

**CARE LEAVERS  
OFFER  
April 2018**

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## Introduction

Nationally every year over 10,000 young people leave the care of the Local Authority and transition in to independent living and adulthood, one in three of which will leave care to live independently before their 18 birthday. Compared to the general population<sup>1</sup> where over 50% of young people still remain living at home at the age of 22 years. The transition to independent living is never easy at any age, but considering approximately 6 out of 10 young people in care have been abused or neglected the transition for those leaving care is particularly hard.

Published in July 2016 the 'Keep on Caring – Supporting Young People from Care to Independence' details the requirements of the Local Authority to support young people leaving their care. The central requirement of this legislation is that all Local Authorities must set out an offer of support for care leavers.

As well as setting out care leavers' legal entitlements, including its policy on Staying Put, the local offer will describe the other non-statutory services that the local authority leaving care team provides specifically for care leavers, such as health drop-in sessions. It will also set out how relevant universal services could support care leavers' transitions to adulthood, such as careers advice services for all young people. The requirement to publish the local offer will bring greater transparency and allow local authorities to learn about services that are being provided in other local areas. *(Keep on Caring – July 2016)*

There are 5 key outcomes detailed in the legislation which are as follows:

- ❖ **Young people should be better prepared and supported to live independently.**
- ❖ **To improve access to education, employment and training**
- ❖ **For the young people to experience stability in their lives, and feel safe and secure**
- ❖ **Improved access to health support**
- ❖ **For the young people to achieve financial stability**

The above is legislated under the Children and Social Work Act 2017 and calls for more innovative and effective services to be developed and delivered for care leavers. Providing more practical and emotional support, a stronger offer and to empower care leavers to design services for themselves. The aim being to support care leavers for the challenges of living independently, support those that are young parents and embed a culture of corporate parenting responsibility within the Local Authority.

Research tells us very clearly the outcomes for those young people leaving the care of the Local Authority are often markedly poorer than for the general population of the same age. As the following clearly indicates:

- ❖ One in four young people who are homeless have been in care
- ❖ Care leavers are four or five times more likely to have mental health problems and harm themselves

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<sup>1</sup> For the purposes of this paper those young people who have never been in care are termed as the general population.

- ❖ One in five female care leavers have a child when they are still a teenager
- ❖ Nearly half of young men in trouble with the law had been in care at some time, statistically care leavers are more likely to go to prison than university
- ❖ Care leavers are more than twice as likely to be unemployed than the general population of the same age

The fact remains that for many young people leaving care they have no choice but to look after themselves without the help and family support networks that most young people enjoy.

Medway Council is fully committed to the support of young people exiting their care and the successful transition to independent living and adulthood. Medway has a dedicated care leaver's team and offers a wide range of support across all levels of need and issues, working in partnership with health, Education and other providers of services, offering support to those who need it most. Medway holds the highest aspiration possible for all young people leaving our care.

What follows are comments documented in the national legislation, which echo's the voice of many young people in the position of leaving care and illustrates some of the key issues and challenges they face in this crucial transition.

*'They reported that leaving care still felt like a 'cliff-edge', where they were suddenly responsible for managing budgets, running a home; and maintaining their participation in education or work on their own – with insufficient preparation for these challenges. The introduction of Staying Put was seen by care leavers as a positive way of smoothing out the process of transition to adulthood and provided for continuity of relationships and care arrangements;'*

*'As well as not having been given the necessary life skills before leaving care, they also felt that the process of leaving care itself was often rushed and that planning for leaving care should start earlier. A number of care leavers wanted greater flexibility around the age of leaving care, to avoid their 18th birthday feeling like a 'point of no return; '*

*'Care leavers said that they wanted more choice about where they lived and who supported them; and more information about the support that was available to them locally; and what they were entitled to from universal services such as Jobcentre Plus; '*

*'They said that there were times when their emotional health and well-being was not positive, but when that was the case they found it difficult to access the support they needed. In particular, they found it difficult to access adult mental health services once they turned 18;'*

*'They said that they wanted to be empowered to do things for themselves and have opportunities to get on in life – but that there needed to be greater understanding among service providers about the different challenges they faced compared to young people their age in the general population – in particular that they often did not have the safety-net of a supportive family network; '*

*'But overwhelmingly, the biggest issue raised by care leavers was one of isolation and loneliness; and the difficulty of navigating their way through their late teens and early twenties without a strong and stable social network to support them. '- (Keep on Caring – July2016)*

**This document details Medway Council's offer for those young people exiting our care,**

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## The Offer

As Corporate Parents, Medway Local Authority holds the highest ambition for all the children and young people under our care and especially for those young people who are leaving our care. We know that it is a big step when you move out of care and start living on your own or with friends, but that doesn't mean we have stopped caring about you. Supporting you as a young person exiting out of our care is one of our key priorities and we want to make sure we support you to the very best of our ability.

It is our ambition for you to make a successful transition into independent living and have the stability and security you need to progress and develop in all aspects of your life. Whatever you decide to do or have ambition to be, we want to provide you with the services and support that can help you.

