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Rotherham Metropolitan Borough Council

Policy and Practice Guidance: Staying Put

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Part 1: Making the Staying Put arrangement

1. Legal Framework

This policy should be read in conjunction with:

- The Children Act 1989 Guidance and Regulations Volume 3 (Revised Jan 2015): Planning transition to adulthood for care leavers.
- Staying Put: Arrangements for care leavers aged 18 and above to stay on with their former foster carers which is joint guidance produced by the Department for Education (DfE), Department for Work and Pensions (DWP), and Her Majesty's Revenue and Customs (HMRC). This provides more detail relating to many of the financial aspects of Staying Put arrangements.
- Staying Put – Good practice guide (the Children's Partnership, 2014)
- Children and Social Work Act 2017

2. What is a Staying Put Arrangement?

Staying Put is about care leavers continuing to live with their foster carers when they reach the age of 18.

Staying Put arrangements should replicate as far as possible normal family life. Foster carers are required to care for any child placed with them as if they were a member of their family, and this expectation should carry through into Staying Put arrangements. Families all have different rules, expectations and ways of doing things, and Staying Put arrangements should take account of this and be sufficiently flexible to be tailored to individual circumstances and needs.

Additionally Staying Put arrangements should build on the secure and stable environment of a 'Staying Put' arrangement. RMBC, with the former foster carer and young person, should from the outset assess how they will help the young person develop the skills required for independent living once they move on from this arrangement.

Key features of Staying Put include how the former foster carer, with the allocated team, supports the young person to develop a range of skills including:

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- Relationships - getting on with neighbours; understanding acceptable behaviour; when and how to communicate with relevant professionals;
- Emotional Resilience - managing isolation and where to go for support.

Building self-esteem;

- Finance and budgeting - opening a bank account, safe borrowing and managing debt, understanding basic financial products, benefits and welfare reform; budgeting for priority bills, household appliances and everyday shopping on a budget;
- Cooking - cooking healthily and on a budget; understanding nutrition and its impact on overall health;
- Managing a home - washing and ironing, cleaning, basic DIY, operating appliances and what is allowed within a tenancy; and
- Applying for jobs - understanding strengths and areas for personal development; developing job skills, understanding job/volunteering pathways and support available; understanding bursaries and other financial support; where to go for advice; understanding the impact of work on benefits.

To be considered for a Staying Put arrangement the young person must be defined as an 'eligible young person' as defined by Children (Leaving Care Act 2000)

An eligible child is someone who:

- is looked after by a local authority;
- is aged 16 or 17, and;
- has been looked after for a total of at least 13 weeks since the age of 14

Once they become 18 an eligible child is known in law as a 'former relevant child'.

Whenever a young person continues to live with their former foster carer in these circumstances, it is referred to as a Staying Put arrangement.

Staying Put arrangements continue until

- the young person becomes 21, or
- stops living in the household before then, or

- when the young person completes the agreed programme of education or training being undertaken on their twenty-first birthday, if continuously living in the arrangement since their eighteenth birthday.

RMBC has a duty to monitor and support Staying Put arrangements, and the arrangements for the execution of this duty are reflected throughout this policy.

3. Guiding Principles

Staying Put arrangements will be most effective if they are underpinned by clear principles. This practice guidance is based on the follow principles:

Best interests

The best interests of the young person should be at the heart of decision making about Staying Put, enabling them to have the best possible opportunities to lead successful lives.

Support

Support to both carers and young people should be geared to their specific circumstances and needs. Carers should be enabled to develop the skills required to best help the young person to do well in life and keep safe from harm. Ideally, no young person should lose out due to lack of financial support to themselves or their carer so every effort will be made to find solutions to financial barriers.

Clear information

Foster carers and young people should be provided with clear information about the support available from local authorities and fostering services to help them to make choices about whether or not to enter into Staying Put arrangements. This will always include information about financial arrangements and implications for benefits and tax.

Early planning

Early planning for Staying Put is crucial and arrangements should be considered as part of the care and permanence planning process, from the time that a long term placement is planned or any new placement is made of a young person aged 16+. Decisions in principle about whether or not Staying Put is an option should be taken

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as early as possible in the placement, and written into the young person's pathway plan.

If a foster placement is considered permanent or long term, carers and young people should be informed that Staying Put is an option at the time that a decision regarding permanence is made.

Discussion regarding the foster placement changing to a Staying Put arrangement when the young person reaches the age of 18 years should be included at all statutory review meetings for young people aged 15 and above. This will ensure that arrangements are in place well before the young person's 18th birthday. This will ensure a smooth transition for the young person and mirror 'normal family life' as far as this is possible.

