

Staying Put

2023/2024

Introduction

Young people are remaining at home for longer for a range of reasons and in Blackpool we want to ensure that Our Children are afforded the same opportunities as those children who have been able to remain in their care of their parents. We have therefore worked tirelessly to ensure that our Staying Put Scheme is able to meet the range of needs that our children have to ensure that they remain in their home for longer to prepare them for the transition to adulthood. Ensuring that our young people are suitably prepared for living independently has reciprocal outcomes for the Local Authority and the young person which include having the skills to live independently and thrive.

The Legal Framework

Staying Put is underpinned by the following Legislation:

* Staying Put: DFE, DWP and HMRC Guidance (LINK)
* Children and Families Act 2014 (LINK)
* Planning Transition into Adulthood for Care Leavers Regulations 2014 (LINK)
* The Care Act 2014 (LINK)

Terminology

From the age of eighteen young people are no longer legally ‘in care’ or ‘looked after’ and therefore fostering arrangements and legislation relating to children placed with foster carers no longer applies. In circumstances where a young person remains with their former foster carer/s after their eighteenth birthday, the arrangement should therefore be deemed an ‘age eighteen and older arrangement’ or “Staying Put” arrangement. The term ‘home’ should be used rather than placement; the term ‘home’ denotes a situation where the local authority arranged and placed the child with a foster carer. Once the child reaches the age of eighteen and legal adulthood, the local authority is no longer making a placement, but facilitating a “Staying Put” arrangement for the young person.

The definition of a Staying Put arrangement

Staying Put arrangements should replicate as far as possible a ‘normal family life’. The foster carer(s) are required to care for any child or young person placed with them as though they were a member of their family, this expectation should carry through into Staying Put arrangements.

All families have different rules, expectations and ways of doing things. Considering this, Staying Put arrangements should take this into account and be sufficiently flexible to be tailored to individual circumstances and needs.

The term Staying Put can be used as follows;

* A young person who was in care immediately prior to their 18th birthday, as an eligible child, and continues to reside with their former foster carer(s);
* The carer(s) were acting as foster carer(s) to the young person immediately prior to their 18th birthday. This assumes that the foster carer(s) were approved in accordance with the Fostering Service (England) Regulations 2011, and the young person had been placed with them by Blackpool Council or an independent fostering agency;
* A young person is assessed to be an eligible child, with the meaning of paragraph 19B (2) of Schedule 2 of the Children’s Act 1989, immediately before they reach 18-years old;
* The Staying Put arrangement is set out in the child or young person’s pathway plan;
* A Staying Put arrangement ends when a young person becomes 21-years old or ceases to live within the household. This depends on which comes first, or the young person completes the agreed programme of education or training being undertaken on their 21st birthday, if continuously living in the arrangement since their 18th birthday.

Blackpool Council as a local authority has a statutory obligation to:

* Monitor and support Staying Put arrangements, these are reflected throughout this policy;
* Support our young people whether they decide to participate in a Staying Put arrangement.
* Ensure the “Staying Put” arrangement is deemed ‘suitable accommodation’ and meets the requirement of Regulation 6, 7 & 9 and Schedule 2 of the Planning Transition to Adulthood Guidance, which includes the Care Leavers (England) Regulations 2010.

Preparation for Staying Put

Preparation for extending Fostering Arrangements to Staying Put Arrangement should commence at the Our Children Review prior to the young person’s 16th Birthday. The child’s social worker will take responsibility for ensuring that the possible extension of Fostering Arrangements into Staying Put Arrangements should be explored within the child’s Pathway Plan.

The child’s social worker will therefore be required to co-ordinate a cross agency scoping meeting which will include:

* The Foster Carer’s Social Worker
* The Foster Carer
* The Personal Advisor

At this meeting the principals that underpin Staying Put should be clearly outlined to ensure a joint understanding of the expectations relating to the Foster Carer.

