

TITLE:	STAYING PUT POLICY Ensuring stability for young people through staying with their foster carers into adulthood
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Section 1 Introduction

This policy sets out Thurrock Council's Children's Services approach towards promoting and supporting its young people in foster care that remain with their former foster carer(s) under staying put arrangements once they reach their 18th birthday. This policy is applicable to all young people, including unaccompanied asylum seeking, should they be accepted by the home office to have a leave to remain status in the United Kingdom, in the care of Thurrock Council, who are living with their former foster carer(s) on their 18th birthday. The foster carer(s) may be Thurrock in house foster carers, connected person's carers or Independent Fostering Agency carers. This policy has been written under the intention that it is read in conjunction with Thurrock Council's Leaving Care Policy and the Care Leavers Local Offer.

Section 2 Legal framework and the definition of a staying put arrangement

This policy builds upon the statutory guidance on staying put which is contained in the May 2014 revision of the Children's Care Act 1989 Guidance and Regulations Volume 3. Planning transition and adulthood for Care Leavers should be read in conjunction with the statutory guidance. It is also supported by staying put arrangements for Care Leavers aged 18-years and above to stay with their foster carer(s). This is a joint guidance produced by the Department for Education, Department for Work and Pensions and Her Majesty's Revenue and Customs. This provides more detail relating to many of the financial aspects around staying put arrangements.

2.1 The definition of a staying put arrangement

Simply stated 'staying put' is a looked after child continuing to live with their foster carers after the age of 18 in an arrangement supported by Thurrock Council. Staying put arrangements should replicate as far as possible a 'normal family life'. The foster carer(s) are required to care for any child or young person placed with them as though they were a member of their family, this expectation should carry through into staying put arrangements. All families have different rules, expectations and ways of doing things. Considering this, staying put arrangements should take this into account and be sufficiently flexible to be tailored to individual circumstances and needs.

For a staying put arrangement to be agreed the following must be true;

- The carer(s) were acting as foster carer(s) to the young person immediately prior to their 18th birthday. This assumes that the foster carer(s) were approved in accordance with the Fostering Service (England) Regulations 2011, and the young person had been placed with them by Thurrock Council;
- A young person is assessed to be an eligible child, with the meaning of paragraph 19B (2) of Schedule 2 of the Children's Act 1989, immediately before they reach 18-years old;
- The staying put arrangement is set out in the child or young person's pathway plan;

When a staying put arrangement ends:

Staying put is an agreement between the carers, the young person and Thurrock Council via it's after care service. Any party may terminate the agreement with no less than 28 days notice. Staying put arrangements will automatically end as follows:

- When a young person becomes 21-years old
- When a young person ceases to reside within the household.
- Specific arrangements apply if:
 - the young person attends university and lives away or
 - is enrolled in the military or
 - turns 18 during their final academic year in statutory education

Thurrock Council as a local authority has a significant statutory obligation to:

- Monitor and support staying put arrangements, these are reflected throughout this policy;
- Support its Care Leavers whether they decide to participate in a staying put arrangement. This is detailed in the Children Act 1989 statutory guidance. A former relevant child who is

pursuing further education or training may be entitled to support until they turn 25-years old. However, beyond their 21st birthday this cannot be identified as a staying put arrangement.

It is important to understand that government departments have differing approaches to defining staying put within the statutory framework applicable to their area of responsibility. The definition given above comes from the Children Act 1989 and is one which gives English local authorities a duty to monitor and support, as outlined within this policy.

Section 3 Guiding principles

Staying put arrangements will be most effective when underpinned by clear principles as detailed within the practice guidance below:

3.1 Best interests

The best interests of the young person should be at the heart of decision making in relation to staying put arrangements. This enables them to have the best possible opportunities to lead successful lives.

3.2 Permanency means in to adulthood

Foster carers recruited to care for children and young people through permanency, will be advised from the point of their initial application and training that young people will be required to be supported and cared for up until 21-years old. This is advised to ensure there is a clear culture and understanding from our foster carers, when committing to permanency for a child or young person, that they will be supporting them into adult life and must be provided with information on financial implications that this commitment may have for their household.

3.3 Support

Support to both foster carers and young people should be geared to their specific circumstances and needs. Foster carers should be enabled to develop the skills best required to help the children and young people in their care to do well in life and promote a culture of supporting young people into independent living, through learning the essential skills, such as budgeting and personal care.

3.4 Clear information

Foster carers and young people should be provided with clear information regarding the support available from Thurrock Council and its Fostering Service. This is to provide them with support on choices, such as if they wish to enter a staying put arrangement. This will always include information around financial arrangements and implications for benefits and tax. This is a joint responsibility of the Independent Reviewing Officer at reviews, the social worker for the young person and fostering social worker. Foster carers will be able to access training regarding staying put opportunities and other accommodation options.

3.5 Early planning

Early planning for staying put arrangements is crucial. Arrangements should be considered as part of the care planning process and from the time that a long-term foster placement is planned, and permanency planning is undertaken. Decisions in principle about whether staying put is an option should take place with the young person and their foster carer(s). This discussion and decision should be clearly recorded on the young person's pathway plan and care plan and reviewed at each subsequent review meeting by the Independent Review Officer. The young person's 16th birthday is the time when their pathway plan should be completed, including decisions in principle that lie around whether a staying put arrangement is in their best interest. This discussion should take place with the young person and their foster carer(s) to provide them with enough time to consider all implications, expectations and requirements or to identify alternative placements should a staying put arrangement be identified as not viable. By the time that the young person turns 17 ¹/₂-years old, there must be a planning meeting to finalise arrangements with the foster carer, young person and provider. The responsibility for arranging the relevant meeting is described in Section 6

3.6 Equal opportunities

To maximise the opportunity for young people to participate in staying put arrangements within a Fostering Service, both local authorities and agencies, should carry out everything possible to ensure all foster carers have equal opportunities to become staying put carers. This includes family and friend foster carers and those approved by independent fostering agencies.

