

Title of Report:	Looked After Children - 'Staying Put' Policy
Report to be considered by:	Executive
Date of Meeting:	9 th October 2014
Forward Plan Ref:	EX2894

Purpose of Report: To establish a policy for managing requests from Looked After Children who wish to remain in their foster care placement past the age of 18.

Recommended Action:

1. To adopt the recommended policy.
2. To note the financial risk should the new funding from the Government not prove sufficient to meet the expected costs.

Reason for decision to be taken: To enable a clear policy to be established.

Other options considered: None

Key background documentation: None

The proposals contained in this report will help to achieve the following Council Strategy priority:

CSP1 – Caring for and protecting the vulnerable

The proposals will also help achieve the following Council Strategy principles:

CSP5 - Putting people first

CSP8 - Doing what's important well

Portfolio Member Details	
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Date Portfolio Member agreed report:	25th August 2014

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Implications

- Policy:** This report seeks to establish a 'Staying Put' policy for Looked After Children wishing to remain in their foster care placement past the age of 18.
- Financial:** Whilst the Council has always taken a supportive approach to young people wishing to remain with foster carers past the age of 18, recent government regulations and guidance requires local authorities to promote the extension of foster care placements. The costs will clearly vary according to the wishes of the cohort of young people in foster care reaching 18 each year but the modelling suggests around £210k per annum. The Government has indicated that they will provide additional funding to meet this new burden however no indication of the funding level has yet been received.
- Personnel:** None.
- Legal/Procurement:** The Planning Transition to Adulthood for Care Leavers 2010 (Regulations and Guidance) requires each local authority to have a 'Staying Put' Policy.
- Property:** None
- Risk Management:** The key risk is that the funding from central government fails to materialise or is not of a sufficient level to meet the expected costs.

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia				<input type="checkbox"/>
Not relevant to equality				<input type="checkbox"/>

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Executive Summary

1. Introduction

- 1.1 The Children and Young Persons Act 2008 and the Planning Transition to Adulthood for Care Leavers 2010 (Regulations and Guidance) requires each local authority to have a 'Staying Put Policy' that sets out arrangements to promote the extension of foster care placements beyond a young person's eighteenth birthday. The Council have never formally adopted a 'Staying Put' policy.

2. Proposal

- 2.1 This report proposes the adoption of a 'Staying Put' policy that is in line with the latest government guidance and would provide the best outcome for this very small number of young people for whom the Council had previously acted as Corporate Parent.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

4. Conclusion

- 4.1 It is important that the Council establishes a clear policy for how it deals with young people who were previously in its care as children and now wish to remain living with their former foster carer. As well as providing clear guidance to the young person, the carer and the officers involved, a clear policy would be essential should the Council find itself subject to any form of legal challenge around decisions taken.

Executive Report

1. Introduction

- 1.1 The Children and Young Persons Act 2008 and the Planning Transition to Adulthood for Care Leavers 2010 (Regulations and Guidance) requires each local authority to have a 'Staying Put Policy' that sets out arrangements to promote the extension of foster care placements beyond a young person's eighteenth birthday. This requirement has been recently enforced by the Government's policy announcement 'Improving the adoption system and services for looked after children'.
- 1.2 Whilst Children's Services have been following best practice in this area, the Council have never formally adopted a 'Staying Put' policy.

2. Policy Summary

- 2.1 The proposed 'Staying Put' policy and procedure is attached as Appendix A. The following paragraphs are intended to provide a brief summary of the key points.
- 2.2 Looked After Children (LAC) tend to experience a very compressed transition from childhood to adulthood when compared with young people living in the family home. The 'Staying Put' policy seeks to give the young person the opportunity to experience a more normal transition by enabling them to stay in their care placement past their eighteenth birthday.
- 2.3 The opportunity to remain in their current care placement would require the agreement of the Carer
- 2.4 If the young person and the Carer are in agreement to a 'Staying Put' arrangement then a formal agreement is put in place detailing the responsibilities and implications for both parties.
- 2.5 Both the young person and the Carer would continue to receive professional support from the Council to ensure the placement is working as intended.
- 2.6 There are a range of financial and other implications for the Carer when the young person becomes an adult and guidance is provided to ensure they understand the changes.
- 2.7 Each year there are a small number of LAC with disabilities who when they reach 18 become eligible for adult social care services. A protocol has been agreed between Children's Services and Adult Social Care to ensure that these young people are not prevented from enjoying the benefits of a 'staying put' arrangement. As a result it may also be necessary to register the 'Staying Put' service with the Care Quality Commission.
- 2.8 The guidance in relation to 'Staying Put' does not apply to residential care for young people. This is for a range of complex regulatory reasons and the focus of the guidance is upon the relationship between care leavers and their foster carers. Children's Services will consider requests for 'Staying Put' type arrangements when a young person requests it and their placement is able to provide it. Many providers are starting to develop step down and move on accommodation to facilitate this and

will all always assess their ability to meet a young persons needs where they exist and they are the young person's preferred option.

3. Financial support for the Carer

- 3.1 For the first year of a 'staying put' arrangement the payments received by the Carer will match the Foster Carer allowances. As the young person progresses towards independent living the payments made by the Council will reduce as the young person would be expected to contribute towards their living costs.
- 3.2 There are a significant number of variables that impact on the sources of financial support for the Carer and these are covered in section 9 of the policy document (appendix A).

4. Financial Implications for the Council

- 4.1 The costs will vary each year depending upon the number of young people who enter into a 'staying put' agreement and their particular circumstances. Some modelling work has been undertaken, provided as Appendix B, that suggests costs of around £210k per annum.
- 4.2 Children's Services have made every effort to agree to 'staying put' requests but clearly with the ever increasing number of LAC it is becoming difficult to manage this within existing budgets and this change of Government policy will put upwards pressure on budgets.
- 4.3 When making policy statements in this area the Government stated that they would be providing financial support to councils, unfortunately at this time we have no indication of how much that might be.
- 4.4 Whilst enabling LAC to enjoy a more normal transition to adulthood is in their best interest there is an operational downside in terms of in a number of cases it will effectively be removing the availability of a foster carer for a 3 year period. The knock on impact of this is that it may result in the use of more expensive placements with Independent Fostering Agencies being necessary. Proposals to enhance the capacity of our foster care arrangements have recently been approved and therefore this should help mitigate this risk.

5. Summary

- 5.1 The Council is required to have a 'staying put' policy in place.
- 5.2 The proposed policy formalises existing practice whereby if both the young person and the carer are in agreement the Council does everything possible to establish a 'staying put' agreement.
- 5.3 The latest Government guidance makes it clear that they expect young people to be able to remain in their foster care home until the age of 21. What is less clear is the level of funding that will be provided to support this new burden.

Appendices

Appendix A - Staying Put Policy and Procedure
Appendix B - Financial Modelling
Appendix C - Protocol for LD Children 'staying put'

Consultees

Local Stakeholders: N/a

Officers Consulted: Mark Evans - Head of Children's Services
Shannon Coleman-Slaughter - Finance Manager
Mel Brain - Housing Strategy and Operations Manager
Alison Love - Adult Care Service Manager
Corporate Board

Trade Union: n/a