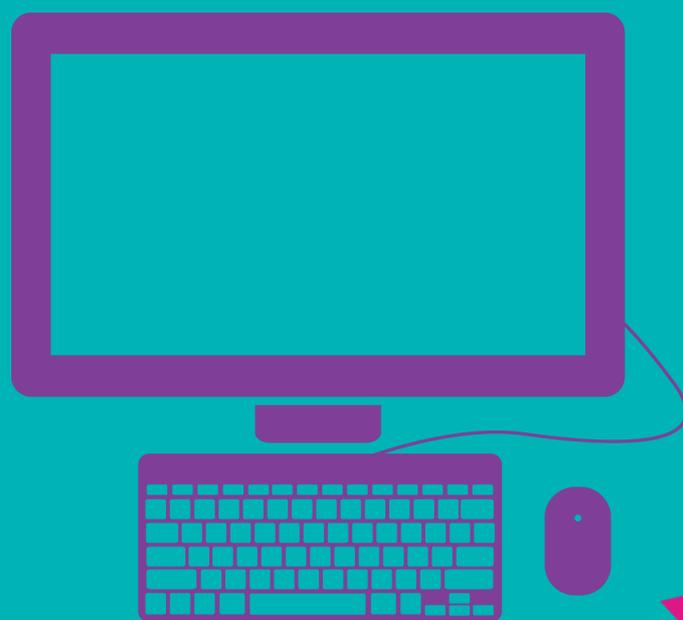




Staying Put

A guide for young people



Introduction.

This guide is for all young people who are currently in the care of Kent County Council (KCC) who are either living with Kent foster carers, connected person's carers or Independent Fostering Agency (IFA) carers.

The Government in 2013 gave guidance to all Local Authorities in England to have a "Staying Put" policy, which later became law in 2014. This means that Kent County Council has to support you and your foster carer after you are 18 to live together if that is what everyone wants and it is the best thing for you under what is known as a "Staying Put Arrangement".

It is good practice for the Local Authority to ensure stability and permanency for you as early as possible and a "Staying Put arrangement" is one way that the Local Authority can achieve this for you.

In this guide you will find information on what the law says you are entitled to. There are also tips from young people and workers.

This guide has been written for young people – but the information in here will be useful to all those who work with young people in and leaving care. This information applies to England only.

What is staying put?

Staying Put is where a young person who is in care continues to live with their foster carer(s) after their 18th birthday. Many young people have already been Staying Put in the past, but the law changed in May 2014 so that all local authorities must support such arrangements if it is in the young person's interest and the carer want it to happen.

This is great news, as you can continue to live with people you know and who have supported you as you have grown up. It means that you do not have to leave your former foster carers until you are ready or you are 21-years-old. It can help you to get into, or continue, in education and training or give you time to sort out the issues you face as you move into adulthood.

Is Staying Put right for you

And your carer ?

Staying Put arrangements need the agreement of the foster carer and the young person if they are going to work.

When you reach 16 your social worker will do a needs assessment and develop a plan with you. This is known as a Pathway Plan. This will consider all your needs as you start to plan to leave care.

As part of your assessments your social worker must consider whether Staying Put is a possibility and must discuss it with you and your carer. These discussions should take place around your 16th Birthday so that they can then be formally discussed at your first review after your 16th birthday.

Your Independent Reviewing Officer, (IRO) will ask at this review whether these discussions have happened. It is really important that these discussions happen early as the decision made should be recorded in your pathway plan.

It should also be considered at all other reviews before you turn 18, in case your situation changes. You, your foster carer and worker will need to agree to Staying Put and work out the details of how it will work. Sometimes Staying Put may not be possible, for example, your foster carer may wish to stop fostering or they may want to look after younger children etc. You may not wish to remain with your carers after 18 – you may wish to live with your birth family, in supported housing or in your own accommodation. Your worker must discuss what the alternatives are, including the practical support and financial arrangements in such situations.

Legal definition of Staying Put

Staying Put is available to a young person who is 'eligible' – someone who has spent 13 weeks or more in care and is still looked after (in care) when they turn 18.