It is our duty to support you to:

- ❖ **Be better prepared and supported to live independently.**
- ❖ **Improve your access to education, employment and training**
- ❖ **Experience stability in your lives, and feel safe and secure**
- ❖ **Improve your access to health support**
- ❖ **Achieve financial stability**

***So that you are able to move forward and succeed in all you want to do.***

### Eligibility and Entitlements

As a young person leaving our care you are by law entitled to the following services and support, which is the least we will provide. To be able to get the support set out in this document, you must have been in care for at least 13 weeks between the ages of 14 and 16 (including your 16<sup>th</sup> birthday) or for 13 weeks after your 16<sup>th</sup> birthday. For a detailed description of eligibility and entitlements **see Appendix 1.**

If you are not sure whether you qualify for support, please ask your personal adviser about what you are entitled to. This and more information is also available online at [\[website\]](#), you can also [\[Contact\]](#) if you are unsure about what you are entitled to or what information, advice and guidance is available to you.

### What is a Personal Advisor?

When you are in the process of leaving our care you will be allocated a Personal Advisor, this is someone who is there to support and advise you. They will support you until you are 25 years old or until you decide you do not want to be supported. Your personal advisor will assist you as best they can and help you access other services you may need.

Your Personal Advisor will work with you to assess your needs and develop a pathway plan setting out what support we will offer you. Your Personal Advisor will ensure you are provided with the practical and emotional support you need to make a successful transition to adulthood, either directly or through helping you build a positive social network. You can request the help of a personal advisor at any time as many times as you need to. Your personal advisor will maintain contact with you at least once every 6-8 weeks.

**Staying with Foster Care:**

For those of who are in foster care it may be possible for you to remain with the foster carer under the 'Staying Put' arrangements. This can be complicated so please click on the [Staying Put Arrangements](#), link to find out more about this arrangement.

Under the Staying Put arrangement it may be possible to stay with your current foster career until you are 21yrs old. But this will have to be arranged through your social worker and foster carer. If you think you might want to consider this option please talk it through with your social worker and foster carer as soon as possible.

**Helping you with documents you will need:**

We want to make sure you have the documents you need, therefore we will pay for the initial purchase of the following:

- ❖ Passport / travel documents
- ❖ Provisional driving licence
- ❖ Copy birth certificate
- ❖ Deed poll to change name legally, if required

If you haven't been spoken to about this or do not have one or any of the above documents please talk it over with your social worker/foster carer as soon as you can.

**Your right to be heard and taken seriously:**

You have a right to be involved in all decisions about your plans for leaving care. You have a right to support from an independent advocate if you are thinking about challenging decisions about the care we give you. Independent advocates can inform you about your rights and help you to be heard in meetings. They are separate from social services and are there for you and you alone. For further information on how to access support from an advocate please click on the link below or email: [advocacy@yjf.org.uk](mailto:advocacy@yjf.org.uk):

<http://yjf.org.uk/what-we-do/advocacy-and-childrens-rights/>

**Complaints**

All care leavers with whom staff are working with, should be given information about how to give feedback, be that comments, compliments or complaints. You may request help in completion of the form. You should have routine involvement in, and be encouraged to make suggestions and comments about, the services you receive, and agreement should always be sought about any issues or differences of opinion that arise. However where this cannot be done and you want to make a complaint about the finances they have or are receiving, in the first instance local resolution should be attempted.

The person receiving the complaint must acknowledge receipt of the complaint within 3 working days, saying who will deal with it and when a response will be received and a substantive response must be given within 10 working days

You also have a right to see the information we keep about you, including the files and records written about you when you were in care. If you wish to see the information we hold about you please talk to your social worker about how you can gain access to your information.

**Helping you get set up ready to leave your existing care setting:**

As a young person leaving care we will provide financial support to help you with your transition to independent living and accessing further education, training or employment.

During the 6 months before leaving a care setting to move to semi /independence, further use of allowances for food, mobile phones, toiletries etc. should also be encouraged. We encourage you, foster carer/s, residential workers and where appropriate family members to think ahead and collect items that can be saved and used, for when you set up your new home.

It is expected you should have as a minimum the basic essential items you will need when you leave your care setting including:

- ❖ Suitcase, day bag, school/college/work bag;
- ❖ Coats / jackets / footwear to cover all seasons;
- ❖ Clothing to cover all seasons and in sufficient quantity for at least 1 week;
- ❖ At least 1 smart outfit (interviews / special occasions);
- ❖ Clothing & equipment appropriate for hobbies / interests;
- ❖ Enough toiletries to cover at least 2 weeks post leaving;
- ❖ Mobile phone;
- ❖ Some means of accessing radio stations / music.

If for any reason they do not have these items, your Social Worker will arrange for them to be obtained. Saving should be encouraged while in a care setting and where you have saved and collected items in preparation for independent living, you will not be penalised for this, and will remain entitled to your full allowances.

## How we aim to help you

We aim to help you transition successfully to independent living by providing the support and help you need. We will help you achieve this transition in the following ways.

### Young people should be better prepared and supported to live independently

Living independently is not an easy thing to achieve; we know how difficult and scary this can be for you so we want to do all we can to make this as easy as possible. We will help you all we can to take this next step in your life and be there for you when you need us most.

Your Personal Advisor and/or Social worker will be there to advise and guide you when you need them and to give you personal and emotional support.