3.7 Flexibility

Arrangements should be sufficiently flexible to enable support to be provided over and above the minimum legal requirements and recognise that the relationship between a foster carer and young person will not always end at 21-years old or when a staying put arrangement ceases.

Section 4 Criteria for staying put and arrangements for disabled young people

There are no specific or altered 'eligible' criteria standards or requirements for entering into a staying put arrangement and all young people can remain with their foster carer(s). However, the young person's needs must be met should they have a disability. Should the young person require a higher-level of support than can be provided through the staying put offer then, it may be identified as appropriate to consider placing the young person in a Shared Lives placement.

If the Children in Care team are working with a young person with complex needs, there must be planning and assessment at aged 16, to establish whether the young person meets the criteria for adult social care including the 16-25- year-old team. If the young person's foster carer(s) wish to continue supporting them and it is in the best interest of the young person to remain with their foster carer(s), then the foster carer(s) will need to apply to be assessed by the Shared Lives team that are registered with the Care Quality Commission. The placement should be agreed at the at the decision-making panel. Children's and Adult Services should work together using the Transition policy, to ensure the best possible transition to adult life for our young people.

Section 5 Preparation for a staying put arrangement

At the first Children in Care review after the young person turns 16-years old, they should receive their 16+ pathway plan. To ensure enough time is available to make the necessary planning arrangements for extending a placement to turn into an arrangement beyond a young person's 18th birthday, the young person's social worker must take full responsibility to ensure that appropriate meetings take place. Before discussing "Staying Put" with a young person a meeting should be held involving the supervising social worker, child's social worker and the foster carer to explore their views on "Staying Put". These initial discussions should not include the child until the foster carer has indicated that staying after the age of 18 is a viable option.

The meeting should involve a discussion on the potential impact on the foster carers' financial circumstances should the placement continue as a "Staying Put" arrangement after the young person's 18th birthday and their understanding of the following;

- The procedures and requirements for extending a foster care placement into a "Staying Put" arrangement
- The young person's financial and benefit responsibilities associated with remaining in a "Staying Put" arrangement
- The changes and implications in the funding arrangements for foster carers associated with a "Staying Put" arrangement on any welfare benefits they may be in receipt of and on their income tax and national insurance contributions.
- The foster carer/s requirement to inform their mortgage provider/landlord and their household/buildings insurer that the foster child is "Staying Put".

If, having considered the above, the Foster carer is able to offer staying put the allocated social worker will discuss 'Staying Put' with the young person including what this will mean for them in practical terms and responsibilities this can then be incorporated into the pathway plan. Clear information on the funding for a staying put arrangement must be given to the foster carer(s) and young people at this stage though financial arrangements should be confirmed at age 17 years and six months

Should it be decided that a staying put arrangement is not viable or should the young person advise that they do not wish to take up the staying put offer, the social worker will need to scope out the options that are available for this young person and meet individually with them to explore these other options for them to incorporate this into their pathway plan. The social worker will carry out a needs led assessment and formulate a plan which will be drawn up to prepare the young person to acquire their independent living skills that are required to move into independent or semi-independent living. Once this is incorporated into their pathway plan it will continue to be reviewed and discussed during reviews. This decision and future planning will form a basis of the ongoing statutory review of the care and pathway plan.

A needs led assessment will be carried out and formulated into a pathway plan that will be drawn up to prepare the young person to acquire their independent living skills. It is expected that the young person should be supported to continue developing a range of skills by the carers and after care service, this includes;

5.1 Relationships

Getting on with neighbours, understanding acceptable and unacceptable behaviour and when and how to communicate with relevant professionals.

5.2 Emotional resilience

Managing isolation, where to go for support and building self-esteem. Access to therapeutic and support services

5.3 Finance and budgeting

Opening a bank account, safe borrowing and managing debt, understanding basic finance products, benefits, budgeting for priority bills, household appliances and everyday shopping on a budget.

5.4 Cooking

Cooking healthily on a budget, understanding nutrition and its overall impact on health.

5.5 Managing a home

Washing, ironing, cleaning, basic DIY, operating appliances and what is allowed within a tenancy agreement.

5.6 Supporting education, training and employment

Supporting education, employment and training whilst understanding the range of options available to the young person around this. Understanding strengths and areas for personal development; developing job skills, understanding jobs, volunteering pathways, available support, understanding bursaries, other financial support; where to go for advice, understanding the impact of work on benefits and the amount they will be expected to contribute to the arrangement. Staff can offer support too. Should the young person be in year-13 then they will have a named Virtual School Thurrock support officer to help them with this. Once they are in year-14 their personal adviser can link with their 18+ leaving care ETE (Education Training and Employment) Support Officer for guidance.

When a staying put arrangement is agreed and the child turns 18, the former foster carers are 'staying put providers' which is separate from being registered foster carers. The providers will receive an income from Thurrock Council and, usually, a contribution from the young person. When the young person turns 18-years old, they will enter into a private licence agreement that details their entitlement to remain in the staying put accommodation provider's household until 21-years old. This licence is between the staying put accommodation provider and the young person.

