

# Guidance Document Template

Staying On Guidance:  
Arrangements for Care Leavers aged 18  
and above to 'Stay On' within Supported  
Lodgings or Supported Accommodation

# Document Control

Document Title:

## Summary

Publication Date	January 2017
Related Legislation / Applicable Section of Legislation	
Related Policies, Strategies, Guideline Documents	<p>Staying Put: Arrangements for Care Leavers aged 18 and above to stay on with their former Foster Carers. May 2013 DFE, DWP &amp; HMRC Guidance</p> <p>Sir Martin Narey's report 'Residential Care in England' July 2016</p> <p>The Children Action 1989 Guidance and Regulations, Volume 3: Planning Transition to Adulthood for Care Leavers. October 2010</p>
Replaces	
Joint Guidance Document (Yes/No)	
Name of Partner(s) if joint	
Guidance Document Owner (Name/Position)	
Guidance Document Author (Name/Position)	
Applies to	Eligible Cared 4 Children and Care Leavers

## Review of Strategy

Last Review Date	
Review undertaken by	
Next Review Date	

## Document Approvals

This document requires the following approvals.

Name	Title	Date of Issue	Version Number



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Guidance: Arrangements for Care Leavers aged 18 and above to 'Stay On' within Supported Lodgings or Supported Accommodation


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## 2. Executive Summary

In accordance with Rochdale MBC's Pledge to its Cared 4 Children (C4C), Children's Services is committed to promoting the successful transition to adulthood for C4C by ensuring that they have the opportunities to learn the skills they need to become successful independent adults.

Children's Services is aware that the transition to adulthood can be a turbulent time and that transitions are no longer sequential in that young people can become an adult in one area but not in another. Children's Services is of the view that eligible C4C should expect the same level of care and support with regard to the Transition to Adulthood that others would expect from a reasonable parent.

Children's Services fully supports the 'Staying Put' arrangements in place and encourages all C4C placed with Foster Carers to consider this as their transition placement post 18 years of age. However Children's Services also recognises that not all C4C are placed with Foster Carers and that they also need to be supported in transitioning to adulthood with the same recognition regarding the difficulties they may face.

Sir Martin Narey's report 'Residential Care in England' July 2016 makes a recommendation regarding 'Staying Close' rather than 'Staying Put'. The report recognises the positive introduction of Staying Put but also acknowledges the criticisms of those children placed in residential homes who were not included or afforded the same opportunity. The Children and Social Work bill will govern how Local Authorities support care leavers and children in care. Whilst the report recognises that the extension of Staying Put to those living in Children's Homes was not straightforward, consideration was given to a 'Staying Close' option rather than Staying Put. Young people would live independently but close to the children's home, the ongoing support of a key worker and could visit the home frequently. Recommendation 33 states 'I urge the Government to commit to introducing Staying Close'.

However these two reports do not consider those children not living in Foster Homes or Residential Children's Homes and who do not meet the criteria for Adult Social Care for ongoing support but do require some level of flexibility in terms of when they leave care. For those young people who are living in Supported Lodgings and Supported Accommodation, the age at which they would be expected to move would be their 18<sup>th</sup> birthday, unless Adult Social Care had taken on case responsibility and the young person met the criteria for ongoing support.



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Building on the principles of Staying Put, the benefits of Staying Close and the needs of young people, the option of 'Staying On' is introduced in Rochdale. This is a unique development and whilst other such schemes may exist within the Country, none are known at this time, although individual arrangements to meet the needs of young people and underpinned in the principles of 'Staying On' will take place on a regular basis.

Staying On would offer the young person a time limited period of time, informed by their Leaving Care Assessment of Need and included within their Pathway Plan, to remain in the Supported Lodgings or Supported Accommodation to ensure that their transition to independent accommodation is at a time and in a manner which meets the young person's needs.

Supported Lodgings and Supported Accommodation are semi-independent placement options for young people therefore it is anticipated that they were assessed as being nearly ready for independence but require additional support at that time. Whilst they may have been assessed as 'nearly ready' it is accepted that it is difficult to put a timescale on how long this would take and for some young people, there may be additional issues which impact on their transition to adulthood.

Whilst it is not proposed that Staying On would be for the same length of time as Staying Put, it is difficult to put a specific timescale on how long this arrangement may last.

This Guidance Document should be read in conjunction with the Staying On Policy document and Staying Put Policy Document.

### **3. Introduction**

Rochdale Council acts as the Corporate Parents to its Cared 4 Children and Care Leavers and as such takes responsibility for their care, development, wellbeing, outcomes and achievements and successful transition to adulthood with a view to leading successful and satisfying lives.

