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**Darlington Borough Council Staying Put Procedure**

1. **Entitlement to Stay Put**

In Darlington Borough Council a young person is entitled to Stay Put in their foster placement if on reaching 18-years old they are still living with them and they are a Former Relevant young person. This arrangement applies equally to family and friends connected Foster Carers and the young people in their care.

The benefits of a ‘Staying Put’ arrangement for a young person are primarily about extending a familiar relationship in which the young person continues to experience security and stability.

Young people who are in foster care should be able to benefit from ‘Staying Put’ arrangements, regardless of whether they are in education, employment, or training (EET) before turning 18. The young person should be supported and encouraged to progress in their education or employment but not being in EET should not preclude a young person from benefiting from a ‘Staying Put’ arrangement. However, the young person should be actively engaged in education, employment or training, or alternatively community activities, voluntary work, or a self-development course.

1. **Establishing a Staying Put Arrangement**

The option of Staying Put should be identified within the young person's Pathway Planning process and discussions with the young person and Foster Carer should start as early as possible, ideally before the young person reaches the age of 16. The young person’s Social Worker should inform their Manager if a Staying Put arrangement has been identified as an option and is being considered by the young person and Foster Carers.

An arrangement to Stay Put must be agreed by both the young person and the Foster Carers. Advice about the differences between a foster placement and a Staying Put arrangement should be given to the Young Person and Carers by their Social Worker or Personal Advisor and the Supported Lodgings/Staying Put Co-ordinator, for both parties to make an informed decision about proceeding with the arrangement.

Occasionally young people or carers may change their minds after making an initial decision about Staying Put. The service should allow both young people and Foster Carers to change their minds about establishing a Staying Put arrangement, but care should be taken to avoid disruption to a young person's education at a critical time.

The young person’s Social Worker should forward a copy of the young person's Pathway Plan to the Supported Lodgings/Staying Put co-ordinator no less than 6 Months before the young person's 18th birthday.

The young person’s Social Worker or Personal Advisor will work with the young person to explain their financial contribution to the cost of Staying Put. They will also work with the young person to maximise their entitlement to benefits. Consideration should also be given to ensure that applications for benefits do not discourage a young person from obtaining or maintaining part or full-time employment.

The young person’s Social Worker or Personal Advisor will ensure that all claims for benefits are submitted in a timely fashion that minimises any potential disruption in allowances being received by the former carer. In certain circumstances it may be necessary for the Supported Lodgings Co-ordinator to agree with their Manager contingency arrangements so that the former carer's level of remuneration is not disrupted because of a young person’s delayed benefit payment.

The Supported Lodgings/Staying Put Co-ordinator will convene a Staying Put support meeting immediately prior to the young person's 18th birthday, and in collaboration with the young person, Foster Carer and Personal Advisor will complete a Staying Put agreement. The purpose of the Staying Put support meeting is for both the former carer and the young person to appreciate what is expected of each other.

1. **Professional Roles**

The Personal Advisor will continue to provide support to the young person throughout the Staying Put process. They will manage Pathway Plans and support the young person within the new arrangement with the former carers. The Personal Advisor will ensure that the young person understands the terms of the Staying Put agreement. This may include reinforcing what the young person is expected to purchase from their income. This will include supporting the young person to apply for relevant funding and benefits and helping them to establish a method of making the regular £20 weekly contribution to the Staying Put provider.

For Foster Carers, if other children are in placement, the Fostering Supervising Social Worker will continue to provide support to the carer for those children. The Supported Lodgings/Staying Put Co-ordinator’s role will involve supporting the carer to understand the nature of the Staying Put arrangement and their entitlement to funding and advise the carer about their changing role with the young person under the Staying Put arrangement. The Supported Lodging/Staying Put Co-ordinator will involve supporting the Staying Put provider for the duration of the Staying Put arrangement.

For Independent Fostering Agency carers, the support and advice provided will be like that described above, however it will be provided by the Independent Fostering Agency.

Former Foster Carers should seek their own independent financial advice about the income tax and national insurance implications of the Staying Put arrangement. Former Foster Carers can no longer use the 'foster care relief' scheme, but there are tax concessions for Adult Placement schemes.

