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Cabinet Member for Children and Young People

8 December 2015

**Name of Cabinet Member:**

Cabinet Member for Children and Young People - Councillor Ruane

**Director Approving Submission of the report:**

Executive Director of People

**Ward(s) affected:**

All

**Title:**

Staying Put Policy

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**Is this a key decision?**

No

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**Executive Summary:**

When a young person becomes 18 they are no longer in the care of the Local Authority. However the local authority will continue to be involved in providing 'leaving care' services, and this can include arranging for a young person to continue to live with former foster parents. This is a different arrangement from fostering, and is known as 'Staying Put'.

Under a Staying Put scheme, young people continue to live with their former foster carer(s) after they reach the age of 18 until they are ready to move on to independence, or reach the age of 21. There is the potential for them to remain until age 25 if they are continuing in education.

Within Coventry there has been a history of Care Leavers Staying Put, as the benefits of remaining with their former foster carers are clear, particularly where young people are vulnerable, not ready to move to independence or continuing in education. This arrangement started under Coventry's 'Support Carers Scheme' and continued under the 'Staying Put Scheme'. However, it has been identified that the scheme and accompanying guidance needed review in order to reflect changes to the legal framework, and to more clearly set out the implications for foster carers of entering into a 'staying put' arrangement.

The purpose of the refreshed Staying Put policy is therefore to strengthen the scheme in Coventry by improving the information, advice and guidance to foster carers and providing a clear fee structure linked to an annual review. The Staying Put scheme is part of a wider offer to foster carers under the Council's foster carer recruitment and retention strategy. It seeks to recognise the very valuable role they play in preparing young people for independence.

**Recommendations:**

Cabinet Member is recommended to:

- 1 Approve the Staying Put policy and procedure as set out in the attached document.
- 2 Endorse the application of the scheme to new Staying Put carers from 18 December 2015.
- 3 Endorse the proposal to produce a children and young people's guide to the scheme

**List of Appendices included:**

Appendix 1: Staying Put Scheme

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## Report title: Staying Put Policy

### 1. Context (or background)

- 1.1 When a young person becomes 18 they are no longer in the care of the Local Authority. However the local authority will continue to be involved in providing leaving care services, and this can include supporting arrangements for a young person to continue to live with former foster parents. This is a separate arrangement from fostering, and is known as 'Staying Put'.
- 1.2 Under the Staying Put scheme, young people continue to live with their former foster carer(s) after they reach the age of 18 until they are ready to move on to independence, or reach the age of 21.
- 1.3 Within Coventry there has been a history of Care Leavers Staying Put as the benefits of remaining with their former foster carers are clear, particularly where young people are vulnerable, not ready to move to independence or continuing in education. This arrangement started under Coventry's 'Support Carers Scheme' and continued under the 'Staying Put Scheme'. However, it has been identified that the policy needed review in order to reflect changes to the legal framework, and to more clearly set out the implications for foster carers of entering into the scheme.

### The Legal Framework

- 1.4 The 'Care Matters: Time for Change White Paper 2007' identified the importance of Care Leavers having a transition to independence more akin to that of their non-Looked After peers, given that this is often a turbulent time for young people and they need the opportunity to move when they are emotionally and financially ready, instead of being "pushed out too early by the system".
- 1.5 Further statutory guidance in 2010<sup>1</sup> and 2011<sup>2</sup> stated that Local Authorities should develop Staying Put policies. It emphasised the need for a more gradual approach in young people's transition to adulthood and stated that policies should provide foster carer/s and young people with information and guidance on all aspects of Staying Put, including the criteria for those arrangements, support and the practical, financial, tax and benefit issues involved.
- 1.6 The statutory framework around Staying Put has now been strengthened through Section 23CZA of the Children Act 1989, as amended by the Children and Families Act 2014 which came into effect on 20 May 2014. This places a duty on Local Authorities to:
  - Provide advice, assistance and support to former relevant young people and their former foster carer/s to maintain a Staying Put arrangement until the young person reaches 21;
  - Provide support (including financial support) to the former foster carer/s;
  - Monitor the Staying Put arrangement

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<sup>1</sup> The Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers (2010)

<sup>2</sup> The Children Act 1989 Guidance and Regulations Volume 4: Fostering Services 2011

- 1.6 It does not apply if the Local Authority considers that the staying put arrangement is not consistent with the welfare of the young person.
- 1.7 The Children Act 1989 Guidance and Regulations, Volume 3: Planning Transition to Adulthood for Care Leavers 2010 (Revised January 2015) provides additional statutory guidance including:
- Preparation and planning for Staying Put from the age of 16
  - Support to young people in developing a range of independence skills
  - Financial support to Staying Put hosts which includes all reasonable costs of supporting the young person to live with them and considers the impact of the arrangement on the family's financial position which may vary from family to family
  - Drawing up of a Living Together Agreement which sets out details of the arrangements
  - Information to be provided to foster carers and young people
  - Consideration of potential training and support needs of individual Staying Put hosts
  - A requirement to treat young people the same irrespective of whether they are living with internal or independent agency foster carers.
- 1.8 The new policy and procedure has been informed by:
- The legal and regulatory framework
  - Good practice and government guidance
  - a number of informal consultation workshops with internal and external foster carers
  - Feedback from Voices of Care through the Participation Team
  - A series of meetings with key internal stakeholders including Route 21, Head of Service for LAC, Finance and Fostering Support Team
  - Meeting with colleagues from the Shared Lives Team
  - Benchmarking with other Local Authorities in the West Midlands on the financial arrangements for their Staying Put schemes
  - Desktop reviews of the Staying Put schemes in Cambridgeshire, Hertfordshire and Dudley

### **Profile and Number of Young People Staying Put**

- 1.9 Although Coventry has a history of putting Staying Put arrangements in place, there has been an increase in the number of such arrangements over the last year, which may reflect awareness of the strengthened statutory framework. As Table 1 shows, the numbers of young people benefitting from Staying Put was relatively consistent between 2012 and 2014, but increased in 2014/15.

<b>Table 1. Analysis of Numbers of Young People Benefitting from Staying Put</b>				<b>Forecast</b>
	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16 (as-is)</b>
FTE	12.75	15.26	25.47	37.28
Change in FTE from previous year		2.51	10.21	11.82

- 1.10 The length of time that young people have remained in Staying Put arrangements has fluctuated somewhat, though there has been a gradual increase in the percentage Staying Put for over 2 years. The numbers are envisaged to continue to increase in 2015/2016, with the launch of the attached guidance document, but then start to plateau.
- 1.11 Table 3 shows that a significant proportion of Staying Put hosts are Coventry foster carers, though the number from Independent Fostering Agencies has gradually increased. These are actual numbers throughout the year not FTEs as used for financial implications.

<b>Table 2 - Staying Put Hosts</b>	<b>2012-13</b>		<b>2013-14</b>		<b>2014-15</b>	
Internal	19	70%	20	69%	26	62%
External	6	22%	8	28%	15	36%
Connected Person	2	7%	1	3%	1	2%
<b>Total</b>	<b>27</b>	<b>100%</b>	<b>29</b>	<b>100%</b>	<b>42</b>	<b>100%</b>

### **Costs and Benefits**

- 1.12 The stronger legal requirement and rise in number of Staying Put arrangements brings increased short terms costs for the Council at a time of serious cuts in public spending. This is however offset to some extent by additional funding from Government based on the number of young people Staying Put. For Coventry this was £47k in 2014/15, rising to £95k in 2015/16. Funding for 2016-17 will be communicated to Local Authorities in February 2016.
- 1.13 National Staying Put pilots<sup>3</sup> indicated that there are significant benefits for individuals and potentially longer term gains from Staying Put. For example:
- Young people were more likely to make a successful transition to independence and more likely to be in full-time education at 19 or pursuing higher education. In contrast, those who did not Stay Put were more likely to experience complex transition pathways and housing instability after they left care.
  - Higher educational attainment means that in the future, those young people are in a position to earn more and pay more taxes and are less likely to be reliant on state support later in life.
  - There are costs to the public purse and well-being costs to individual young people if Care Leavers experience difficulties in making the transition to adulthood.
- 1.14 Research from the USA also suggests that over time improved outcomes and “the potential benefits to foster youth and society’ will more than offset the cost to government (Peters et al., 2009, p.9).

### **Summary of Key Proposals**

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<sup>3</sup> ER Munro, C Lushey, D Maskell-Graham & H Ward (2012), Evaluation of the Staying Put: 18 Plus Family Placement Programme: Final Report, p.12

1.15 The revised Staying Put policy and procedure builds on current arrangements but reflects the changed legal framework and provides much more detailed and clearer guidance and procedures for young people, foster carers/Staying Put hosts and social workers.

1.16 Some of the key elements are as follows:

a) A clear fee structure which is made up of:

- Rent paid, in most cases through Housing Benefit
- A contribution from the young person
- The remainder paid by the Council through Section 23C of the Children Act 1989 (duties towards former relevant children).

b) A total fee of £230 in each year the scheme is operating. This is shown in Table 3 below.

<b>Table 3 - Proposed Fee Structure</b>	
<b>Fees</b>	<b>Age 18-25</b>
<b>Lodging Fee/Rent</b> (Housing Benefit)	<b>£92.00</b>
<b>Services and Support</b> made up of:	<b>£138.00</b>
Young person's contribution	£20.00
Council Contribution	£118.00
<b>Total Staying Put cost</b>	<b>£230.00</b>

- c) The financial arrangements take account of potential variations so that all hosts receive this amount. For example, if a young person lives in an area where the Housing Benefit rate is less than Coventry's, or Staying Put resulted in a carer's own benefits reducing, the Council would pay the difference so that the net effect is the same.
- d) This is a standard fee that applies to all Staying Put arrangements. Whilst recognising the concerns of some foster carers about the reduction from fostering fees, it should be noted that this is no longer a foster placement; it is an arrangement between the host and young person (effectively landlord and tenant) which is facilitated and supported by the Council. Hosts will not be expected to provide allowances for birthdays, festivals, clothing etc. as they would under fostering as they will come from young people's benefits/earnings and with additional financial support available to all Care Leavers under Money Matters. This is why the Staying Put fee is not the same as the Fostering Maintenance Allowance.
- e) Procedures which emphasize early planning for Staying Put as part of a young person's Pathway Plan and Looked After Review, and give clear guidance on respective roles and responsibilities and timescales.
- f) Clarity on the interface between Staying Put and Shared Lives for young people who meet the access criteria for Adult services, as stated in DfE, DWP and HMRC

guidance May 2013 (Staying Put - Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers):

*The “Staying Put” framework is aimed at former relevant children who require an extended period with their former foster carer/s due to delayed maturity, vulnerability and/or in order to complete their education or training. Where young people have an on-going cognitive disability and meet the adult services Fair Access to Care Services criteria (Putting People First), foster placements should be converted to Adult Placements/Shared Lives Arrangements when the child reaches their eighteenth birthday. This is important to ensure that both the child and young person and the foster carer and adult placement carer have a formal regulatory and safeguarding framework that addresses their respective needs.*

- g) Guidance for young people and foster carers/hosts on finance, benefits, tax etc.