### Setting up Home Allowance (SUHA)

*Care Leavers* are entitled to a Setting up Home Allowance Grant. The purpose of this grant is to support you to move into your own accommodation which you hold the tenancy for. This grant can be claimed up to the age of 25 which government recommends should be a minimum of £2,000.

Account must be taken of your individual circumstances when considering items of importance for you setting up home. You should be given reasonable choice about how, and from where you

purchase goods and services when setting up home. Advice should be given to you about value for money, quality and safety in respect to the goods and services you wish to buy.

We will give advice about holding down a tenancy, including avoiding rent or Council Tax arrears, paying bills and budgeting. We know it can be very hard having your own place for the first time. We will do whatever we can to ease the pressures on you.

We will help you to claim housing benefit/universal credit, give you practical support with moving into and furnishing your new home and/or support you if you have a housing crisis, including helping if you are threatened with losing or if you lose a tenancy.

### **Bond against Damage/Loss**

When you are setting up home for the first time, we may hold back a 'bond' of £500 out of your Setting Up Home Allowance, to cover any costs you may incur through damage to your property, loss of rent deposit etc. which are a direct result from your own actions or behaviour. The money should normally be held back for a period of 6 months, or until you have satisfactorily demonstrated your ability to manage and maintain your tenancy etc. After this time, the money will be made available to you for general expenses and any items you may need. Please talk to your personal advisor about this as this is done to help protect you and keep you safe and secure in your new home.

### **New Home 'Starter Pack'**

When you move into your own accommodation for the first time you should be provided with a 'starter pack' up to the value of £50.00. Examples of items that should be contained in the starter pack are; Basic Food Essentials - Milk, bread, Margarine, powdered milk, crisps, biscuits, tea, coffee, cereal, cup a soups, beans x 4, Cleaning materials - washing powder, general purpose cleaner, washing-up liquid, washing-up cloths, window cleaner. Toiletries - toilet tissue, toothpaste, shower/bath gel, deodorant etc.

It is recognised however, that not all young people are ready to hold an independent tenancy until they reach 21. If you are aged over 18, your personal adviser will help you to find suitable accommodation. This might involve working with Housing Services to come up with suitable housing options for you, including supported accommodation if you are not ready or don't want to have your own tenancy.

### **Care leavers residing with a connected person**

There will be circumstances where the most appropriate place for you to live is with a person connected to you, but who does not have parental responsibility. If are still looked after, i.e. either on a Care Order or accommodated under Section 20, the connected person will need to be assessed in accordance with the fostering procedures.

If you are over statutory school leaving age and no longer accommodated or on a Care Order, i.e. a Relevant Care Leaver, the connected person may be approved as a supported lodgings provider and payments authorised by the Leaving Care Manager. Benefits may be payable and advice should be sought in the first instance from the under 18s Benefits Advisor. You will be expected in that circumstance to contribute to the provider for utilities and food

## For the young people to experience stability in their lives, and feel safe and secure

It is very important to us that you feel safe and secure and in a position where you are at the very least in a stable situation. Leaving our care can be very difficult and you need to feel that you have at least the opportunity to live in your own community and close to those who you feel provide you with support. Or at least provide the opportunity to live where you need to safely for example when living away to attend University.

Your Pathway Plan should identify significant people who you need to keep in contact with, and how contact will happen. Suitable arrangements should be made to ensure that you have the means to facilitate a reasonable level of contact with family members and/or significant others. Please talk to your Personal Advisor about the help you need to have or maintain contact with those you feel can support you.

We want you to be an active member of your community and have all the chances in life that other young adults have. We can help you participate in your community and society in general in the following ways:

- ❖ Providing information on groups and clubs you may wish to join
- ❖ Informing you about relevant awards, schemes and competitions you can enter, in line with your talents and interests
- ❖ Encouraging and helping you to enrol on the Electoral Register, so you can vote in elections
- ❖ Informing you about voluntary work that we think you may be interested in
- ❖ Informing and possibly helping with the cost of leisure activities
- ❖ Giving you advice and helping you to challenge any discrimination you face as a care leaver

## Improved access to education, employment and training

It is really important that you are able to access education, employment and/or training if you want to achieve all you want to achieve. There is nothing more we want than for you to have ambition and develop the skills and abilities, you need to achieve.

As a general rule, if you are planning to attend a Higher Education Institution, you will be expected to apply for the maximum amount of financial assistance available through universal grants, loans and bursaries available for the course that you are intending to study. A clearly informed estimate of the level of funding available should be identified at the earliest opportunity.

Accommodation options for you, if living away to study, must be explored and costed. Income from grants and loans should be included in calculations for term time only. Arrangements for your accommodation and maintenance during holidays and vacations should be planned and where possible costed in advance. In some circumstances it may be possible to plan for you to return to stay with ex-carers during these periods under the Staying Put Arrangements. Creative options, such as providing you with the opportunity to travel, or engage in planned activities should also be considered where appropriate.

You should be encouraged to supplement your income whilst in higher education through appropriate part-time work. For those who are unable to work during vacation periods you may be

provided with basic financial assistance equivalent to what could be claimed if eligible for welfare benefits.