They must be living with a foster carer who has been approved by either the local authority as a KCC foster carer or through a connected person arrangement or approved by a fostering agency.

The foster carer must agree to the plan to stay put and it must not be against the young person's "welfare" to remain there.

The staying put arrangement will be included in your Pathway Plan post 16 years of age and reviewed regularly.

What kind of placement is not covered by Staying Put?

The law on Staying Put only applies to foster care and does not apply to young people who are in residential care, placed in supported lodgings or in other arrangements.

How long can I Stay Put?

You can stay put until you are 21, however, you will be planning for your future and other accommodation may become better for you. Your plans and whether remaining in the Staying Put arrangement is still right for you should be discussed at your pathway plan reviews.

Are there any conditions to Staying Put?

No, the local authority has a legal duty to support all Staying Put arrangements, with the only exception being if they think that the arrangement is not consistent with your “welfare”. The government guidance refers to these as ‘exceptionally rare circumstances’. Therefore the local authority cannot say, “We will only agree to you Staying Put if you are in education or training” or, “We will not agree to you Staying Put if you are with an independent foster carer”.

Change in legal status:

It is important to know that that if Staying Put is agreed—the legal definition of the placement changes on your 18th Birthday from a placement to an arrangement.

Young people's top tip

Staying Put should be discussed with your foster carer as soon as it has been agreed that you are staying with them on a permanent basis unless it is not in your best interests to do so at that time.

Entitlements When Fostered

Fostering

- You are under 18 and looked after (in care).
- As you are in care it is a placement
- A placement plan sets out the expectations on you and the carer – i.e. coming in times, spending time away from the carers.
- You will be starting to learn the practical skills you need to live independently. (included in your Pathway Plan)
- Your Pathway Plan is reviewed every 6 months by an Independent Reviewing Officer. (IRO)
- The local authority will make a payment to the carer to cover the costs of food and clothing for you. You may be asked to make a contribution towards your “keep” as part of the “preparation for adulthood”.
- You cannot claim benefits and the local authority will usually provide money to the carer for food, pocket money, clothing etc.
- Fostering regulations apply to the placement.
- There is no requirement for you to have a Disclosure and Barring Service (DBS) check.
- If you have committed an offence(s), there may be an assessment done to consider if the risks can be managed in the placement.

Entitlements when Staying Put

- You are over 18 and are an adult and a care leaver.
- As you are over 18, it is an arrangement.
- You will receive support from a Personal Advisor from the Care Leaving service who will review your Pathway Plan every 6 months
- You will have a living together agreement which the carer and you write with the help of the personal advisor and the fostering support worker. The format of this agreement may vary but see our suggestions for what needs to be included.
- It is expected that you are learning and practising skills you need to live independently.
- You are likely to be expected to contribute towards your keep either directly to the carer or to the local authority. You will be expected to pay for your own clothes, travel costs and spending money.
- You may be able to claim benefits including Housing Benefit which will contribute towards meeting the costs of the arrangement. This will require you to spend a number of nights in the home to qualify.
- Although this is not a foster placement you will be expected to abide by certain requirements if the carer remains registered as a foster carer.
- You will have a DBS check done if there are other children living there, as you are an adult living with foster carers.
- The DBS check may show you have committed offences, which because of the foster carers' registration may mean you cannot live in a house with foster carers/children in care. This issue should be discussed with your Social Worker and IRO so that it can be looked at, planned and resolved where possible.

Living together agreements

Under a Staying Put arrangement you will still have support from leaving care service and a detailed plan known as a Pathway Plan which will be reviewed regularly.

Along with your Pathway Plan you will all have a living together agreements which sets out the rules and expectations of the Staying Put arrangement. This is an agreement between adults, but can make both you and your carer clear on the “rules of living together”. The living together agreements should be based on a respect for each other and your needs and those of your carer.

In some cases, where you and your carer have been living together for a long time, and you have sorted out issues like coming in on time, having friends over, staying away overnight – the agreement does not need much detail on this.

In other cases, there may be real concerns about your safety if you do not come back at night, there needs to be agreements about the number of nights you spend away from home and whether the police are notified if you don't return etc.

