



# **Children's Safeguarding and Social Work**

Corporate Parenting Service

Staying put policy

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## 1 Purpose of policy

Camden's staying put policy aims to provide young people with the continuation of care and support from a foster carer with whom they have a strong nurturing relationship in order to mirror the gradual transition to independence experienced by other young people of the same age.

The policy has been written for social workers, personal advisors and managers in the Corporate Parenting Service. It explains Camden's staying put policy and sets out the roles and responsibilities for staff when planning, implementing and monitoring these arrangements.

## 2 Definition of a staying put arrangement

A staying put arrangement is where a young person continues to live with their former foster carer past the age of 18 and that immediately prior to their 18<sup>th</sup> birthday:

- they were looked after and deemed an eligible child
- they were placed with that particular foster carer
- the staying put arrangement is an agreed part of their pathway plan
- Camden is paying an allowance to the foster carer as part of leaving care support
- the arrangement can continue until the young person:
  - leaves the arrangement
  - reaches their 21<sup>st</sup> birthday
  - completes an agreed programme of education or training that was begun before they were 21.

As a local authority, Camden has a duty to advise, assist and support staying put arrangements where a young person wishes to enter into such an arrangement, their foster carer is willing to support this and where the arrangement is consistent with the young person's welfare. The arrangement may continue until the young person reaches 21 but can end sooner by agreement or if the young person stops living in the household.

## 3 Camden's staying put policy

Camden 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
- enable young people to develop emotional and practical skills to live independently
- reduce the likelihood of homelessness social exclusion.

Camden aims to ensure that:

- a staying put arrangement is the preferred option for all looked after young people on reaching 18 and that this option is continuously explored and pursued through care and pathway planning processes throughout their care episode;
- there are no barriers to foster carers offering a staying put arrangement to a young person they look after once that young person has reached 18;
- neither the young person nor the foster carer is disadvantaged by entering a staying put arrangement, either financially or in terms of services and support provided;
- the arrangement helps the young person to prepare for independence and pursue their plans for the future in a supportive home environment whilst giving them an opportunity to learn the life skills they will need to live independently.

#### 4 Changes in status between foster care and staying put

- Once a young person reaches 18, they will no longer be looked after and care planning regulations will no longer apply to them. The young person will no longer be a foster child and will become an adult member of the household.
- The fostering placement will end and the placement will become an “arrangement” between Camden, the young person and the carer. The young person will be occupying the home as a lodger and the foster carer will become their landlord.
- The carer does not have to remain approved as a foster carer in order to provide a staying put arrangement but:

- If the carer **continues to foster** for Camden and there are younger foster children living in the household, fostering regulations will still apply to the household and the young person will need a DBS check as an adult member of the household.
- If the foster carer **ceases to foster** and there are no other looked after children living in the household, fostering regulations will no longer apply but the arrangement must meet the “suitable accommodation” requirements set out in statutory guidance These are:
  - The accommodation meets the young person’s needs, including health needs.
  - CSSW are satisfied as the character and suitability of the carer.
  - The accommodation meets health and safety requirements.
  - In agreeing to the arrangement, CSSW has taken the young person’s wishes into account and considered their education, training and employment needs.

## 5 Roles and responsibilities

### **The fostering service** should:

- ensure that all foster carers, including newly approved carers, are aware of Camden’s staying put policy and the likelihood that they may be required to provide a home for a young person past the age of 18;
- negotiate support for staying put arrangements with carers in partnership with CLA social workers;
- provide support for foster carers providing staying put arrangements if they continue to foster for Camden.

### **The Resources team** should:

- ensure that all P&V agencies and their foster carers, including newly approved carers, are aware of Camden’s staying put policy and the likelihood that they may be required to provide a home for a young person past the age of 18 when commissioning placements;
- negotiate support for staying put arrangements with carers and agencies in partnership with CLA social workers;
- ensure foster carers providing staying put arrangements are able to access support through their agency.

**The Corporate Parenting service and IROs** should ensure that:

- staying put arrangements are considered throughout care and pathway planning and planned for as early as possible;
- all staying put arrangements are monitored via pathway planning to ensure young people are receiving the support they need and the arrangement is in the young person's best interests.

## 6 Planning for staying put

Planning for staying put arrangements needs to begin as early as possible to ensure agreement can be reached with the young person and foster carer and that the terms of the arrangement are clear and understood by all parties.

