

Staying Put – Policy and Procedure

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1. Introduction

1.1 The Regulatory Framework

The Children and Young Persons Act 2008 and the Planning Transition to Adulthood for Care Leavers 2010 (Regulations and Guidance) require each local authority to have a Staying Put Policy that sets out arrangements whereby the authority will promote the extension of foster care placements beyond a young person's eighteenth birthday. Leicester City Council is committed to preventing social exclusion amongst care leavers and has developed the following policy in order to ensure that our care leavers receive continued support.

The Staying Put Policy sets out the conditions required to extend a former fostering arrangement beyond a young person's eighteenth birthday, the associated financial implications, the social care requirements associated with extending former fostering arrangements and the consequential Income Tax, National Insurance and Welfare Benefit issues.

From the age of eighteen young people are no longer legally in 'Care' and therefore fostering arrangements no longer apply. Following a young person's eighteenth birthday, the legal basis on which they occupy the property (former foster care home) changes and they become a Licensee who is effectively lodging in the Staying Put carer/s home. Whilst the term Licensee is a legal one, it should not denote that the young person will be treated differently than they were as a fostered child.

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

The Staying Put policy has also been developed to address the requirements of the Fostering Service (England) Regulations 2011 and related Guidance and the National Minimum Standards (NMS) for Fostering Services

(2011). Chapter 3, Para 3.125, Page 34 of the Fostering Service (England) Regulations 2011 sets out a requirement that each local authority has a Staying Put policy and Standard 12.4, Page 26 of the National Minimum Standards sets out the service standard relating to the local authorities' Staying Put policy.

The Staying Put Policy also reflects Central Government guidance issues jointly by the DfE, DWR and HMRC in May 2013 (Staying Put – Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers)

Good practice in this area is well developed in Leicester; with a number of young people supported each year to remain living with their former foster carers, either through the existing Supported Lodgings Scheme, Shared Lives Services, or through individually agreed arrangements. This policy builds on current good practice and sets out a clear framework to standardise practice and promote Staying Put opportunities for young people in foster care who reach the age of 18.

1.2 Scope of this Policy

The procedures outlined in this document are applicable to all young people looked after by Leicester City Council if they are living with foster carers on their eighteenth birthday, whether that be in house carers, Connected Persons carers or Independent Fostering Agency carers (IFA).

Young people who are in residential placements are not covered by the Staying Put Policy,

2. Staying Put - Aims

The primary aim of Staying Put is to promote a gradual transition from care to adulthood and independent living that recognises that many young people in care experience delayed maturity, and that their 18th birthday may be an arbitrary and inappropriate point to leave foster care. Therefore, the following policy is designed to ensure young people do not experience a sudden disruption to their living arrangements, that educational achievement and continuity is promoted and that 'vulnerable' young people can make a gradual transition from care to independence.

The policy is also designed to ensure that the pathway planning process is used effectively and appropriately to make clear plans for young people's transition from care, and to clarify the role of (former) foster carers in this process.

3. Staying Put - Criteria

For all Staying Put arrangements there must be an already existing and established relationship between the young person and their carers. In addition there are additional criteria that must be met depending on the nature of the Staying Put arrangement. The arrangement can continue up until at least 21 years old.

3.1.1 Staying Put - Education

Young people can remain with their former foster carer/s to complete an education or training course.

Where a young person wishes to live with their carer whilst they attend a local university, arrangements for this are covered in the document "Financial Support for care leavers in Higher Education". If the young person goes away to university, they can return to the carer's home in the summer holiday, and the carer will be eligible to receive a retainer payment.

3.1.2 Staying Put - Vulnerability

A vulnerable adult is:

“A person over 18 years, who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”.

Young people can remain with their foster carer due to issues of ‘vulnerability’, timescales of length of stay will be assessed and reviewed as part of the ongoing pathway planning process subject to the relevant Service Manager’s agreement. The criteria for this are:

1. The young person is displaying significantly delayed maturity and extreme difficulties regarding preparing for independence and making the transition to independent living, however, they do not meet the eligibility criteria for Transition Services;
2. Tasks undertaken by the Staying Put provider must constitute housing related support services. Personal care tasks should not be undertaken unless specifically commissioned following an adult services assessment.
3. The report for the Service Manager should focus on the level of the young persons ‘vulnerability’ and explain why this has occurred, what has been undertaken to assist the young person with the development of: practical, relationship, emotional and resilience skills and how these will be enhanced by the young person remaining in the Staying Put arrangement. The report should also include information about what support will be provided to increase the young person’s ability to develop independent living skills and their ability to establish and maintain either, a benefit claim, or an education, training or employment activity. The report should identify all forms of support and their role, as well as the eventual moving on plan;
4. The report for the Service Manager regarding Staying Put should also address the following criteria if they apply:
 - Moderate learning difficulties;
 - Physical disabilities;
 - Communication difficulties;
 - Special Education Needs;
 - Risk taking behaviour, exploitation and self-harm;
 - Some mental health issues;
 - Emotional and physical development;
 - Substance misuse.
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3.1.3 Staying Put - Planned Move-on

Young people who are actively bidding for a local authority (housing) tenancy can remain beyond their 18th birthday, or until their tenancy is allocated.

1. The Planned Move-on ‘Actively Bidding’ extension is available in exceptional circumstances where young people are registered on a housing authority waiting list, are bidding on a ‘reasonable’ range of areas within the housing authority boundaries and have not been allocated a property by their 18th birthday;
2. The report for the Service Manager should focus on the reasons why the young person has not been able to bid prior to their 18th birthday and/or why they have not been successful when bidding.

3.2 Staying Put – Disability

1. Young people meet the FACs eligibility criteria for adult services and the criteria for the Shared Lives scheme and may remain longer term with their carers on this scheme funded through adult services.
2. Staying Put cannot be considered for those young people who require personal care support from their carer, due to the scheme not being registered with the Care Quality Commission.
3. Arrangements for this group are detailed in the Shared Lives protocol.

