

STAYING PUT POLICY

**Ensuring stability for young people through staying
with their Foster Carers into adulthood**



KENT COUNTY COUNCIL

CHILDREN, YOUNG PEOPLE AND EDUCATION

KENT FOSTERING SERVICE

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Introduction & Legal Framework

This policy builds upon the statutory guidance contained in [The Children Act 1989 Guidance and Regulations: Planning Transition to Adulthood for Care Leavers](#). It sets out Kent County Council's approach towards supporting young people to remain with their Foster Carer/s (including in house, independent & connected persons Foster Carers) under Staying Put arrangements, once they reach their 18th birthday and up until they are 21. This includes unaccompanied asylum-seeking young people; should they be accepted by the home office to have a leave to remain status in the United Kingdom.

This policy should be read in conjunction with Kent County Council's [Children in Care & Care Leavers Strategy](#) and the [Care Leavers Local Offer](#).

Within the policy, Fostering Social Worker and Accommodation Officer are referred to interchangeably. This is because Fostering Social Workers are responsible for the support and supervision of in-house Foster Carers/Hosts providing Staying Put, and Accommodation Officers are responsible for Independent Fostering Agency Foster Carers (who become Kent Supported Homes Hosts) providing Staying Put.

Definition of a Staying Put Arrangement

'Staying Put' refers to when a young person, who has been looked after for a total of at least 13 weeks since the age of 14, remains living with the Foster Carer with whom they were placed when they turned 18. It is an arrangement based upon the young person and the Foster Carer/s expressing their wish to enter such an arrangement when a young person becomes 18.

Staying Put is referred to as an 'arrangement' to differentiate it from a foster 'placement'. The young person staying put is no longer a looked after child after they reach 18 years of age. They are a young adult and a Care Leaver. They are entitled to support as a Care Leaver up to the age of 25 and will be allocated a Personal Advisor. A staying put arrangement is governed by the Care Leavers' legislation and statutory guidance rather than the Fostering Services Regulations.

Preparation for a Staying Put Arrangement

As a young person approaches 16 (or before their second Child in Care Review if they entered care after 16), their Social Worker must consider the young person's continuing need for care, accommodation, and support from their 18th birthday. This should include discussion with the young person, their Foster Carer/s and Fostering Social Worker about the following:

- The young person and Foster Carer/s wishes and feelings about the young person remaining with their Foster Carers after their 18th birthday.
- The Local Authority's view about the viability and appropriateness of a young person remaining with their Foster Carers after their 18th birthday.
- The key tasks, roles, and responsibilities if the young person continues living with their Foster Carers after their 18th birthday, including the expectation that the carer/s will prepare the young person for independence both in terms of practical skills and emotional readiness and ensure they are accessing education, training and/or employment opportunities, and that the young person understands that the expectations of them will change under a Staying Put arrangement.
- The impact on the Foster Carer/s financial circumstances and the young person's finances (including needing to claim for Universal Credit when they turn 18).
- Any potential barriers to achieving a successful Staying Put arrangement and possible resolutions.
- The difference between caring for a child or young person and supporting an adult in transition to caring for themselves.

If all agree, then 'Staying Put' would be the first option for the young person. Should Staying Put not be viable, the young person's Social Worker will discuss with the young person what other options for accommodation are available. No young person should be left uncertain about their options, and if there is a lack of knowledge around housing and its availability, the Total Placement Service should be consulted, and options discussed.

Within three months of the young person's 16th birthday, their Social Worker will

complete a needs assessment, and this will be drawn up into a Pathway Plan (PWP) which will include the Staying Put arrangement and address the need to continue to develop a range of skills including relationships, emotional resilience, finance and budgeting, cooking, washing, ironing, and applying for jobs. The Independent Reviewing Officer will check at the Child in Care Review that the PWP has been provided to the young person, and if it has not, a date is agreed on when this will be done.

Once Staying Put is incorporated into the young person's PWP it will continue to be reviewed and discussed during their Child in Care Reviews. This should include consideration of alternative options should the Staying Put arrangement cease to be viable.

