

Children's Social Care

Leaving Care Finance Policy

Version Control

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1 INTRODUCTION

- 1.1 This policy sets out the financial provisions and arrangements for Looked After Children under the care of the London Borough of Sutton and Care Leavers. As a Corporate Parent, the London Borough of Sutton is responsible for acting as a 'good and reasonable' parent would. In this context this means ensuring that young people are both equipped to manage their finances; have access to their entitlement and are supported appropriately.

2 CORE PRINCIPLES

- 2.1 In line with the council's pledge to children in care, this policy has been developed with the following core leaving care pledge principles in mind:

Sutton Council Care Pledge

1. We will make sure you get the help you need when you need it and give you the information you need to make the right decisions.
2. We will create clear plans for care, education, health and wellbeing to meet your needs.
3. We will make sure you will have the opportunity to talk to your social worker alone every time he/she visits you.
4. We will ensure that you are involved in decisions that affect you and your life, listen to your views and respect your choice. We want you to tell us when you meet us whether we are keeping our promises.
5. We will make sure every Sutton school has a person who works with children who are looked after to help and support them achieve educationally. For young people out of borough, to ensure they have a contact from Sutton who can support them in their education.
6. We will give you the support you need to have contact with family and friends, including covering travel costs where necessary if they live far away.
7. We will support you to gain training opportunities, further and higher education and employment.
8. We aim to be the best as parents, provide you with a safe and comfortable place to live and to make your experience of being looked after a positive one.
9. We will have expectations of you as well and we will make these clear to you.
10. We will only promise you things that we know we can do.
11. We will celebrate and promote your achievements with you as well as any contributions that you make to the community, including marking your birthday, religious festivals and educational attainments.
12. We will respect you as an individual, make sure you are treated fairly, make sure that you know your rights and they are adhered to as set out in relevant legislation, regulations and guidance and the UN Convention on the Rights of the Child.
13. We will give you support and guidance with developing life skills so that you can manage your life effectively.
14. We will also ensure you receive your London Borough of Sutton Pledge entitlements, wherever you live.
15. Any failure on the part of the Council to deliver this will be promptly resolved.

2.2 Young people covered by this policy should not receive less support than they would be entitled to under benefits (e.g. Jobseeker's Allowance).

3 LEGISLATION

2.3 Financial arrangements for looked after children and care leavers are governed by the following:

- Children Act 1989 – Section 23
- Children (Leaving Care) Act 2000.

2.4 The Act sets out provisions to support those young people for whom the local authority takes the place of family.¹ As such, this does not include those young people for whom someone else has parental responsibility; those that remain in care settings (where normal foster / placement payments apply); or those under another local authority's care (see 'responsible local authority' below). A separate Family and Friends policy governs those living with relatives or friends.

2.5 The Act sets out three categories of young people that the council has a responsibility towards: eligible, relevant and former relevant children, as follows:

Definition	Duty
<p>An eligible child – children aged between 16 and 17 who</p> <ul style="list-style-type: none"> ● have been looked after for 13 weeks+ since the age of 14 years; and ● are still looked after. 	<p>For each eligible child, the local authority shall provide / carry out:</p> <ul style="list-style-type: none"> ● a needs assessment ● pathway plan ● Social Worker/Personal Adviser
<p>A relevant child means a child who is aged between 16 and 17 and</p> <ul style="list-style-type: none"> ● has been looked after for 13 weeks+ since the age of 14; and ● has been looked after at some time whilst 16 or 17²; and ● has left care 	<p>For each eligible child, the local authority shall take steps to stay in touch with the relevant child (whether in their area or not) and provide / carry out:</p> <ul style="list-style-type: none"> ● a needs assessment ● pathway plan (with regular review) ● Social Worker/ Personal Adviser <p>The responsible local authority shall safeguard and promote the child's welfare and, unless they are satisfied that his welfare does not</p>

¹ This excludes those subject to respite care whom remain under their parent / carers' responsibility but includes those young people who return home which proves subsequently unsuccessful, returning to local authority support before the age of 18.

² Includes those children that would have been relevant on their 16th birthday if not for being detained through hospital or the criminal justice system.

<p>The responsible local authority is the one which last looked after the child.</p>	<p>require it, support him by providing accommodation and maintenance; and providing support of such other descriptions as may be prescribed.</p> <p>Support may be in case</p>
<p>A “former relevant child” – refers to a young person aged 18-21 who was either an eligible or relevant child, or both.</p> <p>Where the former relevant child’s pathway plan sets out a programme of education or training which extends beyond their 21st birthday they continue to be a former relevant child until the end of the programme.</p>	<p>For each eligible child, the local authority shall take steps to stay in touch with the relevant child (whether in their area or not) and provide / carry out:</p> <ul style="list-style-type: none"> ● a needs assessment ● pathway plan (with regular review) ● personal adviser <p>The responsible local authority shall safeguard and promote the child’s welfare and provide assistance to the extent that his welfare and his educational or training needs require it.</p> <p>The assistance given under may be in kind or, in exceptional circumstances, in cash.</p>

2.6 The council has a range of duties towards children in care and leaving care based on an assessment of their needs and the advice, assistance and support that the young person requires. This support may be in kind, or in some cases may be in cash.

Links to other policies/frameworks

2.7 A number of other Sutton policies support supervision, performance and staff development. This policy should be delivered alongside all Sutton policies and procedures, in particular the following:

- LAC Strategy
- Corporate Parenting Strategy

4 PRACTICE

Authorisation and records management

2.8 All payments will be recorded and receipted to ensure a full audit trail. In the case of regular payments, these should be recorded in the young person’s Pathway Plan, setting out the conditions, frequency and method of payment.

- 2.9 One off or ad hoc payments (usually event driven) should be assessed by the relevant social worker and signed off, in line with the council's normal financial delegations.

Audit and review process

- 2.10 Regular payments should be reviewed annually as part of regular reviews of the young person's plan.
- 2.11 Any concerns in relation to the application of this policy should be raised with the relevant caseworker in the first instance. Where this is not able to resolve the issue, representations should be submitted through the council's normal complaint process.

Supporting financial management

- 2.12 The London Borough of Sutton will support young people in developing skills to manage their finances.
- 2.13 Preparations for becoming independent should start by the age of 15 at the latest.
- 2.14 Young people will be provided with the following key documents and information by the age of 16 to enable them to manage their finances:
- Photographic Identification
 - National Insurance Number
- 2.15 These documents will enable the young person to open a bank account and, as necessary register for relevant benefits.

Eligibility

- 2.16 The allowances set out in this document apply to eligible, relevant and former relevant young people as defined by the Children (Leaving Care) Act 2000. Eligibility is subject to the conditions of each individual allowance.
- 2.17 The London Borough of Sutton is responsible for these allowances where it was the last authority to care for a young person, regardless of whether they now live within the borough of Sutton or not.
- 2.18 Under Section 23, Eligible and Relevant care leavers are ineligible for benefits such as Job Seekers Allowance, Income Support and Housing Benefit, with support being provided through financial support from the responsible local authority as set out in this policy. There are some exceptions to this; where access to benefits is linked to the following factors:
- 2.19 Immigration status – whilst unaccompanied asylum seeking children are eligible to the allowances set out in this document, the allowance they receive may be subject to other policies linked to their immigration status.
- 2.20 Young parents may be eligible for other benefits
- 2.21 Disabled young people will be eligible for other benefits.

- 2.22 Former Relevant care leavers (18 years +) are eligible to these benefits.
- 2.23 In these situations, young people will be supported to understand their entitlement, in order to access the income they are eligible for. This may mean that they are no longer granted leaving care allowances, as a result of income through welfare payments.

Payment Methods

- 2.24 Payment method may vary dependent on the type of allowance and the young person concerned.
- 2.25 VAT receipts should be obtained for all purchases to enable this to be reclaimed.
- 2.26 Where a Young Person moves to another area, it may be appropriate to transfer funds to the local authority in that area for reasons of practicality. This will be considered and agreed by the Head of Service on an individual case basis. Where a young person under another local authority's responsibility moves to the area it may be necessary to provide temporary assistance until such time as long term arrangements are set up with the responsible authority.
- 2.27 There may be occasions where emergency payments are required. In these cases EDT will be able to support the young person.