Section 6 Professional roles

6.1 Fostering social worker

The fostering social worker will lead the discussions at the initial scoping meeting and support the foster carer(s) or provider throughout the implementation of the staying put arrangement process. This will also ensure the foster carer(s) have been made fully aware of the implications for themselves and the young person. Any changes in decisions made by the foster carer(s) of the young person should be taken to the statutory review process.

6.2 Young person's social worker

The young person's social worker will support the young person throughout the development of the staying put arrangement process and ensure the young person is aware of the implications and expectations of the arrangement. Should the young person decide to decline a staying put arrangement, they will be supported in seeking alternative accommodation and support options. A plan will be in place for the transition into accommodation, this plan will be in place and agreed by the first Children in Care review after the young person turns 16-years old and finalised by their final Children in Care review before they turn 18-years old. Young people must not be left in a position of being unsure on their accommodation options, should they decide to not proceed with a staying put arrangement. Where there is a lack of knowledge around housing and its availability, Housing Service should be approached, and options be discussed. Their social worker will also support in applying for housing benefits, income support, universal credit or any other benefits they may be entitled to receive.

6.3 Personal adviser

To aid the transition for our young people into the Care Leaving Service, their allocated personal adviser will be assigned to them from the age of 16-years old. The young person's allocated personal adviser will work alongside their allocated social worker to form a positive relationship with and understanding of them before moving to the Care Leavers Service. This positive relationship building will be accomplished by attending meetings with the young person, clarifying any financial support changes once they turn 18-years old, answering queries relating to and planning for accommodation and supporting their access to education, training and employment. During this period, their allocated social worker remains as the lead professional until the young person turns 18-years old and has fully transferred to the Care Leavers Service, where this will then be their allocated personal adviser. Once the young person has been transferred to the Care Leavers Service, their personal adviser is able to provide them with advice and support whilst getting in contact with them at least every 3 months and arrange to have a face to face meeting at least every 8-weeks. Their personal adviser will facilitate a meeting to complete the young person's pathway plan with their attendance and aim to have the young person's aims and wishes implemented in this and supported. The pathway plan meeting should include the views of the staying put provider, should this be the pathway planned, to ensure that they are also working towards the same goals with the young person and providing support around this adequately. The young person's personal adviser will coordinate the provision of additional services, where necessary, and support the young person to ensure they make the most of the support and services available to them. Their personal adviser will remain informed in the young person's progress and wellbeing through regular updates from the young person, and other stakeholders involved in their support. Their personal adviser will be able

to provide information around financial entitlement and support to aid them in managing their finances effectively, including daily outgoings. In addition, they can aid in relation to housing options that are available to the young person and support in identifying further/higher-education, employment or training.

6.4 The Service Manager

Staying Put is overseen by the Service Manager for the after care service who is responsible for ensuring that staying put arrangements are compliant with the needs and requirements of Thurrock Council. The Service Manager will manage and take responsibility for any serious issues in the service and will support the rest of the team in ensuring a positive outcome and delivery.

6.5 Foster carer(s)

The role of the foster carer(s) is to be present at the early planning meetings that commence at the age of 16-years old and receive pathway plan notes to enable them in supporting the path of the children and young people that they look after. The foster carer(s) check with the young people that they have all the information that they require in formatting and language that is appropriate for them to understand. Foster carer(s) will assist in the decision making on whether it is in the best interest for the young person to transfer into a staying put accommodation arrangement and assist them in seeking further information on this to aid in their decision-making process. The foster carer(s) ensure that they receive adequate and comprehensive information on the financial implications of staying put, at the earliest time possible. They will also ensure the young person understands the implications of the new arrangement, should they decide to transfer to a staying put arrangement and ensure they are aware that they are no longer in foster care and are now on the path to becoming independent and therefore they are renting a room within their former foster carer(s) household, under an agreement as part of their first step to independence in adulthood.

6.6 Independent Reviewing Officer(s)

The Independent Reviewing Officer chairs the Children in Care review before the young person turns 16-years old. This meeting should confirm whether the young person has received or when they will receive their 16+ pathway plan pack. The pathway plan review held after the young person's 16th birthday should confirm whether they will consider entering a staying put agreement or not. The social worker should ensure the staying put arrangement is reflected in the pathway plan and this should be checked. This plan should be a live document setting out the different services and how they will be provided to meet the young person's individual needs and requirements in full. During the review the Independent Review Officer will ensure that the young people who are eligible to enter a staying put arrangement are fully aware of this process, expectations and support whilst understanding their entitlements. If a staying put arrangement is identified as unsuitable for a young person, then the Independent Review Officer should be informed of the other transition options that are available to them and their preferred option. If it is felt and identified that a young person may be eligible for adult services when they reach 18-years old, then their social worker should refer them to this service, such referral should take place at the earliest opportunity where additional needs are identified and no later than the young person's 17th Birthday. A review meeting will take place to finalise the staying put arrangement at 17 1/2 - years old. The Independent Review Officer will continue to review and monitor the young person's pathway plan to ensure there is no drift in the care planning and that a robust transition plan is in place.

Section 7 Funding

The fee payable to the staying put accommodation provider will be dependent on the amount agreed with the local authority at the time and such payments will commence directly following the cessation of their fostering payments to avoid further financial difficulties for the staying put accommodation provider and the young person.

The payment to the staying put provider (former foster carer) is made up of a contribution from Thurrock and the young person. At age 18 it is expected that the young person will cover the costs of their savings, clothing, pocket money, travel for leisure and school, and holidays from their income.