**By the time the young person is discharged from care at 18 there must be a written agreement in place giving details of the staying put arrangement and how it will be supported by Camden.**

Staying put arrangements must be explored as part of the young person's pathway needs assessment carried out around their 16<sup>th</sup> birthday and the foster carer and their supervising social worker should be involved in assessing the viability of such an arrangement. The assessment should look at the strength of the relationship between the young person and the carer and how the arrangement will meet the young person's needs.

If following the pathway needs assessment it is decided that a staying put arrangement would be in the young person's best interests and the young person and the foster carer are clear that they wish to enter such an arrangement, CSSW must provide advice, assistance and support for the arrangement.

**CLA social workers** should work with the young person to ascertain their wishes and feelings with regards to the arrangements and provide an explanation as to how the nature of the arrangement will change once the foster placement becomes a staying put arrangement, including how this may change the basis of their relationship with their carer.

**Supervising social workers** in the Fostering team should work with foster carers to explore a possible staying put arrangement and ensure carers understand the nature of the arrangement including the change in status and payments and how this may affect them.

In particular there should be a discussion around the likely duration of the arrangement and levels of financial support. To help foster carers make an informed decision, supervising social workers should provide them with information about how entering a staying put arrangement may affect:

- their tax allowances
- their benefits entitlement
- their fostering status and current terms of approval
- their relationship with the young person and the status of the placement
- their insurance liability
- the level of financial and other support they will receive from Camden on entering a staying put arrangement.

The foster carer should also be made aware of how the arrangement may impact on their current terms of approval and they may decide to stop fostering in order to accommodate the arrangement. Where this is the case, this should be discussed with the Fostering manager as part of the negotiations.

**The Fostering service** should ensure that all foster carers are made aware of Camden's staying put policy and will expect young people to be able to remain living in the foster home post 18. This should be brought to the attention of foster carers when they are first registered and at the beginning of any long-term foster care placement.

**The Resource team** will be involved where the foster carer is a P&V carer and will liaise with the foster carer and their agency to carry out the same role as the Fostering service.

**The IRO** should scrutinise the work to progress the arrangement is being carried out promptly as part of the CLA statutory review process and that the plans for staying put are in the young person's best interests. Where a young person has stated they do not wish to remain with their foster carer, subsequent statutory CLA reviews should continue to consider a possible staying put arrangement in case the young person changes their mind.

## 7 The written agreement

To ensure clarity on all aspects of the arrangement, any agreement reached on the nature of the arrangement and the levels of support for the young person and carer should be recorded in a written agreement between the young person, the foster carer and CSSW.

The agreement should be in the format shown at appendix 1 and should cover:

- the duration of the arrangement
- the type of accommodation to be provided
- how the arrangement will meet the young person's needs and help them progress towards independence, including taking on increasing responsibility for their lives
- the level of financial support for the young person and carer and how this was calculated
- any contribution to household expenses to be made by the young person
- the nature of other support to the foster carer and young person
- the role of the supervising social worker/personal advisor
- any house rules regarding behaviour etc.
- the circumstances under which the arrangement will end
- the contingency plan should the arrangement end prematurely.

The agreement should reflect the changing nature of the relationship between the young person and the foster carer and the changing status of the living arrangements. The agreement will also serve to provide evidence of the nature of the arrangements for the purposes of claiming housing benefits.

## 8 Authorising the arrangement

Once the young person is 17, the allocated CLA social worker should convene a meeting to be attended by:

- the young person
- the foster carer
- the CLA social worker
- the supervising social worker.

The purpose of this meeting is to co-ordinate the negotiations for the staying put arrangement and to discuss and agree the final terms. There may need to be more than one meeting to achieve this.

When the young person is placed with Private and Voluntary (P&V) carers, the Resource team manager should begin negotiating with the foster carer's agency prior to the young person's 17<sup>th</sup> birthday. The allocated social worker should contact the Resource team manager to let them know of the upcoming CLA review to be held when the young person is 16½. The Resource team manager should be able to feed back information on negotiations at the staying put meeting as above.



Once the arrangements have all been agreed:

- The CLA social worker should complete the written agreement (see appendix 1) and send it to the CLA manager for authorisation.
- The CLA social worker should send a copy of the agreement as authorised by the CLA manager to all participants to confirm their agreement.
- The agreement should be brought to the last statutory CLA review before the young person's 18<sup>th</sup> birthday to be authorised.
- The supervising social worker should bring the agreement to the foster carer's annual fostering review held before the fostering placement is due to end and the staying put arrangement begins.
- Where the foster carer stops fostering, the staying put accommodation must be regulated under the care leaver's regulations; the CLA social worker should visit the foster home shortly before the arrangement begins to ensure that the home meets the "suitable accommodation" criteria.