Equality of opportunity

In order to maximise the opportunity for young people to participate in Staying Put, fostering services – both local authority and independent agencies - should do everything possible to ensure that all foster carers have an equal opportunity to become Staying Put carers. This includes family and friends foster carers and foster carers approved by independent fostering providers.

A young person's immigration or asylum status does not affect their entitlement to enter into a Staying Put arrangement but may affect the duration. A Staying Put arrangement should be the norm, not the exception. As a result RMBC, acting as the young person's corporate parent, should do everything as can be reasonably expected to support young people remain with their former foster carers.

Flexibility

Arrangements should be sufficiently flexible to enable support to be provided over and above the minimum legal duty, recognising that the relationship between carer and young person will not always end at age 21 or when the Staying Put arrangements ceases.

4. Criteria for Staying Put arrangements

There are no eligibility criteria for entering into a Staying Put arrangement, other than the young person being an 'eligible child' for care leaver support. If on the day before their 18th birthday the young person was a looked after child placed with a foster carer, and had been looked after for at least 13 weeks since the age of 14 and where all or part of this period of time falls on or after their 16th birthday. By continuing to live with their former foster carer this constitutes a Staying Put arrangement. This applies whether the foster placement was long term or short term, and includes placements made at any time up to the young person's 18th birthday.

RMBC has a general duty to do all we can to support care leavers into further and higher education, training or employment, but these are not preconditions for starting or maintaining a Staying Put arrangement. The legislation does not permit local authorities to introduce their own eligibility rules.

There is no reason to put foster carers through any sort of assessment or approval process to become Staying Put carers because the arrangements are made between adults and are not regulated.

However if RMBC has any concerns or worries about with the proposed arrangement which relate to safeguarding of the young person, the former foster carer and/or any members of their family including any other children or young people placed within the household, RMBC may choose not to support the arrangement.

5. Preparation for a Staying Put Arrangement

6.1 The option of staying put should be discussed at the young person's LAC review leading up to their 16th birthday or as soon as they become 'eligible' as defined by Children (Leaving Care) Act 2000.

At this point staying put can be offered as an idea as a means to start the conversation between carers, young people and the wider professional network around the young person

A follow up discussion should then take place to discuss Staying Put

There are 3 key aspects in these initial discussions

Expectations of a Staying Put arrangement

This includes the

- Role of Former Foster Carer
- Role of Leaving Care
- Expectations of young person
- Development of young persons skills to support progression to independent living in the future

The Living Together Agreement

- How to live together within the Staying Put arrangement including each others roles and responsibilities within the home

Financial Arrangements

- Financial support available to former foster carer and young person
- Financial implications for former foster carer given the new status for allowance.
- Criteria and financial framework for extending the Staying Put arrangement and the National Insurance, Income Tax and Welfare Benefits issues for the foster carer/s and welfare benefit issues for the young person.

These 3 core elements should also be discussed, considered and agreed at each subsequent meeting that focusses on securing future plans for the young person in a Staying Put arrangement.

6. Securing agreement for Staying Put

To ensure sufficient time is available to make the necessary planning arrangements for extending a placement beyond a young person's 18th birthday, a professionals meeting should take place three months before a young person's 16th birthday or 3 months after a young person becomes Looked After if this is after they are 16.

After the initial discussion a Staying Put meeting alongside the development of a needs assessment should include the foster carer/s, the carer's supervising social worker, allocated social worker and leaving care social worker/personal adviser and should establish the viability, appropriateness and likelihood of a Staying Put arrangement occurring.

The decision making can be supported by the attendance of the Staying Put Coordinator.

The meeting should identify all key tasks and roles and responsibilities related to extending the former fostering arrangement. These should include

Expectations of a Staying Put Agreement

The Living Together Agreement

Financial Arrangements

The Staying Put professionals meeting should be repeated when the young person reaches the age of 17 and should ensure any final arrangements and requirements are in place by the young person's 18th birthday.

A review meeting should be held 3 months before a young person reaches the age of 18 years to ensure that all requirements for the Staying Put arrangement are in place.

Where Staying Put continues to be an option as the young person approaches 18, the IRO should ensure this option is reflected in discussions and LAC reviews and in any challenge regarding care and pathway planning.

When Staying Put has been identified as an option the IRO is expected to check and challenge the arrangements are in place in a timely manner to support a smooth transition to Staying Put.

7. Foster carers

RMBC and Independent Fostering Agencies need to ensure that their carers are given clear information about how they can expect to be supported if they enter into a Staying Put arrangement, and how this may impact on their continued fostering.

Becoming Staying Put carers only

When foster carers plan to become Staying Put carers they will need to discuss with the fostering service whether or not they wish to remain approved as foster carers, either to continue with an existing placement or to take new placements.