The Staying Put rate to carers covers as follows:

The Staying Put Home:

- A suitable bedroom for the young person
- Extra heating costs
- Extra lighting
- Extra decorating costs
- Contribution to Home Contents Insurance
- Contribution to Car insurance (fully comprehensive)

Food:

- Standard food requirements
- Special dietary needs

Toiletries:

- All basic toiletries (Shower gel, soap, toothpaste and brush)
- All basic skin & hair products

Education costs:

Those aged 18 plus may still be in education and it is expected that staying put carers will support and assist continuing education. The staying put allowance account for assistance with

- Basic Stationary
- Attending meetings at college etc.
- Occasional assistance in getting to and from the education setting

Employment costs:

Those aged 18 plus may still be in work or paid apprenticeship and it is expected that staying put carers will support and assist young adults in employment. The staying put allowance account for assistance with

- Basic Stationary
- Occasional assistance and support to attend work

Transport:

- All the transport costs including public transport that are incurred in normal family life
- It is anticipated that the young person will fund their own transport to school/college/work but it is understood they may on occasion need assistance from the carer in the form of transport

All Religious Needs Including:

- Prayer books/equipment
- Dietary needs

Telephone/Internet:

It is anticipated that at age 18 most young people will have a mobile phone. They will need to budget for the purchase of credit or contracted mobile phone from their income. It is expected that the staying put carers would provide the following in addition:

- Access to a telephone to call family members and professionals
- Access to the internet

Payments Table:

Age	Education/employment status	Payment to carers	Notes
18 years	Completing statutory education	Matches fostering payment paid prior to 18 until the 31 st July after the 18 th Birthday	For this group the young adults would not be expected to make a contribution
18 years – 21 years	In further education	£246.44	If the young person lives away for their education the payment is £100pw with no contribution whilst the young person is away and reverts to the usual payment when at home with the provider.
18 years to 21 years	In employment/seeking employment	£246.44	If the young person lives away for their education the payment is £100pw with no contribution whilst the young person is away and

			reverts to the usual payment when at home with the provider.
21 years to 25 Years	Any	£246.44	If the young person lives away for their education the payment is £100pw and reverts to the usual payment when at home with the provider for a period of at least a week.

Young people, in all circumstances, must claim all benefits they're entitled to and should be supported to do this by their allocated social worker or personal adviser. Thurrock Council will fund their arrangement in full should there be any delay in benefits being received. However, this will then be claimed back once the young person is in receipt of their full benefit amount.

Where a young person is aged 18-years old and is eligible for welfare benefits, including housing benefit and department for work and pension benefits, this amount will be deducted from the contribution and used towards the cost of the staying put arrangement. Where a young person is eligible for welfare benefits, these must be claimed. The housing benefits should be paid directly to the staying put provider and not directly to the young person. The benefit allowances received will be reviewed as part of the young person's pathway plan process and by their personal adviser after they turn 18-years old. Consideration should be given to ensure that applications for benefits do not discourage a young person from obtaining or maintaining part or full-time employment.

- Please see 7.2 below for how contributions are calculated

The allocated social worker or personal adviser (after the young person's 18th birthday) must support the young person to claim all available benefits to support Thurrock Council in maximising their funding.

The remaining amount of income support or universal credit will be to cover pocket money and clothing, including any privileges they may like, for example, mobile phone, extra curricula activities and more; the foster carer(s) will not be required to cover this in maintenance. This should be covered in detail during the arrangement agreement meeting.

7.1 Young people attending further education/enrolled in the military and returning to their staying put accommodation during holiday periods

Young people living away from their foster carer(s) household for temporary periods of time, for example, attending higher education courses, should not preclude young people from remaining in a staying put arrangement. It is recognised that supporting a staying put arrangement enables the continuation of familial relationships that provides the young person with security and stability that they require whilst they are focusing on education and their future aspirations. Should this be the

case then the staying put providers will be paid the standard rate, and rent, for the time that the young person stays with them during the holiday period and during term time they will be eligible to receive £100pw

7.2 Calculating the young person's contribution and the total payment to the carer

It is envisaged that on becoming 18 children will have been appropriately prepared to meet some of their own needs and have some budgeting skills. With the exception of young people in statutory education it's assumed that staying put carers will have to provide less than they would have done under a fostering arrangement. When in receipt of benefits or earned income the young person is expected to offer a minimum contribution of £12 per week. Those young people not able to claim benefits and not employed will have an income provided by Thurrock Council and should still contribute the minimum amount.

The total payment to the staying put provider should equal £246.44 per week and is made up of a combination of a contribution from the young person, and a contribution from Thurrock. Housing benefit should be paid directly to the provider and is in addition to the £246.44

Use the following table to calculate the young person's contribution

Weekly Income after tax/NI or, benefit payment	Weekly Contribution
Up to £79.09	£12.00
£79.10-£90.00	£14.00
£90.01 - £100.00	£16.00
£100.01 - £125	£20.00
£125.01 - £150	£24.00
£150.01 - £300	£30.00
£300.01 - £400	£50.00

Once in receipt of benefits/income the weekly contribution should be calculated on a monthly basis by multiplying the weekly contribution by 52 and dividing by 12. The young person should be supported by the Personal Advisor to set up a standing order for this amount

7.3 Housing benefit/universal credit housing

Where possible this should be paid directly to the staying put provider. If this is not possible the young person should be supported to include this amount in their standing order.