The Government introduced the Staying Put Guidance in May 2013 which has been fully implemented and which evidences a positive performance in respect of young people choosing to remain with their Foster Carers after their 18<sup>th</sup> birthday.

The report commissioned from Sir Martin Narey by the Government in respect of Residential Care in England built on the principles of Staying Put and Vol 3: Planning Transition to Adulthood for Care Leavers. Having reviewed this and recognising the success of the Staying Put Policy and Guidance, it was recognised that there was a natural gap in respect of young people who live in Supported Lodgings and Supported Accommodation.

The following guidance identifies who the document applies to and provide detail on how to implement this development.

### **4. What is Staying On**

Staying On would offer young people placed in Supported Lodgings or Supported Accommodation a time limited period of time, informed by their Leaving Care Assessment of Need and included within their Pathway Plan, to remain in their placement where this is required, to ensure that their transition to independent accommodation is at a time and in a manner which meets the young person's needs.

Supported Lodgings and Supported Accommodation are semi-independent placement options for young people therefore it is anticipated that they were assessed as being nearly ready for independence but require additional support at that time. Whilst they may have been assessed as 'nearly ready' it is accepted that it is difficult to put a timescale on how long this would take and for some young people, there may be additional issues which impact on their transition to adulthood.

It is not proposed that Staying On would be for the same length of time as Staying Put however it is difficult to put a specific timescale on how long this arrangement may last.

## 5. Principles of Staying On

The principles of Staying On mirror those of Staying Put and Staying Close.

- Consistency – young people do not experience a sudden disruption to their living arrangements
- Support – young people and their carers are provided with the right support which will address their circumstances and meet their needs. The carer can support the young person in developing skills to do well in life and keep themselves safe from harm.
- Relationship – ensuring the young person is able to sustain normal relationships and benefit from the extension of this where required
- Best interests – providing support to enable the best possible opportunities which lead to successful lives
- Early planning – arrangements for Staying On should be considered as part of the care planning / pathway planning process. Decisions as to whether a Staying On arrangement is required should be taken as early as possible and written into the young person's pathway plan.
- Flexibility – arrangements should be flexible to enable support to be provided to meet the needs of the young person

## 6. Guidance

There are a wide variety of reasons why the young person may need to 'Stay On' for example, they are assessed as being vulnerable, they are in Education, Employment or Training and should not experience disruption at that time and their independent accommodation is not yet available. This list is not exhaustive.

### When would 'Staying On' apply?

Staying On would only be considered when the following criteria is met

- The young person was looked after immediately prior to their 18<sup>th</sup> birthday
- The young person was living within Supported Lodgings or Supported Accommodation where they wish to remain for a period of time immediately prior to their 18<sup>th</sup> birthday. **NB** you cannot move to supported lodgings or supported accommodation post 18 years of age under Staying On.
- The young person is deemed an eligible child, immediately before they reached their 18<sup>th</sup> birthday
- The young person's Pathway Plan clearly indicates the need for 'Staying On' arrangements and the period of time this is anticipated to be required.
- The young person is attending University and wishes to return to their home authority during holiday periods (NB Staying On would not provide a retainer fee or payment whilst the young person was away at University)
- **The young person is an Unaccompanied Asylum Seeking Child and their immigration status has not been decided. Please note that whilst this would be dealt with under this Policy / Guidance,**



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funding is available for these young people and the Local Authority continues to be responsible for them under the relevant legislation.

#### When would 'Staying On' NOT apply?

Staying On would not apply if the young person meets the criteria for Adult Social Care involvement and provision of accommodation.

#### When would 'Staying On' cease?

- On or before the young person's 19<sup>th</sup> birthday
- Should the young person chose to leave the Supported Lodgings or Supported Accommodation arrangement during the extension period following their 18<sup>th</sup> birthday, the 'Staying On' arrangement will cease automatically and they will not be allowed to return to the placement
- The young person or the carer can end the arrangement by notice at any time, therefore contingency planning is required throughout this period.

The Staying On arrangement would be for a specified period of time. This could be reviewed and extended however it is not envisaged that this would last longer than 12 months. It is noted that the young person will have been assessed as being suitable to move to semi supported or semi-independent accommodation such as Supported Lodgings or Supported Accommodation and therefore the additional period required to ensure the young person would be within the year immediately after their 18<sup>th</sup> birthday.

#### Care Planning for Staying On

It is important that young people and their carers are fully aware of the plans being put in place to support their transition to adulthood, including placement / accommodation arrangements.