4. Staying Put – Pathway Planning Review Process

The Pathway Planning and Review process provides a framework for setting out a young person's pathway from care to independence. This process should be used to determine whether a Staying Put arrangement is appropriate for a young person, that it is a viable option, and that the purpose of Staying Put is clear. In order to prevent uncertainty planning and discussions should start at an early stage (from the first Pathway Plan review after the young person's 16th birthday) with a view to ensuring that a clear recommendation is put forward at the first review following a young person's 17th birthday.

In considering the viability and appropriateness of a Staying Put arrangement the following issues should be considered:

1. Is it likely that the young person will fit the criteria for Staying Put when they reach their 18th birthday;
2. Does the young person and the foster carer/s understand the criteria for, and associated procedures for extending a foster placement into a Staying Put arrangement;
3. Does the young person understand their financial and benefit responsibilities associated with remaining in a Staying Put arrangement;
4. Does the foster carer/s understand the changes in their funding arrangements associated with a Staying Put arrangement;
5. Does the foster carer/s understand the impact of a Staying Put arrangement on their welfare benefit income and on their Income Tax And National Insurance responsibilities and liabilities;
6. What is the parallel plan for the young person should the Staying Put arrangement not be viable, e.g. a supported lodgings placement or other accommodation options.

4.1 Pathway Reviews

The Pathway Plan Review meeting immediately following the young person's 16th birthday should include the foster carer/s, supervising social worker and leaving care social worker/personal adviser and 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.

Outside of the formal Review meeting a further meeting - the Staying Put Professionals Meeting - should be held to explore the impact and implications on the foster carers' financial circumstances should the placement continue after the young person's 18th birthday.

Where the Children's Review has identified the need for the young person to receive more support, possibly including the Shared Lives Service, the Professionals Meeting should also include a member of the Transitions

Team, and the Shared Lives Service. The shared lives carer approval can take up to 6 months, so it is important to involve the Adult Transitions Team at this early stage if appropriate, especially as for those young people who reside with carers who do not want to become shared lives carers there is a lengthy planning period to identify future accommodation. This review will begin an ongoing process that continues at the time of each Children's Review up to the time of the young person reaching the age of 18.

At the Pathway Plan review following the young person's 17th birthday agreement is required confirming that Staying Put is the preferred plan. The meeting should ensure that any final arrangements and requirements are in place by the young person's 18th birthday, including a DBS check if there are other foster children in the household.

The Staying Put Professionals Meeting should be repeated. The outcome of this meeting, agreed with the carer, should form the basis of a Staying Put Funding Request Report presented to the Service Manager, LAC Fieldwork Service, who is responsible for any decision regarding extending a former fostering arrangement.

The report should set out the grounds for the Staying Put arrangement as applicable (*see Section 3 for more detail*).

- Education – the type of course
- Vulnerability – level of vulnerability and move-on arrangements.
- Planned move-on – or other arrangements.
- Disability

The report should also set out the cost of the Staying Put arrangement, stating who will:

- Assist the young person to claim benefits and when the arrangement is planned to end.
- Collate identity documents (passport, birth certificate, driving licence and proof of address) and letter from young person's school or college setting out the course type, length and qualification.
- Ensure there is a signed licence agreement.

All meetings should make reference to the criteria and financial framework for extending the Staying Put arrangement and the National Insurance, Income Tax and Welfare Benefits issues for the foster carer/s and Welfare Benefit issues for the young person. The outcome of these meetings should be discussed at the subsequent Pathway Plan review.

4.2 At Age 18 years old

When a young person reaches the age of 18 they should be supported to claim:

- Income support/Job Seekers Allowance *or*
- Employment and Support Allowance (if not already) *and*
- Housing Benefit

Where it is proposed that a young person may remain Staying Put, the Staying Put Co-ordinator will undertake an initial visit with carers to discuss the implications. The process is then agreed and monitored by the young person's allocated personal advisor and, if other fostered children remain in the home, the fostering social worker.

5. Independent Fostering Agency Placements

Requests to extend young people placed in Independent Fostering Agency (IFA) placements will be considered against the same criteria as in-house foster carer placements (vulnerability, education, disability, moving on). Negotiations should commence with the IFA when a young person reaches the age of 16 regarding whether they would accept the Staying Put rate being paid after their 18th birthday;

6. Staying Put – Making it Work

6.1 Ongoing Carer Monitoring and Support

Whilst fostering regulations no longer formally apply when a young person reaches the age of 18 the local authority procedures for reviewing the Staying Put arrangements are:

- A return to fostering panel when there is a significant change of circumstances in the carers lives;
- Yearly reviews and monitoring of the carer/s (including health and safety checks);
- Regular supervision from the supervising social worker or the personal advisor (allocated worker)
- Attending required training.

Maintaining these standards is relatively straight forward when Staying Put carers / foster carers have placements of both under and over 18 year olds. In circumstances where Staying Put carers only have an over 18 year old young person living with them, the allocated advisor from the 16+ Team will need to assess individual circumstances and consider the appropriateness of all of these checks, particularly where it is envisaged that no further foster children will be placed.

It should be noted that young people remaining with foster carer/s post eighteen will become adult members of the household and will require a valid DBS check in households where foster children are living. To ensure the check is completed by the young person's 18th birthday the process will need to commence in sufficient time.

6.2 Staying Put – Placement Guidance – Living Together Agreements (see appendix 2)

Young people, Staying Put carer/s, leaving care personal advisers and social workers should meet to develop a 'Living Together Agreement' prior to a young person's 18th birthday. The agreement should set out the expectation of all parties and clarify roles and responsibilities. The agreement should be incorporated into the young person's pathway plan. Once the agreement is completed, it should be forwarded to the Service Manager alongside the Staying Put Funding Request Report. The agreement should cover:

1. Preparation for independence tasks;
2. Finance, including young people having credit cards, loan agreement and mobile phone contracts registered at the address;
3. Income and benefit claims;
4. Friends and partners visiting and staying at the address;
5. Staying away for nights/weekends and informing carers of movements;
6. Education, training and employment activities;
7. Health arrangements.
8. Move-on arrangements;
9. Issues related to younger foster care children in the placement, safeguarding, role modelling and time keeping.

7. Staying Put - Financial Arrangements

Although fostering allowances paid in respect of children aged under 18 will vary depending on the type and nature of placement (mainstream, contract care, IFA, etc), as the Staying Put arrangements relate specifically to young people aged 18, allowances paid for young people Staying Put under the Education, Vulnerability or Planned Move-on criteria are standardised and reflect the changing nature of the arrangements.

Staying Put financial arrangements for young people meeting the Disability criteria will reflect the banding assessments operating in Adult Services.

Staying Put allowances are made up of different sources – a Staying Put payment made by Children’s services, Housing Benefit where this can be claimed by the young person, and the young person’s contribution. These sources combine to make up a weekly Staying Put allowance, 2014/15 rate is £191.30 (See sections 7.1, 7.2 and 7.3 for more details).

7.1 Staying Put Allowance

A Staying Put weekly Allowance is paid to the carer by Children’s Social care and Safeguarding Division. For 2015/16 the rate is £80 a week. This allowance covers the general counselling and support element provided to the carer for the young person.

Payments made to former foster carer/s from section 23C (Children Act 1989) are disregarded in the assessment of the former foster carer/s’ income for benefit purposes, if the young person was formerly in the claimant’s care, is aged 18 or over and continues to live with the claimant within a non-commercial family type arrangement. If the arrangement is a commercial one the section 23C disregard ceases.

7.2 Housing Benefit

Depending on the circumstances of the Staying Put carer, all young people are expected to claim Housing Benefit from their 18th birthday. This will meet the core rent (£86.30 in 2015/16)

Young people living in Connected Persons Staying Put placements with sisters, brothers and certain extended family members who are formally approved as foster carers are not eligible to claim housing benefit on reaching the age of 18. In these circumstances Children’s Social Care and Safeguarding Division will meet these costs via a S23C payment – this is disregarded in the assessment of the former kinship carer’s income for benefit purposes.

Young people who are living with Staying Put carers who are in receipt of a means tested benefit will not be expected to claim Housing Benefit as this will impact on the carer’s benefits. In these cases Children’s Social care and Safeguarding Division pay the young person’s rent element from section 23C of the Children Act 1989. Therefore, the Staying Put carer’s benefits are not affected as payments made to the carers from the Local Authority Children’s Services from section 23C via the young person, or directly to the carer/s on behalf of the young person are disregarded when calculating the carer’s entitlement to means tested welfare benefit

7.3 Young Person’s Contribution

Young people remaining in a Staying Put arrangement can claim means tested benefits from their 18th birthday and will make a contribution towards their stay For 2015/16 this contribution is set at a rate of £25.00 a week.

All of the following benefits (1 to 4) can be claimed regardless of the circumstances of the young person’s former foster carer:

1. Young people can claim Income Support under the 'Relevant Education' rules if they remain 'estranged' from their family and are undertaking a full time (over 12 hours) education or training course which is under the higher education level;
2. Lone Parents can claim Income Support until their child is 5 years old, Healthy Start Vouchers and a Sure Start Maternity Grant when the baby has been born. From the birth of their baby they will also be eligible to claim Child Tax Credits and Child Benefit. (Eligible and Relevant lone parents aged 16 and 17 can also claim the above benefits, but only from the birth of their baby);
3. Employment and Support Allowance can be claimed in circumstances where young people are deemed 'sick or disabled'. (If the young person fits the eligibility criteria this benefit can be claimed from their 16th birthday regardless of being section 20, or section 31, or living in foster care);
4. Jobseekers Allowance where young people are registered as unemployed and are actively seeking employment.

If a young person is in employment and earning above the benefits rate, a calculation will be undertaken to determine the level of their contribution.

8. Carers Financial Arrangements

Carers should seek independent tax advice about their income tax. Information is available from the Fostering Network's Fosterline on 0800 040 7675, from the local tax office, or online at <http://www.hmrc.gov.uk/helpsheets/hs236.pdf>

8.1 Section 23C Payments and Housing Benefit Issues for Staying Put Arrangements

Payments made to young people and passed to former foster carer/s from section 23C (Children Act 1989) are disregarded in the assessment of the former foster carer/s' income for benefit purposes, if the young person was formerly in the claimant's care, is aged 18 or over and continues to live with the claimant within a non-commercial family type arrangement. If the arrangement is a commercial one the section 23C disregard ceases.

In order to ensure Staying Put carers and young people are supported to claim housing benefit appropriately, Leicester approaches Staying Put in one of two ways:

1. **Where carers are not in receipt of any means tested benefits** - setting a commercial rent, and young people claiming Housing Benefit would not have an impact on the Staying Put carers. In these case the young person claims Housing Benefit as a contribution towards the Staying Put arrangement. The fact that this is a commercial arrangement and the Staying Put carers lose their section 23C disregard is immaterial as the carer is not claiming any benefits;
2. **Where carers are in receipt of a means tested benefit** – if the young person were to claim Housing Benefit this would impact on the carer's benefits. In these cases Children's Services pay the young person's rent element from section 23C of the Children Act 1989. Therefore, the Staying Put carer's benefits are not affected as payments made to the carers from the Local Authority Children's Services from section 23C via the young person, or directly to the carer/s on behalf of the young person are disregarded when calculating the carer's entitlement to means tested welfare benefits

8.2 LCC Local Scheme Council Tax Support

1. Where a young person is living in a Staying Put arrangement with two or more adults who are not in receipt of LCC Local Scheme Council Tax Support and who pay full Council Tax a Staying Put young person will not

have any impact on the Council Tax liability. If the young person is claiming benefits they should submit a claim for LCC Local Scheme Council Tax Support for administrative purposes;