Section 8 Independent fostering agencies

Young people placed in independent fostering agency arrangements will be considered against the same staying put criteria as Thurrock foster care placements. Thurrock Council will ensure that the process as detailed within this policy involves the independent fostering agency at all key stages. It is expected that independent agency foster carers(s) will be paid at the same staying put rate as Thurrock foster carer(s) in line with what is documented within this policy. If a fostering agency, including Thurrock offers other ancillary benefits of being a registered foster carer then this is not part of the staying put payment.

There will be the same expectation of independent agency foster carer(s) should they be offering permanency. They are provided with staying put information in line with the expectation for the young person to be able to stay there until 21-years old. When entering into permanency agreements with Thurrock Council, independent fostering agencies enter into the agreement on the basis that when the young person turns 18-years old, the foster carer(s) will transfer to the Thurrock staying put funding structure. Thurrock Council do not commit to funding arrangements at an independent fostering agency rate for staying put accommodation arrangements.

Once the placement panel have formally acknowledged the decision made by the young person and their foster carer(s) to enter into a staying put accommodation agreement after they turn 18-years old, the independent fostering agency will be notified then requested to ensure their foster carer(s) formally notify the Independent Fostering Agency of their change in circumstance. It is expected that independent fostering agencies that Thurrock Council commission arrangements with, will fully embrace the legislative and good practice guidance associated with staying put

Section 9 Income tax and national insurance issues for staying put arrangements

All foster carer(s) and staying put accommodation providers must register with Her Majesty's Revenue and Customs as self-employed. The simplified tax arrangements apply and foster carer(s) and staying put accommodation providers will continue to be able to claim under their existing simplified tax arrangement. Where young people remain living with their former foster carer(s) under a staying put arrangement, the income tax and national insurance framework and liabilities that apply are set out in the Shared Lives carers guidance. The Shared Lives qualifying care relief guidance sets out that staying put accommodation providers receive tax exemptions up to a given qualifying amount for each staying put young person living with them. The staying put qualifying rate mirrors the system and amounts that applied when the arrangement was previously a foster care placement.

The staying put exemption does not affect any income from other sources, for example, employment and investments. Such other income will be taxed in the normal way. Staying put carers, including foster carers, should note that they may be able to claim working tax credit which is administered by Her Majesty's Revenue and Customs. Staying put care is counted as work for tax credit purposes. The staying put accommodation provider's taxable income is used to assess the amount of tax credits that they are entitled to receive. Where they receive less in staying put payments than the tax-free allowance, their income from providing a staying put accommodation is treated as nil for this purpose. This will mean they get the highest rate of working tax credit.

Impact(s) of a staying put accommodation arrangement on single occupancy council tax discount receivers

9.1 Council tax implications

Single staying put accommodation providers who claim single occupancy council tax discount may lose this reduction as a result of having a young person over 18-years old living in their home and is deemed under council tax regulations and criteria as an adult. Where this occurs, the staying put accommodation provider will need to notify their social worker so that the increase in council tax payments can be acknowledged through the local resources panel and reimbursed by the department.

This amount will be added to the arranged payment(s) to the staying put accommodation provider under the staying put arrangement. Please note that not everyone over the age of 18 living in a household counts as an adult for council tax purposes; there are the following exceptions:

- Children and young people under 18-years old;
- Those children and young people on an apprenticeship scheme;
- 18 and 19-year old's in full-time education;
- Full-time college and university students;
- Young people under 25-years old who get funding from the skills funding agency or young people's learning agency;
- Student nurses;
- Foreign language assistants that are registered with the British Council;
- Young people with a severe mental impairment;

- Live-in carers who look after someone who isn't their partner, spouse or child under 18-years old;
- Diplomats.

9.2 National insurance

The same class 4 national insurance contributions apply in line with fostering.

9.3 No recourse to public funds

No Recourse to Public Funds means that a person will not be able to work or claim most benefits, tax credits or housing assistance that are paid by the state. Asylum seeking young people may have no recourse to public funds but will still meet the criteria for a care leaving service and can access "Staying Put" in the same manner as young people who have a positive asylum decision or, who are British Citizens. In these circumstances Thurrock Council will be responsible for their housing benefit contribution.

3.4 Payments and Benefit Issues for "Staying Put Providers"

This section covers the rules regarding payments to "Staying Put Providers" that are in receipt of a means tested benefit/s. National Insurance benefits are not affected by this income.

Payments made to the "Staying Put" provider from Thurrock Council under section 23C of the Children Act 1989 via the young person, or directly to the carer/s on behalf of the young person are disregarded when calculating the carer's entitlement to means tested welfare benefits.

The section 23C payment is disregarded in its entirety in circumstances where young people continue to live as a member of their former foster carer's family. Where young people contribute to the arrangement through a rent liability and pay this directly, or via a claim for housing benefit (which requires a commercial arrangement) the element of the payment from a source other than the section 23C element is taken into account when calculating the impact on the "Staying Put Providers" own welfare benefit claim. The section 23C element will always be disregarded when calculating the "Staying Put Providers" welfare benefit entitlement.

3.5 Under Occupancy or Bedroom Tax

If the provider claims housing benefit in their own right and has one 'spare' bedroom, the amount of housing benefit they are allowed will be reduced by 14% of the rent and any eligible service charges. If they have two or more spare bedrooms, they will lose 25%. Rules around spare bedrooms are strict and these changes only apply to working age people claiming housing benefit. This is termed Under Occupancy or Bedroom Tax. "Staying Put" young people are exempt and will not incur an 'Under Occupancy' or bedroom tax charge on the "Staying Put" carers.