### **Benchmarking with Other Local Authorities**

- 1.17 Benchmarking has been undertaken with other Local Authorities in the West Midlands region and with Cambridgeshire, Hertfordshire and Leeds. Staying Put rates appear to range from £100 up to £250, with a number in the region of £180. Two authorities paying rates above £200 ‘step down’ the fee to a lower rate in years in 2 and 3. Coventry has opted not to introduce a ‘step down’ model at this time. This is in recognition of the valuable role which foster carers play in helping to prepare young people for independence. The Staying Put Scheme forms part of the broader recruitment and retention strategy which seeks to increase the number of Coventry’s in-house foster carers.

### **Equalities**

- 2.1 In undertaking the review consideration has been given to equalities issues.
- 2.2 Where a foster carer and a young person agree, Staying Put will be available to all Former Relevant young people who were placed with that local authority foster carer immediately before they turned 18, provided it is consistent with the welfare of the young person, with the exception of young people who meet the criteria for Adult services. The option of **Shared Lives** is available to enable such young people to remain with their former foster carers but there are factors which could deter carers from applying or present challenges in combining both fostering and Shared Lives:
- The carers would have to go through a pre-approval process
  - There may be reduction in income through Shared Lives compared to fostering
  - Other available support options such as respite or external day activities to replace time currently spent in education may be limited
  - The impact of being a foster carer and Shared Lives carer for foster children and an adult living in the home would need to be fully considered.
- 2.3 The impact on capacity of the Shared Lives Scheme would also need to be considered if there was an increase in number of requests.

2.4 Foster carers have identified potential disproportionate impact for other groups of young people:

- Young people with complex or disability needs (who are not eligible for Adult Services) as they are more likely to be in specialist foster placements and the significant change in payment level could affect the number of specialist carers willing to offer Staying Put
- Young people who come into care or change placements at a later stage, or have been very unsettled in care and had a lot of placement moves, as they may not have such an established relationship with the carer/s and they in turn may be less likely to take up the offer Staying Put

2.5 It will be important going forward to monitor this and any other disproportionate impact.

### **3 Results of Consultation Undertaken**

3.1 In order to inform the revisions to the policy, informal consultation with both internal and external foster carers was carried out through two workshops. A summary of the results is set out below:

- a) Staying Put was generally well received, with foster carers identifying a range of benefits to young people and the importance of them having a gradual transition to independence.
- b) Foster carers welcomed more detailed guidance for carers and young people as they felt there had been insufficient information from the Council to date.
- c) They underlined the need for advice on tax implications and benefits (which has been included in the policy).
- d) The primary concern was the financial implications for foster carers – the significant difference from fostering payments particularly for specialist carers who are paid an enhanced fostering rate; whether Staying Put would be financially viable particularly for specialist carers, single carer households or couples where both are full-time foster carers; some young people require more support than others and this would not be reflected in Staying Put with a single payment rate.
- e) The importance of working as part of the Team Around the Young Person and foster carers would welcome closer working with Route 21.
- f) Concern that unlike with fostering, Staying Put hosts were not receiving remittance slips to confirm their pay (which is being addressed).
- g) Concern about who would provide support given this is not a fostering arrangement.
- h) Arrangements for the young person when the carer goes on holiday, which it was agreed should be considered as part of Pathway Planning.
- i) The need for a Living Together Agreement template to support benefit claims as currently carers have had to draft their own.
- j) The need for more support – suggestions included mentoring and a support group.

3.2 Informal consultation was also undertaken with the Voices of Care (8-21yrs) to obtain their views on Staying Put. They identified a range of positive features:



- a) It provides safety, more knowledge of the world, time for education, stability and less chance of homelessness for young people
- b) You are safe, don't need to worry, you have somewhere to live.
- c) You can plan for independence.
- d) You don't have to worry you might be homeless, having no money.
- e) Lots of company and a brighter future.

3.3 Some of their concerns were:

- a) Finance.
- b) Rules and boundaries
- c) Paying bills, rent etc
- d) Cleaning up

3.4 Things young people thought needed to be in place were:

- a) Money
- b) Allowances
- c) Boundaries

3.5 All the young people raised concerns on budgeting and being safe. They all agreed that Staying Put was a very good idea.

#### 4. Timetable for implementing this decision

The revised scheme will apply to all new Staying Put arrangements entered into from 18 December 2015.

#### Comments from Executive Director of Resource

##### 5.1 Financial implications

##### 5.1.1 Background - Analysis of Staying Put costs and data to 2015-16

Table 4: Analysis of current Data - establishing City Council contribution over time				Forecast
	2012-13	2013-14	2014-15	2015-16 (as-is)
No of bed nights	4,653	5,570	9,296	13,609
FTE	12.75	15.26	25.47	37.28
Change in FTE from previous year		2.51	10.21	11.82
<b>Total cost</b>	<b>£133,926</b>	<b>£144,231</b>	<b>£190,530</b>	<b>£253,008</b>
Grant	£0	£0	(£47,335)	(£94,670)
<b>Net cost</b>	<b>£133,926</b>	<b>£144,231</b>	<b>£143,195</b>	<b>£158,338</b>
<b>Average CC contribution per week</b>	<b>£201</b>	<b>£181</b>	<b>£143</b>	<b>£130</b>
Highest CC Contribution per week	£449	£580	£243	£207
Lowest CC Contribution per week	£65	£65	£89	£26

Table 4 above highlights an increase in numbers and costs over time, with an estimated FTE of 37.28 in 2015-16. It also shows that individual contributions vary greatly. Since 2014-15, Local Authorities have been able to use a new grant to support the costs associated with maintaining a Staying Put arrangement. Coventry City Councils grant for 2015-16 reduces the net cost and overspend to £158k.

The data above identifies a significant increase in numbers in 2014-15 and 2015-16, felt to be due to the change in legislation and an increased awareness of the scheme, and this is reflected in profiling potential costs in future years (see table 5).

In the past, payments to carers have not been made consistently, and the new scheme aims to provide certainty and transparency for those involved in the scheme by setting a specific rate which will be implemented for all carers. As detailed in section 1.16 above (Table 3), the new Council weekly contribution will be £118. The new scheme will be implemented on 16<sup>th</sup> December 2015 and pre-existing arrangements will be reviewed to ensure that no foster carers are adversely affected.

### 5.1.2 Summary of financial implications when the new scheme is fully implemented

<b>Table 5: Financial predictions for future years when the new policy is fully implemented</b>	Forecast 1	Forecast 2
	Based on existing numbers	Based on a 3% increase in FTE (Note 1)
Total cost	£229,409	£304,071
Grant	-£94,670	-£94,670
<b>Net cost</b>	<b>£134,739</b>	<b>£209,401</b>
Average cost per week	£118	£118
FTE	37.28	49.56

Note 1: The FTE increase from 2014-15 to 2015-16 - Staying Put cohort as a % of total

Once the new arrangements are established, the forecast based on existing numbers will be an overspend of £135k, however, a 3% increase (Staying Put cohort as a percentage of total fostering placements) would increase the overspend to £209k. Therefore, if numbers remain constant, the financial position is slightly improved, and if numbers increase the current overspend will increase by £51k.

The current overspend on the 'Staying Put' scheme is being reported as part of the 2015/16 budgetary control position. The further pressure will add to this from 2016/17. The resourcing for the scheme will be resolved as part of the overall future placements strategy, which will reduce the expenditure on residential placements and put a much greater emphasis on supporting foster carers to ensure we can keep children and young people within a family environment.

It is felt that numbers will even out in the next year or so, and the position will be monitored.

### 5.1.3 Additional financial implications to consider

The Staying Put scheme is currently tying up an estimated 22 internal foster placements and the impact increases fostering placements spend by £361k as more expensive external placements have to be used. However, it is also estimated that the supported accommodation costs avoided will be £381k (20 FTE). Therefore the overall impact on the financial model is not material.

The Staying Put fee will be reviewed in line with the annual review of fostering payments.

## 5.2 Legal Implications

Local authorities can provide “staying put” arrangements to any care leaver. There is however a specific statutory duty to advise, assist and support both the Young Person and their former foster carers when they wish to stay living together following the Young Person (who was a former relevant child) reaching 18.

From the age of 18 young people are no longer “Looked After Children”, the legislation around fostering no longer applies and the local authorities statutory duties towards the Young Person changes. The arrangement where the young person remains in the home with the foster carer is considered a “staying put” arrangement.

Support including financial support must be provided to the former foster carer; the financial support should cover all reasonable costs of supporting the young person. Local authorities should provide clear information to their foster carers on financial support so that they can decide and plan in advance whether they wish to participate in a “staying put” arrangement. Local authorities should also ensure that their staying put protocols are published on their websites and disseminated to all their foster carers.

## **6. Other implications**

### **6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

Services for Looked After Children and care leavers are a priority within the Children's Services Improvement Plan (Theme 6).

### **6.2 How is risk being managed?**

The possible risks identified through informal consultation with foster carers and outlined above will be monitored by the Head of Regulatory Services and the Head of Children's Commissioning.

In April 2016, the government will remove the automatic entitlement to housing support for new claims in Universal Credit for 18 – 21 year olds. It has stated that it will ensure that vulnerable young people who are in need of support for their housing needs will continue to receive it and that the impact of the legislation will be considered in line with the government's legal obligations. Therefore, the potential impact on care leavers under the Staying Put scheme will need to be identified as further information emerges.

### **6.3 What is the impact on the organisation?**

No impacts other than those outlined above.

### **6.4 Equalities / EIA**

See sections 2.1 – 2.6 above

### **6.5 Implications for (or impact on) the environment**

None identified

### **6.6 Implications for partner organisations?**

None identified

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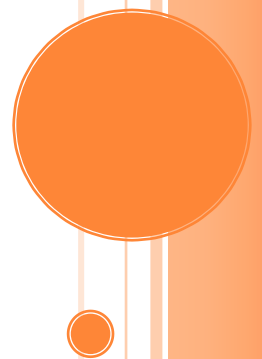
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**Appendix 1**

# STAYING PUT

*Arrangements for Coventry Care Leavers aged 18 and over to stay on with their former foster carers*

November 2015



# INTRODUCTION AND CONTEXT

## ○ WHAT IS STAYING PUT

1.1 Staying Put is an arrangement for eligible young people who were in foster care to continue living with their former foster carer/s once they reach 18 until they are ready to move on to independence or reach the age of 21.

