

Fostering

Staying Put

The Trust Board has granted the Chief Executive of the Sandwell Children's Trust the authority to approve this document.

Staying Put

Related Guidance

[Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers \(revised January 2015\)](#)

[Staying Put - Arrangements for Care Leavers Aged 18 and Above to Stay on With Their Former Foster Carers Government Guidance issued by the DfE, DWP and HMRC \(2013\)](#)

Staying Put: Good Practice Guide

Related Chapter

Preparing Young People for Adulthood Procedure

Contents

1. Introduction
2. Planning
3. Legal Status and Safeguarding
4. Where Other Foster Children are Living in the Staying Put Arrangement

1. Introduction

The intention of staying put arrangements is to ensure that young people can remain with their former foster carers until they are prepared for adulthood, can experience a transition similar to their peers, avoid social exclusion and be more likely to avert a subsequent housing and tenancy breakdown.

The term 'arrangement' is used rather than 'placement' as the term 'placement' denotes a situation where the local authority / Trust arranged and placed the child. Once the child reaches the age of eighteen and legal adulthood, the local authority is no longer making a placement, but facilitating a staying put arrangement for the young person.

The fostering agency endorses this approach and understands the overwhelming challenges that face young people living in foster care as they approach adulthood, and the pressures which some young people face to move into independent living which in some cases may be too early.

To respond to this recent legalisation the fostering agency have considered that it is vital that there is clarity for young people, carers, staff, the public and Sandwell Childrens Trust that where an extension of a placement beyond the young person's 18th birthday is requested the fostering agency is clear about the support, approval status and the cost for each placement.

If a young person feels that his/her wish to remain with their former foster carer has not been properly considered by the Placing Authority or they are unhappy with the way in which the Placing Authority has acted, they may wish to speak to their Independent Reviewing Officer who chairs their reviews before they turn 18 and request a review of their Pathway Plan.

2. Planning

Foster carer's terms of approval are defined in the Fostering Regulations in respect of foster placements for children ranging from the ages of 0-18. Any placement made with a fostering agency is made within the framework of the Fostering Regulations which ceases to exist beyond a young person's 18th birthday. See Section 3, Legal Status and Safeguarding.

The fostering agency believes that young people can develop life skills in a range of different ways and not always in a way that separates them from the day to day living with the family, the 'staying put arrangement' should be a continuum of the Pathway Plan developed much earlier in the young person's life, which supports what the aspirations and wishes of the young person are and how this will be achieved.

This does not exclude the opportunity for young people to have the experience of independent living whilst in the family home if they and the team around believe this is the right plan for them, it underpins the ethos that every plan should be individual and creative to give the individual young person the best opportunity to improve their life chances.

The fostering agency does however believe an agreement between the foster carer and young person should be drawn up upon commencement of the 'staying put' arrangement to discuss and agree in particular the following areas:

- What support does the young person need to meet the optimum target of reaching a point where they can move out with the best chances of a successful adult life;
- What does the young person need to optimise continued further educational attainment;
- What support does the young person need to secure training or employment if they are not continuing in education;
- Young Person's financial contributions.

*Independence and life skills are expected to have been addressed within the Pathway Plan.

- Safeguarding matters:
 - Personal and safe care - agreement regarding a continued adoption of practicing safe care in the home;
 - Staying away overnight - consideration and agreement should be recorded in the plan for the purpose of understanding clearly what constitutes a 'missing young person';

- Alcohol consumption by young person - agreed statement that supports the young person engaging in ordinarily social activities as any other 18 year old with an approach that protects both the carer and the young person.
- Financial arrangements for the placement.

The fostering agency believes that the ethos and spirit which this policy endorses requires carers to continue working with young people in placement as they were before the young person's 18th birthday, and providing the care that has been agreed in the pathway planning and care planning process. In parenting terms, nothing has changed. However, there are some changes that are inevitable which includes the financial arrangements and opportunities for the young person to become self-sufficient and on this basis the agency will agree the appropriate financial arrangements for carers.

3. Legal Status and Safeguarding

Following the young person's 18th birthday, the legal basis on which they occupy the property (former foster home) changes (the legal term is that the young person becomes an 'excluded licensee' lodging in the home) - this should not denote that the young person will be treated differently than they were as a fostered child.

While Fostering Regulations will no longer legally apply to these arrangements, key standards should continue to govern the expectations of the placement when the young person reaches 18.

These should include in all cases but particularly in cases where there are no foster children living in the carers home:

- A written set of standards and expectations that make explicit and clear what the implications of the change from being Looked After to being in a Staying Put arrangement, including what the young person and the carer can reasonably expect of each other and of the Trust;
- Safeguarding and risk assessment checks on household members and in certain circumstances regular visitors if they act as carer for this child;
- Health and safety requirements (as a minimum this should comply with landlord and licensee/tenant requirements) if they act as carer for this child;
- Support arrangements provided by the placing authority /Trust.
- Opportunities to attend appropriate training.

4. Where Other Foster Children are Living in the Staying Put Arrangement

Where fostered children are living in the household, the checks and requirements associated with fostering legislation will apply and will provide a framework for safeguarding and checking arrangements for the whole household.

In these situations, the carer must remain an approved foster carer and the Fostering Services (England) Regulations and Guidance will apply with the consequential requirements of supervision, review and safeguarding. Whilst the fostering legislation will primarily apply to the placements of the fostered children, it does ensure that a system of approval, checking and supervision is applied to the whole household.

Additionally, where foster children are in placement, the foster carers will need to be returned to the Fostering Panel due to a change in circumstances as the child/young person Staying Put will have reached adulthood and become an adult member of the fostering household.

Young people remaining in a foster care household at the age of eighteen will become adult members of the household and will require a valid Disclosure and Barring Service check in settings where a foster child or foster children are living. To ensure that the check (and possible subsequent risk assessment) is completed by the young person's eighteenth birthday the process will need to commence in sufficient time.