Payments from Children's Services to young people under Section 17, Section 20, Section 23, Section 24 and Section 31 (Children Act 1989), do not count as income for benefit purposes. Payments made to young people and passed to former foster carer/s from section 23C (Children Act 1989) are disregarded in the assessment of the former foster carer/s' income for benefit purposes, if the young person was formerly in the claimant's care, is aged 18 or over and continues to live with the claimant within a non-commercial family type arrangement.

3.6 Connected Carers who provide staying put placements

Young people living in a connected care arrangements who wish to continue with a "Staying Put" arrangement are not always eligible to claim housing benefit on reaching the age of 18 because of the familial relationship. In situations where a young person is not eligible to claim Housing Benefit,

Thurrock Council will pay the rent element of the “Staying Put” arrangement (subject to a claim having been rejected and the matter being appealed). Whether the claim is rejected or not, will depend on the District Council housing benefit department deeming the relative a former foster carer or a close relative.

The Personal Advisor should always support the housing benefit claim through liaising with the Housing Benefit department and provide evidence which makes it clear that the relative was caring for the young person under a fostering arrangement and that they are registered foster carers for this purpose. Where necessary the PA should assist the young person to make an appeal where their application is turned down.

Section 10 Staying put health and safety

The same health and safety principles that applied under the foster placement will continue and they must ensure the appropriate home insurance has been implemented for their role as a staying put accommodation provider, this includes their vehicle having a current MOT and business insurance. The staying put accommodation provider must ensure that they have advised their insurance company of young people being welcomed into their home under an agreement, so they are able to advise of the need to have business cover for their home or any other essential requirements.

Section 11 Monitoring and reviewing arrangements and safeguarding measures

The staying put arrangements should be reviewed as part of the young person's pathway plan on a 6-month basis, this is to ensure that any implemented targets are being met. The pathway plan review will ensure the young person is developing and acquiring independent living skills. This should also record any problems or difficulties that have emerged, what is working well in the arrangement and future plans. A review can be arranged earlier, if it is needed, by an agreement between the young person, staying put accommodation provider and personal adviser.

11.1 Safeguarding measures

Where a young person reaches the age of 18 and fostered children are also living in the placement (or will be placed in the future), all aspects of the legislation relating to fostering continue to apply and govern the regulation of the household

The same safeguarding measures that apply under the foster placement will continue to apply during the staying put accommodation use period. Should the former foster carer(s) continue to be foster carer(s), the young person that they are providing staying put accommodation for will need to undergo a DBS check as they will become an adult living in the home. This DBS check is the responsibility of the approving fostering agency should foster carers continue to be registered after a staying put arrangement has started.

If the former foster carer(s) are still registered at Thurrock Council as foster carer(s) their DBS checks will continue routinely. Thurrock will be responsible for ensuring all staying put former foster carer(s) have an up to date DBS check. Any adult safeguarding concerns must be referred to Thurrock Council's adult safeguarding service in line with the Thurrock safeguarding adult board procedures.

11.3 Support to Staying Put Providers

All "Staying Put" providers will be allocated a named supervising fostering social worker.

For Thurrock approved Foster Carers; In situations where foster children are placed in the household, or may be placed in the future and the "Staying Put" provider will remain registered as a foster carer, their existing supervising fostering social worker will continue to support the overall arrangement (Fostering and "Staying Put").

For Foster Carers approved by other agencies Thurrock will offer a supervising social worker in respect of the staying put arrangement

The following will also be offered:

- A return to the Fostering Panel to discuss changes in the household arrangements and any plans for future deregistration and/or agreeing a period of fostering inactivity if a carer is not taking any further fostering placements (on a temporary or permanent basis).
- A yearly review of the "Staying Put" carer and the overall arrangement by the Team Manager for the after care service
- Safeguarding and risk assessment checks on household members and regular visitors;
- Health and safety checks in line with the standards applied to foster carer placements;

- Regular supervision from a member of the fostering service at a frequency of no less than every 3 months;
- The opportunity to attending appropriate training and support groups.

11.4 Continued registration as foster carers

Thurrock approved foster carers have the option to remain registered as carers even if the only provide care under a staying put arrangement. It is the Foster Carers responsibility to ensure they continue to meet the expectations of being a foster carer, such as training etc. even if many of the other requirements do not apply as there is no looked after child. Their continued approval is monitored by the annual review process.

Foster carers approved by fostering agencies other than Thurrock will need to discuss their continued registration with their approving agency

11.5 Recording Information – “Staying Put” Carers

“Staying Put” providers should keep a log/diary of significant events with dates and times in case a situation arises with a “Staying Put” young person where information needs to be shared. Information being recorded should be shared with the young person. Young people should also be informed that the log/diary/information will only be shared with other professionals on a ‘need to know’ basis.

Where the carer ceases to be a foster carer, their fostering recording file will become a “Staying Put” recording file. Foster carers that provide foster care and “Staying Put” will have a “Staying Put” section within their fostering file

Section 12 Ending the staying put arrangement

The staying put arrangement can be terminated at any time before the young person reaches their 21st birthday. This could be done by either the young person or the staying put accommodation provider by providing 28-days' notice. A planning meeting should therefore be held to prepare for the young person's transition into new accommodation. When planning to end a staying put arrangement it is important to remember that as the young person reaches 21-years old they will no longer qualify for requiring priority need for housing. Considering this, it is essential that plans are made in advance, to maximise the young person's opportunities to be considered for social housing.