This meeting should seek to establish:

* The viability, appropriateness and likelihood of a Staying Put arrangement occurring;
* The key tasks, roles and responsibilities related to extending the young person’s fostering placement;
* The impact on the foster carer(s) financial circumstances, should the placement transform into a Staying Put arrangement and continue after the young person’s 18th birthday. Clear information on the funding for a Staying Put arrangement must be given to the foster carer(s) at this stage;
* Any potential barriers to achieving a successful Staying Put arrangement;
* The expectation that the carer will prepare the young person for independence and ensure they are accessing education, training and/or employment opportunities;
* The difference between caring for a child or young person and supporting an adult.

Should it be decided during this meeting that a Staying Put arrangement is not viable, the social worker will need to scope out the options that are available for this young person and meet individually with them to explore these other options for them to incorporate this into their pathway plan.

Should it be agreed at the initial scoping meeting that a Staying Put arrangement is viable, the young person’s social worker must meet with the young person individually and explore the Staying Put arrangements expectations and requirements and gain their wishes and feelings around this.

If the young person agrees to proceeding into a Staying Put arrangement, this will be written into their pathway plan and the appropriate support will be provided to prepare them and their foster carer(s) for this. However, should the young person wish to not proceed with this option and look at alternative accommodation options then this will be written into their pathway plan and the appropriate support for this will be provided.

The possibility and practicalities of a fostering placement transitioning into a Staying Put arrangement upon the young person turning 18-years old should then be discussed in every statutory care and pathway plan meeting with oversight from the Independent Reviewing Officer.

Support for our Young Person

Where the Foster Carer as made a commitment to transitioning to at Staying Put arrangement the young person’s social worker should arrange a meeting with the young person, the Foster Carer and the Personal Advisor. This meeting will discuss what the transition to a Staying Put arrangement will mean for the young person as well as the expectations of both the young person and the foster carer during the period of the arrangement. This will include what the foster carer will do to support the young person to develop their independent living skills to ensure that when the arrangement comes to an end at 21 they are adequately prepared to live independently. This will be formally agreed and written into the Living Together Agreement which outlines the role of the young person, foster carer and personal advisor in preparing the young person to live independently.

At 17 ½ transitions meetings will commence and all aspects of the young person’s life will be discussed to ensure that there are clear plans to support the transition to a Staying Put Arrangement. These meetings will be reviewed on a needs led basis to ensure that there is a smooth transition for the young person and the Foster Carer.

The transition to a Staying Put Arrangement will also be discussed at Housing Clinic to ensure that there is clear oversight of the planning process and where needed contingency plans are discussed and in place.

Roles and Responsibilities

There are a number of key roles that are integral to ensuring a smooth transition from Foster Care to Staying Put Arrangements. The information below seeks to provide a clear steer on which each professional is expected to do to support the transition.

Fostering Social Worker

The Fostering Social Worker is responsible for ensuring that at the initial scoping meeting the Foster carer is clear about the expectations of them following the transition to a Staying Put arrangement. This includes the relevant guidance around the impact the arrangement ensuring the foster carer(s) have been made fully aware of the implications for themselves and the young person. The review prior to the young person’s 18th Birthday will capture the Staying Put arrangements and consider everyone in the household. This will then go to the Agency Decision Maker for sign off.

Where there are Foster Children in the Household

Where there are fostered children living within the household when a young person transitions to Staying Put the checks and requirements associated with fostering legislation remain a prerequisite and therefore provide a framework for safeguarding and checking the arrangements for the whole household.

Where there are other children in the household who are fostered the foster carers must remain as an approved foster carer and the Fostering Services (England) Regulations and Guidance 2011 will apply. This includes requirements of supervision, review and safeguarding.

When a young person transitions into a Staying Put arrangement and there are other children remaining in the household who are fostered the foster carers will need to be returned to the fostering panel due to a change in circumstances as the young person transitioning into Staying Put arrangements has become an adult member of the household.