If they decide that they no longer wish to foster they should submit their resignation in writing to the fostering service, in which case their approval automatically ends 28 days after this is received. This is an opportunity for the fostering service to acknowledge and celebrate their contribution as foster carers.

Staying Put carers will continue to be supported by the Staying Put Coordinator in these instances.

Becoming Staying Put carers in addition to fostering

When foster carers wish to continue as both approved foster carers and Staying Put carers, the impact of the new arrangements will need to be considered. The young person who is Staying Put will no longer be considered as a foster placement once they become an adult, so the foster carer will be able to take another placement within any terms of their approval. This may not always be possible or appropriate due to lack of accommodation, the demands of the Staying Put arrangement, or other factors.

The change in the foster carer's circumstances, including the looked after child becoming an adult member of the household, means that a review of the foster carer's approval should be undertaken before a Staying Put arrangement begins. This will provide the opportunity to discuss the impact of the Staying Put arrangement on the role of the foster carer and to think carefully through all the implications of the change in the legal status of the relationship with the young

person. The need for any further training or additional support needs should also be discussed.

The review should be carefully planned at a stage which enables discussion of all the relevant matters and also allows time for the fostering service's decision maker to consider its recommendations, including any changes to terms of approval.

Sometimes Staying Put carers are not able to take another foster placement whilst the young person remains living with them, but wish to remain approved as foster carers in order to resume fostering in the future. If the fostering service agrees that it is appropriate to continue approval then it must continue to meet the statutory requirements regardless of the fact that no child is placed. This includes regular visits by the supervising social worker (including an annual unannounced visit); reviews of approval; provision of training, advice, information and support; and support for continuing professional development.

Staying Put and the Foster carer

A meeting to discuss the option of Staying Put should be arranged with the foster carer when their foster child has reached their 16th birthday. Attending this meeting should be the Staying Put Coordinator. At this meeting the process and the funding should be explained to the foster carer. The expectation is that young people can remain with the foster carer up to their 21st birthday and that the foster carer is preparing the young person fully for independence and that they are supporting the young person in employment, education or training. This will be included in the care/pathway plan.

The carer should be fully informed of the implications of agreeing to a Staying Put arrangement and identify the differences between caring for a child and supporting an adult. Although there is an expectation of a seamless transition and the maintenance of existing rules and household/family norms carers should be encouraged to consider how they will react to impending adulthood and the young person's expectation of greater independence. For example, a young person may enter into contracts in their own right which in the case of default, could affect a carer's credit rating.

If the foster carer does not wish to sign up to the Staying Put arrangement then the Fostering Social worker will inform the young person's social worker or personal adviser. A needs led assessment will then be carried out and formulated into a plan which will be drawn up in order to prepare the young person to move on from their foster placement on or before their 18th birthday.

The reasons why a foster carer has chosen not to sign up to a Staying Put arrangement should be clearly recorded on the case record. These should also be shared with the responsible service manager. This will allow for analysis and consideration of any changes that need to be made to support foster carers in feeling better able to move to a Staying Put arrangement for the young people in their care.

8. Staying Put and the Young Person

A meeting to discuss the option of Staying Put should be arranged with the young person when they reach their 15th birthday by their social worker or personal adviser, or if supported by the disability team the transitions worker.

At this meeting the changes and process should be explained to them.

The expectation is that young people can remain with the foster carer up to their 21st birthday.

Following this meeting, young people need to be given the opportunity to think about the options that may be available for them and to consult with other professionals or family members should they wish to do so.

Young people should be provided with written information and where possible linked with other young people who have benefitted from a Staying Put arrangement who will be able to discuss on more of a peer level the pros and cons of the arrangement from a young person's perspective.

If the young person does/does not wish to sign up to the Staying Put arrangement then the young person's social worker, personal adviser or transitions worker will inform the foster carer if they were not part of that joint discussion

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A needs assessment will be carried out and formulated into a plan which will be drawn up, in order to prepare the young person to acquire their independent living skills, and included in the young person's Pathway Plan.

Young people who say they do not want to remain in a Staying Put arrangement should have the opportunity to revisit this decision at any time, and as many times as they need to, before their 18th birthday in discussion with the foster carer.

Even where a young person may initially say they do not want to remain in a Staying Put arrangement, discussions need to be had with the young person's carers to ensure that if the young person changes their mind, arrangements are already in hand to ensure the smoothest transition possible for when the young person reaches the age of 18 years.

Arrangements for disabled young people

Young people who have an enduring disability which is likely to have an impact on their ability to live independently, should be referred to RMBC Transitions Team after age 14. If following assessment the disability meets the Fair Access to Care criteria, the former foster placement should, subject to all parties agreement and assessment, convert to an Adult Services placement known as Shared Lives once the young person becomes 18. At this point care and financial responsibility transfers to Adult Services.