Staying put placements will end at:

- 21 years of age for children without a disability (unless in full time education this can continue up to the end of the academic year after the 21st birthday)
- 25 years of age for children with a disability who have been assessed by adult services and deemed not to meet the criteria

Should the young person wish to remain with the staying put provider, it will become a private arrangement between them, and no funding will be provided by Thurrock Council. However, the young person can request support from a Personal advisor, to continue until up to the age of 25 years. There will be circumstances where a planned ending from a staying put arrangement, to independence within the community does not work out and returning to the foster carer is in the best interest of the young person. Should this option be available, within a 4-week period, a young person may be able to return to their previous staying put arrangement and the original payment arrangement will resume. In these circumstances, the arrangement will continue to be considered as staying put accommodation.

Staying Put' – Living Together Agreement (Young People Aged 18 remaining in Staying Put Arrangements)

This Living Together Agreement provides a framework that sets out the house rules and expectations of young people and their carers where young people remain living with their former foster carer/s after their 18th birthday and under a “Staying Put” Arrangement.

The Living Together Agreement should be based on the information set out in the preceding Placement Plan and the agreements set out in any ‘Delegated Authority’ framework. Whilst the Living Together Agreement is a formal document setting out everyone’s expectations, the majority of house rules and expectations will be the same as those in place prior to the young person’s 18th birthday; so most of the requirements will remain broadly the same. However, reaching the age of 18 and adulthood is a good opportunity to revisit all of this and see what needs to change.

The Living Together Agreement is a flexible document and should be used to set out tasks, expectations and house rules which help the “Staying Put” arrangement run smoothly. This should be reviewed every 6 months at the time of reviewing the Pathway Plan.

In order to ensure that everyone knows what is expected of them this should be completed prior to a young person’s 18th birthday and be signed and linked to the young person’s Pathway Plan. Ideally it should be discussed and completed at the last statutory CLA review meeting.

The Living Together Agreement contains three main areas:

1. Responsibilities of everyone who signs the agreement.
2. House rules and support.
3. Payments.

The information in this document should cover all the day to day arrangements that are needed to ensure that the positive aspects of fostering transfer to the “Staying Put” Arrangement.

Please sign the Living Together Agreement after discussing and agreeing everyone’s expectations.

Signed copies of this document should be given to each person to keep and a copy should be placed in the young person’s file.

1. Responsibilities

1.1 Young Person

- Engage in the support detailed in the 'House Rules and Support' Section (below) and the Pathway Plan in order to develop independence skills.
- Behave in a reasonable way, showing respect for my carer(s), their property, neighbours, other children/young people in the placement and the local community.
- Not behave in a manner that causes upset and/or harm to others or that would be deemed anti-social.
- Keep to any house rules set out in this Living Together Agreement.
- It is recommended that with the agreement of the staying put carer, a living expenses contribution is paid weekly (equivalent to 15% of your income), either from earnings or benefits or a combination of earnings and benefits.
- Let my leaving care personal adviser / social worker and Staying Put Provider know in advance if I wish to end the Staying Put arrangement.
- Maintain my room, furnishings and fittings in good order (and be responsible for replacing any items that are damaged and/or stolen).
- Contact my leaving care personal adviser/social worker if I would like to change this Living Together Agreement or raise concerns/make a complaint.

Please detail any specific agreements in relation to the young person wishing to have another person staying overnight (one or two nights only at any one time) in the same bedroom. The arrangement/agreement, for another person to stay overnight, can only be agreed by the Staying Put Provider

1.2 Staying Put Provider

- Provide a single fully furnished room to be paid for by the young person via earnings and/or housing benefit.
- Provide heating, hot water, lighting, food, house key (see specific arrangements Box on Page), and support.
- **Wi-Fi – Where the broadband is capped, permission is needed from the Staying Put Provider before any downloading or streaming may take place. Under no circumstances will the sharing or receiving of images of anyone under 18 be allowed. In the event of a breach this could jeopardise this agreement. See Link - <https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>**
- Inform the young person's leaving care personal adviser/social worker, fostering supervising social worker and the housing benefit department if the young person

ceases to reside at the accommodation in order to prevent overpayment of benefits.

- Respect confidentiality (within agreed parameters) at all times regarding personal details of the young person.
- Ensure the accommodation is of a good standard and allow annual household health and safety checks to be carried out.
- Inform the young person's leaving care personal adviser/social worker as soon as possible of any significant incidents and if the arrangement is likely to be disrupted/ end prematurely.
- **Provide adequate notice to end the "Staying Put" Arrangement. However, the young person is "an excluded Licensee" and where there are issues of personal safety or concern for the Staying Put Provider. Immediate notice can be given.**
- Ensure there is adequate insurance in place to cover acts of accidental damage, deliberate damage or theft.
- Ensure relevant staff /agencies are made aware if the young person is absent or missing.
- Ensure (in conjunction with Children's Services staff) an appropriate 'Safe Care'/'Safeguarding Plan' is in place to manage the impact on other / younger children in the household of any changes to the household.
- Provide support (as detailed below in the 'House Rules and Support' Section) to prepare the young person for independent living and adulthood.

Please detail any specific agreements, for example, how any other younger children are to be safeguarded.