1.2 When a young person becomes 18 they are no longer in the care of the local authority, however the local authority will continue to be involved, providing leaving care services through the Route 21 Team. This can include a duty for the local authority to support a separate arrangement for a young person in continuing to live with former foster parents, which is known as Staying Put. It means some important changes for young people and foster carers which are explained in this document.

## ○ THE LOCAL AND NATIONAL PICTURE

1.3 Within Coventry there has been a history of young people staying within the family home of their former foster carers beyond the age of 18 on an informal or formal basis. It was recognised that for some young people it was in their best interests to stay put while they were in education or because they were not yet ready to move on to independence.

1.4 Nationally there has been a growing emphasis on Staying Put. The Care Matters White Paper (2007)<sup>4</sup> was a four year government initiative to improve life chances and outcomes for Looked After Children. It was recognised that transition to adulthood is often a turbulent time for young people generally and many have the opportunity to move on to independence when they are emotionally and financially ready. However, whilst the

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<sup>4</sup> Department for Education and Skills - Care Matters: Time for Change (2007)

average child left their parents' home aged 24, a quarter of children in care left at the age of 16. Care Matters emphasised the need for young people to get a "softer landing into adulthood, instead of being pushed out too early by the system". This included Staying Put pilots where young people had greater involvement in decisions about when they left care and the opportunity to stay with their former foster carers up to the age of 21.

- 1.5 The statutory guidance Volume 3 Planning Transition to Adulthood for Care Leavers Regulations and Guidance 2010<sup>5</sup> and Volume 4 Fostering Services 2011<sup>6</sup> stated that Local Authorities should develop Staying Put policies. They emphasised the need for a more gradual approach in young people's transition to adulthood and that policies should provide foster carer/s and young people with information and guidance on all aspects of Staying Put including the criteria for those arrangements, support and the practical, financial, tax and benefit issues involved.
- 1.6 In 2013 Staying Put Guidance<sup>7</sup> was issued which sets out the Department for Education, HM Revenue and Customs and the Department for Work and Pensions frameworks that local authorities must be aware of, and take account of, when developing a local Staying Put policy.
- 1.7 The Children and Families Act 2014 amends the Children Act 1989 to include duties upon the local authority in relation to Staying Put arrangements. Under the new legal framework Local Authorities are required to:
  - a) Provide advice, assistance and support to Eligible and Former Relevant young people and their former foster carer/s to maintain Staying Put from the age of 18 up until the young person's 21<sup>st</sup> birthday if both the young person and foster carer wish to have such an arrangement;

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<sup>5</sup> The Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers (2010)

<sup>6</sup> The Children Act 1989 Guidance and Regulations Volume 4: Fostering Services 2011

<sup>7</sup> HM Government (May 2013), "Staying Put", Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers.



- b) Provide support (including financial support) to the former foster carer/s;
- c) Monitor the Staying Put arrangement

## ○ WHY IS STAYING PUT IMPORTANT?

1.8 Staying Put maintains a young person in their community and avoids premature (and often unsuccessful) moves towards independent living when a young person may not be ready. It is also about improving future outcomes for Care Leavers who may already face barriers in learning and economic activity.

1.9 In 2008 the Department for Education (DfE) initiated a pilot of Staying Put arrangements across 11 Local Authorities. The arrangements they adopted varied but the benefits of Staying Put for Care Leavers were consistent:

*“A range of benefits to staying put were identified and the consensus was that it provided a framework to maximise the likelihood of young people making successful transitions to independence and mitigated the risk of young people’s circumstances deteriorating. Those in staying put were significantly more likely to be in full time education at 19 than their counterparts who did not stay put. A higher proportion of young people who stayed put were also pursuing higher education than those who did not”. In contrast, “qualitative data on a small sample revealed that those who did not stay put were more likely to experience complex transition pathways and housing instability after they left care”<sup>8</sup>.*

1.10 At a time of serious cuts in public spending, achieving value for money is extremely important. There are short term costs for the Council in having a Staying Put policy. However, the pilots have indicated that the longer term gains can be much greater:

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<sup>8</sup> ER Munro, C Lushey, D Maskell-Graham & H Ward (2012), Evaluation of the Staying Put: 18 Plus Family Placement Programme: Final Report, p.12

*“Higher educational attainment should yield cost savings in the future as these young people are in a position to earn more and pay more taxes and are less likely to be reliant on State support later in life”.*

- 1.11 If Care Leavers experience difficulties in making the transition to adulthood, “this is costly to the public purse but also has wellbeing costs for the young people concerned”.
- 1.12 Research from the USA also suggests that the costs of staying put may be offset overtime by improved outcomes and it is noted that “the potential benefits to foster youth and society will more than offset the cost to government (Peters et al., 2009, p.9).<sup>9</sup>”
- 1.13 This policy and procedure has been developed within this legal, regulatory and research framework.

## 2. STAYING PUT POLICY

- 2.1 Coventry City Council offers a Staying Put Scheme which gives the opportunity for young people to remain with their former foster carers from the age of 18 up until they reach 21, and potentially up to 25 if they are continuing in education. The Council recognises the need to ensure that young people in foster care do not experience a sudden disruption to their living arrangements when they turn 18 and that in most cases, young people will benefit from Staying Put.

### ○ FOSTERING TO STAYING PUT

- 2.2 Young people can no longer be classified as being in care when they reach the age of 18 and the Council is no longer making or commissioning a foster placement. Staying Put is

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<sup>9</sup> ER Munro et al (2012), Evaluation of the Staying Put: 18 Plus Family Placement Programme: Final Report, p.12

primarily an arrangement between the foster carer and the young person, which the Council facilitates and supports.

- 2.3 The move from fostering to Staying Put brings a fundamental change in the legal position as the young person will become an 'excluded licensee' (a legal term) and they are effectively lodging in the former foster carer's home. This is an important part of the scheme. However, this should not denote that the young person will be treated differently than they were as a fostered child. Staying Put is about building on the success of the foster placement, the positive relationships that have already been established and remaining part of their former foster family.
- 2.4 Staying Put will also be underpinned by core principles of safeguarding and protecting young people's well-being, promoting health, education and employment and enabling Coventry's young people to fulfil their potential.

## ○ **EXPECTATIONS AND RESPONSIBILITIES**

- 2.5 Staying Put will bring about some changes in expectations and responsibilities given the change in legal status and young people moving towards greater independence. It is therefore important that expectations on both sides are explicit from the outset. This needs to be carefully and sensitively planned so that both understand the new arrangement and are clear about what they each expect. The procedure gives some guidance to Staying Put Hosts and young people on what should reasonably be expected whilst also being flexible to their individual circumstances and views, wishes and feelings.

## ○ **OBJECTIVES AND OUTCOMES**

- 2.6 The main objectives of the Scheme are to:
- a) Enable young people to build on and nurture attachments to their former foster carer/s so that they can move to independence at their own pace

- b) Support Care Leavers in making the transition to adulthood in a more gradual way just like other young people who can rely on their own families for this support.
- c) To give weight to young people's views about when they leave their final care placement and give young people choice.
- d) To promote educational achievement and continuity
- e) To improve the prospects of young people who may already face barriers in learning and economic activity.

2.7 The Staying Put scheme is intended to promote positive outcomes for Care Leavers:

- a) They will have more control over their lives as they will be able to decide when they feel ready to move into more independent accommodation and this should result in fewer breakdowns of either foster placements or post-18 accommodation arrangements;
- b) They will be supported to have the necessary skills to live independently;
- c) They will have time to mature into a confident adult and be more prepared to be able to maintain their, education, training or employment;
- d) They will have greater stability, support and continuity whilst undertaking further or higher education;
- e) They will have time to plan their move into suitable and sustainable accommodation and maintain their own tenancy;
- f) Staying Put Hosts will have training so that they can better meet the needs of young people acquiring independent skills;
- g) Young people will develop the skills to apply for Benefits, Work or Training as well as applying for University places and funding, with support from their Staying Put Host and Social Worker or Personal Advisor.

## ○ WHO THE SCHEME IS AVAILABLE TO

- 2.8 Staying Put is available to 'former relevant children; that is a young person who was being looked after by the local authority when he/she attained the age of eighteen and immediately before ceasing to be looked after was an eligible child. An eligible child is a looked after child aged 16 or 17 who has been looked after by the local authority for a period of 13 weeks or periods totaling 13 weeks from the age of 14 to 16. More information about these definitions and support to Care Leavers is given in **Appendix 1**.
- 2.9 The foster carer that the young person will be continuing to live with after they cease to be looked after must be a person who was the young person's local authority foster parent immediately before the young person ceased to be looked after by the local authority.
- 2.10 Coventry City Council will continue to monitor and support the Staying Put arrangement with a view to maintaining it until the young person reaches 21. The City Council will also consider supporting a young person beyond 21 if it meets their individual needs for example finishing a course of education.
- 2.11 Any Staying Put arrangement will only be put in place if it is consistent with the welfare of the child.

## ○ AGREEMENT TO STAYING PUT

- 2.12 Staying Put can only be agreed where both the foster carer/s and the young person wish to have such an arrangement. The Council will provide information and support to enable them to make an informed decision. This may be a difficult decision for some foster carers as there will be a number of factors to consider. Some may not be able or willing to offer Staying Put and their decision will be respected.
- 2.13 In some cases Staying Put may not be appropriate, for example, if a young person's foster placement is at risk of disrupting, he/she is not investing in their placement or they make an informed choice to move to other accommodation. Each case will be considered

on an individual basis but it is anticipated that for most young people, Staying Put would be a positive option.

- 2.14 The request for Staying Put needs to be evidence based in terms of how it will meet the young person's needs, what the expected outcomes are and likely timescales.

## **SUPPORT IN EDUCATION, EMPLOYMENT AND TRAINING**

- 2.15 Staying Put will be an important factor in supporting young people's on-going education and training, and in securing employment.
- 2.16 Under the City Council's scheme Staying Put may be extended from the age of 21 potentially up until 25 to support young people in continuing and higher education. Young people may also be able to return to their Staying Put Host during holidays and weekends while away at university.

## **○ TRANSITION TO INDEPENDENCE**

- 2.17 Staying Put will support young people until they are ready and able to move into independence or supported accommodation. This will be particularly important for young people with specific vulnerabilities such as learning or communication difficulties, autism or ADHD, risk taking behaviours or emotional and behavioural difficulties.
- 2.18 Pathway Planning should consider a young person's 'vulnerability' and what has/should be undertaken to support them to develop practical, relationship, emotional, and resilience skills and how these will be enhanced through Staying Put. It should also consider what support will be provided to increase the young person's ability to develop independent living skills, claim benefits that they are entitled to and engage in education, training or employment.