Shared Lives arrangements are a regulated arrangement for Adult Social Care.

DBS checks on young people

Since the young person who is Staying Put becomes an adult member of the foster carer's household, to comply with fostering regulations an enhanced disclosure must be obtained from the Disclosure and Barring Service (DBS). This shouldn't reveal anything of surprise to the fostering service or the carer, but may need handling sensitively, particularly with the young person themselves. It is appropriate to obtain the enhanced disclosure before the young person becomes 18, so that it may be considered at the review of the foster carer's approval before the Staying Put arrangement begins.

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There is no requirement to seek further DBS disclosures, however fostering services have a policy of updating checks at regular intervals through the DBS update service. If this is the case the young person will need to agree to this if their Staying Put carer remains a foster carer. The foster carer will also be bound by their foster care agreement to notify the fostering service of any circumstances which might make their household unsuitable to foster and this might include criminal offences committed by the young person who is Staying Put.

Known issues which may impact on the continued approval of the foster carer should be included in early discussions about Staying Put, as these will be crucial to the ability of the foster carer and the fostering service to make an informed decision.

9. Extending Placements

There are circumstances where placements may be extended beyond a young person's 18th birthday without becoming Staying Put arrangements. These circumstances fall into clear categories.

Situation	Review frequency
Alternative accommodation is not available as planned, requiring a brief extension.	Monthly and agreed by Team Manager If still not ready after 3 months Service Manager to be informed
Young person completing a course of education where they turn 18 during that academic year consideration can be given to extending the current arrangement until 31 st July of that academic year.	Reviewed in line with pathway plan or if there is a significant change Any extension to this will be considered on a case by case basis Agreed in each case by the Service Manager
Where a young person has significant vulnerabilities but where they not yet eligible for support from other agencies	Every 3 months – purpose to review and consider step down to standard Staying Put

All circumstances for extended payments to be discussed and agreed at Out of Area Residential Panel

Any other circumstance not covered about should be discussed with Service Manager and presented to Out of Area Residential Panel prior to any agreement being offered

Where extended payments are agreed this refers only to the fee provided to the carer for their care for the young person.

In all instances at 18 there will be no further fee payment to the Independent Fostering Agency.

The only fee payable by RMBC will be to the carer for the carer and their care of the young person

10. Professional Roles and Responsibilities

All Staying Put arrangements will be supported by a personal advisor, social worker and the Staying Put Coordinator. In situations when the household continues to foster, a supervising social worker will remain allocated and should support the carer in their combined role as Staying Put carer and foster carer.

Fostering Supervising Social Worker

The fostering social worker will support the foster carer throughout the Staying Put process. Twelve months before the young person reaches their 18th birthday they will undertake a review of the foster carer and make any recommendations and present them to the fostering panel.

The fostering supervising social worker will provide support through regular supervision and identify any additional training that may be required in order that the carer has the skills to support the young person.

Young Person's Social worker, Personal Adviser or Transitions Worker

The social worker, personal advisor or transitions worker will support the young person throughout the Staying Put process in keeping with leaving care legislation and guidance. They will assist the young person in applying for benefits or any other finance for which the young person is entitled to claim.

Staying Put Coordinator

The Staying Put Coordinator will be the first point of contact when considering Staying Put arrangements. They will provide:

- Information to young people and foster carers about how Staying Put works in Rotherham

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- The detail regarding payments to former foster carers and the young person's contribution
- Advice, support and information. This may include advice about money, jobs, benefits, and employment, training and housing options
- Supporting the young people in completing Housing Benefit applications
- The link between Children and Young People's Services and other agencies, such as Housing Benefit departments and Independent Fostering Agencies
- To lead on the development of the Staying Put arrangements, including consultation with interested parties
- Data regarding the use of Staying Put arrangements

The Commissioning Team

The Commissioning Team will ensure that a copy of this policy is made available to Independent Fostering Agencies (IFA) at the time a foster placement is commissioned. There should be an explicit expectation that an IFA accepts the terms of this policy. The Commissioning Team should also ensure that payments to a Staying Put carer are made.

11. Staying Put Arrangement Guidance - Living Together Agreements

Young people, Staying Put carer/s, leaving care personal advisers and supervising social workers should meet to develop a 'Living Together Agreement' prior to a young person's 18th birthday.

The agreement should set out the expectation of all personal advisers and clarify roles and responsibilities. See appendix 1 for an example of a Living Together Agreement

12. Health and Safety

The same health and safety principles including household/car insurance that applied under the Foster Placement will continue. The car must have a current MOT certificate.

13. Household Insurance

The Staying Put providers will continue to be covered by RMBC's "All Risks Carer's Contents" policy.

This insurance policy covers Foster Carers, Staying Put Providers and Supported Lodgings Providers against damage caused to home contents by the direct actions of the young person.