As the young person transitioning into a Staying Put arrangement they become an adult member of the household. Therefore they will require a valid DBS check and this should be completed prior to the young person’s 18th birthday.

The Supervising Social Worker will continue to provide supervision as a minimum on a three monthly basis.

Where there are no Foster Children living in the Staying Put Household

Legislation relating to Fostering will no longer apply where there are no other foster children living in the arrangements. However, key standards should continue to govern the expectation of the Staying Put arrangement, the carer(s) when a young person reaches the age of 18. This will be carried out by the Personal Advisor or other appropriate Council Officer. They will be responsible for ensuring that as a minimum standards will comply with landlord and licensee/tenant requirements. These requirements are included in the Living Together Agreement and will be reviewed annually or where there is a significant change.

Young Person’s Social Worker

The young person’s social worker has a key role in ensuring that the young person fully understands when the transition to a Staying Put arrangement means for them. This should include explaining to the young person that the basis on which they remain with them is no longer on a fostering basis but on one where they are being supported continue to prepare for independence and are therefore renting a room from their former foster carer who will continue to support them on their path to independence. This includes making a financial contribution towards the arrangement.

A plan will be in place for the transition into accommodation, this plan will be in place and agreed by the first Our Children review after the young person turns 16-years old and finalised by their final Our Children review before they turn 18-years old.

Young people must not be left in a position of being unsure on their accommodation options, should they decide to not proceed with a Staying Put arrangement. Our young people will be made aware of the options that available to them as outlined in the Housing Protocol for Care Leavers

Personal Advisor

Our young people will meet their Personal Advisors prior to their 16th Birthday. Personal Advisors will play an integral role in preparing for and supporting the Staying Put arrangement. They will support by attending all statutory Our Children reviews. They will also being to build a relationship with the young person to ensure that there is a seamless transition between the relationships they have with their social worker to the continued relationship with their personal advisor. This will include understanding the young person’s aspirations for the future, source of income and supporting them to navigate any processes they will continue to provide our young people with support beyond care and into adulthood.

Once the young person has been transferred to the Care Leavers Service, their personal Advisor is able to provide them with advice and support whilst getting in contact with them on a weekly basis where they have consented. They have a statutory responsibility to have a face to face visit with the young person at least every 12 weeks.

Personal Advisors will support our young person to complete their pathway plan supporting them to be involved with the process making sure their aims and wishes are outline and what support will be in place to achieve these. The pathway plan should include the views of the important people in our young person’s lives including the adults in their home (Staying Put provider), to ensure that they are also working towards the same goals with the young person and providing support around this adequately.

The young person’s personal Advisor will co-ordinate the provision of additional services, where necessary, and support the young person to ensure they make the most of the support and services available to them.

Their personal Advisor will take a tenacious approach to ensuring they are updated on the young person’s progress and wellbeing through regular updates from the young person, and other stakeholders involved in their support.

Foster Carer

The Foster Carer will expected to be present at all planning meetings that commence at the age of 16-years old and receive pathway plan notes to enable them in supporting the and young people that they look after.

They will be key in the decision making relating to whether or not the transition to a Staying Put arrangement is in the best interest of the young person, as well as assisting them in seeking clarification on any key questions the young person may have. They also have a role in explaining to the young person that the basis on which they remain with them is no longer on a fostering basis but on one where they are being supported continue to prepare for independence and are therefore renting a room from their former foster carer who will continue to support them on their path to independence. This includes making a financial contribution towards the arrangement.

Whilst the Fostering Social Worker will share information in relation to the finance structures, expectations around the arrangements and other advice and guidance; there is also an expectation that Foster Carers take an active role in ensuring that they are in receipt of all information to make an informed decision around transitioning from Foster Carers to Staying Put Carers. They will also support with developing their independent living skills and where the young person consents; they will contribute to their Pathway Plan beyond 18.

