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| MEETING: | Cabinet |
| MEETING DATE: | 19 March 2015 |
| TITLE OF REPORT: | Staying Put Strategy |
| REPORT BY: | Head of looked after children |

Classification

Open

Key Decision

This is not a key decision

Wards Affected

Countywide

Purpose

To approve the staying put policy and procedures.

Recommendation(s)

THAT:

- (a) **the Staying Put policy and procedures at Appendix A and B are approved and implemented with immediate effect.**

Alternative options

1. To continue working as we are, whereby young people can remain with foster carers, but this would be under a supported lodging arrangement and does not meet the needs of young people who go into employment at 18. This option would result in Herefordshire Council not being compliant with objectives set out under the Children Act 1989 and the Children (Leaving Care) Act 2000.

Reasons for recommendations

2. The staying put strategy meets objectives within the Children Act 1989 and the Children (Leaving Care) Act 2000 to improve the life chances of young people in and leaving local authority care.

Key considerations

3. The staying put strategy will aim to build on and improve the existing arrangements for young people in foster care to remain with their carers after the age of 18.
4. The aim is for young people to remain with their former foster carers until they reach 21 years of age, or for a substantial period beyond their 18th birthday. The council's current criteria to be able to remain in supported lodgings with former foster carers after the age of 18 requires a young person to be engaged in, or actively seeking to be engaged in education or training or exempt from doing so as a consequence of ill health. The Staying Put Strategy will help to meet the needs of those that do not meet these criteria e.g. those in employment. This approach is conducive to the stability of the placement, and consistent with wanting the young person to achieve economic wellbeing by offering the young person continuity of support to improve their life chances.
5. The Staying Put Strategy promotes the Act's main aims, which are:
 - To delay young people's discharge from care until they are ready and prepared;
 - To improve the assessment, preparation and planning for leaving care;
 - To provide better personal support for young people after leaving care;
 - To improve the financial arrangements for care leavers.

This project also fits within the Public Service Agreement 2 National Indicators 147 and 148, which identify whether:

 - The young person is living in suitable accommodation;
 - The young person is in education, training or employment.
6. The strategy supports the council's care leavers' strategy and in particular gives young people who are in stable, supportive placements the opportunity to pursue education, training and employment in order to participate both socially and economically as citizens, without the disruption of having to move into 'independence' during this critical period of their lives.
7. Both the green paper "Care Matters - Transforming the Lives of Children in Care" and the white paper "Care Matters - Time for Change" refer to the importance for young people of 'entering adult life at the right time'. To remain with foster carers beyond 18 is identified as an area for development.
8. Many young people who have been looked after by the local authority experience a compressed transition from childhood to adulthood (Professor Mike Stein - University of York), and the option to 'stay put' seeks to protract and normalise the young person's experience of moving into adulthood. The staying put ethos supports the council's aspiration to be a good corporate parent to all young people to whom it has acted as a substitute family.
9. The project also provides a framework to allow care leavers at university to return to their former carers during vacation time, and young people who commence basic training with the armed services to return to their carers during breaks, reflecting the ongoing support which would be available to young people living in supportive families.

10. Staying put can also contribute to 'decreasing' the role of the personal advisors who work with these young people, by taking into account the relationship and support provided by the former foster carer to the young person, enabling the personal adviser to work with other care leavers who may be living independently with less support and in more disadvantaged circumstances.
11. Staying put will offer carers improved training opportunities and prepare them to support teenagers into adulthood in a planned and individual way. The training offered will complement the induction standards for children's workforce training requirements for foster carers. The investment and commitment of foster carers is acknowledged through better levels of remuneration and support and increases the retention of foster carers who find their task rewarding and fulfilling.
12. The staying put Strategy reflects the government's determination to improve the experiences of children in care, to challenge the poor outcomes historically experienced and to reduce the gap between the quality of life of young people in the care of the local authority and those raised in supportive families.