The Leaving Care Assessment of Need and Pathway Plan is undertaken within 3 months of the young person's 16<sup>th</sup> birthday, or where the young person does not become cared 4 until after their 16<sup>th</sup> birthday, within 3 months of the date they became cared 4. These documents identify the assistance and timescales required for young people to transition into adulthood and independence and should be used as the framework to explore the following issues: -

- Where does the young person wish to live post 18 years of age
- Where are the living prior to their 18<sup>th</sup> birthday
- Does the young person meet the criteria for Staying Put or Staying On
- What does the carer feel about the young person continuing to reside with them
- Do all involved understand the funding arrangements for Staying On arrangements?
- Is the young person aware of their entitlements under Leaving Care
- What support services are in place to assist the young person to achieve independence within the timescales set

It is important that the period between the young person's 16<sup>th</sup> and 18<sup>th</sup> birthday is used effectively and that all those involved are working towards building their independence skills and ensuring they are ready for transition to independent living where possible.

#### Staying On Meeting

As part of the Pathway Plan and review mechanism, careful consideration regarding accommodation arrangements post 18 for those young people living in Supported Lodgings or Supported Accommodation should be given.

Where the young person or Social Worker is expressing concerns regarding the young person's ability to transition to independent accommodation by their 18<sup>th</sup> birthday, a Care Planning Meeting should be convened to consider Staying On Arrangements.

The meeting should include the young person, their carer(s), social worker, with additional individuals being included where appropriate for example Commissioning Team, IRO, person with PR, Advocate or Independent Visitor.

This meeting should clearly address the following issues: -

- The reason the young person may not be able to move onto independent living by their 18<sup>th</sup> birthday
- The views and wishes of the young person
- The views of the Carer(s)
- Assessment of the Social Worker identifying the needs of the young person and what they need to achieve to transition to adulthood and independence
- Support services in place to assist the young person to achieve their goals
- Timescales to achieve goals and be ready to move to independence
- Financial issues and arrangements
- Living together agreement
- Contingency Plans
- Plan for the time period between the date of the meeting and the young person's 18<sup>th</sup> birthday with clear allocation of tasks

Regular care planning meetings should be undertaken to ensure that the young person and the carers are kept up to date and allowed to share their views, wishes and receive appropriate information. These meetings should ratify the plan, however the young person and the carer can change their mind at any time. It is important to remember that the 'Staying On' arrangement must be approved by the Placement Request Process and therefore at the very latest, the last Care Planning Meeting to confirm Staying On should take place prior to the last LAC review before the young person's 18<sup>th</sup> birthday to ensure that the care plan for Staying On is ratified in the review.

Contingency arrangements must be part of the planning process as the Carers or young person may change their mind at any time.

### **Living Together Agreement**

As per Staying Put arrangements, it is recommended that the Staying On arrangement should be supported by a written agreement between the young person and the carer to agree rules and expectations. It is recognised that the young person would move from being a C4C to an adult and would no longer be Cared 4. For the Supported Lodgings or Supported Accommodation carers consideration is required as to what is acceptable and not acceptable, what will stay the same and what will change. It is important to remember that many of the issues which will be included in the written agreement will probably have been in place prior to the young person's 18<sup>th</sup> birthday and there may already be written agreements or contracts in place but there may be a need for some changes, which need to be discussed and agreed as part of care planning.



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The living together agreement is a sensitive issue for some young people and should be dealt with carefully. This also may be something that would impact on whether the Staying On arrangement is viable. It should therefore be discussed at an early stage of the planning.

This written agreement will also be important and may be required to provide formal evidence of the nature of the relationship between the young person and their carer, for example when claiming housing benefit.

Whatever is recorded in the Living Together Agreement should be agreed between the young person and their carer(s). Consideration should be given to how this arrangement may impact on others living in the household, and whether this needs to be included in the agreement.

Examples of issues to be addressed could include: -

- Time the young person has to return home by at night
- Friends / partner visiting or staying at the address
- Staying out overnight – by agreement, with whom, how many times – NB housing benefit and financial support to Carer may be impacted if the young person is not residing in the placement on a consistent basis
- Safeguarding issues
- Room checks
- Smoking
- Alcohol
- Attending college or work
- DBS check to be completed
- Pets
- Paying rent
- Damage to property / payment for damage to property
- Not abiding by expectations
- Support from carer
- Attending appointments
- Notice period

There is an example of the Living Together or Written Agreement within the 'Staying Put Policy and Procedure, which should be used for 'Staying On' Arrangements. **NB** the Living Together Agreement should be attached to the Pathway Plan and pre review report so that it can be reviewed in the meeting.

### **Approval for Staying On Arrangements**

Staying On relates to the continuation of a commissioned external placement and therefore should follow the same process as all other Placement Requests.