For carers who are in receipt of welfare benefits, independent advice should be sought about whether Staying Put payments will be disregarded or considered as income for means tested benefits. These payments may include:

* Rent payments paid to the carer.
* Payments from the young person to the carer.
* Payments from Darlington Borough Council to the carer.

If the carers are tenants themselves, it is advisable for them to check their tenancy agreement and ensure that their lease allows them to have a lodger.

If the carers pay a mortgage it is advisable for them to check whether having a lodger is within the terms and conditions of their mortgage lender and insurer.

If a single carer’s council tax reduction is impacted by offering a Staying Put arrangement, the Local Authority will remunerate the carer to ensure they are not disadvantaged.

It is advisable for carers to inform the Insurance Company providing their household insurance when a young person is no longer a fostered child but remaining in their home as an adult lodger, and to check that existing insurance arrangements still provide adequate household cover under this arrangement.

1. **Documentation**

The Pathway Plan should identify an intention to establish a Staying Put arrangement.

A Staying Put Agreement should be completed before the Staying Put arrangement begins.

The Service will ensure that the transition to from Fostering allowances to a Staying Put allowance occurs at the point the young person reaches 18.

1. **Finance and Funding Sources**

Where the young person has commenced their thirteenth year of education in the academic year in which they turn 18, Local Authority Foster Carers will continue to receive the same level of remuneration as before the young person was 18.

This will continue from the young person's 18th birthday until two weeks after the completion of the final examination in year 13. After this period the funding would then reduce to the standard Staying Put allowance. If young people are assisted to claim benefits the timing of these claims should not disrupt their education or exam period.

The young person will retain their benefit entitlement as part of their financial package. This will enable them to purchase things that would previously have been included in the fostering allowance and is intended to enable the young person to develop budgeting skills. This would include clothes and toiletries and should cover social and leisure activities.

The young person's income may come from:

* Universal credit /benefit entitlement/ living allowance from the Local Authority.
* Employment.

The financial package for the former carer will be made up of funding from:

* A weekly fee of £260 from the Local Authority.
* A contribution of £20 per week from the young person.

Staying Put providers will receive an additional allowance of £200 at Christmas as recognition of the additional costs at this point in the year. The additional allowance can be used at a different time to reflect the young person’s culture or religion.

1. **Young Persons Contribution**

The young person will make a weekly contribution of £20 to the Staying Put Provider regardless of the young person’s financial circumstances.

The young person’s income may be from employment, apprenticeship or they may be in receipt of universal credit/benefits.

1. **Retainer/ Staying Put Allowance**

A retainer of £50 per week can be paid in certain situations when the young person is not present in the household, but their room remains available.

Young people are not expected to contribute to the retainer.

When a young person returns to stay for a period of time, the former carers will be paid the Staying Put rate. The young person will be expected to resume their £20 weekly contribution.

Retainer - Armed Services

If a young person joins the armed services, the former carer can be paid a retainer while the young person completes the first three months of basic training. If the young person returns after the three months, it is a private arrangement between the young person and the carer.

After the initial 3-month basic training the young person will have accommodation provided by the armed services.

Retainer - University

A retainer can be paid to the former carer of a young person who is at University during term time.

During the holiday periods from University, the former carer will receive a weekly Staying Put allowance per week.

If the young person returns to the placement for the weekend to see friends etc, or for other reasons like illness, or for support, the Staying Put provider will receive a pro-rata allowance based upon the number of overnights the young person is with the Staying Put provider

Gap year plans.

Gap year plans that involve travel or studying abroad will be supported via the retainer arrangements. We will consider each individual situation and determine an appropriate timescale for the arrangement.

1. **Police Checks**

If the former carer is going to continue to work as a Foster Carer the young person in the Staying Put arrangement will need to have a Disclosure and Barring Service (DBS) Check as they become an adult living in the home.

If it is not possible to obtain a DBS check because the young person does not have access to identification documentation, then a risk assessment must be completed and adhered to.

If the former carers are still registered with Darlington Borough Council as Foster Carers the DBS checks will continue routinely.

1. **Approved Foster Carer Continuing to Provide a Placement for Children under 18-Years of Age**

If the Foster Carer remains approved to provide foster placements to children under the age of 18, in addition to providing Staying Put for a young person over the age of 18-years, the Fostering Regulations and National Minimum Standards will continue to apply.