What does the local authority have to do to make Staying Put happen?

The local authority has to:

- 1) Provide advice and support to you so that you know what Staying Put is and how it can help you.
- 2) Provide advice and support to your carer, including financial support. This means they have to continue to pay your carer to support you.
- 3) Provide training to your former foster carer.
- 4) Monitor the placement.

Living together

agreement:

Questions to consider:

- Smoking. Can you smoke in the home?
- Can you have friends over during the day? Can you have a friend to stay overnight?
- Does there need to be an agreement about the carer going into your room?
- Do you need to let your carer know where you are and who you are with?
- If you are not coming back for the night is there a time you should phone or text to tell your carer.
- Do you have a key to the house? If not, why not? What needs to happen for it to be agreed?
- What happens when your carer goes away for a few days – can you stay there?
- What are the expectations about doing household tasks?
- Until what time can you use the washing machine or get something to eat? What if you have been working late and have an early start and need clothes washing or to get something to eat?

Top Tips For Foster Carers

- Keep lines of communication open. Let your thoughts and feelings be known.
- Ask for help when needed. Don't let things build up.
- Keep mutual respect for each other, including everyone's belongings, space and privacy.
- Know and understand options for alternative accommodation and what happens next.
- Be prepared to support the young person in developing new independent living skills.
- Make the Staying Put experience individual to you and your household.
- If a problem arises, ask for help and discuss it with a worker before it gets too serious.
- Allow the young person to take responsibilities and risks, we learn from mistakes.
- Support the young person in simple everyday tasks.
- Be flexible about rules and make compromises even if rules and boundaries have been set.

Young people's top tip

There needs to be an agreement regardless of how long you have been living in the placement, to be clear about the "rules of living together".

Top Tips For Young People

- Keep lines of communication open. Let your thoughts and feelings be known.
- Ask for help when needed and if you don't know, then ask. Don't let things build up.
- Keep mutual respect for each other, including everyone's belongings, space and privacy.
- Know and understand options for alternative accommodation and what happens next.
- Be prepared to develop and take part in learning independent living skills within the household to help prepare you for when you live on your own.
- Make the Staying Put experience individual to you and your household.
- If a problem arises, discuss it with a worker before it gets too serious.
- Use this time to use and practise your independence skills.
- Think about why you want to stay, embrace the opportunity and move on with it.
- The choices you make and your responsibilities are part of your journey.

Moving on

The local authority has a duty to support your Staying Put arrangement until your 21st birthday. It may be that you feel that you are ready to move on before this and moving on should be discussed at each pathway plan review. Notably, just because it is discussed does not mean you have to move on, but there should be a back-up plan in case the arrangement ends suddenly.

What makes a good Staying Put arrangement?

We understand and respect that everyone has different experiences within the household. Please use these top tips as guidance for your Staying Put arrangement.

What If you not happy about the plans

If you are unhappy about any aspect of your care or your plan you should firstly try and talk to your social worker / personal advisor to sort out your worries.

All young people under the age of 18, who are looked after, should have an independent reviewing officer (IRO).

If you are unhappy with your pathway plan or the decision that has been made about Staying Put then you should speak to your IRO.

You can ask for an advocate to be appointed to help explain your views to your personal advisor or social worker and to represent them at your pathway plan review meeting.

You can request an urgent review of your pathway plan, so your concerns can be considered. If you feel you are not able to put your views forward you can ask for an advocate or to bring a friend or family member to support you.

If it is not possible to resolve your concerns you should ask for details of how to make a complaint.

Where to go for more advice

National Youth Advocacy Service (NYAS)

Offer information, advice, advocacy and legal representation to children and young people.

T: 0808 808 1001

www.nyas.net

Coram Voice

Provide free legal advice and help (called advocacy) to young people who are living in care or have recently left care.

T: 0808 800 5792

www.coramvoice.org.uk

Fosterline

Fosterline provides confidential, impartial, advice information and signposting on the broad range of issues of concern to foster carers and those interested in fostering.

T: 0800 040 7675

www.fosterline.info