A financial plan should be drawn up covering at least the period of the first academic year (including the summer vacation) and presented by your Personal Advisor for approval at the earliest opportunity. The plan should include all sources of income and essential outgoings, including living and accommodation costs and should be in 2 parts covering term-time and academic holidays/vacations.

If you are a parent there is help available towards the costs of your childcare. If you are under 20, Care to Learn could pay up to £160 per child per week towards your childcare and travel costs while you are learning.

If you are aged 20 or over and studying at a school sixth form or sixth form college, you could get help with your childcare costs through the Sixth Form College Childcare Scheme.

#### **Additional Support for Young People in Further/Higher Education**

Additional support for young people might include:

- ❖ HE bursary £2000 to be paid to each young person
- ❖ Help with clothes for interviews, work placements etc.
- ❖ Fares to get to interviews, work placements etc.
- ❖ Special equipment/clothing not provided by the college/university
- ❖ Help with transport costs
- ❖ Help with special needs or health issues

The list is not exhaustive and Pathway Plans should take account of individual circumstances when detailing support to be provided.

#### **Additional Support for Young People in Training**

Additional support for young people might include:

- ❖ Help with clothes for interviews
- ❖ Fares to get to interviews
- ❖ Special clothing or footwear not provided by the training provider
- ❖ Special equipment not provided by the training provider
- ❖ Help with transport costs
- ❖ Help with special needs or health issues

The list is not exhaustive and Pathway Plans should take account of individual circumstances when detailing support to be provided.

#### **Young People Doing Recognised Voluntary Work**

If you are otherwise unemployed or engaged in recognised voluntary work for at least 4 hours per week an additional incentive may be paid. The level of the payment should reflect the level of the commitment undertaken by you and agreed by Personal Advisor.

#### **Additional Support for Young People in Employment**

Additional support for young people might include:

- ❖ Help with clothes for interviews

- ❖ Fares to get to interviews
- ❖ Special clothing or footwear not provided by the employer
- ❖ Help with transport costs during the first month of employment
- ❖ Help with special needs or health issues

The list is not exhaustive and Pathway Plans should take account of individual circumstances when detailing support to be provided

### **Young People in Foster Care completing a Course of Education**

Extended funding should be considered where a young person in foster care is completing a course of education such as A Levels as they approach the age of 18, and where a change in the arrangements for their care and accommodation is assessed as being potentially detrimental to their educational attainment. Payments should continue as normal for a maximum period of 26 weeks after you reach the age of 18 years. Requests for extended funding for students in externally funded placement should be made to the Access to resources Panel. Approval for extension of in house placement under these circumstances should be sought.

### **Care leavers returning to education or starting new courses over the age of 21 and up to 25 years of age**

Young people previously eligible for Leaving Care services, who wish to resume, or start another programme of education or training, after the age of 21, are entitled to support. You will have been informed of this as you approach the age of 21 and it will have been referred to in your last Pathway Plan prior to 21 years.

Support can be available for as long as you continue on the agreed education or training programme, even if this goes beyond your 25th birthday. Programmes might include: completion of a basic skills course, so that you have the numeracy and literacy skills needed to compete in the jobs market; take up of a course of further education; take up of a university place; support to enable you to complete a recognised postgraduate qualification; or participation in vocational training and apprenticeships.

Where you request this support, an assessment will be carried out by the Leaving Care team. The assessment will focus on the appropriateness of the education or training course for you given your level of ability, the purpose of undertaking the course and how it will help you to find employment in the future. It will draw on information about your skills and capabilities, previous support given and the extent to which you made use of that, which will have been set out in Pathway Plans up to age 21. The extent of practical and financial assistance provided will depend on your needs and will reflect the type of course, whether it is full or part time and an assessment of your existing income will also be carried out. Advice will be given on sources of funding available from bursaries, grants and charitable organisations. The maximum payable for living allowances will be the equivalent of the current welfare benefit entitlement, and accommodation costs at the relevant Housing Allowance rate. Additional costs to support the course of study could include funding for essential clothing, books or course equipment, course internet access, travel, child care etc.

An assessment report will be written by the Leaving Care personal advisor and authorisation given by the Leaving Care Manager. If financial support is given, it will be dependent on attendance which the Leaving Care Worker will confirm with the educational provider.

## Improved access to health support

Living independent and succeeding in life is no more difficult when you don't look after yourself. Being healthy is the least you should be and we will support you all we can for you to stay healthy and look after your physical and mental health, through supporting you in the following ways:

- ❖ Give information on healthy living
- ❖ Give information on getting help to pay for prescriptions
- ❖ Support you to register with a GP
- ❖ Support you to move from Children's/CAMHS to adult services
- ❖ Give information about counselling services that are available locally
- ❖ Give you help with transports costs when attending health appointments
- ❖ If you are a young parent, take an interest in your child/ren and support you to do the best for them. We will help you arrange childcare, if this is what you want.
- ❖ Give you information about health drop-in centres
- ❖ Work with you to make a 'health passport' containing key information from your childhood (for example, when and if you have had immunisations) and your current health needs.

