



**London Borough of Brent**

**Care Planning and Children in Care**

**Leaving Care Financial Procedures**

**January 2015**

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## **1. Legal Framework**

The level of support young people receive depends on their status as care leavers. A breakdown of the entitlements and how young people qualify for them is available in the Regulations and Guidance related to the Children (Leaving Care) Act 2000, but attached is a short overview of the terminology (Appendix 1).

The Local Authority is responsible to continue to provide various forms of advice, assistance and guidance to young people over the age of 18, making the transition from care to more independent living arrangements. These requirements apply if the young person is described as a former relevant young person. This means that before the age of 18 they were treated as eligible or relevant children.

These duties operate primarily until the young person reaches the age of 21. However, the duties continue beyond a young person's 21<sup>st</sup> birthday where they remain engaged in education or training and continue until the end of their programme as set out in the Pathway Plan.

This procedure is underpinned by the Children Act 1989 and 2004; Children and Young Person's Act 2008 and Children (Leaving Care) Act 2000. It also takes into account the Regulations and Guidance published in April 2011(Planning Transition to Adulthood for Care Leavers).

This policy should be read in conjunction with the Brent Care Planning and Children in Care Leaving Care Procedures 2011.

The Local Authority is responsible to enable care leavers to develop financial capability and to access income maintenance services. The Pathway Plan is the tool for financial planning and budgeting. This is completed between the Social Worker/Social Work Assistant together with the young person. The level of financial support, if any, is set-out in the Pathway Plan.

## **2. Eligible Young People in Foster Placements or Residential Units**

### **2.1 Subsistence**

In foster care, foster carers will save money for young people as stipulated by Brent's Fostering Regulations. The young person receives a weekly personal allowance (pocket money) as stipulated by the Fostering Regulations. Young people are entitled to receive their savings aged 18, but the Social Worker could agree with the young person to access this money before their 18<sup>th</sup> birthday if it is considered necessary and in the young person's interest.

If the young person is looked after by a foster carer from an Independent Fostering Agency or in a residential care home, these arrangements are governed by the Pan London contract.

### **2.2 Financial support in relation to Education, Training or Employment**

Eligible young people who are looked after and who start a course of full time study after year 11 will be entitled to claim the 16-19 bursary of up to £1,200 a year.

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They will be able to keep this money and their pocket money as an incentive to continue with education. Students need to get the application form from their college and will need a letter from their social worker verifying their LAC status. This payment is made directly to the young person by the training provider. The bursary is distributed on a first-come-first-served basis.

*The 16-19 Bursary Fund. It is non-statutory and sets out the arrangements the Secretary of State intends to make under section 14 of the Education Act 2002. It should be read in conjunction with the documents 2013/14 16-19 Bursary Fund Q&A for Institutions and Local Authorities and 16-19 Bursary Fund Examples of Good Practice.*

### 2.3 Contact

Financial assistance with contact between young people and their families is determined on a case by case basis.

## 3. **Financial support for Eligible and Relevant Young People who live in semi-independent units or independently**

### 3.1 Subsistence and Accommodation

Eligible and relevant young people are not entitled to claim benefits, therefore as the corporate parent Brent has a duty to financially support these young people if they have no other income. The support package for their subsistence and accommodation will match the support that they would be entitled to if they were to claim Income Support or Job Seekers Allowance and Housing Benefit.

All accommodation costs for eligible and relevant people are met in full by Brent Social Care, if the accommodation is assessed as being suitable.

The exceptions to the above are lone parents and sick and disabled young people who meet the criteria in schedule 1B of the Income Support (General) Regulations 1987. They will be eligible to claim Income Support or Job Seekers Allowance. However, they do not claim Housing Benefit.

These young people are advised to make relevant benefit claims and Brent Social Care will cover their accommodation costs.

How subsistence is paid is negotiated as part of the young person's Pathway Plan and dependant on the young person's needs. Young people are encouraged to manage their money as independently as they can and they will be encouraged to open a bank account.

### 3.2 Financial support in relation to Education, Training and Employment

Eligible or relevant young people who are in full time education will receive a living allowance to the equivalent of Income Support rates.

16-18 years old who do not qualify for benefits receive financial support (subsistence) from Social Care for 52 weeks. This is at the same rate as JSA.

Eligible young people who are looked after and who start a course of full time study after year 11 will be entitled to claim the 16-19 bursary of up to £1,200 a year. They will be able to keep this money and their pocket money as an incentive to continue with education. Students need to get the application form from their college and will need a letter from

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their social worker verifying their LAC status. This payment is made directly to the young person by the training provider. The bursary is distributed on a first-come-first-served basis.

Young people who are in full time education receive the following support:

- Travel Cost up to 70% level and the most cost effective way of travelling (Young person to apply for student discount card) if they are over 18. Young people under 18 are eligible for free travel by bus using student Oyster hence should not be paid for any travel.
- £150 towards books each year

In order to receive financial support towards education or training, a young person needs to provide the following:

- Learning Agreement.
- Detailed list of any books or equipment needed for the course, which a young person needs assistance with.