2. In circumstances where a Staying Put carer is working and in receipt of the 25% single person reduction, this discount may continue when a Staying Put young person aged 18 plus is living in the arrangement. If the young person is a student they are counted as 'invisible' in regard to the Staying Put carer's 25% discount;
3. In circumstances where a Staying Put carer is working and is in receipt of the 25% single person reduction and a Staying Put young person reaches the age of 18, or moves in, and they are not counted as 'invisible' it is possible, although unlikely, that a Second Adult Rebate may apply. The Second Adult Rebate is designed to 'compensate' people who lose a 25% single-person discount when a low-income person moves in;
4. In certain circumstances a young person may be treated as a Non-Dependent in terms of the Staying Put carers Council Tax Benefit. If this is the case there are set amounts of non-dependent deductions or (NDD's) that are deducted from Council Tax Benefit according to age, status and income;
5. Where a commercial arrangement applies and the Staying Put carer is receiving Council Tax Benefit the payment received for the Staying Put arrangement is likely to have an impact on their benefits, including Council Tax Benefit.

8.3 Discretionary Housing Payments

Discretionary housing payments (DHPs) can help you if you cannot afford your housing costs. They are paid by the council in addition to housing benefit.

DHPs are usually only paid for a short period, to give you time to look at what other options are open to you, for example looking for different accommodation.

The money from DHPs might be used towards costs linked to your rent, such as advance rent, a deposit, or a lump sum like removal costs. You might need a DHP because

- your benefit has been capped at £500 for a couple or family, or £350 for a single person per week
- you are having to pay more in housing costs as you are now considered to have a spare bedroom
- changes to local housing allowance rates
- reductions to housing benefit because of changes to non-dependency rule
- you are at risk of becoming homeless and the council is looking at alternative housing for you

It cannot be used to pay for your council tax, however you may also be able to apply for [discretionary council tax relief](#).

Who can claim DHPs?

You must already claim one of the following and need extra financial help

- housing benefit or
- universal credit.

How to claim

You will need to fill in a claim form. You can do this by:

- [Download a form below](#)
- visiting the [revenues and benefits service](#)
- visiting a [customer service centre](#)
- visiting your [local neighbourhood office](#)
- calling 0116 454 1006
- emailing housingbenefits@leicester.gov.uk

8.4 Income Tax and National Insurance Issues for Staying Put Arrangements

Where young people remain living with their former foster carer/s under a Staying Put arrangement, the Income Tax and National Insurance framework and liabilities that apply are set out in the new H.M. Revenue and Customs Guidance (see below).

All foster carers and Staying Put carers must register as self-employed.

'Qualifying Care Relief Guidance' sets out that Staying Put carers receive tax exemptions up to a given qualifying amount for each Staying Put young person living with them. The Staying Put qualifying rate mirrors the system and amounts that applied when the placement was previously a foster care placement.

H.M. Revenue and Customs Helpsheet HS236 Qualifying care relief: foster carers, adult placement carers, kinship carers and staying put carers (2015) sets out information about the 'Shared Lives' - **'Qualifying Care Relief Guidance'** - Fostering and Staying Put Income Tax and National insurance framework.

The Help sheet highlights that:

If the total receipts from Staying Put care in the tax year (the period from 6 April to 5 April) do not exceed your qualifying amount, those receipts will be free from Income Tax for that year. This means that, for tax purposes, you will be treated as having made no profit or loss from Staying Put care for that year.

Your qualifying amount consists of two parts which you should add together:

- An annual fixed amount of £10,000 for each household for 2015 - 2016:
 - If two or more carers within the same household separately receive payments for Staying Put care, the fixed amount should be applied to their combined receipts;
 - If you are a registered foster carer for less than a full year you can claim an appropriate proportion of your fixed amount.
- **Plus** a weekly amount for each Staying Put young person. For the tax year 2015–2016, the amount is £250 per week for each young person aged 18 or over.

Your qualifying amount does not affect your personal tax allowance. If the Staying Put care receipts are exempt, the full amount of your personal allowance is available to use against any other income you might have.

The Staying Put exemption does not affect any income you may have from other sources, for example, from employment or from investments. Such other income will be taxed in the normal way.

Staying Put carer/s as well as foster carer/s should note that they may be able to claim Working Tax Credits which are administered by HMRC. Fostering/"Staying Put" care is counted as work for tax credit purposes. The carer's taxable income is used to assess the amount of tax credits that they are entitled to. So, where the carer is paid less than their tax free allowance, their income from caring for Working Tax Credit purposes is also nil.

Further advice and guidance is available in the HM Government publication Staying Put – Arrangements for care Leavers aged 18 and above to stay on with their former foster carers. Follow the link below:

<https://www.gov.uk/government/publications/staying-put-arrangements-for-care-leavers-aged-18-years-and-above>

Appendix 1 - Staying Put Funding Request Report

1. Young Person's Details

Name	Date of Birth	Gender
<input type="text"/>	<input type="text"/>	<input type="text"/>
Disabled	LL ID	Time with current carer
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

2. Foster Carer Details

Name	Date of Birth	Gender
<input type="text"/>	<input type="text"/>	<input type="text"/>
Address		
<input type="text"/>		
Telephone:	Type of Carer (LCC Mainstream; Contract Care, LCC Connected Person, IFA)	
<input type="text"/>	<input type="text"/>	

3. Current Foster Carer Household Details

Other Household Occupants			
Name	Age	Gender	Relationship to Carers
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Weekly Foster Carer Allowance for the Young Person who is approaching 18

<input type="text"/>

4. Details of Involved Professionals

Name	Role	Agency
	Young Person's Social Worker	LCC
	Fostering Social Worker	
	Independent Reviewing Officer	
	Personal Advisor	LCC