Independent Reviewing Officer

The role of the Independent Reviewing Officer is pivotal in overseeing the transition from being in foster care to being in a Staying Put arrangement. They chair all Our Children reviews that will include any plans to transition from being in foster care into Staying Put arrangements. In particular the Our Children review following the young person’s 16th birthday will outline any plans for setting up a Staying Put arrangement.

The social worker should ensure the Staying Put arrangement is reflected in the pathway plan and this should be checked. This plan should be a live document setting out the different services and how they will be provided to meet the young person’s individual needs and requirements in full.

During the review the Independent Review Officer will ensure that the young people who are eligible to enter a Staying Put arrangement are fully aware of this process, expectations and support whilst understanding their entitlements.

If a Staying Put arrangement is identified as unsuitable for a young person, then the Independent Review Officer should be informed of the other transition options that are available to them and their preferred option.

If it is felt and identified that a young person may be eligible for adult services when they reach 18-years old, then their social worker should refer them to this service as early as possible.

The Independent Review Officer will continue to review and monitor the young person’s pathway plan to ensure there is no drift in the care planning and that a robust transition plan is in place.

Learning Disabilities Team including the Autism Team

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 threshold for adult services following a Care Act Assessment (2014 After Care Act), the fostering arrangement should be converted to Adult Placement/Shared Lives Arrangements when the child reaches their eighteenth birthday where is it appropriate to do so and with the agreement of the foster carers. 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. From the young person’s 18th birthday they are expected to claim Universal Credit (if not claimed at age 16) which should be used to cover items previously provided by the foster carer (pocket money, clothing and personal element) and also pay rent/claim housing benefit.

Finances linked to Staying Put

There a number of factors that need to be considered when young people make the transition from foster care to a Staying Put arrangement. It is imperative that all professionals working with the young person and the foster carer outline the financial arrangements relating to transitioning from a foster care to Staying Put arrangements. This includes the expectation that the young person will contribute to their arrangement.

Foster Carer

Following a review of foster carer payments in 2019 a separate review of the finances linked to Staying Put was also commenced and the new payment structure rolled out in 2021. There are a number of factors that influenced the changes including the legal basis on which an adult occupies the room, support that is offered to the young person and ensuring that the process and finances support the young person. These payments are inclusive of food and amenities however, do not cover the cost of the individual’s personal choices outside of what is ordinarily provided, as this will come from the young person’s earnings or the personal element of their universal credit. For the finance structure, please see Appendix One

Disregarded finances under section 23c of the Children Act

Payments made to the “Staying Put” carers from the Local Authority Children’s Services under section 23C of the Children Act 1989 via the young person, or directly to the carer/s on behalf of the young person are disregarded when calculating the carer’s entitlement to means tested welfare benefits.

The section 23C payment is disregarded in its entirety in circumstances where young people continue to live as a member of their former foster carer’s family on a non-commercial basis.

Where young people contribute to the arrangement and/or claim Housing Element of universal Credit (which requires a commercial arrangement) they cannot continue to be deemed to be living solely in a familial arrangement and therefore any element of the payment from a source other than the section 23C element is taken into account when calculating the impact on the “Staying Put” carers own welfare benefit claim.

The section 23C element will always be disregarded when calculating the “Staying Put” carer’s welfare benefit entitlement.

Allowances which do not impact Carers Welfare Benefits

All of the following benefits/allowances (1 to 8) do not have any impact on the Staying Put carer’s welfare benefits, should they be claiming a means tested benefit. Young people commencing Higher Education courses at any age are not eligible to claim means tested benefits, with the exception of certain lone parents and certain sick and disabled young people.

1. Disabled young people are able to claim Employment and Support Allowance from their 16th birthday therefore the pocket money, clothing and personal allowance will cease to be paid (from the Fostering Maintenance Allowance) to the foster carer when the young person receives their first ESA payment.
2. Disabled young people can claim Disability Living Allowance (if under 16) or Personal Independence Payment (if 16 or over and not already claiming DLA). This is a non-means tested benefit and therefore has no impact on other benefits or the contribution that the young person or the local authority makes towards their rent. If the disability benefit is claimed (DLA/PIP), the Staying Put carer may be able to claim Carer’s Allowance.
3. Lone Parents can claim Income Support until their child is 5 years old, Healthy Start Vouchers and a Sure Start Maternity Grant, from 11 weeks before their due birth date (the Sure Start Maternity Grant is only provided once for the oldest or first child). From the birth of their baby they will also be eligible to claim Child Tax Credits and Child Benefit. (Eligible and Relevant lone parents aged 16 & 17 can also claim the above benefits, but only from the birth of their baby).
4. Young people can claim Income Support under the ‘Relevant Education’ rules if they remain ‘estranged’ from their family and are undertaking a full time (over 12 hours) education or training course which is under the higher education level. Young people can claim Income Support at any point prior to their 21st birthday and will continue to receive a payment until the end of the academic year following their 21st birthday, i.e. generally until July following their 21st birthday.
5. Young people undertaking full time education or training courses may also be eligible to claim the 16-19 year old Bursary, care leavers have an automatic and priority entitlement – see www.gov.uk/1619-bursary-fund.
6. Jobseekers Allowance where young people are registered as unemployed and are actively seeking employment.
7. A disabled young person in education who gets Universal Credit and Disability Living Allowance or a Personal Independence Payment may also be eligible to claim the 16-19 year old Bursary – see www.gov.uk/1619-bursary-fund.
8. Universal Credit and other legacy benefits are means-tested. The capital limit for these benefits is normally £16,000, with savings over £6,000 meaning a reduction in benefits. However, money held in a trust fund (including Court of Protection) arising from personal injury (e.g. Criminal Injury Compensation Awards) does not count as capital. Criminal Injuries Compensation Awards are only disregarded for the first 52 weeks following receipt of the award.

Young People who are in full time education (FE)

Where a young person is continuing their study with A ‘Levels or other FE courses they should be able to claim Universal Credit under the ‘relevant education rules’ (12 hours of more) where they classed as ‘estranged’ from their parents.

They should also be support to claim in bursary’s that may be available to them up until the age of 19 via the educational establishment.

Where a young person is continuing to study they should still be making a contribution to the arrangement. This contribution can be paid directly to the former foster carer or the Local Authority (we will adjust our overall payment in line with the young person’s contribution) and will be at the set amount based on the young person’s income and what they can reasonably afford, whilst still being able to save.

Young People in Higher Education

Young people who want to go on to study Higher Education should not be precluded from transitioning into Staying Put arrangements.

Where a young person want to live away at university the local authority will pay £35.71 per week as a retainer during term time. During the holiday periods the young person will be expected to make a contribution towards the arrangement per week and the amount should be agreed between the YP, PA and Former Foster Carer at an amount that is affordable. This amount can be paid from the vacation accommodation monies outlined in the transitions to adulthood finance policy.

Where a young person want to remain at home because they are studying at a local university they can make the transition to a Staying Put arrangement. Where this is the case the Staying Put allowances during term time will be made via the allocated finances in the transition to adulthood policy in the same way as those who choose to live in university accommodation. During the holiday periods the young person would be expected to make a contribution which can be paid via student finance or part time employment and will be agreed on an individual basis.

Young People Claiming Universal Credit

As already highlighted all young people should make a claim for Universal Credit as they may be entitled to additional financial support via this route. All young people leaving care are exempt from the shared room rate and are eligible to claim the single person allowance which is £85.00 locally.

Where Universal Credit is to be the only source of income for the young person, there is still an expectation that they make a contribution to the arrangements. Where they are entitled to the full Universal Credit amount including the Housing Element and Personal Element the housing element will be recouped by the local authority.