Following on from the first Child in Care Review after the young person turns 17-years old, the young person's Social Worker will be responsible for submitting the 18+ Accommodation Request to the Total Placement Service advising of their placement converting to a Staying Put arrangement once they turn 18-years old. This must be completed no later than when the young person is 17-years and 9 months.

No later than the young person reaching 17 ½ years old a Personal Advisor should be allocated to them and they will work alongside the Social Worker to build a relationship with the young person and give advice on benefits, housing, employment, and education for example, taking over case responsibility when the young person turns 18.

Prior to the young person's 18th birthday and ideally no later than a month prior, the Fostering Social Worker / Accommodation Officer will convene an Initial Set Up Meeting with the Foster Carer/s, Social Worker, young person, their parents (if appropriate) and allocated Personal Advisor. Here the following must be completed:

- Move-In Agreement, which is a statement of the commitments and undertakings agreed between all the parties and includes practical standards and general rules of the home.
- Support Plan, which is informed by the young person's PWP and provides clarity, with timescales for targets and outcomes, in relation to independent living skills.
- Young Person's Supported Homes Safe Care Plan (There is no necessity for

KCC in-house Staying Put Hosts to complete the KSH Family Safe Care Plan as they can continue to use their Fostering Family Safe Care Plan, as this includes all members of the household already. Attention should be given however as to whether this needs to be updated at this point).

- The Licence Agreement (the young person, is the licensee in receipt of support, and the Staying Put Host, is the licensor). The agreement is needed for the young person to claim Universal Credit Housing Payment at 18 years old where eligible. The young person's Social Worker will support them to make their claim and should start this a month before the young person's 18th birthday.

The Support Plan should be regularly monitored by the Fostering Social Worker/ Accommodation Officer in consultation with the Personal Advisor to ensure suitable progress is being made by the young person in the Staying Put arrangement. If additional support needs are identified at any point throughout the arrangement, the Fostering Social Worker / Accommodation Officer can convene a Support Plan Review Meeting with the young person, Host/s and Personal Advisor to review tasks and record under goals and outcomes in the support plan. The Support Plan will be reviewed alongside the PWP every six months.

Arrangements for disabled young people

If a young person who is disabled requires a higher level of support than the standard or enhanced levels of provision offered under Staying Put, a Shared Lives arrangement with their Foster Carer/s may be considered appropriate. The Foster Carer(s) will need to apply to become Hosts with 'Shared Lives'¹, and undergo a shortened assessment and approval process. The arrangement should be agreed at the decision-making panel.

If the Child 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 Disabled Young People's Team for 16-25-year-olds. 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.

Funding

Host/s can receive two levels of payment; standard or enhanced, which is dependent on a needs assessment undertaken by the young person's Social Worker, submitted to the Access to Resources Panel and agreed by the 18+ Care Leavers Head of Service.

Level of support	Weekly support	Weekly payment	Rent
Standard	Up to 15 hours per week	£150	In line with local housing allowance
Enhanced	Up to 25 hours per week	£250	In line with local housing allowance
Mother and Baby placement	As needed and agreed on an individual basis	£300	In line with local housing allowance

For 16- and 17-year-olds (& 18-year-olds in some circumstances i.e. those in receipt of Employment & Support Allowance) not eligible to receive Universal Credit the Host will receive a Rent payment of £70 per week.

The level of support determined by the needs assessment must demonstrate how the support is to be provided and how it contributes to the young person's transition into adulthood. It is expected that the enhanced rate would be subject to time limited agreement, on the basis that there should be incremental improvement over time in the young person's independent living skills.

Young people will pay their Host/s a £10 per week contribution towards utilities and a £20 per week contribution towards food, if this is to be provided to them by their Staying Put Host/s, from their Universal Credit. The remaining amount of Universal Credit will be to cover clothing, including any additional expenses they choose, for example, mobile phone, extracurricular activities and more. This should be covered in detail during the Initial Set-Up Meeting.

¹ <https://www.kent.gov.uk/social-care-and-health/care-and-support/disability/supported-housing/sharing-a-home>

In exceptional circumstances, transporting young people to planned appointments or other locations is acceptable, but this must be specifically agreed in writing by the relevant Team Manager, unless in an emergency e.g., taking/collecting a young person from hospital.