2.19 When young people are ready to move to independence, they will be supported by their Social Worker or Personal Advisor to bid for independent tenancies in the Authority in which they live. In Coventry this process is through Coventry Home-Finder.

## ○ **ALTERNATIVES TO STAYING PUT**

2.20 Where Staying Put cannot be provided, young people will be given advice, support and assistance from Route 21 to consider and access alternative accommodation. This will include supported accommodation in Coventry or, if the young person wishes, the area in which they have been living with their foster carer. Other potential options include supported lodgings arrangements or support to access their own tenancy if they wish and are ready for independence.

## ○ **RETURN TO STAYING PUT**

2.21 A return to Staying Put may be considered where a young person under the age of 21, or under 24 if they remain in education, has moved to independence but this has been unsuccessful and they need a further period of support to enable them to successfully move on. This will depend on whether the former foster carer/s is able to offer this and whether this or other services including supported accommodation would be the best way to meet the young person's needs.

## ○ **YOUNG PEOPLE ELIGIBLE FOR ADULT SERVICES**

2.22 Some young people in foster care may meet what is referred to as the Fair Access to Care Services (FACS) criteria – that is, the criteria for receiving adult social care services. In such cases, care and accommodation from the age of 18 will be arranged and funded through Adult services rather than through Staying Put.

2.23 It may well be in a young person's best interests to remain with their former foster carer but this must be under the Shared Lives Scheme. This is because young people who meet the FACS criteria at 18 must be in placements that are registered to provide adult social care. Carers who provide such placements but fail to register as an Adult social

care Host are potentially in breach of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 and/or the Care Quality Commission (Registration) Regulations 2009 and thus liable to action by the Care Quality Commission (CQC) that could compromise their ability to continue to offer any kind of care to children or adults.

## ○ **EXTERNAL PLACEMENTS AND STAYING PUT**

2.24 Staying Put is available to young people in foster care who meet the criteria in this policy, irrespective of whether their foster carer/s is approved by Coventry Fostering Service or an Independent Fostering Agency (IFA).

2.25 The Council commissions a high number of external foster placements and its' contracts with IFA's apply only to foster placements up until a young person is 18. Staying Put is a separate arrangement between the former foster carer/s and the young person, facilitated and financially supported by the Council under this scheme. It will not be commissioned as a separate service. IFA's will be fully involved in planning for Staying Put arrangements through Pathway and Care Planning processes prior to the young person's 18<sup>th</sup> birthday.

## ○ **EXISTING STAYING PUT ARRANGEMENTS**

2.26 Any Staying Put arrangement already in place for an individual young person when this policy commences will continue under the existing financial provisions agreed for that arrangement, unless this is to the detriment of the foster carer, in which case the arrangement will be reviewed under the new policy.

2.27 Any new Staying Put arrangement will be made under the financial provision specified in this document, including where a young person returns to Staying Put.

2.28 This policy and procedure will otherwise apply equally to all Staying Put arrangements.



## 3. STAYING PUT PROCEDURE

### ○ PATHWAY PLANNING

- 3.1 The process of Pathway Planning (Part 1) starts at the age of 15 years and 9 months and at this early stage should start to consider the plan for young people's transition towards independence.
- 3.2 A meeting to discuss the option of Staying Put should be arranged with the young person, their Social Worker/Personal Adviser, Advocate, foster carer, Supervising Social Worker, Independent Reviewing Officer (IRO) and any other relevant person when the young person reaches their 16<sup>th</sup> birthday or later dependent on their individual circumstances. At this meeting the process for Staying Put and funding should be explained. Further meetings should be arranged as needed.
- 3.3 Decisions and thinking around a young person Staying Put should also be discussed at LAC Reviews from their 16<sup>th</sup> birthday, involving parents, school/college, health and other involved professionals (as appropriate) and be recorded in the minutes.
- 3.4 Both the foster carer and young person should be given a copy of the Staying Put policy and procedure and receive advice and support from their respective social workers.
- 3.5 Specific issues that should be considered are as follows:
- i. Is it likely that the young person will be Staying Put when they reach their 18th birthday – what are the views, wishes and feelings of both the young person and the foster carer;
  - ii. Do the young person and foster carer/s understand what a Staying Put arrangement involves to enable them to make an informed choice;

- iii. Does the young person understand the support they will be offered, and their responsibilities in a Staying Put arrangement including financial and benefit responsibilities and what the foster carer's expectations will be
- iv. Does the foster carer/s understand the change in status of the arrangement, financial changes and any welfare benefit, tax and National Insurance implications, any potential implications for their fostering role, and the training and support available;
- v. What is the parallel plan for the young person should a Staying Put arrangement not be viable.
- vi. How will the Staying Put arrangement be reviewed to ensure it remains appropriate to the young person's needs and circumstances

3.6 If a foster carer does not wish to enter into a Staying Put arrangement, alternative move on options must be considered and a plan drawn up to help the young person develop their independent living skills and prepare them to manage this significant change. This will be written into the Pathway Plan or Care Plan.

3.7 Alternative move on options would be:

- a) Going Home (where this is safe and appropriate);
- b) An alternative foster placement which would enable the young person to Stay Put
- c) Supported accommodation through the Council's commissioned services or similar provision in other areas where the young person is currently living
- d) Potential for supported lodgings
- e) Own tenancy with support from the young person's Social Worker or Personal Advisor.

- 3.8 A professionals meeting including the foster carer/s, supervising social worker, young person's social worker and other key individuals should take place shortly after the young person's 17<sup>th</sup> birthday to confirm the viability and likelihood of a Staying Put arrangement occurring. The meeting should:
- a) identify all key tasks and roles and responsibilities related to a Staying Put arrangement
  - b) confirm the financial arrangements and any implications for the foster carers' including level of payment in accordance with Council policy and procedure, National Insurance, Income Tax and Welfare Benefits
  - c) confirm any implications for their fostering role and actions that will need to be taken such as presentation to the relevant Fostering Panel for review given the change of circumstances in the foster home
- 3.9 A further meeting of all involved should take place when the young person reaches the age of 17½ to ensure that any final arrangements are in place before the young person's 18th birthday. This may be aligned to the review of the Pathway Plan and formal LAC Reviews.

## ○ APPROVAL OF STAYING PUT ARRANGEMENTS

- 3.10 All requests for a Staying Put arrangement must be submitted following the review meeting at 17½ unless the specific circumstances of the young person make this impracticable.
- 3.11 The Social Worker/PA will send a summary by email to their Manager who will consider the request and, if they are in agreement, send it to the Placements Team Manager.
- 3.12 If the request is clearly within scope of this policy, the Placements Team Manager will:
- a) Authorise it and confirm this by email to the Social Worker/PA and their Manager

- b) Where it relates to an internal foster carer, send a copy to the FPS Finance Officer who will arrange for foster carer payments to cease when the young person reaches 18 or
  - c) Where it relates to an external placement, arrange for confirmation of the foster placement ending to be sent to the relevant IFA
- 3.13 Any exceptional requests including requests for additional funding will be presented to Coventry's Access to Resources Panel (or equivalent) for consideration and approval.
- 3.14 The Placements Team Manager will provide a quarterly update on Staying Put to the Access to Resources Panel.

## ○ **REVIEW OF STAYING PUT ARRANGEMENTS**

- 3.15 All Staying Put arrangements will be kept under review by Route 21 to ensure this remains the best way of supporting a young person and meeting their needs. Such reviews will take place 6 monthly (or earlier if required) as part of the review of the Pathway Plan. The review should consider whether the arrangement continues to be appropriate to the young person's needs, any specific issues or concerns arising including finance or entitlement to benefits, and move on plans for the young person.
- 3.16 Route 21 will confirm the outcome of the review to the Placements Team Manager who will confirm approval to continue.
- 3.17 In the event of disagreement as to whether Staying Put remains appropriate, this will be presented to the Access to Resources Panel.








## ○ **RESPONSIBILITIES AND EXPECTATIONS**

- 3.18 The move from fostering to Staying Put will bring about a change in expectations of both the former foster carer/s and the young person. It is therefore important that these expectations are clear from the outset and confirmed in a Living Together Agreement between the Staying Put Host/s and the young person.

3.19 The young person's Pathway Plan and Living Together Agreement should set out all of the practical and financial arrangements for the Staying Put arrangement. This will cover arrangements such as:

- Preparation for adulthood and independence tasks;
- Finance, including young people having credit cards, loan agreements and mobile phone contracts registered at the address;
- Income and benefit claims;
- Friends and partners visiting and staying at the address;
- Staying away for nights/weekends and informing carers of movements;
- Education, training and employment activities;
- Health arrangements;
- Move-on arrangements;
- Issues related to younger foster care children in the placement, i.e. safeguarding, being a positive role model and time-keeping.

3.20 The following table sets out the Council's expectations of young people and their Staying Put Host/s under a Staying Put arrangement:

	<b>Responsibilities of the Staying Put Host</b>	<b>Expectations of the Young Person</b>
 <b>Planning and Preparation</b>	<p>Contribute towards the Pathway Plan and the six-monthly Pathway Plan Reviews.</p> <p>Identify and develop the young person's independent life skills e.g. budgeting, cooking, self-care and seeking employment.</p>	<p>Contribute and engage in the Pathway Planning Process, including Pathway Plan Reviews. Take up opportunities to develop independent life skills.</p>
 <b>Accommodation</b>	<p>Provide accommodation suitable to the young person's need.</p> <p>To be responsible for the Living Together Agreement</p>	<p>Be a respectful, harmonious member of the family as a responsible adult; including making a financial contribution to the Staying Put arrangement from wages and/or benefits.</p>
 <b>Education</b>	<p>Support the young person with enrolment and progress at school, college or university, including negotiating and advocating for the young person as required.</p>	<p>Seek and engage with education and training opportunities; and maintain a positive attitude and good attendance in order to fulfill your potential</p>
 <b>Employment</b>	<p>Support the young person in applying for suitable occupation, attending job interviews, and engaging at work.</p>	<p>Seek and engage with employment opportunities in a positive manner.</p>
 <b>Health and Wellbeing</b>	<p>Provide and encourage a healthy diet for the young person; encourage continued registration with a GP, dental checks and eye tests. Promotion of good sexual health e.g. contraception.</p>	<p>Choose healthy lifestyles that result in positive physical, emotional and sexual health and engage with services which will provide advice and support as needed. Make own health appointments as needed.</p>
 <b>Leisure</b>	<p>Support the young person in integrating with the local community and accessing local activities.</p>	<p>Contribute and engage in the local community, e.g. by joining local clubs, or sports associations.</p>
 <b>Relationships</b>	<p>Support the young person in building and maintaining positive relationships with their own family; friends and significant others.</p>	<p>Maintain positive relationships with significant people in their lives, e.g. own family, friends.</p>

## **LIVING TOGETHER AGREEMENT**

- 3.22 A Living Together Agreement will be put in place between the Staying Put Host/s and the young person. It sets out the financial arrangements which must be completed in full and sent with the Housing Benefit application. It includes the rent element that is being applied for, the young person's contribution and the top up by the Council and spells out who is responsible for what.
- 3.23 The Living Together Agreement details the arrangements and expectations negotiated between the young person and the Staying Put host regarding the payment of personal contribution, coming home times, what meals are included, whether friends can visit or stay overnight. It should be adapted as needed to suit the individual circumstances and views, wishes and feelings of the young person and Staying Put Host.
- 3.24 The Social Worker/PA will help the young person and the host in completing these agreements.

