



Children's Safeguarding and Family Help

Corporate Parenting Service

Staying put: practice guidance

Camden's Children and Learning Directorate uses relational practice as the foundation for all our work. Our integrative relational practice framework is based on our values, and is designed to help achieve the Directorate's purpose: to work with children, families and communities to make a positive, lasting difference to their futures, so they have the best start in life.

We recognise the impact of structural inequalities on the lives of the children and families we work with and as a service we will embrace inclusive, anti-discriminatory and anti-racist practice based on our values and our mission to champion social justice.

Our practice framework centres on honest and compassionate relationships with those we serve and with each other. It is an expectation that all Directorate policies and procedures are implemented in line with our practice framework, and that any actions within policies and procedures reflect its ethics, values and practice expectations.

Staying put practice guidance

1 Introduction

The document sets out the local practice and procedures for implementing Camden's staying put policy and should be read together with the *Staying Put* policy. [Staying Put](#)

Camden aims to ensure that:

- a staying put arrangement is the preferred option for all looked after young people in foster care on reaching 18 and that this option is continuously explored and pursued through care and pathway planning processes throughout their care episode
- where a young person has a disability or additional needs that meet the Care Act 2014 eligibility criteria, a Shared Lives placement will be explored
- 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
- 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 develop the life skills they will need to live independently.

2 Roles and responsibilities

The Family, Friends and 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 service 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

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required to provide a home for a young person past the age of 18 when commissioning placement

- 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.
- **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 Family, Friends and Fostering service 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.
- **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.

3 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 CSFH.
- **The written agreement must be in place by the time the young person is discharged from care at 18.**
- The agreement should stipulate whether the young person lives full time with the carer or whether the young person is temporarily living away at university, in residential further education or undertaking other training and is returning for vacations.
- 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. It consists of 2 elements:
 - an accommodation agreement which outlines finances and type of accommodation
 - a living together arrangement which includes expectations around house rules, support for the young person and contingency planning if the arrangement ends prematurely.
- The agreement should be in the format shown at appendix 1.

4 Financial support for staying put arrangements

- After the young person's 18th birthday until the end of June, to cover the exam period and the end of the final term in education, the Corporate Parenting service will continue to pay the equivalent of the full fostering allowance to carers. However, where the young person will now have their own income, the carer will no longer be providing clothing, hobbies, pocket money, and transport allowances to the young person and the total of these will be deducted from the payment.
- Following on from this, if the young person continues to reside full time, carers will receive a weekly staying put allowance made up of:
 - Rent, based on the Local Housing Allowance (LHA) shared room rate where the young person is residing, up to a maximum of Camden's Inner North London LHA shared accommodation rate, for which the young person is liable. The exception to this being Asylum Seekers with a claim in progress, whose accommodation cost will be covered by Camden. Where the rent is

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lower than the maximum, the Corporate Parenting service will make up the difference.

- A contribution towards bills and food paid by the young person. Where food is included, this is a 'Boarder' arrangement.
- A Carers fee paid by the Corporate Parenting service. This will be at Camden's Fostering Professional fee rate for 16-18's.
- Where the young person will be living away at university or in other education or training and only returning for vacations:
 - The Staying put allowance over that initial summer and until the start of the course or training will be as for those who will continue to reside full time.
 - During vacations, the carer will receive the rent element of the supportive lodgings rate of £150 per week if the young person returns
 - If the young person undertakes a programme of a short duration, such as induction training for the armed services,
- 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.

5 Authorising the arrangement

- Young people should not be included in the initial meeting and planning process and should only be included after their foster carer/s have confirmed that they are able to retain the young person under a "Staying Put" arrangement once the young person reaches the age of 18 (in principle). This is required to ensure the stability of the placement and to avoid unsettling the young person should the foster carers be unable to provide a "Staying Put" arrangement.
- Once the young person is 17, the allocated CLA social worker should convene a meeting to be attended by:

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- 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 Resources manager should begin negotiating with the foster carer's agency prior to the young person's 17th birthday. The allocated social worker should contact the Resources manager to let them know of the upcoming CLA review to be held when the young person is 16½. The Resources 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 18th 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 agreement should be quality assured by the CLA team manager, Resources manager, or Family, Friends and Fostering manager, and authorised by senior management (Service Manager or Head of Service).