1.3 Supervising Social Worker/Social Worker & Personal Advisor (Post 18)

- Inform Staying Put Provider(s) of any likely risks and advise on risk management and safe care.
- Carry out a DBS check for the young person and other household members. This must take place by the time the young person is 17 years and 3 months.
- Advise and assist the young person with a housing benefit claim.
- Advise and assist the young person with any other benefit claims and financial matters in order to maximize income.
- Advise and assist the young person with any applications for moving on to other accommodation.
- **Advise and suggest house rules (in addition or variance to those below).**

- Visit at regular intervals until the end of this Staying Put arrangement to provide support.
- Review this arrangement as part of the young person's Pathway Plan review.
- Review this Living Together Agreement and the 'House Rules and Support' Section (below) at least every six months.

Name of Young Person:

Date:.....

Name of Staying Put Provider:

Address:Postcode:.....

Young Person's date of birth:

Next of Kin:

Primary Language:

Young person's mobile number:

Carers' mobile/telephone number(s):.....

Supervising Social Worker:.....

Contact details:

Social Worker/Personal Adviser:

Contact details:

Team Manager/Duty name and contact details:

Emergency Duty number (Out of Hours):

Missing Persons Police number: **101**.....

GP details:

Any plans to change GP/Optician/Dentist. If so, by when?.....

Who will assist the young person?

1. What is the Proposed Move on Plan from the Staying Put Arrangement?

Is the young person registered on Thurrock housing list?

2. House Rules and Support

The points and headings set out below are not intended to be a definitive list; they provide a broad set of topics which should be discussed, clarified and expectations set out. It will be important to add other topics relevant to the individual Staying Put household.

Each household will have different rules and expectations, some of these will depend on who else lives in the household, for example, where younger foster children are living in the house, it may not be appropriate to have a boyfriend or girlfriend stay over.

Suggested Topics for discussion:

Issues regarding privacy, for example when it is acceptable to enter the young person's bedroom, which parts of the house are private, shared etc.

What time is the young person expected to return in the evening, what are the arrangements if the young person is going to be late, or wants to stay out overnight etc?

What are the arrangements for ascertaining the young person's whereabouts if they do not return on time?

What are the arrangements for reporting the young person missing if they cannot be located, how long would you continue to try to contact them before reporting them missing?

What are the arrangements for the young person having visitors and/or for friends staying overnight and/or boyfriends/girlfriends staying overnight - what is deemed acceptable?

What are the arrangements if the young person smokes, what are the rules on consuming alcohol?

The young person needs to seek the agreement of the Staying Put Provider prior to engaging into any financial contract or agreement that requires use of their home address. The Staying Put Provider must be advised before any financial contract or agreement is signed or entered into.

Support with the development of life skills.

Cooking and food preparation:

Laundry, ironing, household chores:

Budgeting and money management:

Progressing and renewing housing benefit claims are carried out by a Personal Advisor who will provide support to the Care Leaver.

Returning official forms (e.g. Electoral Roll register):

Remind the young person of any Health appointments that the Staying Put Provider is aware of.

Any specific health needs:

Attending 6th form, college or university open days etc.

Support with maintaining contact with family and extended family members.

Encourage the young person to pursue hobbies, leisure interests and sports activities.

Is the young person registered on the Thurrock Housing List?

Additional information

3. Payments

The payment calculator has been completed and the weekly amount payable to the staying Put provider is £

This is calculated as follows:

Calculating payment	Weekly Amount
Young Persons Contribution (to be set up as standing order)	
Thurrock's Contribution	
Housing Benefit Contribution (shared accommodation rate at August 2022 is £76.24)	
If answer to Q1 is 'no' Housing contribution from Thurrock	

If the answer to 'Q6' is yes, please add
in the weekly top up required

If the answer to Q7 is 'yes', please add in the weekly top up required	
Total to be paid to the Staying Put Provider	

Please note - this rate does not apply if the child is away at university, military training or is still in statutory education. These rates should be specified below.

Specific Arrangements to this Staying Put Agreement:

Signatures

Signed: (Young Person) Date: ...

Signed: (Staying Put Provider) Date:

Signed: (Social Worker/Personal Adviser Date:

.....

Signed: (Supervising Social Worker) Date:

Service Manager Agreement

Signed..... (Service Manager CLA) Date:.....

Appendix Two; Table to Calculate the Staying Put Payment

(Double click to access the spreadsheet and calculate the amount due, the below is just an example)

	Specific Circumstances Questions	Answers
1	Does the young person have recourse to public funds?	
2	Does the young person have a disability?	
3	If yes, has a referral to adult services been made?	
4	If they are entitled to adult services has a referral to shared lives been made?	
5	Does the young person intend to take up a place at university or in the military?	
6	Is the foster carer/Staying put provider going to incur additional Council Tax costs as a result of the staying put arrangement?	
7	Are the foster carer or Staying Put providers benefits affected by the staying put arrangement?	
8	Is the foster carer or staying put provider a relative of the child.	
9	If the foster carer or staying put provider is approved by a fostering agency other than Thurrock, has this agency been advised?	
10	What is the young person's weekly income after tax or their weekly benefit income?	Up to £79.09
	Calculating payment	Weekly Amount
	Young Persons Contribution (to be set up as standing order)	£12.00
	Thurrock's Contribution	£234.44
	Housing Benefit Contribution (shared accommodation rate at August 2022 is £76.24)	
	If answer to Q1 is 'no' Housing contribution from Thurrock	
	If the answer to 'Q6' is yes, please add in the weekly top up required	
	If the answer to Q7 is 'yes', please add in the weekly top up required	
	Total to be paid to the Staying Put Provider	£246.44