5. Young Person's Review/Staying Put Professionals Review Outcomes

5.1 Which Staying Put Criteria is met?

- i. Education*
- ii. Vulnerability*
- iii. Planned Move On*
- iv. Disability*

5.2 Young Persons Wishes & Feelings

5.3 Foster Carer's Wishes & Feelings

5.4 Professionals Assessment / Recommendation

5.5 Financial Factors

5.6 Other Factors Considered

(e.g. Immigration Status, Disclosure & Barring Service Checks Required)

6. Moving On Plan

7. Summary Recommendations

7.1 Accommodation

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7.2 Funding Package

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7.3 Agreed Time Period

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7.4 Next Review Date

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Report Author

Name:	Position:	Date:

Service Manager Approval

Name:	Position:	Date:

Appendix 2 - 'The Living Together Agreement'

This document will focus on the arrangements and expectations of both the young person and the Staying Put carer.

1. Details of Those Involved

Young Person's Name

Date of Birth

Gender

Staying Put Provider's Name

Date of Birth

Gender

2. Agreement Details

Date of Document:

Date Arrangement Commences:

Date of Next Arrangement Review:

3. Part A - Expectations

Privacy and Confidentiality: All parties are entitled to personal privacy within the household and carers should only enter a young adult's bedroom by invitation unless there is an issue of safety or an emergency.

Security: It is important to maintain the security of the household by locking front and back doors and closing windows as appropriate and agreed. Young adults are responsible for their guests and visitors behaviour within the property and towards other household members.

Financial Responsibility: All young adults will be expected to pay for their own food and utilities. Leicester City Council have proposed potential sum's however this is open for discussion between the young person and Staying Put Provider. Staying Put Providers are advised to record payments received in writing which both parties will sign. All young people will be expected to pay rent to their former carer. A sum has been proposed for this and Staying Put Providers are advised to record payments received in writing when they received money directly from the young person which both parties should sign.

Damage: All young adults are responsible for any damage they cause to the property or any contents and will be expected to repay for any damage in full or part payment but it is the responsibility of Staying Put Providers to ensure that they have the appropriate insurances in place.

Personal Safety: It is important for both personal safety and for security of the property that people are clearly told of planned absences from the household and expected time of return.

Expectations as a member of the household: All young adults need to be made aware of any particular household rules, preferences or responsibilities before they sign this agreement. Where appropriate, the young adult will be invited to join in family activities and occasions

Finance Arrangements

Points to consider for discussion are as follows:

- A weekly sum of £25.00 will be paid to the Staying Put Provider by the young person for household utilities. It is the responsibility of the Staying Put Provider and Young Person to agree this amount and how often this payment will be made – weekly/fortnightly/four weekly/monthly)
- A weekly sum of £80.00 will be due to the Staying Put Provider for support to the young person and will be paid to the provider on a fortnightly basis by Leicester City Council.
- A weekly sum of £86.30 will be due from the young person to cover the cost of the rent. Where Local Housing Benefit has been awarded, this will be paid directly to LCC and LCC will pay this amount to the Staying Put Provider.

All payment figures will be reviewed annually.

4. Part B - Facilities

4.1 Use of Phone: Arrangements need to be agreed about the use of landline phone, to who, when, if there is to be any repayment e.g. no charge for calling Social Worker but will be charged for calling friends mobile numbers.

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4.2 Internet Access: Will a young adult contribute towards the cost of this? Do they have access to a computer within the household or one of their own? If using the household computer what are the limitations regarding time usage, sites that can be accessed and files that can be downloaded?

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4.3 Food and Drink: What are the appropriate arrangements for when young adults can have the use of the kitchen facilities; will they have their own food storage space? What are the expectations regarding cleaning up after themselves? Will the young adult be purchasing any of their own food? What is acceptable regarding alcohol being bought into the house? What arrangements will be in place with regards to joining in family meals both at home and when eating out?

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4.4 Laundry: Young adults should be responsible for their own laundry. What are the arrangements regarding washing of personal clothes/bed linen/towels? Be clear about the number of loads a week, extra loads and drying costs, washing powder and conditioner costs?

4.5 Family Rooms: What are the expectations with regards to such areas as lounge and bathroom? Are there any specific household routines or rules e.g. wipe out bath after using it or no music/computer games to be played in the bedroom after 10pm?

4.6 Young Adult's Bedroom: What are the expectations regarding keeping clean and tidy and accessing household equipment e.g. Hoover, polish etc? Are there any specific issues like posters on the wall, food or drink being allowed in the bedroom?

4.7 Friends, Family and Visitors: Appropriate friendships, group of friends and contact with the family should be encouraged. The young adult is responsible for welcoming their visitors at reasonable times and will be responsible for their visitor's behaviour. Visiting times, numbers and areas of the house that they can use should be discussed.

4.8 Overnight Visitors: Views on friends staying over, sexual partners staying over should be discussed taking into account other family members age and general family attitude to this e.g are there young and vulnerable children living at home? Rules should be equitable to rules and expectations of any other young people living in the household of the same age.

4.9 Coming in/Going out: Please discuss coming in times, how and when to inform each other of coming in/going out/returning late/not returning that night.

4.10 Keys to the Property: What are the arrangements regarding having keys to the property, replacing keys if lost, access to burglar alarm codes?

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4.11 Contingency Plans: Should an emergency or crisis occur in placement, what are the contingency plans for alternative accommodation – are emergency numbers known?

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4.12 Any other issues/expectations or house rules: e.g. Notice period, young person applying for credit from this address, the purchase and storage of alcohol etc.

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Signature: Young Person

Name:	Position:	Date:

Signature: Staying Put Carer

Name:	Position:	Date:

Signature: Social Worker/Personal Advisor

Name:	Position:	Date:

‘Staying Put List for Support Plan’ – Independent Living Skills

Examples of practical skills and knowledge in preparation for future independence.

1.1 Education, Training and Employment

- Applying for a course of Education or Training.
- Applying for and being interviewed for a job.
- The rights and responsibilities of being an employee.
- How to write a cover letter along with a Curriculum Vitae (CV).
- Knowing where to get the correct information about Education, Training and Employment.

1.2 Household Skills Development

- Shopping for food and preparing food.
- Washing clothes, bedding and other housekeeping skills.
- How to carry out basic household tasks such as fitting a light bulb, putting together furniture.
- Safety in the home (check smoke alarms and make sure plug sockets are safe).
- Applying for housing and locating and maintain it.

1.3 Budgeting

- Understanding the concept of ‘the cost of living’.
- Household budgeting, balancing expenditure and income, the regular payment of bills and the use of credit.
- Knowing how to spend sensibly.

1.4 Young Person’s Health

- Health education, including hygiene.
- Sex education, including contraception and preparation for parenthood.
- Registering with a doctor and dentist.
- Knowledge of emergency service such as Fire, Police and Ambulance.
- Understanding mental health.

1.5 Relationships and Communication

- Finding and using community services, and developing confidence in communicating with external agencies such as housing, benefits, health etc.
- Learning how to manage difficult situations or relationships, and being aware of the impact of negative behaviour.
- To ensure their views and opinions are heard and expressing them appropriately.
- Learn to be assertive when needed and act in a mature way.
- Learn about negotiation and compromise.

LEICESTER CITY COUNCIL
FOSTERING AND SHARED LIVES SERVICES
JOINT TRANSITION PRACTICE GUIDANCE

1. Background information

- 1.1 This practice guidance has been drawn up between Leicester City Fostering and Shared Lives (SL) Services to support the process of foster carers transferring to become Shared Lives carers. This policy is relevant for staff from Fostering Service, Shared Lives service, CYPS Children's Fieldwork Service, Transition and Adult Care Management Teams.
- 1.2 It is intended that by planning carefully it is possible to achieve stability of placements, a seamless transition into adulthood and clarity of information about payments.
- 1.3 Where the placement will continue to support both adults and children following the transition workers should refer to the 'Children and Adult Mixed Placements Practice Guidance'.
- 1.4 There are a number of different ways in which transitional placements arise:
- Foster carers who wish to become SL carers in order to facilitate a continuation of support into adult life.
 - Young people moving from other children's services to adult services e.g. residential care including commissioned placements and independent fostering agency placements.
 - Foster-carers who are supporting siblings and wish to continue to support the siblings after the age of 18. Shared Lives will become involved when the oldest sibling reaches 18 but Children's Services will remain involved with the younger siblings.
 - Short break arrangements running into adult life.
- 1.5 Where the term 'carer' is used on its own in this document, it refers to a person who is intending to work or is working as both a SL carer and as a foster carer.

2. Transition from Foster Care to Shared Lives

- 2.1 Fostering placements for young people end at:
- 1) The young person's 18th birthday if they are no longer in full time education or training.
- Or

- 2) At the end of the academic year when the young person leaves full time education after their 18th birthday. *

* *NB Foster carers looking after young people who are still in full time education after their 18th birthday will continue to receive payments equivalent to the fostering allowance. These payments will cease when the academic year ends and at this point, Adult Services will take over case responsibility for the young person subject to eligibility for Adult Social Care Services.*

See flow chart showing Pathways to Shared Lives or Lodgings accommodation. “Foster Care Adult Transition Flow Chart.”

- 2.2 As soon as a young person is identified as potentially meeting the criteria for referral for adult services, the SL team should be informed and invited to attend the first Pathway planning meeting at 16 years.

- 2.3 The likely need for a continued service into adult life should be identified as early as possible, but certainly by the age of 16. This should be identified by CYPS at the last Looked After Children (LAC) Review before the young person becomes 16 and at the Foster Carers Review when their approval is reviewed for young people aged 16 and above. *(See Appendix Two for an explanation on how eligibility for adult services is determined).*

- 2.4 Information about Shared Lives should be available for children’s teams, Independent Reviewing Officers and foster carers, so that Shared Lives can be considered alongside other long term options. The leaflet entitled **“Shared Lives – Supporting Foster Children beyond 18 years”** should be shared with all relevant carers. The leaflet will cover the different legal responsibilities, which the Shared Lives Carers and foster carers have for the young people placed with them. Further clarification can be given during a joint visit by the Fostering Supervising Social Worker and Shared Lives Social Worker prior to the Shared Lives Carer Assessment being commenced.

3. Transfer of information from the Fostering Service to the Shared Lives Scheme

- 3.1 Prior to information being shared between Fostering and the Shared Lives services, the Fostering Service is to gain consent from carers and consider all other relevant individuals including the foster carers’ own children, who may be effected. Which will be assessed by the Shared Lives Service as part of their assessment, *(See Consent Form, Appendix 3).*

- 3.2 The SL Scheme will need to assess the suitability of the foster carer to be a SL Carer. This will involve careful communication between the fostering agency and the SL Scheme. The SL Scheme assessment should take into account the foster carer assessment and it would be expected that the SL Social Worker will have full access to the fostering file.

- 3.3 The Share Lives assessment will consider the relevant knowledge skills and qualification requirements of foster carers and adult placement carers, ensuring that the foster carer is able to provide evidence that they have the skills and knowledge to support adults.

- 3.4 Level of respite support for Shared Lives carers and foster carers may differ

and any discrepancies will need to be recognised and addressed. Any cost implications arising from this must be discussed with the Adults' Case Management Team. The Shared Lives Social Worker will consider the implications of any differential fee level and impact of benefits entitlement on the carer.

4. Public liability insurance

- 4.1 The scope of any existing Carer Public Liability Insurance will need to be checked or amended if required amended cover obtained as appropriate.

5. Criminal Records Bureau (CRB) Checks

- 5.1 CRB checks are required by both Shared Lives and the Fostering Service every 3 years. Any check which has been completed by Leicester City for Fostering purposes, as long as it has been completed within the last three year period, is valid for Shared Lives carers.
- 5.2 It is standard practice within fostering that any person aged over 16 years within the home is subject to CRB check, however if the person aged 16+ is an adult placed within the home by Department, without capacity to consent to a CRB check then this should be risk assessed
- 5.3 Any contra indication regarding a CRB will be subject to a risk assessment in line with LCC Contra Indicator Risk Assessment (CIRA) procedure.
- 5.4 CRB disclosure can only be obtained if the position they have is included on the list of exceptions to Rehabilitation of Offender Act 1974. It should be noted that Fostering are able to check any adult living in the home and regular visitors to the home. However, in Shared Lives only adults completing work (paid or voluntary) can be subject to a CRB check.

6. Adaptations or Special equipment

- 6.1 Any continued or joint use of any adaptations or special equipment to be considered and appropriate special advice to be sought and individual agreement to be written to cover this arrangement.

7. Care management

- 7.1 Care management support for the young person / adult will not be provided by either the fostering or Shared Lives Services, this will remain with the case responsible team.
- 7.2 It is the care management team's responsibility to ensure that all relevant benefits including housing benefit have been claimed prior to the Shared Lives placement commencing.
- 7.3 It is the care management team's responsibility to explain to service users the charges made for the service in line with Fairer charging or CRAG rules.

8. Relevant Legislation and Regulations

- 8.1 This protocol has been written in line with the Health & Social Care Act 2009 Essential Standard for Quality & Safety and Fostering Regulations in force on 1st March 2011; any amendment to these regulations may require amendments to this document.

9. Leicester City Council Pledge to Children and Young People

- 9.1 This protocol has been written with regard to the council's pledge to children in our care. It specifically relates to supporting young people in making the right transition from care to independence at the right time. Other areas covered include:
- 9.2 Promotion of emotional well-being;
- 9.3 Making sure young people are well prepared and supported at 18 years and when leaving care;
- 9.4 Support in making and keeping positive relationships:
- 9.5 Taking into account the abilities of young people.

Siân Clark
Team Manager
Shared Lives
August 2011

Mark Tingley
Service Manager
Fostering & Adoption

Foster Care Adult Transition Flow Chart



1. Transitions Team

Appendix Two

- 1.1 The remit of the team is to assess all young people leaving school who have a significant level of disability, and a Statement of Special Educational need. This includes young people who have a learning disability, and young people whose primary disability is physical, mental ill health or sensory impairment and brain injury.
- 1.2 The role of the team is to carry out comprehensive Social Care Assessments for young people leaving school and/or children's services who meet our criteria. Once the young persons needs, skills and abilities have been determined, services are then commissioned to meet their needs. The legal framework is determined by our responsibilities under section 5/6 of the Disabled Persons Act 1986 and the NHS & Community Care Act 1990.

2. Referral Process

- 2.1 Referrals to the Transitions Team are made through two main channels. The first is by transfer from the Disabled Children's Team. These young people will often have the most complex needs and may have already been receiving children's services for several years. There is usually a period of co-working between allocated workers within the Disabled Children's Team and the Transitions Team prior us taking on full case responsibility. Our role will be to arrange suitable equivalent adult services, if this is deemed necessary following our assessment. It is often be at this time that complex health needs will also be identified and Multi Disciplinary Team meetings held to complete the Decision Support Tool and to discuss future roles and responsibilities.
- 2.2 The other main route of referral, which is often for young people who have not previously received services or have only had these at a low level, is through the annual school review process.
- 2.3 We work closely with Special Needs Schools within Leicester City as well as some schools which fall outside of the county boundary. In a small number of cases, we are responsible for assessing and arranging services for young people who are currently placed out of county in residential schools and are returning to Leicestershire when they leave school.
- 2.4 A small number of other referrals may come directly to the Transitions Team from young people and their families, Child and Adult Access Teams in the various localities, the 16+ Team, Child Care Operation Teams, Children's Review Team, the Connexions Service, schools, colleges, children's health professionals and Home Care providers.

3. Assessment Process

- 3.1 The process of assessment involves preparation, the collection of information, the use of professional knowledge, formulating judgements and advocating a course of action. The legal framework in which this process of assessment sits, including the NHS & Community Care Act 1990, provides guidance for practice in supporting adults and places an obligation on local authority social services departments to make sure that services and support are available to those in most need. For young people with physical disability and mental health needs their case is transferred to long term teams once their assessment is carried out. For young people who have learning disabilities, the Transitions Team continue to work with them after the assessment to develop a support plan and put in place services to support them and their families.
- 3.2 Assessments that are carried out by the Transitions Team are done so in a person centred way delivering increased choice and control to the young person. As mentioned, the Transitions Team are involved with the Person Centred Reviews taking place in some schools. This means that as a team being based within adult services we are unable to commission any support until a young person reaches the age of 18. However, the team can become involved earlier if necessary to establish networks and plan complex support arrangements ready for the alteration of services when the time comes.
- 3.3 The assessment process takes into account a young person's health needs, behaviour management, identified risks, any child protection concerns that may require a transfer into safeguarding adult procedures and issues around mental capacity. As a young person enters into adulthood from Children's Services, the issue of mental capacity can often be overlooked. In considering these issues, the team can complete a Mental Capacity Assessment if necessary (Mental Capacity Act 2007). This then supports the young person to make decisions they feel are important to them.