Young people, in all circumstances, must claim all benefits they are entitled to and should be supported to do this by their Social Worker or Personal Adviser. Kent County Council will cover funds in full should there be any delay in benefits being received. However, this will then be claimed back from the young person once they are in receipt of their full benefit amount.

Young people turning 18-years old whilst in full-time education/training at Level 3:

Where a young person is studying or training on a Level 3 course full time after they turn 18, Kent County Council will continue to pay the Foster Carers the full fostering payment, less the rent amount, from the young person's 18th birthday until the end of the academic year / exam period.

Agreement for the fostering payment to continue past 18 years of age, for a young person in any other education arrangement, should be decided on a case-by-case basis, following presentation to the Access to Resources Panel and agreement from the 18+ Care Leavers Head of Service.

Foster Carers/Host/s accommodating and supporting young people under Staying Put for the period between the end of the academic year/Level 3 exams and the beginning of university, will be paid the Standard payment of £150 per week and the young person should continue to pay their rent directly to the Foster Carers/Hosts from their Universal Credit.

Young people aged 18-years old who end their period of study whilst their Foster Carers are in receipt of the full fostering payment:

Where a young person decides against completing their full time Level 3 course of education/ training, the fostering payment will cease and there will be an assessment of the young person's needs by their Personal Advisor to determine the fee payable to the Staying Put Host/s. This will be taken to Access to Resources Panel and agreed by 18+ Care Leavers Head of Service.

Young people attending university and returning to their Staying Put accommodation during holiday periods:

Where a young person lives away from their Staying Put Host/s to attend a higher education course and returns during the holidays, Kent County Council will pay the standard payment of £150 per week plus rent at the Local Housing Allowance rate during the holiday periods to the Host/s. The young person pays their university accommodation costs from their student loan.

Young people attending university whilst remaining in their Staying Put accommodation:

Where a young person attends a local university and remains living with their Staying Put Host/s, Kent County Council will pay the standard payment of £150 per week year-round; with the young person paying rent at the Local Housing Allowance rate to the Host/s in term time and KCC paying rent to the Host/s during holidays.

Additional Considerations:

- All Staying Put Hosts must inform their Fostering Social Worker / Accommodation Officer of any change in circumstances, including where and how a young person chooses to study and if they terminate a period of study.
- Staying Put Hosts must inform their Fostering Social Worker / Accommodation Officer of university term times and holiday periods with as much notice as possible; so that the correct payments can be set up. The Fostering Social Worker / Accommodation Officer can do this via the change of costs form and submit to the 18+ Placement and Finance Officer.
- The young person's Social Worker in all Staying Put arrangements should assist the young person to set up direct payments for their rent from their Universal Credit to the Host/s to avoid underpayments.
- Young people's benefit allowances will be reviewed with their Personal Advisor as part of their Pathway Plan.
- A young person must stay at their Staying Put home for no less than four nights a week. One of the reasons for this is so that their Universal Credit is not impacted.

Independent Fostering Agencies

When entering into permanency agreements with Kent County Council, Independent Fostering Agencies (IFA) do so on the basis that when the young person turns 18, the Foster Carer(s) will become Staying Put Host/s and transfer to the same Staying Put payment structure as in-house Foster Carers/Hosts. Kent County Council does not agree funding at an Independent Fostering Agency rate for Staying Put arrangements.

Once the Access to Resources Panel have formally acknowledged the decision made by the young person and their IFA Foster Carer/s to enter a Staying Put arrangement at 18, the young person's Social Worker must notify the IFA in writing, to ensure that the agency formally records their carers change of circumstances.

It is expected that IFA's with whom Kent County Council commission arrangements with, embrace the legislative and good practice guidance associated with the Staying Put initiative².

IFA Staying Put Hosts will receive supervision and support from a Kent County Council 18+ Care Leavers Accommodation Officer for the duration of the Staying Put arrangement.