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- In the event that an agreement cannot be reached, for example because a foster carer has requested a higher level of financial support than CSFH 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 CSFH 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.

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 service 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 service manager.

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.

7 Financial impact for young people

Young people should be aware of the following changes once they turn 18.

Income

- Young people will no longer receive an allowance from their carers for clothing, hobbies, pocket money, and transport.
- Social workers and Personal advisors will support young people with any applications needed. Main sources of income listed below:
 - Wages from employment or an apprenticeship. For young people who are on a low income, they may still have an entitlement to benefits.
 - Benefits, currently all new claims will be Universal Credit. Universal Credit pays daily living costs and housing costs (the carer is classed as a 'private landlord' for the latter) based on income and with the expectation that young people are seeking work however young people in full time Further Education or training are able to claim Universal Credit up to age 21 and receive payments until the end of the academic year, under 'Relevant Education' rules, where they are estranged from family, Part time education does not affect their claim but should be declared.
 - A Student Finance England (SFE) student loan, if in Higher Education (HE). Young People in full time HE are not eligible for benefits.
- The Corporate Parenting Service if they are an Asylum Seeker or are found to have no recourse to public funds, in line with the leaving care policy. Please refer to the UASC policy. [Unaccompanied Migrant Children and Child Victims of...](#)

Rent

Young people need to be clear they are responsible for covering the cost of their accommodation. However, the following exceptions apply:

- For young people on benefits outside of Camden, the one bed allowance Care Leavers are entitled to claim up to age 25 may not be sufficient to cover the rent and the Corporate Parenting service will make up the difference.
- Asylum seekers are being provided with accommodation by Camden. The cost of their accommodation is therefore covered by the Corporate Parenting Service. This will be reviewed once there is an outcome to their immigration claim.
- Young people in former family and friends foster placements cannot claim housing costs if they are related to the carer. This is defined as a close relative (parent, parent -in-law, step parent, sibling or half-sibling). The young person should make

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a claim on the basis they have been residing with a carer and if this is refused the Corporate Parenting Service will cover the rent.

Other outgoings

- Making a weekly or monthly payment towards household bills and food is an essential part of young people building financial capability, budgeting skills, to live independently in the future.
- Young people in education will be required to provide their Learning Agreement (further education students) or document from their University or training provider for a Council Tax exemption.
- Young people may also be eligible for other grants and allowances through e.g. college. Additional financial support for young people from Corporate Parenting is in Camden's Local Offer for Care Experienced young people.

8 Financial impact for carers

As above, carers will no longer provide young people with a personal allowance as they will have their own income. A young person claiming the daily living allowance of Universal Credit will not normally have any impact on the "Staying Put" carer/s' own benefits should they be claiming themselves. Considerations where the young person also claims housing costs are outlined in the benefits section below.

Council Tax Support

- Some people are not counted ('disregarded') when working out how many people live in a property. Individuals get 25% off the bill if you pay Council Tax and either:
 - they live on their own
 - everyone else in the home is disregarded.
- Young people are disregarded if under 18 years old, on certain apprentice schemes, 18 or 19 years old and in full-time education, a full-time student at college or university, under 25 years old and get funding from the Education and Skills Funding Agency or a student nurse see: [How Council Tax works: Who has to pay - GOV.UK \(www.gov.uk\)](#)
- Young People will need to provide evidence of enrolment to their carer to forward to the relevant Council: either their Learning Agreement from college, or a University letter for this purpose is usually available on their student portal specifically for this.

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- Apprentices need a declaration from their employer stating that: they will not be paid more than £195 a week and the training leads to a qualification accredited by a body recognised by the Office of Qualifications and Examinations Regulation (Ofqual) or the Scottish Vocational Education Council (SVEC).
- If a young person is unemployed, this should also not affect the discount. They will likely need to provide proof, their Universal Credit statement, and may have to complete a separate form.
- Where young people are working, Camden Care Leavers are exempt from paying council tax and some boroughs allow the exemption in their own borough where they have a similar scheme. The Personal Advisor will provide a letter to the carer, confirming the young person's Care Leaver Status for their Local Authority, to see if a Care Leaver exemption is possible and the discount can be retained.
- Young people are not considered a 'Non Dependent Adult' where they are a 'lodger', therefore their income is not taken into account.
- In the event that other avenues have been exhausted, Camden's Corporate Parenting Service will pay the difference to any carer who would otherwise be eligible for the single person discount.