4. Support Planning Process

- 4.1 If, following the assessment process, a decision has been made that a young person is eligible for Social Care Services, a Support Plan will need to be developed setting out how to best meet the identified social care needs using a person centred approach. This ensures that the person is at the centre of the planning process and young person and their family will participate in important decisions about health and wellbeing and the outcomes that the young person wishes to achieve. This may include:
- Advice and guidance
 - Leisure and social activities, including Direct Payments

- Self Directed Support
- Short breaks and community opportunities
- Support in the home
- Living independently or semi independently
- Shared Lives placement
- Long term residential care
- Equipment and adaptations to the home
- Employment and voluntary work
- Travel

4.2 Once the Support Plan has been decided the next step is to agree the Support Plan. This involves identifying various funding streams. For example; Adult Social Care, Continuing Healthcare Funding, Independent Living Fund, Charity Applications. The funding for an individual's Support Plan can be agreed by the Transitions Team Manager, up to a limited amount. If the Support Plan is above this amount it will need to be approved by the Service Manager

5. The Reviewing Process

5.1 The support is put in place and then is reviewed after four to six weeks to ensure that the young person's needs are being met effectively. For young people with learning disabilities, their case is then transferred to the Adult Learning Disabilities Team who continue to monitor and review the young person's needs. An Annual Review of the Support Plan is carried out.

Stef Clarke
Team Manager
March 2011

FOSTERING TEAMS
Permission in Respect of Shared Lives Assessment



I/We,, being approved by Leicester City Council as foster carer(s), wish to be assessed to provide adult care by the Leicester City Council Shared Lives Scheme.

I/We understand that the assessment by the Shared Lives Scheme is to determine my/our suitability to provide care under the terms of the Shared Lives Scheme. In connection with this, I hereby give my permission for the assessing worker from the Shared Lives Scheme to have full access to the file(s) held on me by the Leicester City Council Fostering Service. My permission is given on the basis that such access to my fostering file(s) will be proportionate to need to access information that will assist in the assessment of my suitability to become a Shared Lives carer and that any information obtained will be managed in accordance with the relevant legislation and local procedures relating to the confidentiality of records.

Signed Date

Signed Date



Information about progressing from being a

Foster Carer to providing a

SHARED LIVES PLACEMENT

Leicester City Council

SHARED LIVES PLACEMENT

Information about progressing from being a foster carer to become a shared lives carer

What is the aim of the Shared Lives Service?

- ❖ To offer people quality care and support within a family home when an eligible young person at 18 years of age progresses from being in foster care to a Shared Lives placement.

What are our Objectives?

- ❖ To give people a chance to share the daily life of the Shared Lives carer and to live an ordinary domestic life in the same kind of home as previously in foster placement but which progresses to adulthood.
- ❖ Helping people to take part in community activities.
- ❖ Encouraging people to be independent.
- ❖ Assisting people to explore opportunities in order to make their own choices.
- ❖ Help people to have greater control over aspects of their daily lives.

1. What do you need to become a shared lives carer?

- ❖ As a foster carer you will have experience in caring for a young person therefore you will be continuing in the caring capacity, but for an adult.
- ❖ If you want to continue providing a placement for the young person then you will need to become a Shared Lives Carer for which you will need to be assessed by a shared lives worker who will liaise with your Supervising Social Worker.
- ❖ During the assessment process the Shared Lives worker will go through the changing circumstances for you and the young person. As the young person will move from being a looked after child and progress to adult services.
- ❖ You will continue supporting the young person to transfer from children's services to adult services. Skills you will continue to need are the ability to work on your own and being good at communicating and working with people.
- ❖ A willingness and understanding sufficient to assist people, some of whom may have difficulties in communicating with others(particularly if they have a learning disability).
- ❖ A willingness to learn new skills and participate in training ie, 'learning the ropes'.

- ❖ Patience, imagination and flexibility.
- ❖ You will continue to provide practical support to the young person however you will be promoting them to adulthood. Consideration should be given to young people moving to supported living or independent living in the future.
- ❖ Helping young people with basic tasks such as washing, dressing, helping them at mealtimes, managing money, such as opening a bank account.
- ❖ Assisting young people to enjoy activities; ordinary things like shopping, being part of the community and progressing to employment or supported employment.
- ❖ Working alongside Shared Lives workers and young person/ adults social workers.
- ❖ Some record keeping day to day observations, financial and other relevant recording relating to the placement.

2. What you can expect from us

- ❖ Ongoing advice and support from a Shared Lives worker.
- ❖ Training and learning opportunities.
- ❖ Regular meetings with other carers.
- ❖ Regular payments according to the work done and type of care.
- ❖ As a carer who has someone living with them long term, you would receive 4 weeks holiday a year. This is paid at 80% of the full weekly fee. We would arrange suitable accommodation for your young person, sometimes another shared lives carers home, while you have a break.

3. Financial Issues

- ❖ You would be self-employed, and have the responsibilities of self-employment, such as national insurance contributions.
- ❖ Some benefits are affected by becoming a Shared Lives Carer; you can check with the Shared Lives Scheme for further information.
- ❖ There are several payment levels called bands; payments vary according to a person's need or disability eg learning disability or older people. Payments for people with more complex needs are higher. The payments are usually reviewed by the council annually in April.
- ❖ For one long term placement, the payment is not taxed. These are similar tax arrangement for foster carers.

For respite placements 180 days a year is tax free.

Further information about tax is available from the Shared Lives Scheme, and there is also advice available from the local Inland Revenue, for individual circumstances.

4. How do you become a Shared lives Carer?

- ❖ The first step will be that at the LAC review/transition meeting you will meet with a Shared Lives worker who will arrange to visit you at home to talk about what becoming a shared lives carer involves.
- ❖ An application form will then need to be completed and following this employer and personal references are taken up. In addition, essential checks are made with the Criminal Records Bureau and your GP. However if you have completed these within the time scale in your foster caring role then copies will taken for your Shared Lives file.
- ❖ When the references and checks are completed and satisfactory, an assessment is carried out.
- ❖ The assessment involves a shared lives worker making a series of visits to your home to talk about your expectations of the work, your experience of caring for others and the requirements of the scheme. The Shared Lives worker will, with your permission also view the contents of your foster carer file.
- ❖ The Shared lives worker prepares a report for an Independent Panel, who will approve the placement with recommendations.