Claims should be submitted either via email to insurance@rotherham.gov.uk or in writing, marked for the attention of the Insurance & Risk Manager at the RMBC Riverside House address. The policy does not carry an excess but providers will subsequently be asked to produce documentation to support any claim made (e.g. purchase receipts; estimates).

Providers should ensure that they continue to maintain their own full household and liability insurance policy to provide cover against damage that is unconnected to the young person.

14. Monitoring and Reviewing Arrangements

The Staying Put Arrangements should be reviewed as part of the Permanence Plan, or Pathway Plan Review at least every six months. This should record any problems or difficulties that have emerged and what is working well in the arrangement. A review can be arranged earlier if needed by agreement between the young person, the carers and the personal advisor involved.

15. Safeguarding Measures

The same safeguarding measures that apply under the foster placement will continue to apply to a Staying Put Arrangement. In addition, safeguarding policies and procedures as they apply to vulnerable adults will also be observed.

16. Ending the Staying Put Arrangement

The Staying Put arrangement can be ended at any time before the young person reaches their 21st birthday, by either the young person or the carer by giving a

minimum of 28 days' notice. This period can be shortened in exceptional circumstances.

When planning to end a Staying Put arrangement it is worth remembering that as the young person reaches their 21st birthday they may no longer qualify as having a "priority need" under housing legislation for social housing. Therefore it is essential that plans are made in advance in order to maximise the opportunity to be considered for social housing.

If the young person wishes to remain with the carer post 21 then it will become a private or informal arrangement and no longer funded by the Local Authority.

There will be circumstances whereby a planned move-on from a Staying Put arrangement doesn't work and a return to the Staying Put arrangement is in the young person's best interests. Subject to prior agreement and within an 8 week period a young person can return to their previous Staying Put household and the original payment arrangement will resume. In these circumstances the arrangement will continue to be considered as Staying Put.

Part 2: Funding and Financial Arrangements for Staying Put

17. Funding Arrangements

The funding of the Staying Put arrangement is derived from a number of sources: housing benefit; the young person's personal contribution; any personalised budget and the local authority looked after budget.

Due to recent changes to benefits young people have to make the claim for Housing Benefit. While the Staying Put Coordinator can support and guide the young person through this process of making the claim, the Staying Put Coordinator cannot make the claim for the young person.

Where applicable the young person will be supported to apply for the maximum housing benefit to which they are entitled.

The young person is expected to make a financial contribution from their personal benefit allowance towards the cost of food and utilities. This is currently set at a maximum of £20.00 per week; however the actual amount will be agreed between young person and the provider in advance of the Staying Put arrangement starting. This will be incorporated into the Living Together Agreement and reviewed either when circumstances change or at the pathway plan review.

Where a young person is working, they will be expected to contribute towards their upkeep and in addition to the initial £20.00, the young person should be contributing an agreed % of their net earnings towards the household costs (this needs to be agreed between the carer and young person – with the support of the personal adviser and the Staying Put Coordinator).

These amounts should be reviewed at least annually and earlier if there are significant changes and should not be at a level that prevents the young person from saving. This is to be paid by the young person directly to the carer. This will be laid out in the Living Together Agreement.

The Staying Put payment to the foster carer from RMBC's children's services is set at £189 per week. These payments will be reviewed annually. If a carer will not

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accept this level of funding, the matter is to be referred to the Head of Service for Looked after Children and Care Leavers.

The Staying Put payment covers all: accommodation, support, utilities, food and associated costs, it does not cover pocket money and clothing as this will be replaced by the young person's personal benefit allowance or earnings as well as the financial offer from the Leaving Care Service.

Staying Put carers will continue to receive the above payment for 56 weeks of the year paid over 52 weeks. This will cover one week for Christmas/Festival, one week for birthday and two weeks for a holiday as the Staying Put Carers will continue to treat the young person as a member of the family, taking them out etc. This does not apply to the young person's contribution.

As set out above all young people are required to claim a personal benefit allowance or be earning money to be able to fund their day to needs such as travel, clothing or leisure.

All young people are required to claim housing benefit. In situations where young people are working part-time, and do not claim a means tested personal benefit they will still need to claim housing benefit.

Earnings over £57.90 will result in a reduction of housing benefit which will need to be made up by a contribution by the young person and RMBC. Housing benefit will be paid directly to RMBC children's services.

Unlike fostering allowance, payments for Staying Put is not a disregarded allowance for the purposes of claiming means tested benefit. When the carers are already in receipt of means tested benefits RMBC children's services will become responsible for paying the equivalent amount of Housing Benefit based on the Local Housing Allowance rate.