### 3.3 Contact

Financial assistance with contact between young people and their families is determined on a case by case basis.

### 3.4 Other Financial Assistance

#### 3.4.1 Clothing

Young people living in semi-independent units depending on needs assessment may receive up to £300 per annum.

#### 3.4.2 Hobbies/Interests

Financial assistance can be considered as part of supporting the young person's hobbies or interest. This will be decided on a case by case basis and upon consideration of a supporting statement by the young person and Social Worker.

#### 3.4.3 Birthday/Religious Gifts

A young person will be given a birthday gift of £15.

A young person will be given a religious gift of £15 once a year

#### 3.4.4 Childcare Costs

Social Care will not normally fund child care costs. However, it will explore ways of helping young people with identifying suitable childcare if it is needed for example to pursue education, training or employment. The team will support young people in making applications for funding for childcare. The Nursery Education Grant is available to all over 2's and can be applied for by the young person for up to 15 hours per week.

#### 3.4.5 Health costs

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Young people are expected to access health services through the NHS. There may be occasions where young people have additional needs that may have financial implications.

Prescription glasses: A young person can claim up to £80 towards optical costs

Dentist: A young person can claim up to £75 towards specialist dental treatment

### 3.5 Young people unable to manage their finances

As part of the Pathway planning it may become apparent that a young person is struggling to manage their finances. This could have serious implications for the young person, such as falling into rent arrears or accruing debt. The worker has to address this with the young person immediately by completing the budget form (Attachment 3) and devising a debt management action plan that includes increased supervision and training with money management. It may be necessary for workers to liaise on behalf of the young person with debtors, other professionals and family members. In these circumstances the allocated worker may directly manage the living allowance. The young person can be assisted, for example by issuing living allowances by instalments.

### 3.6 Leisure for those young people in semi provision

Those young people who are living in semi provision aged 16 and 17 will have access to leisure opportunities. This will continue for one month after their 18<sup>th</sup> birthday. The membership covers the use of the leisure centre's gym, swimming pool, group classes and sauna and steam rooms. It does not cover activities such as karate sessions, swimming lessons, hire of courts etc. These will have to be paid for by the young person. There is a monthly allowance of £30 per/month membership towards this opportunity.

## 4. **Care Leavers aged 18 – 24**

The Local Authority is responsible to continue to provide various forms of advice assistance and guidance to young people over the age of 18, making the transition from care to more independent living arrangements. These requirements apply if the young person is described as a former relevant young person. This means that before the age of 18 they were treated as eligible or relevant children.

The Local Authority's duty to provide accommodation and maintenance for care leavers ends when they reach 18. However, they have duties to:

- Provide general assistance (Section 23C(4)(c))
- Provide assistance with the expenses associated with employment (Section 23C(4)(a))
- Provide assistance with the expenses associated with education and training (Section 23C, 4, b)
- Provide vacation accommodation (or the funds to secure it) to care leavers in Higher Education, or in residential further education (Section 24B,5)
- Provide a bursary (£2,000) to care leavers going on to Higher Education (Section 23C, 5A)

These duties operate primarily until the young person reaches the age of 21. However, the duties continue beyond a young person's 21<sup>st</sup> birthday where they remain engaged in

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education or training and continue until the end of their programme as set out in the Pathway Plan.

Some young people due to their immigration status will have no recourse to public funds. In these cases Local Authorities may have a duty to continue to support young people with subsistence and accommodation. These cases are reviewed together with the other care leavers but also at a dedicated UASC Panel. For further guidance please refer to the UASC guide.

#### 4.1 Subsistence

If young people are entitled to benefits, workers should actively support young people with their initial claim benefit. The claim should be submitted prior to their 18<sup>th</sup> birthday. Even if young people are in employment, there may still be a range of benefits that they are entitled to. Workers (or keyworker) have a duty to assist young people to maximise their income from benefits, education and training allowances.

#### 4.2 Accommodation

Care Leavers must have a home environment that meets their need. Suitable accommodation is a cornerstone of staying safe, but it also includes the broader environment with which they engage. There are a number of options available which will be considered so that when the young person approaches 18, they are clear on their options and the necessary applications have been made.

Former relevant young people will not normally have their accommodation costs met by Brent Social Care. They are responsible for payment of their own rent and will be advised and supported by their Social Worker, Social Work Assistant or Keyworker to apply and claim housing benefit. There may be occasions when a young person is not ready or able to live independently:

#### 4.3 Staying Put

Under the Care Leavers (England) Regulations 2010 and Planning Transition into Adulthood for Care Leavers Guidance, the Local Authority must provide information about extending placements post-18.

The Children and Families Act 2014 places a duty on local authorities to support care leavers who wished to stay with their former foster carers ('staying put' arrangements) until aged 21. Most importantly of all, it allows them to leave stable and secure homes when they are ready and able to make the transition to independence.

The primary aim of "Staying Put" is to promote a gradual transition from care to adulthood and independent living that recognises that many young people in care often experience delayed maturity, and that their 18th birthday may be an arbitrary and inappropriate point to leave a familial and foster care household. Therefore, Brent "Staying Put" scheme is designed to ensure young people do not experience a sudden disruption to their living arrangements, that educational and training achievement and continuity is promoted, that all young people can make a gradual transition from care to independence or to an Adult Service.

When a child who is living with a foster family at the age of 17 stays on living with that family after their 18th birthday this is called a Staying Put arrangement.

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Brent Children's Services recognizes the value of these arrangements for young people, and believes that Staying Put arrangements can:

- Ensure that young people are able to experience the transition to adulthood in a way similar to other young people their age;
- Ensure that young people do not leave their former foster family until they feel ready for greater independence;
- Help young people to maximise their opportunities for education, employment, or training;
- Reduce the risk of homelessness;
- Enable young people to develop emotional and practical skills to live independently;
- Reduce the likelihood of social exclusion

Young people are no longer legally Looked After and fostering regulations no longer apply. The young person is no longer a foster child. They become an adult member of the fostering household. The 'placement' becomes an 'arrangement' between the foster carer, the young person and Brent Children's Services.

The arrangement for the young person to continue to have a room as an adult in the foster home is set out in a Licence Agreement between the foster carer, the young person and Brent Children's Services.

### **Who is Eligible?**

All young people who have been looked after for a total of 13 weeks after they reached the age of 14 and who remain looked after by Brent in a foster family up to their 18th birthday are eligible for a Staying Put arrangement after the age of 18.

Early planning is critical to the success of the arrangement. There is a statutory duty to consider Staying Put when undertaking an assessment of the young persons needs within 3 months of their 16th birthday, to consider whether this would be in the young person's best interests. The possibility of the arrangement should then be discussed privately with the carer and agreements should be recorded in the young person's Pathway plan.

Upon reaching 18, young people will have their own income, either from wages from employment or an apprenticeship, or from income support and housing benefit if they are in Further Education or training. They will also receive some financial support from Brent Children Service's with their travel costs to their college or training provider. This income is taken into account when making the Staying Put arrangement. Young people are expected to make a contribution to the costs of the arrangement in the form of Rent and a contribution towards Food and Utilities.

The amount of Rent payable by the young person will vary in different parts of the country according to where the foster home is situated.

The contribution of the young person towards Food and Utilities will be negotiated between carer, YP and personal advisor.

### **Information to be presented to Brent Children's Placement Panel**

The following information should be agreed with the Head of Service, Care Planning & Children in Care and subsequently presented to Brent CPP when the child reaches the

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age of 17½ setting out the purpose and aims of the “Staying Put” arrangement and any particular milestones, targets and outcomes.

The overall purpose and aims and the day to day arrangements for supporting the young person should be set out in the young person’s Pathway Plan

Information on tasks, roles and responsibilities should include:

- Arrangements for supporting the young person to claim any benefits they are entitled too and who will assist them with this task;
- Arrangements for supporting and promoting education and training;
- Transition arrangements to an Adult Service and a Adult Placement/Shared Lives Scheme;
- The anticipated length of the “Staying Put” arrangement and the anticipated move-on arrangements;
- What criteria “Staying Put” Supported is being granted for;
- The date the “Staying Put” Supported arrangement will end
- What preparation for independence tasks are to be undertaken and what improved life skills are anticipated by extending foster care as a “Staying Put”
- What are the safeguarding arrangements for the young person, any foster children in placement and the children of the foster carers, has a DBS check been started or completed, is it anticipated that a risk assessment will be required;
- Where a young person is “Staying Put” in an arrangement outside of the Brent area will they return to Brent or move to the private sector where they live;
- Any specific vulnerabilities and needs of the young person;
- Information should include the views of the foster carer, young person and IRO and any specific financial issues related to the carer.

The amounts paid under Staying Put arrangements are set out below:

### **Staying Put Scheme**

#### **Initial Staying Put Rate (up to the age of 19)**

Foster carers receive £230 per week including the rent payable by the young person;

The young persons’ own income will come from wages from employment or an apprenticeship, or from Independent Futures or welfare benefits. The carer will not be expected to give money to young people;

Young people aged up to 19 and studying in Further Education are entitled to receive the 16-19 Bursary from their college;

Young people are also be entitled to additional financial support from Brent Adolescent Service, including the cost of travel to their college or training provider and essential educational expenses such as books or equipment required for their course;

Young people will make a contribution towards the household costs of food and utilities And this will be negotiated between carer, YP and personal advisor.

Carers will no longer be required to save for young people.

This initial Staying Put rate is payable up until the age of 19.

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## 19+ Staying Rate (up to age 21)

From the date of the young person's 19th birthday the Staying Put rate for all arrangements will be based on the current rate of Housing Benefit or will be negotiated between carer, YP and Personal Advisor through the young person wage if employed.

Additionally, the young person will continue to contribute to the cost of Food and Utilities as agreed with their family.

The department is committed to achieving fairness in financial arrangements for family and friends carers. However, young people in former friends and family foster placement cannot claim Housing Benefit if they are related to the carer. Other foster carers may not be able to receive Housing Benefit on behalf of their young people because of their own tax and benefit or housing circumstances. Foster Carers in this position should discuss the financial arrangements with their supervising social worker.

