young person their full entitlements.

Duration of support

- There is no minimum time the young person needs to have lived with their foster carer prior to turning 18. In order to be eligible for a 'staying put' arrangement the young person will need to be a former relevant child and have lived with their former foster carer immediately before turning 18.
- the local authority would be expected to support a 'staying put' arrangement until the young person turns 21 (as long as aligned to young person's welfare) – unless the young person or foster carer want the arrangement to end earlier.
- Local authorities may wish to continue supporting a young person beyond age 21 if it meets their individual needs e.g. finishing their course of education.

Moving on from a 'staying put' arrangement

- The local authority will want to ensure that the end of a 'staying put' arrangement is a gradual transition to independent living.
- Procedures should be agreed at the outset regarding how any wish by the former foster carer or young person to bring the arrangement to an end will be managed.
- The social worker/personal adviser should discuss with the young person their transition from such an arrangement to another type of accommodation and agree the type of support the young person will require.

Challenging decisions by the local authority

- If a young person feels that his/her wish to remain with their former foster carer has not been properly considered by the local authority or they are unhappy with the way in which the local authority has acted, they may wish to speak to their Independent Reviewing Officer who chairs their reviews before they turn 18 and request a review of their pathway plan.
- The young person should be told of their right to use their local authority's complaints procedure to voice their concerns.
- They should be told of their right to have an independent advocate through advocacy services and how to contact advisory helplines provided by organisations such as NYAS and Voice to support them in representing their views to the local authority.