Reference should therefore be made to the Placement Request Process.

NB for the placement request to be approved it is important that the total cost and timescale is included in the written request. Requests should be made at least 3 months prior to the young person's 18<sup>th</sup> birthday but preferably longer. Evidence of the Pathway Plan, Care Planning Meetings, Living Together Agreement, Financial Arrangements and LAC review recommendations should be included in the request. Where the request is approved this may be prior to the final LAC review therefore discussion with the IRO is also required.

Where the Staying On arrangement is approved, the young person would continue to be reviewed by the Independent Reviewing Officer for the duration of the Staying On period.

### **'Staying On' Arrangements request not approved**

The social worker / Practice Manager should not recommend a Staying On arrangement if they do not feel it is in the young person's best interests. If such an arrangement was not felt to meet the young person's needs, this should be identified at an early stage and discussed fully.

It is important that the evidence submitted is sufficient to explain the reasons for the request and how it will meet the young person's needs. As stated, contingency planning will be part of the process and there should be a realistic alternative available for the young person should the request not be approved. The earlier the request is made the longer the time to support the young person whatever the outcome of the request.

The Young Person and the Carer would have the right of complaint if a request for 'Staying On' had been refused. The Complaint Procedure should be followed.

The young person may ask the IRO to review their pathway plan if they feel that their Social Worker has failed to provide sufficient or appropriate support.

### **Financial Arrangements**

It is recognised that many Supported Lodgings Carers rely on the income from placements and that Supported Accommodation arrangements are a business. Financial remuneration is therefore required for the continuation of the placement to the carer.

Where a young person is living with Supported Lodgings Carers, financial support would be paid to the carer at their normal payment rate, minus Housing Benefit and the Young Person's contribution.

The Local Authority would not pay the Provider fee for the ongoing placement with a Supported Lodgings Carer. The Carer may have room for more than one young person and therefore may offer a Staying On arrangement but continue to offer support through their agency provider for other young people.

Supported Accommodation arrangements are slightly different as the cost of the placement remains the same (no additional fee paid to the Provider). The young person would be entitled to claim housing benefit and would also make a contribution from their income. This would reduce the amount of money the Local Authority would contribute to the cost of the continuing placement.

There is a significant amount of information in the Staying Put Policy and Procedure regarding benefits for young people and it is not proposed that this should be duplicated in this procedure however this can be referenced via the embedded document below.



Adobe Acrobat  
Document

The young person, depending on their circumstances, may be entitled to Housing Benefit and Universal Benefits. They may be in full time education or in employment and receive a regular wage.

Whatever the young person's circumstances they would be expected to claim the benefits they are entitled to and to make a contribution from their income.

The young person's contribution would be based on an equation based on the maintenance allowance paid. It would also be impacted by the arrangement in place within the placement. For example if the young person receives utilities only as part of their arrangement but no meals or other such services, they would not contribute as much as they would if meals were included.

Benefits paid – utilities only included – 25% contribution

Benefits paid – meals and utilities included – 50% contribution

Where the young person is working, contributions will be based on the weekly income, minus the maintenance allowance, divided by 2, or 50 pence in every pound for additional income or earnings over and above the rate of the maintenance payment. The maximum contribution has been set at £100 per week as per Staying Put.

The Staying Put Policy and Procedure has Finance Calculation Tool which can also be used for Staying On.

## 7. Process for Monitoring Compliance and Effectiveness of the Guidance Document

The current Placement Panel Review process will address the number of young people 'Staying On' and whether this arrangement is suitably meeting their needs. The Panel would also monitor the timescales and ensure that appropriate plans are in place to ensure that the arrangement does not exceed the agreed criteria and timescales.

Given each request is subject to a Placement Request process, the requirements of the arrangement and compliance with the Guidance will be monitored via this process. It is also noted that the young person will be subject to ongoing Pathway Reviews post 18 years of age as per all Care Leavers and therefore the statutory requirements will ensure that such arrangements are monitored carefully and regularly.

## 8. Guidance Document Governance

Responsible	Jude Brown
Accountable	Jill McGregor
Ownership	Children's Services Leadership Team
Consulted	Corporate Parenting Board,
Informed	

**Responsible** the person(s) responsible for developing and implementing the guidance document.

**Accountable** the person who has ultimate accountability and authority for the guidance document.

**Ownership** the person(s) or group who has overall ownership of the guidance document.

**Consulted** the person(s) or groups to be consulted prior to implementation of guidance document.

**Informed** the person(s) or groups to be informed after implementing or amending the guidance



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*document.*

## 9. Guidance Document Review Date

January 2018

## 10. Appendices

Equality Impact Assessment



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2003 Document

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