## **ENDING THE ARRANGEMENT**

- 3.25 The Staying Put Arrangement will end when the young person reaches their 21st birthday unless agreement has been given to extend it because the young person is completing their education. In all other cases if the young person remains with the Host once they are 21, this will be under a private arrangement between them.
- 3.26 In most cases it is envisaged that Staying Put will provide for a smooth transition on to an independent tenancy or to university. This should be considered in the Pathway Planning process involving both the young person and Staying Put host, and the leaving date confirmed and agreed as part of this. In planning for the future it is important to remember that as the young person reaches their 21st birthday they may no longer qualify as having a "priority need" for social housing. It is therefore essential that plans are made in advance to maximise their opportunities for social housing.

## **NOTICE PERIODS**

- 3.27 The Staying Put Host/s and young person will give 28 days' notice if they wish to end the Staying Put arrangement. They will notify the Personal Adviser and, where applicable, the Supervising Social Worker at the earliest opportunity. This is to allow plans to be made for the young person to move on to appropriate alternative accommodation and support a smooth transition.
- 3.28 In exceptional circumstances only it may be reasonable for the Staying Put Host to give very short notice and ask the young person to leave on the same day, for example, where the young person's behavior may present risks to others in the household.

## **UNPLANNED ENDINGS**

- 3.29 Where a Staying Put arrangement is at risk of ending in an unplanned way, the young person's Social Worker/PA should call an emergency review meeting to include the young person, Staying Put Host and any other relevant people.

## **NOTIFICATIONS AND PAYMENTS**

- 3.30 The Staying Put Host/s must inform Route 21 if they wish to give notice or if a young person ends the arrangement and leaves. Route 21 will be responsible for notifying the Children's Placements Team.
- 3.31 Payments for Staying Put will cease on the day the young person leaves the home.

## **COMPLYING WITH THE AGREEMENT**

- 3.32 It is a requirement of this scheme that young people claim benefits to which they are entitled, pay their contribution to Staying Put Host and adhere to the Living Together Agreement. They will be supported in this by both the Social Worker/PA and the Staying Put Host. If, despite all reasonable efforts to support them, the young person does not comply, a first and second warning will be given. If the young person still does not comply, Route 21 may, in conjunction with the Staying Put Host, give the young person 28 days' notice that the Staying Put agreement will end and Council funding will be withdrawn. Exceptions to this should be considered by the Head of Service or at Access



to Resources Panel. Young people will continue to be supported by Route 21 including support to access other accommodation options.

- 3.33 If the Staying Put Host wishes to maintain the arrangement without the young person's contribution and in the knowledge that funding from the Council will be withdrawn, this becomes a private arrangement between the young person and the Host outside of this scheme.

## **YOUNG PEOPLE ELIGIBLE FOR ADULT SOCIAL CARE**

- 3.34 For young people who will or are likely to be eligible for Adult Services, available options for support and care should be explored and explained from the start of Pathway and Transition Planning at the age of 15¾ and through LAC Reviews. This should include professionals from both children and adult services of the People Directorate, working with young people and foster carers to consider the issues involved and enable decisions about future care arrangements to be made.
- 3.35 It may be in a young person's best interests to remain with their former foster carer/s when they reach 18 but this must be under the Shared Lives Scheme, rather than through Staying Put. This is because young people who meet the criteria for Adult Services at 18 must be in placements that are registered to provide adult social care. It is possible to have dual registration as a Foster Carer and Shared Lives carer. The implications need to be considered with the foster carer by both the approving Fostering agency and the relevant Shared Lives service to ensure the carer/s can provide both services safely.
- 3.36 Coventry City Council will continue to provide support to the young person as a Care Leaver in accordance with the Children (Leaving Care) Act 2000, as well as support under the Care Act 2014.
- 3.37 The young person should be made aware of any charging policy under the Shared Lives scheme and the impact on any financial support or arrangements.
- 3.38 Assessment and approval for Shared Lives will be through the scheme of the Local Authority in whose area the carer lives. The timescales for this can be 6 months so it is

essential that referrals for assessment under Shared Lives are made shortly after a young person's 17<sup>th</sup> birthday to the relevant Authority.

## **COMPLAINTS OR ALLEGATIONS**

- 3.39 Managers from Route 21 or other relevant Social Work Team must be notified of any concerns about the Staying Put arrangement or allegations against the Staying Put host and the appropriate procedures must be followed.
- 3.40 Young people and Staying Put hosts will have access to the Councils Complaints Procedure in relation to Staying Put if their concerns cannot be resolved with the Social Worker/PA or Supervising Social Worker.

## **HEALTH AND SAFETY**

- 3.41 Health and Safety checks will continue to be undertaken in accordance with fostering regulations and national minimum standards for Staying Put hosts who remain approved foster carers. Such checks will be undertaken by the Council where this is not the case.

## **INSURANCE**

- 3.42 Staying Put Hosts must maintain the insurances required as a foster carer, including liability insurance and household insurance, and must notify their insurer that they will become a Staying Put host prior to the arrangement starting.

# **4. SUPPORT UNDER STAYING PUT**

- 4.1 Young people Staying Put will be Former Relevant young people under the Children (Leaving Care) Act 2000 and will receive the support and assistance from Route 21 in accordance with this. The Children Act Guidance Volume 3: Planning Transition to Adulthood for Care Leavers (Revised 2014) details the support to be provided which includes information, advice and guidance from an allocated Social Worker and/or Personal Adviser. Details on the support available can be obtained from Route 21.

#### 4.2 Staying Put is part of Pathway Planning and young people will receive:

- a) Accommodation and support which enables them to maintain relationships and move towards independence at their own pace
- b) Support from their Social Worker/PA throughout the Staying Put process
- c) Financial support in accordance with this policy and entitlement to financial support which is available to all Coventry Former Relevant young people
- d) Support in developing independent living skills through Route 21 and their Staying Put Host including access to any training or group work organized by Route 21
- e) Assistance from their Social Worker/PA and/or Staying Put Host in applying for Housing Benefit, Income Support or Job Seekers Allowance, or any bursaries which they are entitled to claim, including help to complete relevant forms
- f) Advice and support on future accommodation options and move on plans, and emotional support in managing the transition from Staying Put to independence
- g) Regular reviews of their Pathway Plan and the Staying Put arrangement

#### 4.3 Support to Staying Put Host/s will include the following:

- a) Financial support as set out in this policy
- b) Assistance in dealing with any queries regarding weekly Staying Put payments through the Administrator in the Children's Placements Team
- c) Active involvement in Pathway Planning for and with the young person from an early stage and continuing post-18 which will include consideration of specific issues relevant to the Staying Put arrangement
- d) Advice and support from their Supervising Social Worker and the young person's Social Worker/PA on Staying Put prior to the young person's 18<sup>th</sup> birthday, including information and signposting on what this would mean for them, provision of this policy and procedure and any other supporting information, and assistance in completing relevant forms

- e) Support from the Supervising Social Worker in relation to presenting details of the change in the foster home to the relevant Fostering Panel
- f) Provision of a template Living Together Agreement which sets out details of the arrangement and will be used to support the young person's claim for Housing Benefit
- g) Assistance from the Social Worker/PA in completing the Living Together with the young person
- h) Support, advice and signposting from Route 21 on issues which arise in relation to benefit claims or support for the young person
- i) Advice, training and development opportunities on leaving care, transition to adulthood and supporting young people to develop independent living skills. A foster carer's training needs should, as part of the fostering role, be kept under review through supervision and included in their Annual Review. In the early stages of planning for Staying Put while the young person is still in foster care, consideration should be given to the carer/s training needs in relation to supporting young people in their transition to adulthood with their Supervising Social Worker, and appropriate training arranged by the fostering agency.
- j) Once a foster placement changes to a Staying Put arrangement, the Host will have access to training and development opportunities offered by Route 21 for professionals working with Care Leavers.
- k) Staying Put Host/s will receive on-going support from their Supervising Social Workers in their fostering role while they have a Looked After Child in placement, which will include the young person Staying Put as a member of the fostering household. This support will stop if the carer/s does not continue fostering or is placed on hold.
- l) Route 21 will, as part of their support to Care Leavers, liaise and work with the Staying Put Host/s as appropriate to their role and respecting the young person's needs, wishes and feelings. Staying Put Host/s will be expected to take an active part in the Pathway Planning process for the young person.

m) In an emergency out of hours, Staying Put Hosts will have access to **Coventry's Emergency Duty Team** who can be contacted on **024 7683 2222**.

## 5. FINANCIAL ARRANGEMENTS

5.1 Staying Put is no longer a foster placement and therefore different financial arrangements apply. As the young person moves into adulthood they will be expected to take on greater responsibilities for their own lives, including ensuring they maintain their own income by claiming relevant benefits. This will be reflected in young people making a financial contribution to Staying Put and having greater responsibility for personal expenditure such as clothes, mobile phones, and transport. It will also be reflected in a two stage fee structure which takes into consideration that young people are likely to need more support initially as they transition from foster care to Staying Put, but as they get older should become increasingly independent.

5.2 The financial provisions will apply equally to all Staying Put arrangements irrespective of whether the Staying Put Host/s has been approved foster carer/s for Coventry City Council or an Independent Fostering Agency.

5.3 The Staying Put rate is £230. This will be the total payment to the Staying Put host and is broken down into the following:

### RENT

5.4 The young person will be required to pay **£92 rent per week** which is based on Coventry's Housing Benefit single bedroom rate. This rate will apply to all young people Staying Put irrespective of their age and the amount will be updated annually in line with Coventry's Local Authority Housing allowance which is reviewed on 1<sup>st</sup> April each year.

5.5 The young person will be expected to claim housing benefit and will pay this to the Staying Put host. The application can be made by the Social Worker or the Host once the young person becomes 18.

5.6 In planning for Staying Put, the Social Worker/PA should make the host aware that it can take some weeks for Housing Benefit claims to be processed and the host should

anticipate and plan for this. Once it is processed, Housing Benefit payments should be backdated to the start of the Staying Put arrangement.