Young people Staying Put continue to live as part of their foster family but as adults they will be expected to make a financial contribution to family costs from their personal income. This is because former foster children are entitled to their own income unlike their peers (other young people who continue to live at home). As noted above, formerly fostered young people are entitled to travel costs, 16-19 bursary and income support, as well as housing benefit.

## Housing Benefit – Young People

When young person reaches 18 young people will have a License Agreement that sets out the arrangements for Rent, Utilities and for the provision of Support. Under the License Agreement the young person is liable for.

If a young person is working then their income from employment is taken into account in their claim for housing benefit. For example: A young person who is working and earning **£100 (net income) per week** would have to contribute about £21 per week towards their rent.

Young people will always be able to meet the costs of housing and travel to work, education or training and have enough money to live on contribute to household expenses through the current arrangements for financial support to care leavers.

## Council Tax

If a young person is on benefits or a full time student and is living with a single carer the carers will receive a council tax discount of 25%. If the young person is working then the discount would be lost and the young person will need to pay their share of the Council Tax. The same arrangements apply as for Housing Benefit, with the young person being liable to pay only an affordable proportion of their "surplus income".

## 19 + Staying Put Rate.

The Staying Put finances change following the young person's 19th birthday. If the young person remains living with their former foster carers after this point then the Staying Put payment will need to be reviewed. There will be negotiated between Brent's Commissioning Team, carer, YP and Personal Advisor

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## Tax for Staying Put Arrangements

Staying Put carers receiving money to enable them to care for the young person will not pay tax on this money as this is a Leaving Care Payment as set out in H.M. Revenue and Custom help sheet 236 (**Qualifying care relief: Foster carers, adult placement carers, kinship carers and staying put carers: HS236 Self Assessment help sheet**). The government has recently decided that all payments for Staying Put are included in the foster care tax relief threshold. This enables allowances and fees to be tax free, up to £10,000 per year as a foster carer plus £250 per week for each young person over the age of 11, in addition to their own tax free earnings of approximately £10,000 per year.

If the carer is not working then tax would be offset against the personal tax allowance. If host carer is applying as a couple then personal allowance can be claimed by one person or split between the couple.

These arrangements apply to the age of 21 or until the young person completes an agreed programme of education or training being undertaken on the 21st Birthday. NB It will be the responsibility for carers to complete a HMRC self-assessment form if they are earning above the personal allowance threshold.

## Benefits

### Housing Benefit – Host Carers

Some carers may not be able to receive a payment of rent from young people because this will affect their own benefit or tax position. Family and Friends carers are not entitled to receive Housing benefit from a young person who is related to them. Supervising Social Workers should discuss the Staying Put financial arrangements with all their carers so that young people are also enabled to remain living with these carers in a Staying Put arrangement.

Supervising social workers should seek guidance from the Brent Housing Benefits Section as to how accepting housing benefit would affect a former foster carers own finances in each individual set of circumstances.

Some young people will not be eligible for housing benefit because of their immigration status and Children's Social Care will then pay the fostering/supportive lodgings rent in most cases until the young person becomes entitled to their own income.

### Arrangements for Young People in Independent Fostering Agency (IFA) Placements

Staying Put arrangements with IFA carers will be made in a similar way. The initial Staying Put Rate will be paid to support the arrangement until the young person's 19th birthday and young people would be expected to make a financial contribution to the costs from their income in the same way wherever possible.

The maximum that would be paid to a former foster carer for a Staying Put arrangement would be £230 per week. Young people are expected to claim income support and housing benefit wherever possible with additional personal allowances provided by Independent Futures as noted above.

If IFA foster carers and agencies do not accept this figure as a weekly payment for the arrangement from the young person's 18th birthday up until their 19th birthday, then a proposal for any continuation at a higher rate must be presented to Brent CP Panel as early as possible after the child's 17th birthday.

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If the young person wishes to remain in the former foster home after the young person 19th birthday, Children's Social Care would expect IFA foster carers to accept payments at the long term 19+ Staying Put rate. If this is not acceptable to the IFA then any proposal to continue the arrangement at a higher rate should be considered by Brent CPP.

**Where university students need vacation accommodation** carers will be asked to provide this service for the rent element of the supportive lodgings rate. This will be negotiated between carer, YP and Personal Advisor.

## **Insurance**

Public liability cover will be in place to cover all the arrangements made by Brent and should cover any arrangements which come under Brent supervision from agencies. IFA carers should refer to their agency insurance. Clarity as to foster carers legal expenses cover is being established a national level.

### **4.4 Semi-Independent Units**

It is possible that a young person does not secure their own tenancy by age 18. In these circumstances there may be a short period whereby the young person remains in semi-independent provision until their tenancy is signed. Semi-independent accommodation beyond 18 would not normally go beyond 6 months following the young persons 18<sup>th</sup> birthday. A case has to be made for every young person who remains in semi-independent provision post 18 and this is reviewed at the 18+ panel.

The young person must apply for Housing Benefit to be paid directly to Brent Council.

The young person has to claim DSS benefits i.e. JSA or Income support, if not in employment.