This can be completed in two ways:

Route 1: The £85.00 Housing Element is paid directly to the Local Authority. Where this is the case the Local Authority will not adjust any payments that are made to the Staying Put carer.

Route 2: The young person pays the Staying Put carer the housing element of universal credit and the local authority adjust the payment they make deducting the housing element following the assessment period.

Those young people who are in receipt of full universal credit entitlement will be expected to make a contribution of £8.50 per week from the personal element of the allowance. This can be direct to the Staying Put arrangement and we adjust our payments accordingly or direct to the local authority.

Where a young person is working and still eligible for some Universal Credit payment they will be expected to make a rent payment of £85 and 10% of their earning as a contribution. This will be paid from their universal credit payment and their personal income from their employment. The rent payment can be made either to the local authority or direct to the former foster carer. Where it is paid to the former foster carer the local authority will adjust its payments accordingly.

Where a young person is in employment a contribution amount should be discussed with the Social Worker, Foster Carer and Personal Advisor to explore what would be financially viable for the young person. The amount agreed will then be included in the Living Together Agreement and reviewed in line with the Pathway Plan. Given that all young people earn a varied amount the principal of 10% of their weekly earnings should be applied as a starting point to working out a contribution amount.

Single Occupancy Council Tax

When a young person turns 18 and the former foster carer is single there will be an impact on the Council Tax as the single person’s deduction will no longer be applicable. It is key that this is communicated to the former foster carer as a financial impact on their household.

What does not count as an adult under council tax criteria(s)?

Please see the link below for more information on who is not counted as an adult under Council Tax criteria.

[How Council Tax works: Who has to pay - GOV.UK (www.gov.uk)](https://www.gov.uk/council-tax/who-has-to-pay)

Her Majesty’s Revenue and Customs (HMRC), Income Tax and National Insurance

The rules governing Income Tax and National Insurance issues for former foster carers changed on 6th April 2010 from Adult Placement Care arrangements to Qualifying Care Relief Shared Lives Carers’ arrangements. HMRC has confirmed that where a “Staying Put” arrangement meets the qualifying criteria as set out in the ‘Terminology Section’ (and where the young adult continues to be cared for as a member of the carer’s family) it will be treated under the new Qualifying Care Relief ‘Shared Lives Carers’ rules. In effect, these rules extend the Income Tax and National Insurance rules that apply to foster carer/s to “Staying Put” carers. Please refer to the link below for more information

[Qualifying Care Relief increase - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/increase-in-qualifying-care-relief/qualifying-care-relief-increase)

HMRC Guidance

The tax free allowance is only available to households with three or fewer placements. However, foster care placements are excluded for this purpose, and sibling groups are counted as one placement. The tax free allowance only applies to the “Staying Put” carer’s income from caring. If they have income from other sources, they will pay tax on that income in the normal manner. If the “Staying Put” carer/s exceed the allowance they will have a choice of using the ‘simplified’ method or the standard profit and loss method to calculate their taxable profits.

The carer/s will also be liable to pay Class 4 National Insurance Contributions on their taxable profit. Under the simplified method, a carer’s taxable profit is the income they receive from caring which exceeds their tax free allowance. Where foster carer/s or “Staying Put” carer/s do incur an Income Tax and Class 4 National Insurance liability and they have not used their personal allowance this can be used to off-set this liability. If the carer/s have claimed the tax free allowance (used the simplified method), they may not also claim the ‘Rent a Room’ relief. Individual carers can consult their local HMRC office for guidance on their circumstances and liabilities.

In practice HMRC will treat the taxable profit from foster care or “Staying Put” care as earnings from self-employment for National Insurance Contributions purposes. “Staying Put” carer/s as well as foster carer/s should note that they may be able to claim Working Tax Credits which are administered by HMRC. Fostering/”Staying Put” care is counted as work for Working Tax Credit purposes. The carer’s taxable income is included in the total household income that is used to assess the amount of tax credits that they are entitled to. So, where the carer is paid less than their tax free allowance, their income from caring for tax credits purposes is also nil.