Community impact

13. A means of measuring outcome achieved through families first. The families first cost calculator can be used to ascertain reduction in spend as a result of young people remaining in care until they are 21.
14. Reduction in young people becoming homeless.
15. Young people are better prepared to move into independence.
16. Young people are supported to remain in education, employment and training which therefore impacts on those accessing the benefits system.
17. Retaining contact with young people via foster carers is an opportunity to link them with apprenticeship opportunities within the council and the concept of the 'family firm'.
18. At this time we are unable to ascertain the financial impact on partners in DWP, housing, health and education of the staying put strategy. Whilst we can forecast the number of Herefordshire young people remaining in placement there is no duty for other local authorities to notify the host local authority that a young person is staying put?

Equality and human rights

19. The Public Sector Equality Duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrates that we paying "due regard" to our decision making in the design of policies and in the delivery of services of which we have in proposing the Staying Put project.
20. The Equality Duty 2010 has 3 aims (general duty)
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act;

- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those that who do not.

Financial implications

21. The financial implications of the Staying Put Strategy will be that Herefordshire Council will be responsible for ongoing placement costs from 18- 21 years of age.
22. The costs for 2014/15 of staying put arrangements are included within the budget, at £70k. For 2015-16 the full year cost of those currently in staying put arrangements plus the additional arrangements required will be £142k. Those residing in a staying put arrangement qualify for housing benefit reducing the staying put cost by £37k to £105k.

| Staying Put Costs | 2014-15 | | 2015-16 | |
|------------------------------|----------|-----------|----------|------------|
| | Numbers | £000's | Numbers | £000's |
| Current Arrangements: | | | | |
| Internal | 5 | 47 | 5 | 71 |
| External | 1 | 23 | 1 | 38 |
| Total Current | 6 | 70 | 6 | 109 |
| Additional for 15-16 | | | 2 | 33 |
| Total payments | | | 8 | 142 |
| Housing Benefit Contribution | | | | 37 |
| Total for 2015-16 | | | 8 | 105 |

23. There are 8 staying put arrangements currently in place for 2015/16. This is subject to change. The cohort of 16+ in foster placements is monitored to identify future requests for staying put arrangements and the associated costs.
24. For those young people who are in employment and remaining with carers a £50.00 per week contribution will be made towards the placement.

Legal implication

25. From the age of eighteen young people are no longer legally 'in care' or 'looked after' and therefore fostering arrangements and legislation relating to children placed with foster carers no longer applies. In circumstances where a young person remains with their former foster carer/s after their eighteenth birthday, the arrangement should therefore be arranged under the Staying Put Strategy.
26. Following a young person's eighteenth birthday, the legal basis on which they occupy the property (former foster care home) changes and they become an 'excluded licensee' who is effectively lodging in the "Staying Put" carer/s home.

Risk management

27. Financial pressure of ongoing placement provision until the age of 18. At the point of data being collected from each local authority, Herefordshire Council had a

small number of looked after children between the age of 16 and 18 years of age resulting in the council only receiving £13,000 from the government to support the project. We are appealing this decision. The cost of these arrangements will have to come from the specialist lodgings budget which also covers supported lodging arrangements and young people aged 16+ in residential placements.

28. There will a reduction in foster carer capacity. Based on the current cohort of young people turning 18 in 2015/16 8 young people could choose to remain with their carers. Herefordshire Council has reviewed the recruitment strategy and sufficiency strategy and within the care placement strategy will be looking to increase the number of fostering households approved each year by 14 and adolescent carers / Supported Lodging Providers by 4 year on year. Because the young person will no longer be classed as looked after a carer can choose to still foster up to 3 children and the young person previously looked after will become a member of the fostering household and subject to safeguard checks.

Consultees

29. The care ambassador, 16+, fostering, Safeguarding and Family Support Senior Management Team, Director for Children's Wellbeing and Cabinet Member for Children's Services have been consulted and their comments have been incorporated within the policy and procedures.
30. Some young people have stated that the day before their 18th birthday is an anxious time, as they do not feel ready to move on. When parents have their own children the door is always open to them and staying put is an extension of the corporate parenting role.

Appendices

Appendix A Staying Put Policy.

Appendix B Staying Put Procedure.

Background papers

- None identified.