This is a core task and the Team Manager must ensure that benefits are applied for in-time as otherwise this incurs additional cost to the Local Authority.

If benefits applications cannot be progressed due to the young person's lack of engagement, the young person will be given 2 weeks' notice that their subsistence will be ceased, unless they bring legitimate proof of a benefits application in which case the manager could make a decision to reinstate it on a temporary, time-limited basis.

For those young people in Higher Education (this either a Degree/HND level) it is expected that the young person's student loan meet the cost of accommodation during term time. Brent Social Care has a duty to where needed provide assistance with rental deposits and the cost of vacation accommodation either in cash or kind. This is for a maximum of 16 weeks.

### **4.3. Financial Assistance for those in Education, Employment and Training**

If the YP is on a full time non-degree course they can claim income support under the estrangement rule. If they are on a course that qualifies for a student loan then they do not qualify for benefits.

In exception circumstances, if a care-leaver is aged 17-20 and they are 'estranged' from their parents or anyone acting as their parents, they can get income support whilst in full-time non-advanced education (more than 12 hours a week and below degree level). This applies even if they stay on with ex foster carers. But they must have started or been

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accepted/enrolled the course before their 19th birthday and IS (and housing benefit) would stop on their 21st birthday. Anything over 12 hours is counted as full-time for IS purposes.

In those cases where young people are not considered estranged from their parents, they cannot apply for Income Support and have to apply for Job Seekers Allowance. In those circumstances, they can only study part-time and this has to be less than 16 hours a week.

Part-time students are currently able to claim jobseekers allowance but in order to do so they have to satisfy the availability for work test and then they can qualify for the 16 hour rule. The criteria they have to meet is; they must be 18+, must continue to register as available for work, they must be able to demonstrate they are actively seeking work, the course must be less than 16 hours per week and they must be prepared to give up the course if a suitable job is found.

Social Workers have to ensure that all students attending HND/University make an application for a Maintenance Loan and Grant. The Maintenance Loan covers their every day living expenses and study fees. This is re-payable and the young person is responsible for paying this back when they start to work. The grant is financially assessed and not re-payable.

When doing the financial assessment the worker has to ensure that the young person has applied for all the appropriate funding streams.

Young people who are in full time education receive the following support:

- Travel Cost up to 70% level and the most cost effective way of travelling (Young person to apply for student discount card) if they are over 18. Under 18, travel on the bus underground and buses is free and should not be paid for
- £150 towards books each year
- Cost of vacation accommodation – this is subject to means testing that will take into account the availability of student loans, but also any employment or other funds that they may have secured. This is individual on a case by case basis but would not ordinarily exceed 16 weeks.
- During the vacation period, these young people will receive a personal allowance at the JSA rate
- Up to £300 towards the graduation ceremony to hire gowns, photographs and travel costs

This support is dependent on the Young person providing the necessary documentation as proof that they a

Where a young person is participating in education or training and reaches the age of 21 years, financial assistance may continue until the young person completes the course. In these cases it is expected that the following criteria is met:

- The young person commenced the course before the age of 21 years.
- It has been identified as part of the Pathway Plan that University or HND is the next step for a young person
- The young person's social worker is satisfied that the course is appropriate for the young person.
- Social workers have responsibility for checking the continued attendance and satisfactory performance of the young person.

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- Financial assistance is generally agreed term by term.
- Assistance can be given where there has been a break in attendance provided this is done with the agreement of the social worker and the young person is returning to complete the original training.
- Assistance is generally not given to young people who change their course of training or education unless there are exceptional circumstances endorsed by their social worker.
- During college holidays, young people are expected to seek employment to qualify for continued assistance with living expenses. Any earned income is taken into account.

#### 4.4 Contact

Young people in this category depending on the needs outlined in their pathway plan may receive a discretionary payment.

#### 4.5 Setting up Home Allowance (SUHA)

This is a discretionary, one-off payment of £2,000 for those eligible, relevant and former relevant young people to help them buy essential furniture and/or household appliances when setting up their own home. It can be paid in total or in stages, at any time when deemed appropriate by the worker and young person. Young people should be given advice and guidance through the Pathway Plan on how the money is best spent. A young person qualifies for this grant when they move into semi-independent or obtain their own tenancy.

The young person's wishes should be given a lot of consideration when spending the money. However the local authority reserves the right to make sure the money is spent appropriately and it is the aim that during the period up to leaving care, the young person, foster carer and social worker will decide what items will be provided when and by whom. *(See appendix household items list.)*

It is recognised that the young people may also be young parents. Young people are assisted to claim relevant DSS benefits and to apply for additional charitable grants to cover the additional household needs of a baby/child, where this is not available from the Benefits Agency.

#### 4.6 Other financial assistance

##### 4.6.1 Clothing

Young people in this category depending on assessment of need may receive the following discretionary payments if they are refused payments from DSS claims (i.e. Social fund)

- (i) Clothing for job interviews – one off payment of up to £100
- (ii) Release from custody – one off payment of up to £100

##### 4.6.2 Health

Young people are expected to access health services through the NHS. There may be occasions where young people have additional needs that may have financial implications.