[The Care Planning, Placement and Case Review \(England\) Regulations 2010](#)

The agreement should be quality assured by the CLA team manager, Resources manager, or Fostering manager, and authorised by senior management (Service Manager or Head of Service).

In the event that an agreement cannot be reached, for example because a foster carer has requested a higher level of financial support than CSSW would normally pay, the matter should be passed to the Head of Service to decide on whether extra resources will be made available based on the individual merits of the case.

However in general, it is unlikely that CSSW will diverge from the policy and where agreement cannot be reached the staying put arrangement will not be able to go ahead and the CLA social worker should consider alternative accommodation in the Young Person's Pathway.

## 9 Financial support for staying put arrangements

Foster carers providing a staying put arrangement will receive a payment for the provision of support and care and for the provision of accommodation. **From 1/4/24:**

- The Corporate Parenting service will continue to pay the full fostering allowance to carers after the young person's 18<sup>th</sup> birthday until the end of June to cover the exam period and the end of the final term in education.

- After that foster carers will receive a weekly staying put allowance of £301. Payments will be made under section 23C of the Children Act 1989.
- This payment will be made up from the young person's contribution and the difference paid by Camden to the total of £301. The young person's contribution will be agreed by the Corporate Parenting service, the young person and the Staying Put carer based on the Local Housing Rate for the area (approximately £147 per week) and will include a contribution of £30 per week towards household bills and expenses. The young person will be able to claim housing benefit towards the rent element.

During the duration of the staying put arrangement;

- the young person will be regarded as a member of the carer's family and will be included in family meals;
- no allowance will be paid to carers in connection with the young person's personal requirements or expenses;
- carers will no longer be required to save for the young person.

The Corporate Parenting service and the fostering team will ensure that foster carers and young people can maximise their income and are in receipt of all benefits, tax credits and other sources of income. In the case of P&V carers, the Resource team will assist with this.

## **9.1 UASC**

Young people who are UASC and are found to have no recourse to public funds will be supported by the Corporate Parenting service in line with the leaving care policy. This includes weekly subsistence for the young person and an agreed rent allowance to the carer. Please refer to the UASC policy available at:

<https://ascpractice.camden.gov.uk/media/3361/uasc-policy.pdf>

## **9.2 Young people in higher education**

- Where a young person is in higher education they are provided with an education grant from the Corporate Parenting Service at the start of each term.
- Where university students need vacation accommodation carers will be asked to provide this service for the rent element of the supportive lodgings rate at

£150 per week. This cost will be paid by the Corporate Parenting. Term-time costs will be covered by their student loan.

- If the young person is going onto university that September/October the Corporate Parenting service will continue to pay the staying put allowance for the summer period.

### **9.3 Arrangements for young people in private and voluntary placements**

Foster carers from the private and voluntary (P&V) sector will be approached via their agency by the Resources team to negotiate a reasonable allowance in order to facilitate a staying put arrangement.

The maximum that would be paid to a former foster carer for a staying put arrangement would be £317 per week. Young people are expected to claim income support and housing benefit wherever possible with additional personal allowances provided by the Corporate Parenting service.

If P&V foster carers and agencies do not accept this figure as a weekly payment for the arrangement then a proposal for any continuation at a higher rate must be considered by the Resources Head of Service.

### **9.4 Challenging decisions**

If a young person feels that Camden has failed to provide appropriate support towards the staying put arrangement, they should be encouraged to speak to their personal advisor and request a review of their pathway plan. They should also be told about their right to make a complaint and to contact an independent advocate.

A young person in a staying put arrangement is also entitled to make a representation or complaint about the provision of support and this can be investigated under the children's services complaints procedure. Foster carers are also entitled to make a complaint and if this relates to fostering, it must be investigated under the foster carer complaints procedure.

## **10 Sources of income for young people**

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. Young people aged up to 19 and studying in further education are entitled to receive the 16-19 Bursary from their college.

They will also receive some financial support from the Corporate Parenting service with their travel costs to their college or training provider and essential educational

expenses such as books or equipment required for their course. This income is taken into account when making the staying put arrangement.