5.7 Housing Benefit Allowances do vary slightly from one Housing District to another. The Council will pay any shortfall in the rent which arises as a result of variations in the Local Housing Allowance set by other Local Authorities in whose area the young person is living.

5.8 The Council will also pay the rent element of Staying Put where a young person is not eligible for Housing Benefit, for example:

- a) Where the young person has **no recourse to public funds** due to their legal status.
- b) Housing Benefit cannot be paid to close relatives<sup>10</sup> so young people who are Staying Put with a closely related<sup>11</sup> former **Connected Person** and foster carer will not be able to claim Housing Benefit towards their rent.

5.9 In these cases the Council will backdate its contribution where there has been a delay due to a claim being processed or an appeal against the Housing Benefit decision.

5.10 If a young person is in receipt of earnings and is not eligible for Housing Benefit (e.g. they are earning too much) or the amount of Housing Benefit they are able to claim is reduced due to their earnings, then they will pay the rent which is not covered by Housing Benefit out of their earnings.

5.11 Where a young person has savings and is not entitled to full Housing Benefit they would be expected to make up the shortfall.

5.12 If a young person is in part time education and is therefore not eligible for Housing Benefit or a reduced level of Housing Benefit then the shortfall will be paid for by the Council.

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<sup>10</sup> A 'close relative' is a parent, parent-in-law (including a civil partner's partner), son, son-in-law (including a son's civil partner), daughter, daughter-in-law (including a daughter's civil partner), brother, sister, step-parent (including a parent's civil partner) stepson, (including a civil partner's son), stepdaughter, (including a civil partner's daughter), or the partners of any of these. It also includes half-brothers and sisters. Relations with in-laws or step-relatives are severed by divorce (or dissolution of a civil partnership) but arguably not by death – e.g. a stepchild is still a stepchild after the death of her/his mother (DfE, DWP and HMRC Guidance May 2013).

- a) The young person's contribution of £20 (approximately 1/3<sup>rd</sup> of their benefit).

## **SUPPORT AND BOARD**

- 5.13 The Staying Put allowance will cover all reasonable costs in relation to the on-going arrangement for the young person to remain in their former foster placement, including household expenses and an element of remuneration.
- 5.14 The Staying Put host will receive a payment towards support and board which includes:
- Food
  - Heating
  - Lighting
  - Support for the young person with preparation for independence
  - A fee in recognition that the host have previously been an approved foster carer for the young person who is remaining with them.
- 5.15 Details of how the monies should be used will be flexible to individual circumstances and as agreed in the Living Together Agreement.

## **YOUNG PERSON'S CONTRIBUTION**

- 5.16 The young person is expected to make a personal financial contribution from their income towards the cost of food and utilities. This is currently set at £20.00 per week and should be reviewed in line with changes to Universal Credit Charges. The young person must take responsibility to ensure that it is paid to the host and this requirement will be written into the Living Together Agreement.
- 5.17 The young person will be encouraged to work and earn money. Where this is the case and Housing Benefit is reduced as a result, they would be expected to pay the difference.
- 5.18 Some young people in employment may be paid different amounts each week. In such situations, the weekly contribution from the Council will be confirmed and it will then be for the Staying Put Host and young person to come to their own agreement about how the young person's contribution will be managed.

- 5.19 In exceptional circumstances only, a young person may be excluded from making a financial contribution, usually where they have no entitlement to work and no recourse to public funds because of their legal status. In such situations the Council would pay this element of the cost.
- 5.20 Young people will not be required to pay their contribution where they are providing their own meals.
- 5.21 A young person who is entitled to claim benefits must do so or Staying Put will not apply.
- 5.22 Benefits are paid in arrears and the Staying Put Host may have to wait for the first payment in line with DWP processes.
- 5.23 The Staying Put Host should keep a record of payments made by the young person and this should be made available for inspection by authorised Coventry City Council officers.

#### CONTRIBUTION FROM COVENTRY CITY COUNCIL

- 5.24 The remaining amount for support and board will be paid by Coventry's People Directorate under section 23C of the Children Act 1989 (duties towards former relevant children).

#### **SUMMARY OF FEES**

- 5.25 Below is a summary of the fees for Staying Put:

<b>Fees</b>	<b>Age 18 – 25</b>
<b>Lodging Fee/Rent</b> To be paid for from Housing Benefit (Local Housing Allowance)	£92.00
<b>Service and Support – hosts fee, meals, household expenses</b> made up of:	£138.00
Young person's contribution	£20.00
Council contribution	£118.00



- 5.26 Details of the financial arrangements for individual young people should be clearly laid out in the Living Together Agreement and signed by the young person, Staying Put host and Social Worker/PA.

## **YOUNG PEOPLE AT UNIVERSITY**

- 5.27 Where a young person is living away at university and returning to Staying Put at weekends or holidays, a retainer (a third of the Staying Put Scheme rate) will be paid for the first academic year. This takes into account a payment for occasional weekend visits and shorter holidays.
- 5.28 The full rate will be paid during holiday periods when the young person returns to the Staying Put Host/s home up to and including the summer holiday at the end of the first year. It will then be subject to review through the Pathway Planning process and if it remains appropriate, will be extended on the same basis.
- 5.29 When a young person returns home from university they will be expected to make a pro-rata contribution based on their rent and personal contribution, taking into account bursaries, grants etc.

## **RETAINER – ARMED SERVICES**

- 5.30 If a young person joins the armed services the host will receive a third of the Staying Put rate while the young person completes the first 3 months of basic training.

## **RETAINER – OTHER CIRCUMSTANCES**

- 5.31 Special circumstances would need to be presented to Access to Resources Panel for consideration on an individual case by case basis.

## **ADDITIONAL FUNDING**

- 5.32 Staying Put payments do not include an allowance for clothing or personal items including mobile phones as the young person will now be an adult with their own income to meet these needs. It is also part of encouraging the young person to move towards greater independence and responsibility.

- 5.33 An allowance for birthdays and festivals are not part of Staying Put but will be provided separately by Route 21 directly to the young person.
- 5.34 Other financial support may be available to the young person Route 21 including assistance with driving lessons, obtaining an initial birth certificate and passport or provisional driving license, and support through at least one course of both further and higher education. Full details can be obtained from Route 21 or the web site <http://www.coventry.gov.uk/careleavers>.

## 6. INFORMATION FOR YOUNG PEOPLE ON FINANCE AND BENEFITS

- 6.1 This section provides information on the means tested benefits which young people in a Staying Put arrangement can or may be able to claim from their 18th birthday. However, the Council would encourage young people to seek advice from the relevant Government agencies involved, with support from their Social Worker or PA, to ensure they have the most accurate and up to date advice.
- 6.2 **Income Support** – under the ‘Relevant Education’ rules, young people can claim Income Support if they remain ‘estranged’ from their family and are undertaking a full time (over 12 hours of guided learning) education or training course which is of a non-advanced education level.
- 6.3 **Lone Parents** can claim:
- (a) Income Support until their child is 5 years old
  - (b) Healthy Start Vouchers
  - (c) A Sure Start Maternity Grant (1st child only) 11 weeks before the baby’s due date.
  - (d) Child Tax Credits and Child Benefit from the birth of their baby.

(e) Lone parents aged 16 & 17 who are 'eligible' or 'relevant' can also claim these benefits, but only from the birth of their baby, unless they are in receipt of Employment & Support Allowance.

6.4 **Employment & Support Allowance** can be claimed where young people are deemed 'sick or disabled' (young people can claim this from their 16<sup>th</sup> birthday if they meet the eligibility criteria).

6.5 Young people with a disability may also be in receipt of a **Personal Independence Payment** (which has replaced Disability Living Allowance for people aged 16-64). This is not considered income and is not included in the funding for Staying Put.

6.6 **Jobseekers Allowance** can be claimed where young people are registered as unemployed and are available for and actively seeking full time employment.

6.7 **Housing Benefit** – young people cannot claim Housing Benefit when they are in care but can claim when they reach 18 if they have to pay rent on a commercial basis, as is the case under Coventry's Staying Put scheme. The young person will need to take a copy of the relevant part of the **Living Together Agreement** with them when claiming Housing Benefit to confirm the arrangement, their status as a Care Leaver and the breakdown of costs including confirmation that meals are not included in the rent element of Staying Put.

6.8 **Council Tax** applies to adults from the age of 18. Young people Staying Put can apply for the **Council Tax reduction scheme** if they are on a low income because they have to pay rent on a commercial basis.

6.9 **Universal Credit** has been introduced in some Authorities and this may mean that a young person's personal benefit and Housing Allowance may be combined in one payment. Route 21 will support young people in understanding the different elements of their benefit and how this relates to their contribution to Staying Put.

# 7. FINANCIAL CONSIDERATIONS FOR

## STAYING PUT HOSTS

7.1 This section provides information on benefits, Council Tax and Pension Credits for foster carers and Staying Put Hosts. The Council would advise that individuals seek independent advice to ensure that they receive accurate and up to date information which is specific to their circumstances.

### **STAYING PUT HOSTS IN RECEIPT OF BENEFITS**

7.2 If a young person claims benefits in sections 6.2 to 6.6 above, this will not normally have any impact on the Staying Put Host's own benefits.

7.3 There are implications where a young person claims Housing Benefit, particularly if the Staying Put Host is claiming means tested benefit themselves.

7.4 The Council's financial contribution to Staying Put is made under Section 23C of the Children Act 1989. This will always be disregarded by the Revenues and Benefits Service when calculating entitlement to means-tested benefits. However, as the scheme is a commercial arrangement, the young person's contribution and Housing Benefit are taken into account (except the first £20). This will result in the Staying Put Host losing a percentage of their benefit. In these situations the Council will make an additional Section 23C payment equivalent to the amount the Staying Put Host/s would lose, subject to the host providing confirmation of the weekly amount lost.

7.5 If a Staying Put arrangement ends and the young person returns at a later date, all of the finance including the Council's contribution will be taken into account in calculation of means tested benefits.

7.6 If young people are in employment there may be other regulations which apply, such as Non-Dependent Deductions, and further advice should be sought on a case by case basis.

## **CONNECTED PERSONS**

7.7 Less favourable rules apply to carers and young people with regard to income tax, national insurance and means tested benefits where a young person is assessed as living with family members. It is therefore important that Connected Persons provide evidence of their fostering status when applying for benefits.

## **PENSION CREDITS**

7.8 Where the Staying Put Host is over the pension credit age and is receiving Pension Credit, there are more generous 'disregard' rules on income from boarding arrangements which should be explored. HM Staying Put<sup>12</sup> guidance indicates that the whole payment under Staying Put is likely to be disregarded regardless of whether the young person is claiming Housing Benefit.