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Prescription glasses: A young person can claim up to £80 towards optical costs  
Dentist: A young person can claim up to £75 towards specialist dental treatment

#### 4.6.3 Child Care

Social Care does not normally pay for child care. Young people will be advised by their worker and signposted to the appropriate agencies. The Nursery Education Grant is available to all over 2's and can be applied for by the young person for up to 15 hours per week.

#### 4.6.4 Other

- Suitcase/rucksack : £30
- Costs of Birthday and other religious or festive cards are met for all clients
- A birthday gift to the sum of £20 for over 18s (i.e. voucher)
- Payments for key documents e.g. Passports, Birth Certificates and Driver's Licence will be considered on an individual basis.

#### 4.6.5 Emergency Financial Assistance

This may be provided in exceptional circumstances. The manager has to be satisfied that there is a legitimate case for the financial assistance to be provided. Written proof has to be provided by the young person that they have taken all the steps that can reasonably be expected to remedy the situation and has exhausted all other options such as a crisis loan. For example - when there is a delay while a claim for JSA is processed there is proof that the young person has applied for JSA and turned up for the necessary appointments.

Once a DSS claim is made and proven, Social Care can pay the equivalent of JSA rates for up to 3 weeks while the claim is being processed. Housing Benefit has to be informed that Social Care is making these payments.

### 5. Support to Care Leavers from other Local Authorities

If a young person presents from another Local Authority requesting assistance from Brent, the Brent Social Worker has to make contact with the young person's responsible authority and the two authorities should agree, with the young person on the next step. This might be for the young person to return to his responsible authority or to stay in the new authority's area, or to move somewhere different.

Where financial assistance is required, it is the originating authority's responsibility to provide these to the young person.

### 6. Requisition, authorisation and method of payments

If it is assessed and agreed by the Team Manager that a young person is eligible for financial assistance and depending on the nature of the support, the worker completes the following paperwork:

- the F2 form ( requesting a financial payment),
- the Funding record (which is a cumulative summary of financial payments)
- if applicable the Financial Form (F3)for weekly or recurring payments

The F3 should be used for all young people where recurring payments are set up.

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Any payments up to £1000 must be authorised by either the Deputy Team Manager or Team Manager. This includes cumulative payments – thereby any recurring payment that exceeds £1000 must be authorised by Principal Officers. Principal Officers can agree up to £2000 – this includes cumulative payments – thereby any recurring payment that exceeds £2000 must be authorised by the Head of Service. Any other amount has to be authorised by the Head of Service.

Once authorised, financial requests are presented to the Business Support Officers (BSO's) to process through the Oracle system. No cash payments are made and payments are either placed on a re-loadable card or instant issue card.

Re-loadable cards take between 24-48 hours before money is on the card (48 hours if upload is completed after 2pm). Clients have to sign an agreement before being issued with a card. After receiving a card, clients do not have to attend the office for money to be uploaded on to the card. The pin number is in a separate envelope attached to the card envelope

Instant Issue cards have money on it immediately once the upload has been completed.

Payments are made via:-

- I) Regular payments to individual bank accounts
- II) Regular payments made directly to creditors
- III) Payments by cheques
- IV) Payment cards.
- V) Payment by invoices

Criminal Injuries compensation money do not affect any young person's entitlement to financial support from Social Care

## 7. Financial Monitoring and Review

All financial decision making within Brent must represent value for money. Whilst decisions about financial support will not be led by finance alone, we must be clear when making decisions that the young person meets the criteria for support and that there is rigorous review and monitoring of payments.

There are a number of panels to ensure active demand management.

**The Housing Panel** is chaired by the Principle Officer, Transitions Service. The panel is attended by the Housing liaison worker, data tracking officer and the relevant team manager. The cohorts of young people are those aged 17, 5 years old and upwards. The panel meets on a monthly basis to identify the Young People who should be referred to Housing and to ensure that the Vulnerability report has been prepared and housing application been made. It also monitors the progress of housing applications and the bidding process and acceptance of tenancy.

**The 18+ Panel** meets on a monthly basis and is chaired by the Head of Service CPCIC or CRT. Team Managers and Deputy Team Managers attend this meeting where all those care leavers aged 18+ are reviewed. This panel monitors that care leavers have applied for the relevant benefits and that housing applications have been progressed. It also reviews key working support hours and other financial packages. At age 18, keyworking

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support is stopped unless the Social Work team presents a young person where their needs require it.

There will be some young people with complex needs who are unable to live independently without a high level of support. These young people's needs are too complex to be able to manage a tenancy. Most of these are not eligible for Startplus support either. These specialist support packages have to be agreed between Children and Adult Social Care as financial responsibility transfers to Adult Services when young people turn 19.

**The University Panel** meets quarterly and is chaired by the Head of Service CPCIC. The panel is attended by the data officer, Team Manager/Deputy Team Manager, worker and

**The Transitions Panel** meets every 8 weeks to review cases where young people present with mental health and learning difficulties. The purpose is to identify cases that will transfer to adult learning difficulties team up until a young person is 19.