The Foster Carer will continue to be supported by the Fostering Service and will have a Supervising Social Worker to support and supervise them.

Where the Foster Carer is to provide Staying Put to a young person, a Foster Carer Review should be convened to consider any recommendation for the change in approval status of the Foster Carer.

1. **Approved Foster Carers who do not Wish to Foster any Other Children During the Staying Put Period**

Where a Foster Carer wishes to continue to care for one young person beyond their 18th Birthday as a Staying Put arrangement, and do not wish to provide any foster placements to children during the Staying Put arrangement, they can remain as approved Foster Carers and will be supported by the Staying Put Co-ordinator.

As there will be no child in placement, the level of monitoring and support will be based on the needs of the young adult, compliance with the Fostering Regulations, and the need for the carer to remain accountable for their caring role.

In these circumstances, the following standards should continue to govern the expectations of the Staying Put arrangement:

* A Return to the Fostering Panel when there is a change of circumstances.
* Annual review of the carer(s).
* DBS checks every three years for every adult member of the household, regular visitors, and children of the Foster Carers who are aged 18-years and over.
* Health and Safety checks and Safe Care Policy.
* Regular supervision.
* Unannounced visits.
* Undertake relevant training.
* Maintain Foster Carer daily recording.
* Notify of significant events.

The Foster Carer can return to Fostering once the Staying Put arrangement comes to an end.

A Foster Carer review should be undertaken to ensure that the carers approval status continues to be appropriate.

1. **Approved Foster Carer who does not intend to continue Fostering**

Where the Foster Carer does not want to continue providing a placement for any other children on a fostering basis they should resign as a Foster Carer. Their resignation will be presented to the Fostering Panel and they will be de-registered as a Foster Carer They will provide a Staying Put placement only, and they will be provided with the Staying Put allowance, and support from the Staying Put Co-ordinator.

Fostering Standards 4, 5, 6 and 7 should still be applied informally as a matter of good practice.

1. **The Independent Sector**

The Independent Fostering Agencies which have been awarded a contract to make provision to Darlington Borough Council are required to adhere to the Council's policy with respect to post 18 arrangements.

If the young person and carer are willing to convert the placement to a Staying Put arrangement, the carer will be paid the current Staying Put IFA allowance.

The Pathway Plan should set out what support should be provided by the former Foster Carer and other professionals. Ongoing support to former carers in the independent sector is provided by the agency.

1. **Monitoring and Reviewing Arrangements**

Staying Put Arrangements should be reviewed as part of the Pathway Plan Review. The Staying Put/Supported Lodgings Co-ordinator will meet the Staying Put provider for supervision every 4-6 weeks and this meeting will review of any problems or difficulties which have emerged, and what is working well.

If a retainer is being paid because the young person is away, the frequency of supervision will be flexible and will be agreed by the Staying Put Provider and the Staying Put/Supported Lodgings Co-ordinator.

1. **Ending the Staying Put Arrangement**

The Staying Put arrangements can be ended before the young person's 21st birthday, by the young person or former Foster Carer giving relevant notice. Both parties should give as much notice as possible, and this should in most circumstances be a minimum of 28 days’ notice. The Placement Agreement allows for the ending of the arrangement with 7 days’ notice for a breach of the agreement, but this minimum should only be used in exceptional circumstances.

The Staying Put arrangements will end when the young person becomes 21. If a young person will be at a critical time in their education (e.g., final exam period) at the time when they reach 21-years they will be able to Stay Put until after this period. If a Higher Education undergraduate course is for a longer duration than 3-years, the Local Authority may extend the Staying Put arrangement for the duration of the course.

Eligibility for Staying Put arrangements in relation to Further Education courses or apprenticeships will be considered on a case-by-case basis.

Planning will be undertaken to ensure the young person can move on into suitable accommodation. As much as possible we want to ensure that the end of a ‘Staying Put’ arrangement is a gradual transition to independent living and the young person is supported with the move.

When planning to end a Staying Put arrangement as a young person approaches 21, it needs to be considered that a young person will no longer be classed as in "priority need" for social housing when they reach 21-years. It may be necessary to plan for the young person to move shortly before this time if social housing is to be accessed.

**End**

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