When a young person has no recourse to public funds (NRPF) RMBC Borough Council children's services will become responsible for paying the equivalent amount

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based on the Local Housing Allowance rate, provided that the young person is not in receipt of income which could be taken into consideration.

The Staying Put Coordinator will help young people complete housing benefit applications. This will be laid out in the Living Together Agreement. If a young person does not claim benefits they are entitled to or pay their contribution, they will be in breach of their Living Together Agreement.

To ensure that there is a smooth process the application for Housing Benefit should be made at least 4 weeks prior to the young person's 18th Birthday.

When housing benefit or the young person's contribution is not made available to the carers a meeting will be called to review the Living Together Agreement. RMBC will compensate for a young person's failure to pay their contribution or claim housing benefit for a period of three months from the start date of the arrangement. Thereafter the carer should decide whether they wish to continue providing the accommodation.

Housing benefit is now determined by Local Housing Allowance or Local Reference Rates based upon the area in which the applicant lives and may change each month. However, these rates are fixed in the month of application until the end of the financial year. Up to date Housing benefit levels are published each month on the area LHA website: [directgov](#).

Carers receiving a Staying Put payment have a duty to inform the Local Authority of any changes in circumstances.

Young People at University

Young People at University

The Government expects and Rotherham offers a range of financial entitlements to support young people attend University. This includes funding for vacation expenses for up to 20 weeks.

There are 3 scenarios for young people choosing to apply for University.

If the young person chooses to remain living at home for the duration of their University career the staying put funding arrangements would apply. However in these instances the young person would not be eligible for Housing Benefit so the young person would be expected to pay the LHA rate to the carer from the funding available to them through Rotherham and/or student

If a young person will be returning to live at home during university holidays, they will have monies to support this arrangement through the Finance Policy and Student Finance. This exchange of monies would be considered a private arrangement between the young person and the carer and would be consistent with the LHA rate for the area in which the carer resides.

If the former carer is maintaining significant contact with the young person during term time in the form of weekly phone calls; contact as and when needed with the university; at least one visit each term to the young person; an open invitation to the young person to spend weekends at home – a retention payment of up to £100 per week can be considered. This is subject to negotiation based on the level of involvement) and will be in addition to the rent payment offered to the carer by the young person.

Any other arrangement which does not fit into any of the above categories will be considered on its own merits. This can include additional support to the carer/young person by the LA should financial issues be the only block to the young person returning to the carer for ad hoc weekends and/or short periods of time during holidays/reading weeks. Any funding to support return home in these instances will be based on LHA rates.

However the Finance Policy and funding available to young people enables young people to make decisions as to where they wish to spend their money. They can be supported in making these decisions by their Personal Adviser.

Each arrangement can be recorded in the Living Together Agreement and will outline the commitment each party makes to each other as part of the staying put arrangement. This will include the financial contribution of the young person inclusive of rent and monies for food etc and where applicable RMBC.

18. Independent Fostering Agency (IFA)

Young people placed in Independent Fostering Agency placements will be considered against the same criteria as RMBC foster carer placements. The local authority will ensure that the process to agreeing a Staying Put arrangement involves the IFA at all key stages.

Once a young person becomes 18, the fostering placement ends and thereafter the IFA is not a formal party to the Staying Put Arrangement. The financial arrangements for Staying Put are made between the local authority and the carers in keeping with that which a RMBC foster carer receives, not what the IFA carer is used to receiving.

The IFA will cease to receive a fee once the young person reaches 18. The former foster carer will receive payment direct from RMBC.

The post age 15 planning meetings, professionals meetings and child care reviews will be the medium by which all IFAs will be involved in the Staying Put process. There will be occasions where the decision by the young person and their carer/s to enter into a Staying Put arrangement will not follow the exact processes noted in this policy for example where the young person may have come in to placement post 15. However at whatever point discussions occur, the IFA will be fully involved.

The local authority expects that those representing the IFA at meetings/reviews have the authority to agree with the decisions made by the carer/s and the young person when considering Staying Put arrangements.

Once the decision is made by the young person and their carer/s to enter into a Staying Put arrangement post 18, the IFA will be notified and asked to ensure that their carers formally notify the IFA of their change in circumstances.

The IFA may be continuing to provide a supervising social worker where a child in care remains placed with the carers. In keeping with government good practice guidance, that same supervising social worker could provide support in the carer's Staying Put role. If this is not possible, RMBC will offer the support of a supervising social worker.

It is expected that IFAs with whom the local authority commission placements will fully embrace the legislative and good practice guidance associated with the Staying Put initiative. A copy of this policy will be sent to the IFA at the point of commissioning a placement by the Commissioning Team.

19. Benefits for Young People

Young people remaining in a Staying Put arrangement can claim means tested benefits for their personal needs from their 18th birthday. These benefits replace the pocket money and clothing allowance previously contained in the foster carer's maintenance allowance.