HMRC is aware that a number of foster carers and ”Staying Put” carers may not have registered for Class 2 National Insurance Contributions because they make little or no taxable profit. Foster care and “Staying Put” care is deemed as self-employment and as such carer/s should register as self-employed.

All self-employed people aged 16 and over who are below State Pension age are liable and must register to pay Class 2 National Insurance Contributions. Failure to do this may affect their entitlement to Employment and Support Allowance, Maternity Benefit, State Pension and Bereavement Benefit. However, self-employed carers may be able to apply for Carers Credits which have replaced Home Responsibilities Protection, and those with low taxable profits may be able to apply for a Small Earnings Exemption.

To claim a carers credit, foster carers/”Staying Put” carers must complete form CF411A available from HMRC ([www.hmrc.gov.uk](http://www.hmrc.gov.uk)).

If carers have not previously registered as self-employed they can obtain further information by calling the Newly Self-employed Helpline on 0845 915 4515. 22 If they are currently registered to pay Class 2 National Insurance Contributions they can obtain further information by calling the Self-employed Helpline on 0845 915 4655 instead.

Staying Put Carers in receipt of Legacy Benefits

A legacy benefit is a benefit which has been replaced by [Universal Credit](https://www.turn2us.org.uk/Benefit-guides/Universal-Credit/What-is-Universal-Credit) .  There are six legacy benefits:

* [Income-based Jobseekers Allowance](https://www.turn2us.org.uk/Benefit-guides/Jobseeker-s-Allowance/What-is-Jobseeker-s-Allowance)
* [Income-related Employment and Support Allowance](https://www.turn2us.org.uk/Benefit-guides/Employment-and-Support-Allowance/What-is-Employment-and-Support-Allowance)
* [Income Support](https://www.turn2us.org.uk/Benefit-guides/Income-Support/What-is-Income-Support)
* [Housing Benefit](https://www.turn2us.org.uk/Benefit-guides/Housing-Benefit-(England-Scotland-and-Wales)/What-is-Housing-Benefit)
* [Child Tax Credit](https://www.turn2us.org.uk/Benefit-guides/Child-Tax-Credit/What-is-Child-Tax-Credit)
* [Working Tax Credit](https://www.turn2us.org.uk/Benefit-guides/Working-Tax-Credit/What-is-Working-Tax-Credit)

Some of our Foster Carers may continue to be I receipt of these benefits and we need to understand the impact of these where a Staying Put arrangement is being considered. It is imperative that our Foster Carers fully understand the financial implications for them when they are thinking about conversion to Staying Put.

As already outlined any finances from the local authority paid via Section 23C are disregarded however, any other income must be declared. This income will include payments being made by the young person directly to the Foster Carer. In the main this will be their contribution to the arrangement or any benefits they are in receipt of in their own right.

Staying Put Carers in receipt of Universal Credit

Universal Credit has by enlarge replaced the legacy benefits outlined above. Where a Foster Carer is in receipt of Universal Credit they should notify the DWP of a change in their circumstances. Where the young person is also in receipt of Universal Credit or other benefits payments made via UC to the Former Foster Carer could be impacted.

Staying Put Arrangement with Family – Kinship Arrangements

Young people living in kinship Staying Put placements with sisters, brothers and certain extended family members who are formally approved as foster carers may not be eligible to claim the housing element of Universal Credit on reaching the age of 18. In situations where a young person is not eligible to claim the housing element Blackpool Children’s Social Care will pay the rent/accommodation element of the Staying Put arrangement (subject to a claim having been rejected).

The claim for Universal Credit should be made, based on the fact that the carer is a former foster carer/Staying Put carer rather than a relative. Young people who are working remain liable for rent; Blackpool Children’s Social Care will assess the young person’s contribution based on the benefit rules and would only pay the housing element.