5 ALLOWANCES

Leaving Care Maintenance Allowance

- 2.28 This allowance provides financial support to eligible and relevant children up to their 18th birthday. It commences at the point that the young person leaves care and acts in lieu of income support. The allowance may no longer be applicable in the following circumstances:
- Should the young person become eligible for any other benefits (see above); this allowance will be subject to review and the young person may no longer be eligible for the allowance.
 - Should the young person enter paid employment.
 - Should the young person enter custody or come under someone else's parental responsibility.
- 2.29 The young person's caseworker is responsible for actioning any change of circumstances.
- 2.30 Payment is by bank transfer as default, however this may vary and will be determined as appropriate to the individual young person and their capacity to manage their finances. In some cases cash payments may be appropriate.
- 2.31 The caseworker should support the young person in putting financial arrangements in place for after this payment ceases. In cases where the young person will be reliant on benefits it may be necessary to provide a bridging loan / extend the weekly allowance for up to a month to allow for the fact that the benefit application cannot be submitted until the young person is 18.

Education and Employment

- 2.32 A weekly education maintenance allowance is provided to eligible and relevant young people. This is based on a minimum hours a week in education or training.
- 2.33 Over the age of 18, payment may be provided to support education or training activities set out in the Pathway Plan. This may include contributing to expenses incurred by them in living near the place where they are, or will be, employed or seeking employment. Consideration will be given to the training / education time commitment and any benefits entitlements that apply. Support could be through expenses or a grant and applies where the person is under 24 and qualifies under section 24B. These duties remain for as long as the young person continues to pursue that programme (including following a break in the programme where it is resumed as soon as practicable). Furthermore there is a duty under Section 24B(5) to provide vacation accommodation linked to a full time course where term time accommodation is not available to the young person during vacations.
- 2.34 Materials required to support employment or training will be considered and where necessary and relevant, provided e.g. PPE, books. The cost of driving lessons may be funded where it can be demonstrated that driving is a requirement / key factor in future job / training prospects.

Accommodation

- 2.35 A payment will be made to support young people setting up home in their first independent accommodation (e.g. moving into a flat following care). This will be a one off payment and may be in kind. A contribution applies whether the new home is furnished / unfurnished.
- 2.36 This payment will only be given once and applies to eligible, relevant and formerly relevant young people. Any requirement beyond the age of 24 years will be subject to Head of Service discretion.
- 2.37 A set payment figure is used, caseworkers will support young people in prioritising / budgeting the items to be purchased from this. The payment is expected to cover any initial deposit and upfront rent payments. Any unspent sums can be retained for the young person at a later date.

Identification Documentation

- 2.38 Prior to leaving care, a caseworker should either directly, or supporting the young person apply for identification documents including a passport and birth certificate. Where this has not happened prior to leaving care, application costs will be covered under this policy.

Celebration / Festival allowances

- 2.39 Birthday allowances are provided up to the age of 21. Christmas gifts are provided for Eligible and Relevant Young People through the police. Allowances may be provided for other cultural / religious festivals where there is a particular benefit to an individual in doing so to support their identity / background.

Contact with family

- 2.40 Caseworkers may agree payment to cover travel for contact with family e.g. to family events. Where possible, family contacts are asked to contribute towards these costs (e.g. cover their own travel / accommodation with the council funding the young person's).

Other costs

- 2.41 Regular clothing allowances are paid to eligible and relevant young people. Caseworkers will agree appropriate form of payment (cash / transfer) with the young person.

Exceptional Circumstances

- 2.42 There may be a need to provide bridging funds to cover periods between jobs / other sources of income. This will be done at the Head of Service's discretion on a short term basis. In hardship this may extend to covering bailiff fees. Young people will be supported in financial management during any such periods.