Personal advisers will be responsible for assisting care leavers in understanding their benefits and will assist them using the [Benefit Adviser tool on www.gov.uk](http://www.gov.uk). As every case is different and there are different entitlements, this tool is vital in understanding the exact entitlement for that individual.

Further benefits advice is available from Citizens Advice Bureau.

20. The Treatment of Benefits

Personal payments from Children's Services to young people and carers under section 17, section 20, section 23, section 24 and section 31 do not count as income for benefit purposes.

21. Income Tax and National Insurance Issues for Staying Put Arrangements

Tax

All foster carers and Staying Put carers must register with HMRC as self-employed.

The Simplified Tax Arrangements apply and Foster carers and Adult Placement Carers will continue to be able to claim under their existing simplified tax arrangements. Full Tax details are provided in the HMRC help sheet 236.

Where young people remain living with their former foster carer/s under a Staying Put arrangement, the Income Tax and National Insurance framework and liabilities that apply are set out in the new “Shared Lives Carers” Guidance.

The ‘Shared Lives’ - ‘Qualifying Care Relief Guidance’ sets out that Staying Put carers receive tax exemptions up to a given qualifying amount for each Staying Put young person living with them. The Staying Put qualifying rate mirrors the system and amounts that applied when the placement was previously a foster care placement.

The Staying Put exemption does not affect any income from other sources, for example, from employment or from investments. Such other income will be taxed in the normal way.

Staying Put carer/s as well as foster carer/s should note that they may be able to claim Working Tax Credit which is administered by HMRC. Fostering/Staying Put care is counted as work for tax credit purposes. The carer’s taxable income is used to assess the amount of tax credits that they are entitled to. So, where the carer receives less in Staying Put personal payments than the tax free allowance then their income from caring for Working Tax Credit purposes is treated as nil, which means they get the highest rate of WTC.

The same Class 4 National Insurance contributions apply as for fostering.

Appendix 1

Living Together Agreement – Staying Put Arrangement

Date: agreed on _____ to start on _____

This agreement is made between _____ and _____.

It allows you to stay at _____ and sets out what will be expected of you and what you can expect.

You will have your own room in the home of your former foster carer.

The full cost of the Staying Put placement will be a total of £..... per week, calculated as follows:

- RMBC Children’s services - £..... per week
- You’ll claim Housing Benefit of £..... per week for the rent to be paid directly to RMBC
- Your weekly allowance contribution of £..... towards utilities and food

Total: £.....

Your contribution will be reviewed on a regular basis. Please keep all your wage slips as these are needed to work out your contribution. Any increase or decrease in your income needs to be brought to the attention of your social worker or personal adviser.

If you want to move out of _____, you must let the provider know at least **4 weeks** before you want to move. Your former carer can also end the “Staying Put” Agreement at any time by also giving 4 weeks’ notice.

We agree that the conditions of occupying this accommodation are:

- The rent is paid regularly and on time.
- All have read and understood the expectations, which say what all must do.
- All agree to do the things that are set out in the expectations.

Signed: (young person) Date:

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By this agreement _____ permit _____ to occupy the above accommodation.

Signed: (Provider) Date:

PRINT NAME _____

In signing this Agreement both parties are under obligation to inform the Personal Advisor and the Finance Department of any significant financial changes.

EXPECTATIONS:

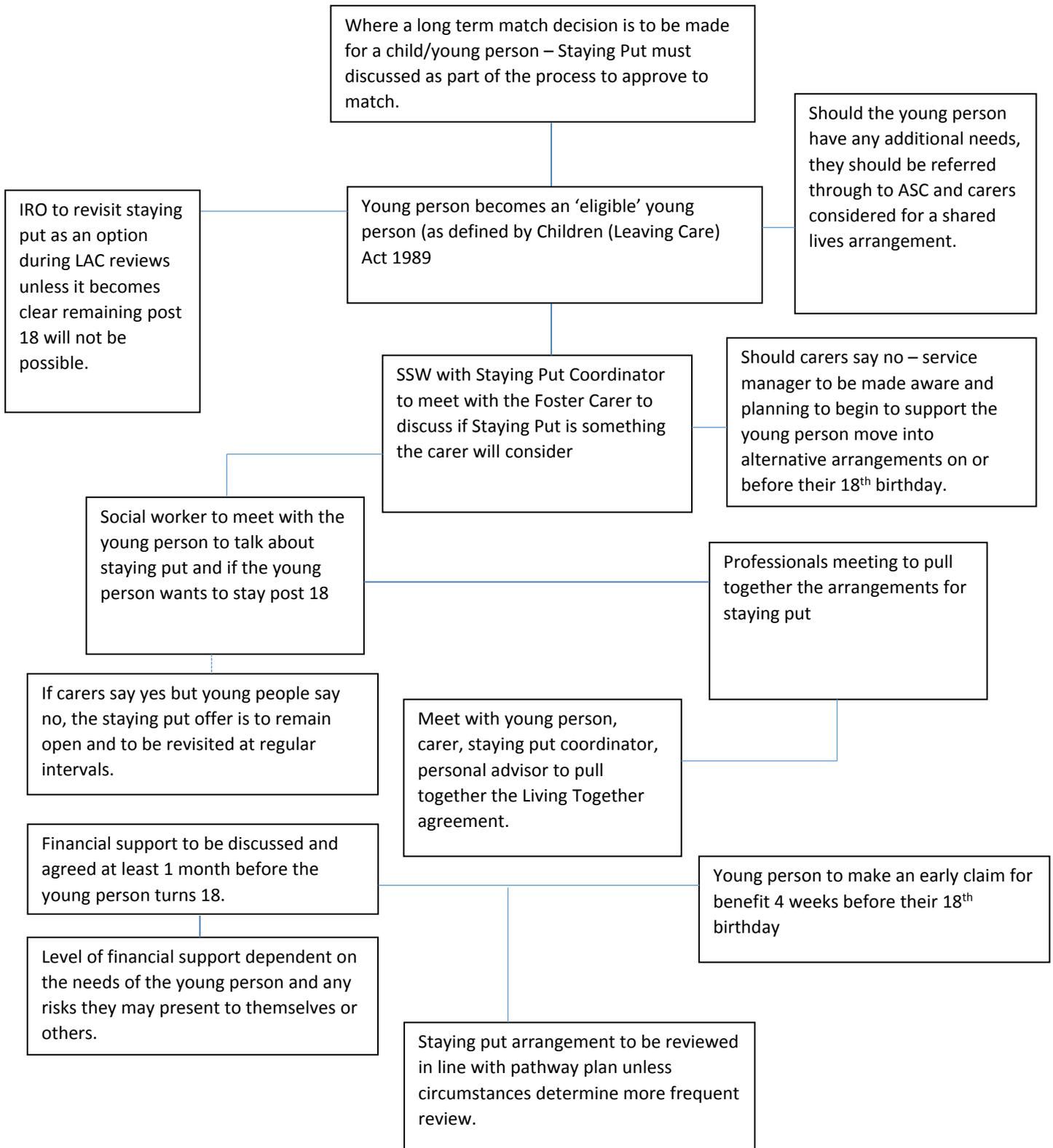
- Both parties will be expected to work towards agreements set within the pathway plan
- If at any time, the former foster is worried about the young person's safety, they have the right to enter the young person's room to see if the young person is OK
- The young person must pay the agreed amount of rent on time.
- The young person must pay for any loss or damage to their own furniture or belongings.
- The young person must let the former foster carer know if anything is broken or needs mending.
- The young person must ask the former foster carer if they want to keep a pet.
- The young person must be considerate to all the people who share the house.
- The young person must not invite anyone else to share the bedroom. Overnight visitors must be agreed beforehand with the former foster carer.
- The young person must not use or keep illegal substances in the property.
- ADD EXPECTATIONS THAT THE YOUNG PERSON HAS OF THE FORMER FOSTER CARER

Both parties can end the "Staying Put" Agreement at any time by giving 4 weeks' notice. The former foster carer will be expected to end the agreement, and will do so if either:

- The young person stops paying rent/ contribution towards utilities/food.
- The young person does not keep to the above expectations.

Appendix 2

Flowchart for Staying Put



Appendix 3**Funding arrangements for Staying Put**

Criteria	LA Contribution	Young Person's Contribution	Benefits agency	Review frequency
In FT EET (Year 13) and avoid any disruption for carer/young person	Maintain carer fees less £57.90	Young person contributes £20 per week to carers	Housing Benefit claimed at shared room rate and paid directly to LA. Young person claims relevant benefit	In line with Pathway planning
Significant vulnerabilities not eligible for support from other agencies	Maintain carer fees less £57.90	Young person contributes £20 per week to carers	Housing Benefit claimed at shared room rate and paid directly to LA. Young person claims relevant benefit	Every 3 months – purpose to review and consider step down to standard Staying Put.
Young person subject to solo funding prior to turning 18	Subject to risk assessment and ongoing review	Young person contributes £20 per week to carers	Housing Benefit claimed at shared room rate and paid directly to LA. Young person claims relevant benefit	Risk assessment prior to turning 18 to determine funding level post 18 and reviewed every 3 months.
Standard Staying Put arrangement	£189	Young person contributes £20 per week to carers	Housing Benefit claimed at shared room rate and paid directly to LA. Young person claims relevant benefit	In line with Pathway planning