**The UASC panel** meets on a quarterly basis and is chaired by Principal Officer. The panel is attended by legal, and the Social Worker and manager. This panel considers the young people aged 17, 5 who have discretionary leave. It gives legal advice on the next steps that the young person and LA have to take to legalise their status, support the LA have to provide.

## 8. Additional

### 8.1 Minimum Standards

The responsible authority should always use its best efforts to ensure that the package of support for any individual young person is the one which best meet their needs, circumstances and abilities. The total value of the package should generally be well above the level which would have been awarded through the benefits system and should act as an incentive to encourage young people to participate in education, training and employment opportunities.

No young person should receive a package for his accommodation and subsistence whether paid directly to him or handled on his behalf by his responsible authority, which comes to less than he would have received if he had been entitled to claim Income Support or Job Seekers Allowance and Housing Benefit (or equivalent success benefits) at the rates which would have applied to him and his circumstances.

### 8.2 Sanctions

A relevant young person has a right that accommodation and maintenance should be provided by his responsible authority, so long as his welfare requires it. However, he might apply sanctions such as loss of privileges, or would withdraw funding if it was being abused. These "privileges" are over and above basic accommodation and maintenance.

### 8.3 Disputes

If the young person has a complaint about financial matters he/she may invoke the complaints procedure set out in the 1991 Representations Procedure (Children) Regulations as amended by the Children (Leaving Care) Act.

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Attachments:

Appendix 1: Definitions of Care Leavers

Appendix 2: Format for SUHA

## Appendix 1: Definitions of Care Leavers

Definitions	Main Statutory Obligations
<p><b><u>Eligible children</u></b></p> <p>Defined in paragraph 19B of Schedule 2 to the 1989 Act, and regulation 40 of the Care Planning Regulations as a child who is:</p> <p>(a) looked after,  (b) aged 16 or 17, and  (c) has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after he reached 14 and ended after he reached 16.</p>	<p>The local authority has the same statutory obligations in relation to eligible children as they do towards other children looked after by them, including a duty to maintain their care plan, carry out regular reviews of their case and appoint an independent reviewing officer for the child. In addition they must:</p> <ul style="list-style-type: none"> <li>• prepare an <b>assessment</b> of the eligible child's needs with a view to determining what advice, assistance and support it would be appropriate for them to provide him (both while he is still looked after and after he stops being looked after) [paragraph 19B(4) of Schedule 2 to the 1989 Act; the requirements for carrying out the assessment are set out in regulation 42 of the Care Planning Regulations]</li> <li>• as soon as possible after the assessment of needs is completed, prepare a <b>pathway plan</b> (which includes the child's care plan) [paragraph 19B(4) of Schedule 2 to the 1989 Act; the requirements for preparing the pathway plan are set out in regulation 43 of the Care Planning Regulations]</li> </ul> <p>keep the pathway plan under <b>regular review</b> [paragraph 19B(5) of Schedule 2 to the 1989 Act]</p> <ul style="list-style-type: none"> <li>• appoint a <b>personal adviser</b> for the child [paragraph 19C of Schedule 2 to the 1989 Act; the functions of the personal adviser are set out in regulation 44 of the Care Planning Regulations].</li> </ul>

### **Relevant children**

Defined in section 23A(2) of the 1989 Act as a child who is:

- (a) not looked after,
- (b) aged 16 or 17, and
- (c) was, before he last ceased to be looked after, an eligible child.

Regulation 3 of the Care Leavers Regulations prescribes a further category of relevant child who is:

- (a) not looked after,
- (b) aged 16 or 17, and
- (c) at the time he attained the age of 16 was detained (i.e. detained in a remand centre, a young offenders institution or a secure training centre, or any other centre pursuant to a Court order), or in a hospital, and immediately before he was detained or in hospital he had been looked after by a local authority for a period or periods amounting in all to at least 13 weeks which began after he reached the age of 14.

Regulation 3 of the Care Leavers Regulations also provides that a child who has lived for a continuous period of six months or more with:

- (a) his parent,
- (b) someone who is not his parent but who has parental responsibility for him or,
- (c) where he is in care and there was a residence order in force immediately before the care order was made, a person in whose favour the residence order was made then that child is not a relevant child despite falling within section 23A(2). Where those living arrangements break down and the child ceases to live with the person concerned, the child is to be treated as a relevant child.

The local authority that last looked after the relevant child must:

- take reasonable steps to **keep in touch** with the relevant child [section 23B(1) of the 1989 Act]
- prepare an **assessment** of the relevant child's needs with a view to determining what advice assistance and support it would be appropriate for them to provide him (unless they already did so when he was an eligible child) [section 23B(3)(a) of the 1989 Act; the requirements for carrying out the assessment are set out in regulations 4 and 5 of the Care Leavers Regulations]
- as soon as possible after any assessment of needs is completed, prepare a **pathway plan** [section 23B(3)(b) of the 1989 Act; the requirements for preparing the pathway plan are set out in regulation 6 of the Care Leavers Regulations]
- keep the pathway plan under **regular review** [section 23E(1D) of the 1989 Act; the requirements for carrying out reviews are set out in regulation 7 of the Care Leavers Regulations]
- appoint a **personal adviser** for the child (unless they already did so when he was an eligible child) [section 23B(2) of the 1989 Act; the functions of the personal adviser are set out in regulation 8 of the Care Leavers Regulations]
- safeguard and promote the relevant child's welfare by maintaining him, providing him with or maintaining him in suitable accommodation and providing assistance in order to meet his needs in relation to education, training or employment as provided for in his pathway plan [section 23B(8) of the 1989 Act and regulation 9 of the Care Leavers Regulations; regulation 9 also makes provision about the meaning of "suitable accommodation"].