## **COUNCIL TAX AND COUNCIL TAX REDUCTION SCHEME**

7.9 The position regarding Council Tax will vary depending on the circumstances of the individual carer/s, the number of adults in the household and the activity that the young person is engaged in. For example, young people undertaking full time education are 'invisible' for council tax purposes.

7.10 Further information about the individual impact that payments may have on benefits can be sought through the Supervising Social Worker, Coventry City Council Benefit Advice line or Citizen Advice Bureau.

## **INCOME TAX AND NATIONAL INSURANCE**

7.11 Foster care and Staying Put are deemed as self-employment and as such foster carers and Staying Put Hosts should register as self-employed.

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<sup>12</sup> HM Government "Staying Put" Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers - DfE, DWP and HMRC Guidance, May 2013

- 7.12 HMRC will treat the taxable profit from foster care or Staying Put as earnings from self-employment for National Insurance Contributions purposes. Guidance provided by Her Majesty's Government in May 2013<sup>13</sup> indicates that the National Insurance contributions for fostering apply in the same way to Staying Put, which will be treated under the new Qualifying Care Relief 'Shared Lives Carers' rules. This allows foster carers and Staying Put hosts to earn up to a given amount from fostering or Staying Put without paying Income Tax or Class 4 National Insurance Contributions. Any additional income which comes from other sources will be taxed in the normal manner.
- 7.13 The tax free allowance is only available to households with three or fewer placements but foster placements are excluded and sibling groups are counted as one placement.
- 7.14 Qualifying Care Relief can continue until the young person reaches the age of 21 or until they complete a programme of education or training. A young person below the age of 21 does not have to be engaged in education or training for the Qualifying Care Relief system to apply.
- 7.15 Staying Put Hosts as well as foster carer/s may be able to claim **Working Tax Credits** which are administered by HMRC. Fostering and Staying Put are counted as work for Working Tax Credit purposes.
- 7.16 The **local HMRC office** can provide guidance to on an individual's circumstances and liabilities.
- 7.17 Information for people newly registering as self-employed can be obtained by calling the Newly Self-employed Helpline on **0845 915 4515**.
- 7.18 To claim a Carers Credit, form CF411A must be completed which is available from HMRC ([www.hmrc.gov.uk](http://www.hmrc.gov.uk)).

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<sup>13</sup> HM Government "Staying Put" Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers - DfE, DWP and HMRC Guidance, May 2013

# 8. IMPLICATIONS OF STAYING PUT FOR FOSTERING

## COVENTRY CITY COUNCIL FOSTER CARERS

- 8.1 The potential impact of Staying Put on Coventry City Council foster carers will depend on their individual circumstances.
- 8.2 In most cases, Staying Put hosts will continue as approved foster carers and should not be de-registered. The young person will become an adult member of the fostering household and this would be taken into consideration in terms of the carer's approval and in matching when Looked After Children are placed. The foster carer/s will continue to receive support from their Supervising Social Worker as part of this.
- 8.3 A foster carer/s may temporarily be unable to continue fostering where, for example, they only have 1 bedroom available and that place is taken under Staying Put. In these circumstances the foster carer may be placed 'on hold', which means they would remain an approved foster carer but not considered for foster placements until the Staying Put arrangement ends or their circumstances change. The Fostering Service will continue to maintain up to date checks including medical reports, health and safety checks, three yearly DBS checks and ensure that relevant insurances remain in place.
- 8.4 A foster carer may decide to stop fostering, or the carer and Fostering Service might agree that de-registration is appropriate though it is anticipated this would be in exceptional circumstances only. However, the carer would be welcomed for re-assessment by Coventry's Fostering Service if they are able to resume their fostering role in the future. Re-assessment would involve their previous Form F assessment being updated and review of statutory checks in accordance with statutory requirements and National Minimum Standards for fostering.

8.5 The Staying Put arrangement will have some impact on the fostering role:

- (a) As an adult in the household the young person will be required to have an enhanced DBS (formerly CRB) check. Any disclosures from this check will be risk assessed and considered in accordance with Coventry Fostering Service procedures, Regulations and National Minimum Standards.
- (b) The young person would be included as a member of the household in the foster carer/s Annual Review and his/her views would be sought as part of this
- (c) The young person would be considered as part of health and safety checks, safer caring policies and other elements of fostering as appropriate.
- (d) The foster carer's Annual Review will need to take into account the change in the fostering household as the young person now becomes an adult in the home and this should be considered by the Fostering Panel.
- (e) The foster carer/s approval category may be varied as required where the Staying Put arrangement changes their capacity to foster e.g. where a foster carer is approved for 3 children but one room is no longer available for fostering and therefore needs to be changed to 2.

8.6 The Supervising Social Worker will be responsible for assessing the impact of the change with the foster carer and ensuring that Annual Review and Panel processes are followed in accordance with the Council's fostering procedures.

## **INDEPENDENT AGENCY FOSTER CARERS**

8.7 The implications of Staying Put for foster carer/s approved by Independent Fostering Agencies should be the same as those identified above for Coventry foster carers. For example, potential impact on approval numbers and whether carer/s are able to continue offering foster placements whilst the Staying Put arrangement is in place. However, the way in which this is managed will depend on the individual Fostering Agency's own procedures. Independent agency foster carer/s are therefore advised to discuss this with their own Supervising Social Worker.



## STAYING PUT HOSTS WHO CEASE FOSTERING

8.8 Where a Staying Put Host does not continue to be registered and approved as a foster carer, Coventry City Council will ensure that the Staying Put arrangement continues to safeguard the young person and meets requirements for accommodation under the Care Leavers (England) Regulations 2010 and Children Act guidance. This includes:

- a) Maintenance of DBS checks on all adult members of the household aged 16 and over every three years
- b) Annual Health and Safety check
- c) 6 monthly Staying Put Review which looks at progress being made and outcomes for the young person, how the arrangement is contributing to this and any areas of concern as part of Pathway Planning.
- d) Regular visits to the home by the Personal Advisor as part of their role in support to Care Leavers.

## ○ APPENDIX 1 - DEFINITIONS

- 1. Eligible Young People** are aged 16 or 17, have been Looked After for a period or periods totalling at least 13 weeks starting after their 14th birthday and are still in care. This total does not include a series of pre-planned short-term placements of up to four weeks where the child has returned to the parent.
- 2. Relevant Young People** are aged 16 or 17, were Eligible when in care but are no longer Looked After. If after leaving care, a young person returns home for a period of 6 months or more to be cared for by a parent and the return home has been formally agreed as successful, he or she will no longer be a Relevant Young Person.

A young person is also "Relevant" if, having been in care for three months or more, he or she is then detained after their 16th birthday either in a hospital, remand centre, young offenders' institution or secure training centre.

There is a duty to support Relevant Young People up to the age of 18, wherever they are living.

The Local Authority has a duty to support Eligible and Relevant young people up to the age of 18, wherever they are living, undertake a needs assessment, prepare a Pathway Plan and keep it under review, and appoint a Personal Adviser.
- 3. Former Relevant Young People** are aged 18 to 21 (or up to 25 if in full-time further or higher education), and have left care having been previously either "Eligible", "Relevant" or both. The Local Authority is under a duty to consider the need to support these young people wherever they are living, keep the Pathway Plan under review, continue the appointment of a Personal Adviser and provide financial assistance near where the young person is employed or seeking employment or to enable the young person to pursue education or training. These duties continue until the young person becomes 21

or, where the young person undertakes a programme of full time further or higher education, up until they reach the age of 25.

4. **Qualifying Young People** are over the age of 16 and under the age of 21, (or up to 25 if in full-time further or higher education), and have been Looked After or, if disabled, have been privately fostered after reaching 16, but do not qualify as Eligible, Relevant or Former Relevant. They may receive support, advice and assistance wherever they are living. They may also qualify if they are the subject of a Special Guardianship Order (SGO) and were Looked After immediately before the SGO was made.

5. **Personal Adviser** is the person appointed to work with every Looked After young person and will occupy a key role in providing support to the young person after he or she leaves care.

The Personal Adviser will hold a pivotal role in the planning and review of services as set out in the Pathway Plan and will co-ordinate with other agencies as necessary.

The extent to which the Personal Adviser becomes the main source of advice and support to the young person will vary according to individual circumstances.

#### 6. **Pathway Plan**

The Pathway Plan sets out the route to the future for young people leaving care and will state how their needs will be met in their path to independence. The plan will continue to be implemented and reviewed after they leave care at least until they are 21; and up to 25 if in education.

Full details of Local Authority duties towards Care Leavers and definitions are contained within the Children Act 1989 Guidance and Regulations, Volume 3: Planning Transition to Adulthood for Care Leavers (Revised May 2014) and the Care Planning, Placement and Case Review Regulations 2010.

## ○ APPENDIX 2 - PROCEDURE FOR PROCESSING STAYING PUT PAYMENTS

1. The relevant Social Worker (SW)/Personal Adviser (PA) should complete the Staying Put finance form with the young person and foster carer, all of whom are required to sign their agreement to the financial arrangements. All young people are expected to claim Housing Benefit and make a contribution to Staying Put from their personal benefits unless they have no recourse to public funds. This must be reflected on the finance form.
2. The SW/PA should complete a Route 21 Finance Request Form providing a summary of the young person's circumstances and needs, reason for Staying Put, expected outcomes and indicative timescales (it is recognised that Staying Put should be an option to all young people in foster care until they are 21 but it remains important to clarify expected outcomes and plans for the young person, and to keep the arrangement under review).
3. The SW/PA should send both forms to the Route 21 Manager for approval. He/she will then forward them to the Staying Put Administrator located in the Placements Team at the following address - [StayingPutForms@coventry.gov.uk](mailto:StayingPutForms@coventry.gov.uk).
4. The Administrator will ensure that all relevant information has been received and will forward it to the Placements Team Manager for approval in accordance with the Staying Put procedure or, where advised by the Manager, arrange for it to be considered at Access to Resources Panel.
5. The Placements Team Manager will confirm approval and review date by email to the PA/SW, Staying Put Administrator and, where it relates to an internal foster carer, the Family Placement Service Administrator who will arrange for fostering payments to cease when the young person is 18.