### Access to Leisure

You should be encouraged to make use of leisure facilities, and to pursue sports, hobbies and pastimes, you may have talents or abilities, which we should encourage and nurture. If you wish to pursue a particular interest we may be able to help you through:

- ❖ Help with sports equipment
- ❖ Help with musical instruments, tuition costs, exam fees, sheet music etc.
- ❖ Help with membership fees of clubs, leisure centres, gyms etc.
- ❖ Special training or coaching fees
- ❖ Music or singing lessons
- ❖ Payment for services at sports clubs and facilities

If we can't help you directly with the cost of pursuing your interest, assistance may be available through other sources e.g. sporting or arts based organisations, or through education or youth work initiatives. In some circumstances it may be possible to fund part of the cost of activities by 'match funding' with another organisation, or for you to make a contribution.

Your Pathway Plan should take account of your circumstances when detailing support to be provided. As a general principal any activity which encourages you to use your time constructively, promotes a healthy lifestyle, and/or helps you develop and maintain positive relationships we should consider within the planning process.

We have also made help available to support you if you require emotional support as we have commissioned additional support for Care Leavers through the *Medway Young Persons' Wellbeing Service*. This service will respond to the particular mental health needs of care leavers, which are often complex and enduring and compounded by their leaving care status. The service will provide flexible, needs led engagement to improve access to young adults, who have traditionally found it difficult to access CAMH services and adult mental health services.

### Access to specialist services

You may have special needs, or require specialist help or counselling and these requirements should be set out in your Pathway Plan. We may be able to offer financial support through your Pathway Plan which might include:

- ❖ Specialist counselling fees
- ❖ Specialist equipment costs
- ❖ Access to special cultural or religious facilities
- ❖ Access to community support facilities
- ❖ Help with accessing health advice and medical facilities

This list is not exhaustive and your Pathway Plan should take account of your individual circumstances when detailing the support you require. Your Personal Advisor may also help you find financial assistance available from other sources. Where appropriate these we will help you explore and utilise these opportunities.

### For the young people to achieve financial stability

We have already said how we will support you directly with regards to providing access to money to help you live, but we can't provide this forever and therefore you will need to be able to survive with money you make. Being financially secure is a struggle for all young people, and is critical when you have to live independently. We want you to be a financially stable as possible, help you be independent and be able to manage your money as best you can.

The following link contains information on your rights and entitlements, [Know Your Rights - Know Your Benefits](#). If you need help financially please contact your Personal Advisor and/or your Local Job Centre, as soon as possible. They will help you with managing your money and support you in an emergency.

### Allowances for Care Leavers in supported or independent settings

A personal allowance will be paid to you, equivalent to the current welfare benefits rates for young people. Initially you will be paid weekly, but as you develop financial capability, usually by the age of 17 and a half, allowances will be paid fortnightly, in preparation for transferring to the benefits system at 18. The timing of this will be agreed between the Leaving Care Worker and Leaving Care Team Manager. Where possible, allowances will be paid directly into your bank account.

In some circumstances, particularly for those not engaged in education, training or employment, an arrangement may be made to collect their allowances at the same time as attending for a meeting with Leaving Care staff. In some circumstances, young people may need assistance with managing their money and allowances may be split to require more frequent collection. In extreme circumstances the Leaving Care Worker may need to shop for provisions with you or provide allowances 'in kind' instead of providing cash, with the purpose of supporting you to gain financial independence. Allowances cannot be accrued and paid as a lump sum at a later date, unless discussed in advance and agreed by the Leaving Care Team Manager.

If you are living in supported accommodation, where contributions are required for utilities and/or food, an amount to cover these costs may be deducted from the personal allowance and paid directly to the provider. The amount and arrangements will depend on the type of accommodation.

It is the duty of the Local Authority to ensure that the income, maintenance and accommodation costs of relevant young people are adequately covered, in line with the guidance included in this document. If you are not entitled to claim the major means tested benefits – Income Support, Job Seekers Allowance and Housing Benefit you will be supported via Children's Services.

**Important exceptions to this rule are** lone parents or young people with long term health problems, or disabilities. Relevant young people can claim non-means tested benefits e.g. Disability Living Allowance, as appropriate.

### **Emergency Financial Assistance**

Pathway Plans should always contain arrangements for contingencies and emergencies that may arise. Generally, it is the responsibility of your Personal Adviser, to act as the first point of contact should the unexpected happen or things go wrong. It is a guiding principal that the Local Authority should act as a good parent in these situations and that there is an understanding that young people do make mistakes and these should be treated with sensitivity. Financial support for contingencies can be made in cash or kind with the approval of a Team Manager. Where you repeatedly abuse contingency provisions staff should carefully consider other means to ensure that your basic needs are met

Arrangements may be made to assist in an emergency .This could involve a small cash payment or payment in kind. Check young person has exhausted all other support prior to allocation of emergency funding, If authorised, the cause of the crisis and the details of help provided should be documented clearly in case notes on FWI. This should not be relied upon and therefore your Personal Advisor will work to encourage you to manage without making this a regular occurrence.

### **Care leavers in custody**

Young people aged 16 and 17 in custodial settings will not receive a personal allowances however the social worker/personal advisor will assist what additional needs they require. This is because you will not have the usual expenses of living in the community and there are usually opportunities for you to earn some money. If this is not the case, exceptions can be made with the agreement of the Leaving Care Team Manager. Transport from custody will be arranged or paid for and any immediate needs on release considered.