### 10.1 Young people's benefits

Young people may be entitled to claim the following benefits and personal advisors must help them access these:

- Young people remaining in relevant education on a full time basis (over 12 hours a week of guided learning) and who are estranged from their family can claim income support at the current rate of **£67.20** per week.
- Young parents can claim income support from the time their child is born as well as child benefit, maternity grants and health start vouchers.
- Young people who are unemployed can claim jobseekers allowance at the current rate of **£67.20**.
- Young people who are deemed sick or disabled can claim employment and support allowance.
- Young people who work will be expected to pay a contribution to the carer for their rent and maintenance.
- Where young people are disabled and awaiting a move to adult care arrangements, CLA social workers need to ensure that cases are referred to Housing prior to their 16<sup>th</sup> birthday and agreement reached that Housing take on financial responsibility from the young person's 18<sup>th</sup> birthday.

### 10.2 Housing benefit for young people

When the young person reaches 18 they will have a written agreement that sets out the arrangements for rent, utilities and for the provision of support. Under this agreement the young person is liable for their rent and will be expected to claim housing benefit and pay their carer the full amount.

If a young person is working then their income from employment is taken into account in their claim for housing benefit. Currently, young people who are working contribute 65% of their "surplus income" after deducting an amount for their living expenses. 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. Please note that young people in former family and friends foster placements cannot claim housing benefit if they are related to the carer.

### **10.3 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”.

## **11 Financial impact for foster carers**

### **11.1 Impact on tax**

HMRC Advice sheet 236 sets out how staying put arrangements can be eligible for the same qualifying allowance with regard to taxable income as arrangements made for foster carers.

<http://www.hmrc.gov.uk/helpsheets/hs236.pdf>

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 HMRC help sheet 236.

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 carer is not working then tax would be offset against the personal tax allowance. If host carer is applying as a couple then personal allowances 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 21<sup>st</sup> birthday. It will be the responsibility for carers to complete a HMRC self-assessment form if they are earning above the personal allowance threshold.

## 11.2 Impact on benefits

Payments to carers under a staying put arrangement will not be considered when calculating mean tested benefits if the arrangement is considered non-commercial. If any contribution is made by the young person, either from their wages or housing benefits, this will be classed as income for the purposes of calculating means tested benefits.

- Some 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.
- 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 impact Staying Put financial arrangements may have on their personal financial situation with all foster carers in advance so that they can make an informed decision and so arrangements can be made to enable the young person to remain living with their carer in a staying put arrangement.

Supervising social workers should seek guidance from Camden's housing benefits team as to how accepting housing benefit would affect a former foster carer's own finances in each individual set of circumstances.

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

## 11.3 Insurance

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

## 12 Other support for carers

Staying put carers will continue to be supported by a supervising social worker if they continue to foster for Camden. The fostering service will endeavour to ensure that the carer retains their supervising social worker when they become a staying put carer.

If carers stop fostering for Camden the young person's personal advisor will provide support to the carer through regular eight weekly visits. For private and voluntary carers, the Resource team will negotiate with their agency to continue to provide support to them.

Where a foster carer is preparing to enter a staying put arrangement, supervising social workers should consider any relevant training that may enhance their skills to prepare them for their new role and to help them meet the young person's assessed needs.

### 13 Monitoring and reviewing arrangements

Staying put arrangements should be monitored by the Corporate Parenting service via the pathway planning process and the supervising social worker or other representative from the fostering service should either attend or otherwise contribute to the review.

Where the foster carer continues to foster for Camden supervising social workers will visit on a 6 weekly basis in line with fostering regulations and departmental policy and procedures.

Where the foster carer stops fostering, the personal advisor will visit on a two-monthly basis to ensure the arrangement continues to meet the young person's needs and that the accommodation remains suitable.

Visits from personal advisors to young people in Staying Put arrangements will be on an 8 weekly basis as for other care leavers but may be changed by agreement between the young person and their personal advisor following discussion with the Leaving Care manager and the CLA service manager.

It is the responsibility of the young person's personal advisor to ensure that arrangements are in place to ensure that the arrangement continues to be in the young person's best interests and that the support package and written agreement are right for the young person.

### 14 Decision not to support a staying put arrangement

A decision not to support a staying put arrangement would be very rare and the reasons should be clearly recorded and explained to all parties. The decision should be based upon the best interests of the child.

However, if the carer cannot accept Camden's financial terms, the staying put arrangement may not be possible. The young person would be supported to access the relevant benefits and make alternative arrangements regarding accommodation.

