

Support for care leavers

An introduction

Introduction

In November 2019, the Local Government Association produced a resource pack to support councillors with an oversight role of children's services in their area, for example a corporate parenting panel or scrutiny committee.

Below is an introduction from the guide to a local authorities' duties to support its looked after children when they leave care. It covers the early support given to learn how to plan for the future, to learn and work and to live independently, as well the ongoing support a council provides until the young person reaches the ages of 25.

What is a 'care leaver'?

A care leaver is a young person aged 16- 25 who has been looked-after for at least 13 weeks in total since the age of 14.

Those who are aged 16 or 17 are 'eligible' (still looked-after) or 'relevant' (no longer looked-after) children. Those aged 18-25 are 'former relevant children'. The Government has outlined five key outcomes that it wants to achieve for care leavers¹:

- better preparation and support to live independently
- improved access to education, employment and training
- stability, and to feel safe and secure
- improved access to health support and
- financial stability.

Some young people will return home rather than remaining with foster carers or moving on to independent living, but the council still has responsibilities towards them as care leavers.

Statutory responsibilities

The statutory responsibilities of councils are set out in the Children Act 1989, including through amendments made by the Children (Leaving Care) Act 2000 and the Children and Families Act 2014.

The Children and Social Work Act 2017 made additional provisions for care leavers, and outlined in law for the first time what it means for a local authority to be a good corporate parent. Councils have responsibilities towards care leavers until they are 25.

¹ HM Government, 'Keep On Caring: Supporting Young People from Care to Independence' July 2016

The seven corporate parenting principles introduced by the 2017 Act are aimed at complementing existing practices, embedding a positive culture and ensuring that all the different service areas and leadership are doing what they can to support this group of young people. The principles are to:

- act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- encourage those children and young people to express their views, wishes and feelings
- take into account the views, wishes and feelings of those children and young people
- help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- promote high aspirations, and seek to secure the best outcomes, for those children and young people
- ensure those children and young people are safe, and for stability in their home lives, relationships and education or work and
- prepare those children and young people for adulthood and independent living.

Personal advisers and pathway plans

The local authority must complete an 'Assessment of Need' for the young person leaving care, and make sure that a pathway plan is in place by their 16th birthday. Discussions with other partners may also need to take place to make sure the needs assessment shapes a pathway plan that is both meaningful and purposeful.

The pathway plan should look at how best to meet the young person's needs to help them effectively make the transition from care to living independently, looking at areas including

- accommodation
- education and training
- financial support
- support to develop relationships
- life skills and employability
- access to support for health needs, including mental health
- contingency plans for support if independent living breaks down.

The plan also needs to take into account current and previous events in the young person's life so that potential risks can be identified and addressed.

It is important that the plan contains specific actions and deadlines, spelling out exactly who will take what action, and when. The plan should be reviewed at least every six months by a social worker or personal adviser (PA). It is not unusual for a young person to leave care at 16 years of age, whether to move on to independent living or to return to family or friends. Around 14 per cent leave care at this age, and it is therefore essential that pathway plans be developed in a timely manner.

This will make sure that if a young person is considering leaving care at 16, they know what support is available to them, know what their future options are, and have a plan to help them move on to independence successfully.

A PA should be appointed to support the young person and implement and monitor the pathway plan. Under the Children and Social Work Act 2017, this PA should be available to work with the young person until the age of 25.

The PA acts as a focal point for the young person and can help with practical and emotional support, needed to make a successful transition to adulthood. Local authorities should ensure that all care leavers know who their PA is and how to contact them. Where possible, care leavers should have the same PA from when they leave care until they no longer require support.

Financial support

Care leavers aged 16-18 are entitled to financial support to meet their education, training and employment needs, as well as help to pay for things such as accommodation, food and clothing.

Those aged 18-21 are entitled to living expenses associated with living near their place of work or where they plan to work, along with help with education and training.

Care leavers are entitled to a £1,200 bursary if they stay in full-time education, or £2,000 if they go to university.

From August 2018, care leavers have also been entitled to a £1,000 bursary if they choose to do an apprenticeship.