### **Former relevant children**

Defined in section 23C(1) of the 1989 Act as a young person who is:

- (a) aged 18 or above, and either
- (b) has been a relevant child and would be one if he were under 18, or
- (c) immediately before he ceased to be looked after at age 18, was an eligible child.

The local authority that last looked after the former relevant child must:

- take reasonable steps to keep in touch with the former relevant child, and if they lose touch with him, to re-establish contact [section 23C(2) of the 1989 Act]
- continue to keep the pathway plan under regular review [section 23C(3)(b) of the 1989 Act; the requirements for carrying out reviews are set out in regulation 7 of the Care Leavers Regulations]
- continue the appointment of the personal adviser for the child [section 23C(3)(a) of the 1989 Act; the functions of the personal adviser are set out in regulation 8 of the Care Leavers Regulations]
- if his welfare requires it, provide financial assistance by contributing to the former relevant child's expenses in living near the place where he is, or will be, employed or seeking employment [sections 23C(4)(a) and 24B(1) of the 1989 Act]
- if his welfare and educational and training needs require it, provide **financial assistance** to enable him to pursue education or training [sections 23C(4)(b) and 24B(2) of the 1989 Act]
- if the former relevant child pursues higher education in accordance with his pathway plan, to pay him the higher education bursary [section 23C(5A) and the Children Act 1989 (Higher Education Bursary) (England) Regulations 2009].
- The duties in section 23C(2), (3) and (4)(b) continue until the former relevant child reaches 21 or, where the child's pathway plan sets out a programme of education or training which extends beyond his 21st birthday, they continue for so long as he pursues that programme.

<p><b><u>Former relevant children pursuing further education or training</u></b></p> <p>Defined in section 23CA(1) as a former relevant child who is:</p> <p>(a) aged under 25,</p> <p>(b) in relation to whom the duties in 23C(2)(3) and (4) no longer apply, and</p> <p>(c) he has informed the local authority that he wants to pursue or is pursuing a programme of education or training.</p>	<p>The local authority which owed duties to that former relevant child under section 23C of the 1989 Act must:</p> <ul style="list-style-type: none"> <li>• appoint a <b>personal adviser</b> for that person [section 23CA(2) of the 1989 Act]</li> <li>• carry out an <b>assessment</b> of the needs of that person with a view to determining what assistance (if any) it would be appropriate for them to provide him [section 23CA(3)(a) of the 1989 Act; the requirements for carrying out the</li> </ul>
<p><b><u>Persons qualifying for advice and assistance</u></b></p> <p>Defined in section 24 of the 1989 Act as a person who is:</p> <p>(a) aged at least 16 but is under 21,</p> <p>(b) with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of that order, or</p> <p>(c) at any time after reaching the age of 16 but while he was still a child was, but is no longer, looked after, accommodated or fostered.</p>	<p>The relevant local authority (as defined in section 24(5) of the 1989 Act) must consider whether the person needs help of a kind the local authority can give:</p> <ul style="list-style-type: none"> <li>• under section 24A - to advise and befriend and give assistance,</li> <li>• under section 24B - to give financial assistance – see above; or where the person is in full time further or higher education, is under the age of 25 and qualifies for advice and assistance, or would have done if he was under 21, assistance in relation to securing vacation accommodation [sections 24A(2) and (3), and 24B of the 1989 Act].</li> </ul>

## Appendix 2: Setting Up Home Grant - Leaving Care Team

Household Items	LCT	Foster Carer/ Semi- independent	Young Person
<b>Essentials (E)</b>	<b>MAX</b>	<b>MAX</b>	<b>MAX</b>
Bed / Sofa bed			
Duvet Pillows			
Duvet cover x 2			
Sheets x 2			
Wardrobe			
Chest Of Drawers			
Table and Chairs			
TV set			
TV Licence			
Fridge Freezer			
Cooker			
Installation of W machine / Cooker			
Washing Machine			
General Cleaning Equipment			
Kitchen Utensils			
<b>Pots and Pans</b>			
Cutlery			
Crockery			
Kettle			
Knives			
Iron			
Ironing Board			
Curtain and Blinds			
<b>SUB-TOTAL</b>			

<b>Desirable (D)</b>			
Valance			
Coffee Table			
Sofa			
Bath Mat			
Towels			
Bathroom set			
Laundry Baskets			
Mirror			
Baking set/bowls/storage cont			
Tea Towels			
Clock			
Vacuum Cleaner			
Lighting and Shades			
Shower Curtain			
Carpeting			
<b>SUB-TOTAL</b>			