### **Care leavers who return home**

On returning home, your parent/s are able to claim all benefits and tax credits if the you are under statutory school leaving age or, if over that age, undertaking full time education or training. The parent will be expected to make the relevant claims and provide financial support for you from that. Also, parents who are in work and earning over the tax credit limit will be expected to support you.

However, if the parents cannot access benefits/tax credits and can produce evidence of an application that has been refused and you are under statutory school leaving age, the Social Worker and relevant manager will decide whether or not to offer any financial assistance.

If you are over statutory school age, similarly all benefits should be claimed and if they cannot be accessed a personal allowance may be paid to you. The Leaving Care Team Leader will make that decision. However the remainder of the range of Leaving Care allowances, setting up home allowance, festival payments and incentives etc. will not apply, with the exception of essential requirements in relation to Education Training or Employment.

Where the young person has been discharged home from care, the allowance may continue for up to 6 months, or until the young person becomes 18, whichever is sooner. For those who continue to be looked after on a Care Order the allowance to the young person could continue until they are 18. The amount payable will be decided on a case by case basis and recorded in the Pathway Plan. If a return home is unsuccessful and you revert to eligible or relevant status you would be treated financially as any other care leaver.

## **Care leavers who are parents**

### **Living Costs**

A pregnant 16/17 year old young woman will continue to receive their personal allowance and equivalent of the benefits agency milk entitlement until her baby is born. Thereafter she, if she is a lone parent, is entitled to Child Tax Credit and Child Benefit, although not Housing Benefit or Local Housing Allowance. This applies regardless of the young person's care status, i.e. on a Care Order, subject to S20 or discharged from S20. The Leaving Care Worker will assist in making these claims at the appropriate time with the Under 18s Benefits Advisor. Benefits received will replace the Leaving Care Personal allowance.

### **Maternity Grant**

Care Leavers on benefits or a low income may be entitled to a Sure Start Maternity Grant of £500 to purchase what is needed for their baby. This can be accessed via their community midwife and claimed from 11 weeks before the birth, until the baby is 3 months old. It is not payable until after the baby is born, in which case the Leaving Care Worker may arrange an advance. The grant is non-repayable and does not affect other benefits or tax credits. Further information is available from <https://www.gov.uk>.

### **Childcare Costs**

If the young person is an out-of-work parent aged 20 or over with a partner who's working, they could get help with their childcare costs through the Free Childcare for Training and Learning for Work scheme; click here for more information.

### **Cold weather payments**

In cold weather, help towards the cost of heating for each qualifying week is available from the Benefits Agency for parents of children under 5 years who are in receipt of:

- Income Support;
- income-based Jobseeker's Allowance or;
- Income-related Employment and Support Allowance.
- Universal credit

The parent needs to notify the Benefits Agency if they have a baby or have a child start to live with them. Thereafter the payments are made automatically

## **Care leavers who are disabled**

Eligible/relevant sick/disabled care leavers who meet the criteria may be able to claim Income Support or Employment & Support Allowance / Universal Credit and some other benefits such as Disability Living Allowance or Personal Independence Payment. However you cannot claim Housing Benefit or Local Housing Allowance. Processing an Income Support / Educational Maintenance

Allowance is a pre-requisite for a number of other benefits and services so should be applied for where possible. The Leaving Care Service will assist you in making the relevant claims.

Information about Disability Living Allowance / Personal Independence Payment is available at <https://www.gov.uk/pip/what-youll-get> or from the Benefit Enquiry line 0800 882200.

For 16 and 17 year olds, full costs of supported accommodation will be paid for, and the support element of Disability Living Allowance or Personal Independence Payment awarded will not be taken into account. You will be encouraged to use the money to aid their life opportunities or to save towards future needs. The mobility part of Disability Living Allowance however will be taken into account when awarding travel payments/tickets.

Where you are over 18 is living in supported accommodation as a result of your additional needs, but the support element is not funded by Adult Social Care, you will be expected to contribute towards your support from the support element of Disability Living Allowance. Similarly, the mobility part of their Disability Living Allowance will be taken into account when considering awarding travel payments/tickets.

### When you need us most

In addition to the above help we aim to provide there are times when you will really need support, advice, information and/or guidance. One of these times may be if you become a parent, or seeking asylum or just experiencing a sudden change in your circumstances. Therefore when you are facing such a huge challenge in your life we aim to help you all we can:

#### **Transition to employment, training, education and benefits income**

There may be a need to bridge a financial gap for you when your primary source of funding changes e.g. when starting work, transferring to benefits or waiting for a student loan. Transitional payments will usually be made to ensure that you are not without income. The amount will depend on the circumstances and will be decided on a case by case basis by the Leaving Care Team Leader. Details of what has been agreed should be recorded.