Care leavers can also ask the local authority for £2,000 towards setting up home, making sure that they have the equipment and household items they need to set up safe, secure and stable accommodation.

Accommodation

Care leavers must be provided with appropriate accommodation for their needs. This should be discussed as part of the pathway plan well before the young person is due to leave care.

Councils should avoid moving and disrupting young people who are settled, offer a choice of accommodation (where practicable) and provide a support package to go with the accommodation. There should also be a contingency plan in case accommodation arrangements break down.

Any care leaver under 21 who spent at least one night in care when they were 16 or 17 is automatically considered to be in 'priority need', if they become homeless or are at risk of homelessness². From the age of 21, they may also be in priority need if they are vulnerable because they were previously looked-after – for example, if they have not had a stable home since leaving care. The Homelessness Reduction Act 2017 also stipulated that a young homeless care leaver should be treated as having a connection to the area that they were looked-after. This will make it easier for them to get support in the area in which they feel most at home.

In April 2018, councils were given new and strengthened powers to offer advice and assistance to homeless people, including care leavers, in their area³. Despite these initiatives, homelessness amongst care leavers continues to be a concern.

Staying in touch

Councils should attempt to stay in touch with all of their care leavers to monitor progress on their pathway plans, and plans should outline how frequently that contact should take place.

When a care leaver moves to new accommodation, their PA must see them at that accommodation within seven days of the move. After the first subsequent review of the pathway plan, they must visit the care leaver at no less than two-monthly intervals.

² The Homelessness (Priority Need for Accommodation) (England) Order 2002

³ Housing Act 1996, Section 179(2)

In some cases, care leavers may decline the support of the council. This should be respected, however periodic attempts should continue to be made to remain in contact. If a young person's situation changes, they need to know that support is still available, and refusing support once doesn't mean that it won't be available in the future.

Staying put

'Staying put' is an arrangement that allows a looked-after child to continue to live with their foster carer – whether a local authority carer or an independent fostering agency (IFA) carer – after their 18th birthday, when they cease to be 'looked-after' by the local authority. This can take place where the council considers it appropriate, and both the young person and the carer want to enter a staying put arrangement.

The council has a responsibility to monitor the arrangement and provide advice and support (including financial) to the foster parent, and the young person to facilitate the arrangement until the young person reaches 21⁴.

Staying close

A number of councils are trialling approaches to 'staying close' – a variant of staying put for young people leaving residential care – using funding from the Department for Education's (DfE) Innovation Programme.

The scheme sees care leavers living independently in accommodation close to their children's home. This would see them continuing to have the support of a key worker from their previous home, and they could visit the home frequently. A full evaluation is expected in 2020.

Local offer

The Children and Social Work Act 2017 requires local authorities to publish a local offer for care leavers, with guidance⁵ recommending this be reviewed every two to three years. This should include all services offered by the council that can support care leavers in, or in preparing for, adulthood and independent living. This includes both those that the authority is legally obligated to provide, such as 'staying put' and housing support, and universal services such as careers advice or public health services. The offer can also include relevant services provided by other organisations, where appropriate. Care leavers should be consulted before the offer is published.

Care Leaver Covenant

The Government has introduced the Care Leaver Covenant. This aims to encourage public, private and voluntary sectors to pledge support, and make specific offers to support care leavers aged 16-25 in living independently.

The covenant links care leavers to offers which can include:

- discounts
- financial support
- exemptions
- personal development
- workshops
- training

⁴ Children Act 1989, Section 23CZA

⁵ www.gov.uk/government/publications/local-offer-guidance

- work experience, apprenticeships and internships.

The covenant can be used by councils to support and extend their local offer, and trials are underway with six councils to identify how it can best be used to support care leavers. A toolkit is being developed for councils and will be available in early 2020.

Access to Information

Under the Data Protection Act 1998, care leavers have a right to access their care records, to better understand their care history and decisions made during their time in care. Councils must facilitate any request made and have a transparent policy in place to support this. They should also work with partners who may hold relevant information. Councils should keep these records for a minimum of 75 years from the date of birth of the adult care leaver and consider suitable retention and storage processes⁶.

⁶ Children Act 1989 guidance and regulations volume three: planning transition to adulthood for care leavers.