

To: Education and Children's Service Scrutiny Board Date: 15 September 2016

Subject: Staying Put Arrangements and Policy

1 Purpose of the Note

- 1.1 The purpose of this note is to update the Education and Children's Services Scrutiny Board on the Staying Put arrangements and policy.

2 Recommendations

- 2.1 The Education and Children's Services Scrutiny Board are recommended to:
- 1) Consider the content of the report and note progress
 - 2) Identify any recommendations for the appropriate Cabinet Member

3 Information/Background

- 3.1 This reports sets out the progress of the implementation of the Staying Put Policy approved by Cabinet Member for Children on 8 December 2015.
- 3.2 The Fostering task and finish group which concluded in March 2015 recommended that additional research and monitoring was undertaken to inform the policy in respect of the following issues.
- a. the affect that any potential drop in income has on the number of staying put places offered to young people
 - b. the number of young people who would like to stay put and aren't able to as their carers don't offer,
 - c. the statutory requirements and associated funding implications
- 3.3 The staying put policy has been revised to fully consider the recommendations of the task and finish group. The report and the policy was approved in December 2015.
- 3.4 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'.
- 3.5 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.
- 3.6 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. The policy was reviewed 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.

4 The Legal Framework

4.1 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. They need the opportunity to move when they are emotionally and financially ready, instead of being "pushed out too early by the system".

4.2 Further statutory guidance in 2010¹ and 2011² 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.

4.2 The statutory framework around Staying Put was 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 carers
- 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

4.4 It does not apply if the Local Authority considers that the staying put arrangement is not consistent with the welfare of the young person.

4.5 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 that may vary from family to family
- Drawing up of a Living Together Agreement which sets out details of the arrangements
- Provide information 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.

5 Profile and Number of Young People Staying Put

5.1 There has been an increase in the number of such arrangements over recent years. There are currently 34 young people who remain in staying put arrangements and 68% of these are with internal carers. There are a further 10 young people who are likely to enter staying put arrangements in 2016/17

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

² The Children Act 1989 Guidance and Regulations Volume 4: Fostering Services 2011

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 and again in 2015/16 and 2016/17..

Table 1: Analysis of young people benefiting from the Staying put scheme

	2012-13	2013-14	2014-15	2015-16	2016-17 estimated
No of bed nights	4,653	5,570	9,296	11,570	12,817
FTE	12.75	15.26	25.47	31.70	35.12
Change in FTE from previous year		2.51	10.21	6.23	3.42

- 5.2 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 3 years. The numbers are envisaged to continue to increase in 2016/2017.
- 5.3 Table 2 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 calculations.

Table 2 - Staying Put Hosts	2012-13		2013-14		2014-15		2015-16	
Internal	19	70%	20	69%	26	62%	34	63%
External	6	22%	8	28%	15	36%	20	37%
Connected Person	2	7%	1	3%	1	2%		
Total	27	100%	29	100%	42	100%	54	100%

- 5.4 National Staying Put pilots³ 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.
- 5.5 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.
- 5.6 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).

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

- b) A total fee of £230 per week in each year the scheme is operating (up to 3 years) and Coventry opted not to introduce a 'step down' to a lesser fees in year 2 and 3. This is in recognition of the valuable role which foster carers play in helping to prepare young people for independence. The City Council contribution has been set at £118 per week.

The fee structure is shown in Table 3 below.

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

- 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 the allowances and 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 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 between the interface between Staying Put and Shared Lives for young people who meet the access criteria for Adult services, as stated in Department for Education, Department for Works and Pensions and HMRC guidance May 2013 (Staying Put - Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers):

- 5.7 The "Staying Put" framework is aimed at looked after children (former relevant) 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.
- 5.8 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.

6 Financial implications

6.1 Table 4 below summarises the financials for the Staying Put scheme since it started in 2012/13.

	2012-13	2013-14	2014-15	2015-16	2016-17 estimated	
No of bed nights	4,653	5,570	9,296	11,570	12,817	
FTE	12.75	15.26	25.47	31.70	35.12	
Change in FTE from previous year		2.51	10.21	6.23	3.42	
Total cost	£133,926	£144,231	£190,530	£248,180	£293,687	
Grant	£0	£0	(£47,335)	(£94,670)	(£142,004)	Note 1
Core Budget	£0	£0	£0	£0	(£124,666)	Note 2
Net cost	£133,926	£144,231	£143,195	£153,510	£27,017	
Average CC contribution per week	£201	£181	£143	£150	160	Note 3

Note 1 The grant for 2016/17 has increased significantly

Note 2 Core budget has been added this year to improve the financial position as part of a wider piece of realignment work

Note 3 The 2016/17 figures include a short term bespoke package. Without this, the average council contribution per week is £147 per week, a small reduction on last year

6.2 The average weekly contributions vary greatly over time. The new policy with the agreed council contribution rate of £118 per week started in December 2015, and provides certainty and transparency for those involved in the scheme. New cases will move onto the new arrangements and as cases are reviewed on an on-going basis cost will begin to reduce to the expected level, as table 5 below.

Table 5 below shows the expected revised cost when the full Staying Put cohort is on the new scheme. It also shows that when the new scheme is fully implemented, applying the weekly rate of £118, this budget will be in balance, even allowing for the expected increase in numbers. Numbers are expected to even out in the next year.

Table 5: Expected costs when the new rates are fully implemented	Existing numbers	2% increase*
	New rates	New rates
Expected costs	£216,058	£244,573
Grant and core budget	(£266,670)	(£266,670)
Net position	(£50,612)	(£22,097)
Average cost per week - Gross	£118	£118
FTE	35.12	39.86

* Staying put cohort as a % of total fostering placements

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