#### **Immigration and care leavers**

The Children (Leaving Care) Act 2000 applies to unaccompanied asylum-seeking children in exactly the same way as other children in this country. They will however, have an immigration status (applying for asylum, acceptance as a refugee, granted exceptional leave to remain, or refused to leave to remain) that will need to be taken into account when considering provision of services. Medway Council may provide accommodation and financial assistance to care leavers when, due to their immigration status, they have no access to welfare benefits, council housing or homelessness assistance at the time they reach 18, i.e., they have no recourse to public funds (NRPF). This duty arises from section 23C(4)(c) of the Children Act 1989, which forms part of the wider leaving care responsibilities that local authorities have towards children who have been looked after under section 20 of that Act for a period of at least 13 weeks since they were 14 ('former looked after children'). Such duties apply until the young person is 21 or older if they are undertaking a programme of education or training (up until they turn 25).

If a care leaver has no immigration permission when they are 18 or older, then they will be excluded from accommodation and financial assistance under Schedule 3 Nationality, Immigration and Asylum Act 2002, although support can be provided if the local authority determines this is necessary to prevent a breach of the care leaver's human rights or rights under EU treaties. If, following a human rights assessment, the local authority determines that there is no duty to provide accommodation and subsistence, the young person will still be entitled to a personal adviser and reviews of their pathway plan until they are 21. They are also not prevented from 'staying put' in a foster care placement.

The local authority no longer have a duty as a corporate parent to safeguard the welfare of former looked after children who are visa over-stayers, have never regularised their status, or are 'appeal rights exhausted' following an unsuccessful asylum claim when they are 18 or older. Instead, accommodation and financial support will be available to such destitute care leavers from either the Home Office or local authority when very specific circumstances apply. The legislation and type of support that will be available to care leavers is set out in the table below

Immigration status of care leaver	Legislation	Type of support that may be provided
<b>Asylum seeker</b> (not excluded): Pending asylum application/ appeal	<b>Leaving care provisions of the Children Act 1989</b>	<b>Local authority:</b> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• all leaving care support</li> </ul>
<b>Refused asylum seeker</b> (excluded): Genuine obstacle to leaving the UK established in 'grace period'	<b>Section 95A Immigration and Asylum Act 1999</b>  <b>Schedule 3 Nationality, Immigration and Asylum Act paragraph 10B</b>	<b>Home Office:</b> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> </ul> <i>or</i> <b>Local authority (funded by Home Office):</b> <ul style="list-style-type: none"> <li>• accommodation</li> </ul> <b>Plus Home Office:</b> <ul style="list-style-type: none"> <li>• financial assistance</li> </ul>
<b>Refused asylum seeker</b> (excluded): Genuine obstacle to leaving the UK established after the 'grace period' has passed	<b>Schedule 3 Nationality, Immigration and Asylum Act paragraph 10B - Provision D- the local authority is satisfied that support needs to be provided</b>	<b>Local authority:</b> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• welfare support</li> </ul>

<p><b>Valid leave to remain</b> (not excluded):</p> <p>Limited leave to remain (LLTR)  Indefinite leave to remain (ILR)  Refugee status (whether LLTR or ILR)  Humanitarian Protection (whether LTR or ILR)</p>	<p><b>Leaving care provisions of the Children Act 1989</b></p>	<p><b>Local authority:</b></p> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• all leaving care support</li> </ul>
<p><b>No immigration permission</b></p> <p><b>First non-asylum application for leave to enter or remain pending (or subsequent appeal)</b> (not excluded)</p>	<p><b>Leaving care provisions of the Children Act 1989</b></p>	<p><b>Local authority:</b></p> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• all leaving care support</li> </ul>
<p><b>No immigration permission</b> (excluded):</p> <p>- <b>Non-asylum application or appeal pending</b></p>	<p><b>Schedule 3 Nationality, Immigration and Asylum Act paragraph 10B</b></p> <p>- Provisions A-C</p>	<p><b>Local authority:</b></p> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• welfare support</li> </ul>
<p><b>No immigration permission</b> (excluded):</p> <p><b>No application or appeal pending</b></p>	<p><b>Schedule 3 Nationality, Immigration and Asylum Act paragraph 10B- Provision D</b></p>	<p><b>Local authority:</b></p> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• welfare support</li> </ul>
<p><b>EEA national</b> (excluded)</p>	<p><b>Leaving care provisions of the Children Act 1989</b></p> <p><b>subject to a human rights assessment</b></p>	<p><b>Local authority:</b></p> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• all leaving care support</li> </ul>
<p><b>Refugee status from another EEA state</b> (excluded)</p>	<p><b>Leaving care provisions of the Children Act 1989</b></p> <p><b>subject to a human rights assessment</b></p>	<p><b>Local authority:</b></p> <ul style="list-style-type: none"> <li>• accommodation</li> <li>• financial assistance</li> <li>• all leaving care support</li> </ul>

## Helping us to help you

Providing you with support, advice and guidance is what we aim to achieve at a time when you need us. But this is not possible if we don't know what services you need or want nor when you are best placed to help yourself. With this in mind we want you to help us design the best services we can for you and to this aim we welcome any comment or challenge if you feel we are helping you well and/or not so well. Your Personal Advisor is always there to listen to you but if you wish to be more involved in how we develop services for you then please do let us know.