Tax and National Insurance

- Where a "Staying Put" arrangement meets the qualifying criteria [see appendix 3] (and where the young adult continues to be cared for as a member of the carer's family) it will be treated under the new Qualifying Care Relief 'Shared Lives Carers' rules. In effect, these rules extend the Income Tax and National Insurance rules that apply to foster carer/s to "Staying Put" carers

Therefore, as is the case with Fostering:

- Carers should be registered as self-employed and need to file annual tax returns.
- Payments under Staying Put (made up of rent, utilities, food contribution and fee) are eligible for Qualifying care relief set out in HMRC Advice sheet 236 as they all form part of the provision of care. Qualifying amounts are tax-free. Where there is more than one paid "Staying Put" carer in the household, the allowance is shared equally by both carers. The tax free allowance is only available to households with three or fewer placements. However, foster care placements are excluded for this purpose, and sibling groups are counted as one placement. The qualifying amount is made up of 2 parts:
 - a fixed amount for each household for a full year
 - a weekly amount for each cared for child or adult

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

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- With qualifying care relief, you only need to keep simple records. There are instructions as to how to claim this on a tax return within HS236.
- National Insurance contributions are based on any profits. Where a carer is able to claim qualifying Care Relief, their profit will be any amount they receive over the qualifying amount, unless they have another source of self employment.
[Self-employed National Insurance rates - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Note that HMRC's broader definition can therefore mean that any person/carers can be defined as a "Staying Put" carer, from a HMRC prospective, in circumstances where their four criteria are met. The carer does not need to be a former foster carer. This means that young people are able to return to a different staying put carer between the age of 18 and 21 (or until the completion of an education or training course) - for example during a university vacation - and the carer will be able to claim Qualifying Care Relief.

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

Benefits

- Payments made to "Staying Put" carers from the Local Authority Children's Services via the young person, or directly to the carer/s on behalf of the young person, when the young person is 'Former Relevant', fall under section 23C of the Children Act 1989 and are therefore disregarded when calculating a carer's entitlement to means tested welfare benefits.
- Where young people contribute to the arrangement, which requires what is called 'a commercial arrangement', they cannot continue to be deemed to be living solely in a familial arrangement and therefore this element of the payment, i.e. food and utilities and rent, is taken into account. Where meals are provided in the Staying Put arrangement, this is considered as income from a 'Boarder'.
- For Carers in receipt of Universal Credit, income from a 'Boarder' is also disregarded; Universal Credit has a specific list of payments it regards as income.
- For Carers on UC and renting social housing a Boarder may incur an under occupancy penalty for the carer. In such circumstances, if one is applied, Camden will provide a Section 23C payment equivalent to the penalty.
- For Carers in receipt of legacy benefits, i.e. Income Support, JSA or ESA, where the young person is a 'Boarder', the first 20% of this income is disregarded, the DWP will then deduct 50% of the remaining balance. Camden will provide a Section 23C payment to make up this 50% deduction.

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- It should be noted that, where meals are not provided, all non-section 23C payments, regardless of their source, will be counted as income under the 'Income from Sub-Tenants' rules. Only the first £20.00 per sub-tenant is disregarded.
- When the young person first leaves the "Staying Put" arrangement, should the young person return to their former carer or, move to another carer after their eighteenth birthday. the disregard is lost on the whole payment (section 23C and non-section 23C elements).

6 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 Resources service 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.

7 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.

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- 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 Care Experienced 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.

8 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.

9 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.

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- 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.

10 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.

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- 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.

Children's Safeguarding and Family Help

Staying put agreement

Details about the parties

This agreement is made between:

Children's Safeguarding and Family Help 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

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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 Family Help will:

Details of what support Children's Safeguarding and Family Help 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 Family Help

Contingency plan

State what action Children's Safeguarding and Family Help 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: