



Author/Lead Officer of Report: Paul Dempsey –
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Report of: *Jayne Ludlam*

Report to: *Cabinet*

Date of Decision: *February 2019*

Subject: *Fostering Stability Sheffield's Staying Put Caring Policy for Care Leavers*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input checked="" type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? Children and Families		
Which Scrutiny and Policy Development Committee does this relate to? Children and Families and Family Support Scrutiny Committee		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? (494)		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<p><i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i></p>		

Purpose of Report:

The report asks for cabinet to endorse the attached revised **Staying Put Caring Policy** for young people leaving care: Fostering Stability: Sheffield's Staying Put Caring Policy for Care Leavers.

Recommendations:**Cabinet is recommended to:**

Approve and endorse the publication of **Fostering Stability: Sheffield's Staying Put Caring Policy for Care Leavers.**

Background Papers:

Fostering Stability: Sheffield's Staying Put Caring Policy for Care Leavers

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Andy Bray</i>
	Legal: <i>Nadine Wynters</i>
	Equalities: <i>Bashir Khan</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission: <i>Jayne Ludlam</i>
3	Cabinet Member consulted: <i>Cllr Jackie Drayton</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: <i>Paul Dempsey</i>
	Job Title: <i>Assistant Director Provider Services</i>
Date: <i>10.01.19</i>	

1. PROPOSAL

1.1 *The Children and Young Persons Act 2008 laid out guidance and regulations relating to care leavers with an emphasis on a more graduated approach to planning transition to adulthood. Staying Put foster care became a statutory duty for local authorities in England in May 2014, as set out in section 98, Part 5 (Welfare of Children) of the Children and Families Act 2014.*

1.2 *Staying put foster care is when a young person in foster care remains living with that foster carer beyond their 18th birthday. A staying put arrangement is not the same as a foster placement. The young person staying put is no longer a looked after child. They are a young adult and a care leaver. They are entitled to support as a care leaver and are allocated a personal advisor. The foster carer is no longer acting in the capacity of foster carer for that young adult; they are their 'former foster carer or Staying Put Caring r'. The foster placement becomes a 'staying put arrangement' and is not governed by fostering services regulations. The intention of staying put foster care is to enable young people leaving care to experience a transition akin to their peers, by enabling them to stay living with their former foster carers until they are ready for independence and adulthood.*

1.3 *Guidance requires local authorities to develop a Staying Put policy that provides foster carer/s and children/young people with information relating to all aspects of continuing the young person's placement with their foster carer beyond their eighteenth birthday. The policy should cover the following areas:*

- the criteria for continuing a fostering placement as a "Staying Put" arrangement once the child reaches 18;*
- how the "Staying Put" arrangement will impact on the allowances provided by the authority and whether other funding, for example Housing Benefit and funding for housing related support, will contribute to meeting some of the "Staying Put" costs;*
- whether additional allowances provided when the child was a foster child to ensure they were embedded in the family will continue, for example holiday allowances, birthday and Christmas/festival allowances;*
- any financial contributions from young people from their wages, salary, benefits or education allowances;*
- how the Income Tax, National Insurance and welfare benefits situation of carer/s may be affected by "Staying Put" payments;*
- insurance issues, including liability insurance and household insurance;*
- the impact on foster carers' approval and their terms of approval, including the numbers approved for, and whether this number includes the "Staying Put" young persons;*

- *safeguarding arrangements, including Criminal Records Bureau checks on young people reaching eighteen where fostered children remain living in the household.*

1.4

This new revised policy aims to provide clarity about the planning and practical arrangements for Staying Put Caring and to ensure consistency of approach for officers, foster carers and young people. For example on the payments carers will receive on entering into a Staying Put Caring arrangement, the Local Authority's responsibilities as well as detailing the expected contributions a young person is expected to make. Main clarifications are: -

- *The intention of the Staying Put Caring allowance is that when added to the Housing Benefit payments the young person is entitled to receive and the young person's contribution to the carer, the amount in total the carer receives will be equal to the sum of the core fostering allowance plus any skill payment in place at the time of the young person's 18th birthday. Therefore the Staying Put Caring allowance will be the difference between the sum of Housing Benefit plus the young person's contribution to the carer, and the core fostering allowance and skill payment the carer previously received*
- *The Staying Put Caring payment may cover: accommodation, support, utilities, food and associated costs. Pocket money and clothing will be now covered by any benefit, earnings or personal allowance the young person receives.*
- *Staying Put Caring arrangements will not include additional allowances for birthdays, cultural celebrations etc.*
- *The policy clarifies that where a young person is in education, payments will continue to the end of the academic year in which they turn 21.*

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The publication of the policy clearly communicates the Staying Put Caring arrangements and allows young people and foster carers to gain a clear understanding of the expectations and entitlements under the policy.
- 2.2 Providing a 'package' of financial support to the Staying Put carer that is equal to the sum they received as a foster carer for the young person will remove any financial barriers to the making of Staying Put arrangements
- 2.3 Offering young people in care the opportunity to benefit from 'Staying Put Care' with their foster carer will allow them to sustain this positive relationship and support into early adulthood. This enables young people leaving care to have more favourable outcomes in later life, to be employed, and less likely to be at risk of substance abuse and mental health issues.

The policy offers the chance to better prepare young people for independent living in the community and cementing relationships with carers that are hoped to last beyond the time living together.

- 2.4 Research into pilots of Staying Put found that those in staying put caring arrangements were significantly more likely to be in full time education at 19 than their counterparts who did not stay put. A higher proportion of young people who stayed put were also pursuing higher education than those who did not. This contributes to the corporate priority of strong economy as higher educational attainment among care leavers will better enable them to make a positive economic contribution to the city

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 Foster carers have been widely consulted through Voices foster carer group and are supportive of the new policy.

Consultation has taken place with Sheffield Care Leaver's Union in relation to the accommodation offer to care leavers, including Staying Put Caring. Feedback from young people in staying put caring arrangements has also influenced development of the policy.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 4.1.2 The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

- 4.1.3 An Equality Impact Assessment has and highlights the impacts on protected groups. The policy does not significantly or materially change the current offer to carers or young people in 'Staying Put' arrangements, but provides information that draws together all entitlements into an easy format that gives greater clarity.

4.2 Financial and Commercial Implications

4.2.1 The revised Staying Put Caring policy is intended to ensure consistency in relation to the payments carers receive; overall there will not be any adverse financial implications.

4.3 Legal Implications

4.3.1 The legal implications are set out in the body of the report. There are no other direct legal implications.

4.4 Other Implications

(Refer to the Executive decision making guidance and provide details of all relevant implications, e.g. HR, property, public health).

4.4.1 None

5. ALTERNATIVE OPTIONS CONSIDERED

(Outline any alternative options which were considered but rejected in the course of developing the proposal.)

5.1 There is a statutory duty to provide a policy for Staying Put. This revision provides consistency and clarity for young people and carers and promotes access to Staying Put Caring arrangements.

6. REASONS FOR RECOMMENDATIONS

(Explain why this is the preferred option and outline the intended outcomes.)

6.1 Supporting the recommendations in this report will ensure that the local authority meets their Statutory Duty to publish a policy for Staying Put that provides clarity to both young people and carers.