Monitoring and Reviewing a SP Arrangement

Following the setting up of Staying Put Arrangements the responsibilty for reviewing the financial arrangements will transfer to the, Service Manager overseeing Leaving Care.

The Social Worker will be responsible for completing the Pathway Plan and the Living Together Agreement just prior to the young persons 18th Birthday. This will then transfer to the allocated Personal Advisor.

Three months following the young persons 18th birthday the first review by the Team Manager will take place.

Following this review the Manager will review each Staying Put Arrangement in line with the Pathway Plan and Living Together Agreement (every six months OR within 28 days of a significant change).

Staying Put - Move-On Arrangements – Planned and Un-Planned Endings

All young people reaching the age of 18 should have a pathway plan that sets out the arrangements for them moving to semi-independent or independent living. Young people reaching the age of 18 and commencing a Staying Put arrangement should also have a pathway plan that sets out the provisional arrangements for moving-on from Staying Put. The majority of young people will leave Staying Put in a planned manner and move to a Blackpool housing authority or housing association tenancy in the same way that other care leavers do. Individual arrangements should be set out the young person’s pathway plan.

Planned Move-On

Where young people decide that they would like to leave the Staying Put arrangement, or the Staying Put carers decide that they would like the arrangement to come to an end, each party should give at least 28 days ‘notice of termination’. The leaving care Personal Advisor will arrange for a meetings to take place with the team manager to explore the alternative housing options for the young person and ensure a smooth transition.

Staying Put Stability Meeting

Where the arrangement is at risk of breaking down, a Staying Put Stability Meeting will take place. Any new or changes to house rules will be set out in an up-dated Living Together Agreement. Where the Living Together Agreement is not working for the young person and the former foster carer the Personal Advisor will support to discuss and mediate.

Emergency and Unplanned Move-On and Evictions

Where there are signs of the arrangement potentially breaking down or there is an emergency breakdown the Personal Advisor will support to mediate and attempt to resolve any meetings. Blackpool Children’s Services will arrange emergency accommodation for a short period whilst an accommodation pathway for the young person is developed.

The circumstances leading to the young person being required to leave may result in the young person being deemed ‘intentionally homeless’. Additionally, leaving the Staying Put arrangement in an emergency and in an un-planned manner may limit the young person’s accommodation choices, and in the short term they may need to live in a range of temporary accommodation.

Non-Payment of Rent

In situations where young people do not pay their rent and we are made aware, either by not making the required payment or by not claiming housing benefit they may be at risk of no longer being able to reside in the Staying Put Arrangement. In all situations where a young person owes four weeks rent a Staying Put Stability Meeting will be held. The Staying Put Stability Meeting will decide on how best to support the young person make the required contributions. Young people will be given every opportunity to repay any arrears and eviction will only take place as a last resort in situations of rent arrears.

Tenancy Status – Excluded Licence

The tenancy status of young people living in Staying Put arrangements is that of an ‘Excluded Licensee’. Being on a ‘Licence’ and living in a household with the ‘landlord’ means that the licensee has very few tenancy rights and can be asked to leave the property with ‘reasonable notice’. Reasonable notice could be construed as having to leave immediately, where a person has acted in an extremely inappropriate manner, for example, violence towards members of the household, property damage, abusive/racist behaviour, theft from the property. Wherever possible, 28 days’ notice should be given by any party wishing to end the Staying Put Arrangement

We will support all our young people and their carers to maintain a relationship beyond the Staying Put Arrangement is they chose so that they remain an extended support network for our young people as the make the move into independent living.

**We will always support our young people to maintain their relationships with their Former Foster Carers and the wider family after the arrangement ends; as we know that these are key relationships and support networks.**

**Appendix One**

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| Year 1 payments | Year 2 payments | Year 3 payments |
| £250.00 | £207.80 | £207.80 |

## Document Control

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| Document category: | Leaving Care |
| Document location: |  |
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### Approved By:

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