**END**

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## Appendix 1

### Summary of leaving care entitlements and Leaving care status

Definitions	Main Statutory obligations of the Local authority.
<b>Eligible Young Person</b>	
<p>A young person who: is looked after under a Care Order (Section 31), Voluntary Accommodation (Section 20) or Remand in Youth Detention Accommodation (Section 21);</p> <ul style="list-style-type: none"> <li>• is aged 16 or 17, and</li> <li>• has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after they reached 14 and ended after they reached 16</li> </ul> <p>This does not include young persons who are provided with care in a series of pre-planned short term placements even if the total number of days exceeds 240 in a year</p>	<p>The same as for all other children looked after, including a duty to maintain the care plan, carry out regular reviews of their case</p> <p>And appoint an independent reviewing officer for the child.</p> <p><i>In addition they must:</i></p> <ul style="list-style-type: none"> <li>• prepare an assessment to determine what advice, assistance and support is needed, both while the young person is still looked after and after they have stopped being looked after;</li> <li>• as soon as possible after the assessment of needs is completed, prepare a pathway plan (which includes the child's care plan);</li> <li>• keep the pathway plan under regular review;</li> <li>• appoint a personal adviser</li> </ul>
<b>Relevant Young person</b>	
<p>A young person who:</p> <ul style="list-style-type: none"> <li>• is not looked after, aged 16 or 17 and was, before they last ceased to be looked after, an eligible child</li> </ul> <p>Or</p> <p>A young person who:</p> <ul style="list-style-type: none"> <li>• is not looked after, aged 16 or 17, and at the time they attained the age of 16 was detained in a remand centre, young offenders institution, a secure training centre, or any other centre pursuant to a Court order;</li> <li>• is in a hospital and immediately before they were detained or in hospital they had been looked after by a local authority for a period or periods amounting to at least 13 weeks which began after they reached the age of 14. However, a young person is not a relevant child if they have lived for a continuous period of six months or more with: <ul style="list-style-type: none"> <li>○ a parent;</li> <li>○ Someone who is not their parent but who has parental responsibility for them, despite falling within section 23A (2).</li> </ul> </li> </ul> <p>Where those living arrangements break down and the young person stops living with the person as a relevant young person.</p>	<p>The local authority that last looked after the relevant child must:</p> <ul style="list-style-type: none"> <li>• take reasonable steps to keep in touch</li> <li>• prepare an assessment to determine what advice, assistance and support is needed;</li> <li>• as soon as possible after the assessment of needs is completed, prepare a pathway plan;</li> <li>• keep the pathway plan under regular review;</li> <li>• appoint a personal adviser;</li> <li>• safeguard and promote the young person's welfare by providing maintenance, suitable accommodation and assistance in order to meet his needs in relation to education, training or employment as provided for in the pathway plan.</li> </ul>

<b>Former Relevant Young People</b>	
<p>A young person who:</p> <ul style="list-style-type: none"> <li>• is aged 18 or above, and either has been a relevant child and would be one if they were under 18, or</li> <li>• Was an eligible child immediately before ceasing to be looked after at age 18</li> </ul> <p>The duties continue until the former relevant young person reaches 21 or, where the pathway plan sets out a programme of education or training which extends beyond their 21st birthday, they continue for so long as the young person pursues that programme</p>	<p>The local authority that last looked after the former relevant child must:</p> <ul style="list-style-type: none"> <li>• take reasonable steps to keep in touch and if they lose touch, to re-establish contact;</li> <li>• continue to keep the pathway plan under regular review;</li> <li>• continue the appointment of the personal Adviser</li> <li>• provide financial assistance by contributing to expenses in living near the place where they are or will be, employed or seeking employment</li> <li>• provide financial assistance to enable him to pursue education or training;</li> <li>• if the former relevant child pursues higher education in accordance with the pathway plan, pay the higher education bursary</li> </ul>
<b>Former relevant young people pursuing education or training</b>	
<p>A young person who:</p> <ul style="list-style-type: none"> <li>• has been a relevant child and would be one if they were under 18, or was an eligible child immediately before ceasing to be looked after at age 18;</li> <li>• is aged under 25;</li> <li>• is over 21 and has informed the local authority that they want to pursue or are pursuing a programme of education or training</li> </ul>	<p>The local authority which owed duties to that former relevant young person must:</p> <ul style="list-style-type: none"> <li>• appoint a personal adviser for that person;</li> <li>• carry out an assessment of the needs of that person with a view to determining what assistance (if any) it would be appropriate for them to provide;</li> <li>• prepare a pathway plan;</li> <li>• to the extent the person's educational or training needs require it, provide financial assistance</li> </ul>
<b>Qualifying Young Person</b>	
<p>A young person who:</p> <ul style="list-style-type: none"> <li>• is aged at least 16 but is under 21, with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of the order, or</li> <li>• at any time after reaching the age of 16 but while they were still a child were, but are no longer, looked after, accommodated or fostered</li> </ul>	<p>The relevant local authority must consider whether the person needs help of a kind the local authority can give:</p> <ul style="list-style-type: none"> <li>• to advise and befriend and give assistance which can include financial assistance;</li> <li>• assistance in relation to securing vacation accommodation where the person is in full time further or higher education, is under the age of 25 and qualifies for advice and assistance, or would have done if they were under 21</li> </ul>

## References:

National Audit Office '*Children and young people in care and leaving care*', 2016

HM Government '*Keep On Caring Supporting Young People from Care to Independence*' July 2016