6. The Administrator will set up payments to the Staying Put Host, ensuring this is done in a timely way to ensure there is no delay.
7. The Administrator will confirm with the Staying Put budget holder that weekly payments have been authorised and, in their absence, will arrange for sign-off by another Manager to ensure that payments are made on time.
8. The Administrator will log all arrangements on a Staying Put tracker held by the Placements Team which will include review dates.
9. Two weeks prior to the review date the Administrator will liaise with the SW/PA to seek an update on the arrangement and whether it should continue as planned. S/he will then email the details to the Placements Team Manager, copying in the SW/PA, and the Placements Team Manager will confirm on-going approval and further review date.
10. Payments will be set up to run until the end of the financial year unless an end date is specified prior to then, and extended as needed. **Payments must not be stopped without formal confirmation that a Staying Put arrangement has ended.**
11. The SW/PA must send initial Staying Put requests to the Administrator at least 4 weeks prior to payment being required.
12. The SW/PA must notify the Administrator and provide an updated finance form for any changes to the existing financial arrangements. Where this is not possible due to circumstances outside of the control of SW/PA's, the request must be received no later than midday on Wednesday as the payment run takes place each Thursday and will reach the Staying Put Host's account the following Tuesday.

13. The SW/PA must notify the Placements Team of any proposed Staying Put arrangement for a young person in an external foster placement at least 4 weeks prior to the young person's 18<sup>th</sup> birthday so that formal contractual notice can be given to the agency by the Placements Team.

## APPENDIX 3 – LIVING TOGETHER AGREEMENT

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### • HOUSING - LEGAL ISSUES

Staying Put arrangements are formalised with a “Living Together” agreement which may for housing, legal and housing benefit liaison be referred to as a licence. The agreement (licence) enables Housing Benefit to accept Staying Put as a commercial arrangement.

Where a young person is claiming a benefit (for example, income support, Job seekers allowance, employment and support allowance), housing benefit will be claimed. Housing benefit will be paid directly to the local authority budget (1996 Housing Benefit rules). The staying put carers will then be paid the full weekly amount by CCC Finance team.

Where a young person is in employment, an assessment will be made on the young persons income to determine how much rent the young person is liable to pay. This will be done through the Housing Benefits department. The staying put payment to the staying put carer will then be reduced by CCC Finance team and so they will be paid only the support element of the staying put payment. The young person will then pay their staying put carer the rent element directly. This may be made up of their wages and part housing benefit depending on their income.

#### a. LIVING TOGETHER AGREEMENT

This Agreement forms a three way agreement between the Staying Put Provider (the Provider), the Young Person and Coventry City Council (CCC)

This document allows you to occupy a room at these premises as a non secure licensee and not as a tenant.

- 1.

## PARTIES TO THE AGREEMENT

PROVIDER NAME:	TEL NO:
ADDRESS:	Home:  Mobile  Work:
YOUNG PERSON NAME: DATE OF BIRTH	Mobile
a. COVENTRY CITY COUNCIL  NAME:	b. Office c.  Mobile

## 2. TIMESCALE

Date of Licence Agreement	
Proposed period of Licence	2/3 Years
Date of first review and periods of review	3 months from start date then six monthly.

## 3. WHAT THE PROVIDER WILL DO UNDER THIS LICENCE AGREEMENT

*The Provider will be responsible for:*

- b. keeping the structure, exterior and communal parts of the premises in good repair. This includes drains, gutters and external pipes.*
- c. Making sure the installations for the supply of water, gas, electricity, sanitation and rubbish disposal are all in good repair and working order. This applies to room heating and water heating, communal amenities where they apply.*
- d. These duties are subject to the Provider's right to make good and charge the Young Person for the cost of deliberate damage, or neglect of its premises or communal parts.*

## 4. HOUSEHOLD FACILITIES & SERVICES



**Furnished bedroom for sole use by Young Person**

- d. Although the provider retains the right of access to all parts of the premises, it is expected that appropriate notice is given to access the Young Persons bedroom.
- e. The Young Person must allow the provider into the Young Person’s bedroom at reasonable hours to inspect its condition and carry out any necessary repairs or after receiving 24 hours notice.
- f. In an emergency the provider will gain entry if they believe there is risk or injury or damage to the provider or neighbouring properties.
- g. The Young Person must report any defects or repairs to the provider straight away.
- h. The Young Person is responsible for any damage caused to their bedroom or any other rooms the young person is permitted to access which are damaged by the Young Person’s neglect or carelessness, or that of their relatives or visitors.
- i. When the staying put agreement ends the Young Person must ensure that the fixtures and fittings are in good condition.

**Access**

The Young Person will not have access to the following parts of the premises:

The Host’s bedroom

Any foster children’s bedrooms without their permission (safeguarding).

**Use of Equipment**

- a. It is expected that young people will be able to make use of household equipment. For example: Fridge, cooker, washing machine, kettle, television. This will be agreed between the Provider and the Young Person at the commencement of the Licence Agreement.
- b. The Young Person is responsible for any items of equipment which are damaged by the Young Person’s neglect or carelessness, or that of their relatives or visitors.

**Rent and facilities**

- a. Rent payments are due each **week** and are payable on a **Monday**. The weekly rent payments may be altered by Coventry City Council after the Young Person is given **4 weeks notice**.
- b. Meals are not included in the rent payment.
- c. Young person’s contribution to food and bills
- d. Support provided to young person from provider (age dependent)

Weekly Rent £ 92

£20

£118

**5. CONDITIONS OF LICENCE AGREEMENT**

The Young Person must use the premises in a reasonable manner. The Young Person, their relatives and visitors must not upset the Provider, their family or visitors and agree to the following points:

## **Expected Behaviour**

- **Everyone should be respected.**

Everyone will be treated with respect and dignity in all aspects of their lives. This will be demonstrated by listening to each other's views, allowing people to make choices and upholding a person's right to have a private life.

- **Use of inappropriate language.**

Language that is negative about a person's gender, marital status, sexual orientation, race, religion, disability, HIV status, social class, will be challenged. Any person who feels they are being treated in a manner that is oppressive or discriminatory will be supported.

- **Threatening behaviour or bullying**

Harassment is not acceptable. This means taking advantage of other people, intimidating other people, bullying or making demands of other people that make them feel scared or not safe. Some people have more power or influence than other people, however it is wrong for them to misuse this power. Threatening behaviour can be verbal or physical. Violence and verbal aggression, including the threat of violence will not be tolerated.

- **Confidentiality**

Everyone has a right to confidentiality. This means that no one will talk to other people about someone else without that person's consent. However, everyone has a right to be safe. So if the Provider or CCC thinks that someone is being harmed, might be harmed or is in danger then the Provider or CCC will tell someone else. This may include the Police.

- **Damage to property and theft**

Other people's property will be respected. It is not acceptable to damage other people's property or take it without consent. If the Young Person causes any damages whilst in the premises, the Young Person will be liable for the cost of any repairs.

- **Drugs and Illegal Use of Premises**

Illegal substances are strictly prohibited in the Provider's home. Appropriate action will be taken if illegal substances are brought into the Provider's home. The Young Person must ensure that neither they nor their relatives or visitors use the premises for illegal or immoral purposes.

- **Giving away or signing over Licence**

The Young Person cannot give away or sign over the Licence. The Young Person must live on the premises and must not share, sublet or give up their room without the consent of the Provider and the Personal Adviser.

- **Pets**

The Young Person must not have any animals or pets on the premises without the consent of the Provider.

**c. Consequences of failure to keep the expected behaviour**

There are some occasions when a Provider's circumstances change and they are no longer able to offer the room under the Staying Put Agreement. Except in cases of emergency, young people will be given notice and everything possible will be done to find alternative accommodation.

Any incidents will be discussed with the Young Person and any decisions taken will be dependant on the seriousness of the incident. For example, if a Provider feels unsafe in their own home (e.g. if there has been any violence, something which is illegal has happened or there has been deliberate damage to premises) immediate notice may be given and the Police may be involved.

However, in most circumstances any difficulties will be discussed. If these difficulties continue, a verbal warning may be given. This would be followed by a final written warning and notice may be given if the problems continue.

**6. HOUSE RULES**

During the Staying Put period the Provider and the Young Person agree to the following house rules:

Use of Telephone

Use of Computer

Private Space

Visits from relatives and carers

Visits from friends

Other visits ( professionals etc)

Smoking

Alcohol

Quiet times

Coming in times

Tidying up after themselves  
(ie washing up)

Cleaning bedroom

Other

## **7. CONTACT AND VISITS**

Detail regarding the proposed contact between CCC and the Young Person.

## **8. INSURANCE COVER**

The Provider will not be able to include the Young Person's possessions on their home contents insurance cover, therefore, the Young Person is responsible for insuring their own possessions.

It is the responsibility of the Provider to inform their household insurance company that a Young Person is living with them under the Staying Put Agreement. The Provider must also inform their mortgage Provider or landlord that they have the Young Person living with them under the Staying Put Agreement.

## **9. ANY OTHER ISSUES RELEVANT TO THE PLACEMENT**

## **10. CHANGING THE TERMS OF THE STAYING PUT AGREEMENT**

Staying Put terms, or services provided under the Staying Put Agreement, other than weekly charges and the payment for support and services can be changed after consulting the Young Person after giving 4 weeks written notice.

## **11. TERMINATION OF AGREEMENT**

This Staying Put Agreement may be terminated by the Young Person or the Provider giving notice in writing of at least seven days, however it is expected that every effort be made to give 28 days notice. In the event of a serious breach of the Staying Put Agreement, immediate notice may be given by agreement with CCC. If the Young Person is given notice to end the Staying Put Agreement they should seek independent advice on this. The Young Person can contact the Citizens Advice Bureau or a solicitor.

**12. SIGNATURES**

Provider
Young Person
Coventry City Council
Date of Signature

ORIGINAL AGREEMENT WITNESSED BY.....

Title .....

## **APPENDIX 2**

### **• Underlying Principles**

#### **1. Key to the Door**

As a young adult, a young person who is Staying Put should have a key to the home they live in. Where they have not previously had a key reasons for this should be discussed at the Staying Put agreement meeting and detailed in the Pathway Plan. Having a front door key should be an aim, as part of taking on adult responsibilities.

#### **2. Key to own room**

If the household has locks on bedroom doors then the young person should have a key to their own room. If there is no lock on the door but the young person wants their room locked, for example, if the carers offer short-term or respite placements to Looked After children, a key pad or lock should be fitted.

#### **3. Options when the Staying Put carer has a holiday or weekend away**

- Young person goes on holiday with them
- Staying Put carer arranges for a relative, known to the young person, to move into the home for the period they are away.
- Young person arranges to stay with friends/family
- Young person stays at home with Staying Put carers agreement

#### **4. House rules**

No home is the same so all arrangements should reflect, what is accepted as the norm within the individual family. These should be discussed as part of the Staying Put agreement, included in the Pathway Plan and reconsidered at each Staying Put/Pathway Plan review.

#### **5. Staying Put and other Young People**

Foster carers/Staying Put carers can offer short breaks or respite to other young people (who are based with other Staying Put carers). However, Staying Put is about continuing established relationships between carers and young people, therefore it is not possible to set up a Staying Put arrangement with someone at age 18, who has not been Looked After by the carers immediately before the 18<sup>th</sup> birthday.