² Kent County Council's commissioning department can be contacted on; ciccommissioning@kent.gov.uk

Income tax and National Insurance (Qualifying Care Relief)

All Foster Carers should already be registered with Her Majesty's Revenue and Customs as self-employed. This is no different when providing Staying Put.

All self-employed people aged 16 and over who are below State Pension age are liable and must register to pay Class 2 National Insurance Contributions. Failure to do this may affect their entitlement to benefits. If Hosts taxable profits are above a certain level they will have to pay Class 4 contributions.

Hosts continue to be eligible for [Qualifying Care Relief](#) . Qualifying Care Relief can continue until the young person reaches the age of 21, or, until they complete a programme of education or training. A young person below the age of 21 does not have to be engaged in education or training for the Qualifying Care Relief system to apply to

their Hosts.

Staying Put Hosts may be able to claim Working Tax Credits because Staying Put is counted as work for Working Tax Credit purposes. The carer's taxable income is included in the total household income that is used to assess the amount of tax credits that they are entitled to. So, where the carer is paid less than their tax-free allowance, their income from caring for tax credits purposes is also nil.

Staying Put Hosts can consult their local HMRC office for guidance on their individual circumstances and liabilities.

Impact of a Staying Put arrangement on a Foster Carer/Host claiming single occupancy council tax discount:

Single Staying Put Hosts who claim single occupancy council tax discount may lose this reduction because of having a young person over 18-years old living in their home. This is because they are deemed under council tax regulations and criteria as an adult.

Where this occurs, the Staying Put Hosts will need to notify their Fostering Social Worker / Accommodation Officer so that the increase in council tax payments can be acknowledged through the Access to Resources Panel and reimbursed by the Local Authority. This amount will be added to the Staying Put payment.

Staying Put Health and Safety

The same health and safety principles that applied under the foster placement will continue under the Staying Put arrangement. Staying Put Hosts must ensure that they declare the Staying Put arrangement to their home insurance company to ensure business cover is in place.

Hosts must also ensure their vehicle has a current MOT and business insurance.

There is an additional requirement for all Hosts, including Staying Put, to have an Electrical Certificate in place once the arrangement starts on the young person's 18th birthday. The Staying Put Host is responsible for finding and paying a suitably qualified electrician to undertake an inspection and complete an Electrical Installation Condition Report (EICR), ensuring that all essential remedial works they may

recommend are completed and provide a copy of their Electrical Certificate to their Fostering Social Worker.

Monitoring, Reviewing and Safeguarding

Staying Put Hosts will be formally reviewed as part of the Annual Review process undertaken by the Fostering Reviewing Officer for KCC in-house Foster Carers and by the allocated Accommodation Officer for IFA Staying Put arrangements.

The arrangement will also be monitored through four to six weekly supervisions by the Fostering Social Worker/Accommodation Officer and the six-month reviews of the young person's Pathway Plan.

Staying Put Hosts will continue to use their Foster Family Safe Care Plan, which incorporates the young person Staying Put and any additional considerations for safe care once they turn 18, and develop the Kent Supported Homes Young Person's Safe Care Plan for the young person's individual safety considerations.

The Fostering Social Worker/Accommodation Officer will undertake an Enhanced DBS Check on the young person at 18 years old.

The Staying Put Hosts will continue to have Enhanced DBS Checks undertaken every three years as part of their ongoing registration as Foster Carers.

Any adult safeguarding concerns must be referred to Kent County Council's Adult Safeguarding Service in line with the Kent Safeguarding Adult Board procedures.

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 Host/s providing 14 days' notice. A planning meeting should 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 priority need for housing from local district councils but may have to access other forms of housing (e.g. private rented).

It is essential therefore that a housing plan is made well in advance, to consider all

housing options and maximise the young person's opportunities to be considered for social housing should they be able to access this in their locality.

Should the young person wish to remain with the Staying Put Host/s after the age of 21, this will become a private arrangement between the young person and the former Host, and no funding will be provided by Kent County Council. The young person can still request advice from a Personal Advisor however, up to the age of 25.

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 Staying Put Host 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 a staying put arrangement.

Appendix 1: Staying Put Process/Checklist



Staying Put
Checklist FINAL May