## 15 Disabled young people

This policy does not replace the eligibility of disabled young people to transfer to adult services for 'Shared Lives placements'. A Shared Lives placement with the previous foster carer could fulfill the duty to support young people under staying put. Staff should refer to the Disabled Children and Young People Service policies for further details.

## 16 Safeguarding issues staying put arrangements

Staying put carers need to be clear how to respond if they have safeguarding concerns about any young person who is living with them under a staying put agreement. For adults, safeguarding concerns are dealt with under the Care Act 2014 and cover concerns about a vulnerable young person who is unable to protect themselves and is at risk of neglect or abuse including self-neglect.

Social workers will also need to consider the safeguarding of foster child living in the household and the extent to which a young person living there as part of a staying put arrangement may pose to them.

- All staying put arrangements must be subject to a joint risk assessment carried out by the CLA social worker and the supervising social worker when the arrangements are first being considered.
- A risk assessment must be carried out as part of the preparations for the arrangement and will need to take into account the impact on other looked after children in the fostering household and the extent to which the staying put arrangements will affect the carer's terms of approval and ability to take on new placements.
- The outcome of this assessment must be shared with the fostering team manager prior to any decision on the arrangement.
- Consideration should be given to how extending the placement will impact on the carer's terms of approval and whether other placements can go ahead.
- There is an expectation that a DBS check will be carried out by the supervising social worker on the young person prior to the staying put arrangements starting if the foster carer continues to be approved and where younger children are placed with the carer.
- The carer's safe caring policy would need to be updated to take account of the changed status of the young person.



- An element of staying put arrangements is that the foster carer continues to support the young person to gain the necessary skills for independent living and this should remain a key part of the arrangement.

## 17 Moving on

Generally staying put arrangements will last until the young person reaches 21 or otherwise decides beforehand that they wish to move to independence. For some young people, the arrangement may end because their training or further education ends.

All arrangements may be ended by either the young person or the carer on at least 1 month's notice. Social workers and personal advisors must ensure that a contingency plan is in place in the event that arrangements are terminated at short notice.

Although Camden has no power to end arrangements, if it is thought that the arrangement is no longer in the best interests of the young person or the foster carer or is adversely affecting foster children in the household the council may withdraw support but will always consult with young person and carers before such a step is taken.

Ending an arrangement should be a gradual transition towards independence, with the young person taking on increasing responsibility for their lives and with the foster carer reducing the level of support over a reasonable timescale.

It is Camden's policy that when a young person is moving on from a staying put arrangement it will be to suitable independent accommodation and that foster carers will remain involved in their lives in some capacity as agreed so that the young person can continue to have some support at the point of moving on.

Appendix 1

## Children's Safeguarding and Social Work

### Staying put agreement

#### Details about the parties

This agreement is made between:

Children's Safeguarding and Social Work and:

(name of young person)

(name of foster carer)

The young person will stay with the carer under this agreement at:

(address of property)

The arrangement will start on (start date) and will last until (date the arrangement will end)

#### Details about the costs

The London Borough of Camden will pay the following amounts to the foster carer under this agreement:

Details of payments including frequency/amount etc.

The young person will be supported in the following ways:

Details of young person's income/benefits etc.

The young person will pay the following in rent and make the following contributions to household costs:

Details of rent to be paid and any contributions to be made including frequency/amount etc.

#### Purpose of the arrangement

State how the arrangement will meet the young person's needs and support them towards independence

## House rules

List here the rules and expectations of behaviour from the young person, e.g.: paying rent, attending college, smoking, staying out etc...

### The young person will:

Details of what the young person has agreed to in order to make the arrangement successful, e.g.: abiding by house rules etc.

### The foster carer will:

Details of what the foster carer has agreed to in order to support the young person and make the arrangement successful, including any work to help the young person to develop skills etc.

### Children's Safeguarding and Social Work will:

Details of what support Children's Safeguarding and Social Work will offer the young person and foster carer in order to support the arrangement as well as details of how the arrangement will be monitored and reviewed

## Ending the arrangement

Include details of what notice is to be given by each party to terminate the notice and any circumstances under which the arrangement will be ended by Children's Safeguarding and Social Work

## Contingency plan

State what action Children's Safeguarding and Social Work will take to help the young person secure accommodation should the arrangement end

### Signed:

Staying put carer:

Young person:

Allocated social worker:

Authorised by:

Date: