

Decision Sheet

Reference: PPL/32/2016
Key Decision: No
Decision Sheet Re: Staying Put Policy
Decision Maker: Councillor Ian Cooper, Cabinet Member for Children's Services

Wards affected: All
Contains exempt information: No

1. Decision
To approve the revised Staying Put Policy; All host carers receiving payments in excess of £200 to be advised of the change and told that their payment will be reduced to £200 six months after the implementation date of the new policy

2. Background
New arrangements to support young people in foster care to remain living with their former foster carers upon reaching 18 years of age, (a 'staying put arrangement') came into effect on 13 May 2014.

This arrangement enables a young person to stay with their former carers until the age of 21 years or beyond if they are in full-time education.

Dudley MBC is committed to preventing social exclusion amongst care leavers and has developed the following policy in order to ensure that 'disabled' young people and care leavers receive continued support.

This policy sets out the conditions required to extend a former fostering arrangement beyond a young person’s eighteenth birthday, the associated financial implications, the social care requirements associated with extending former fostering arrangements and the consequent Income Tax, National Insurance and Welfare Benefit issues.

From the age of eighteen young people are no longer legally in ‘Care’ and therefore fostering arrangements no longer apply. Following a young person’s eighteenth birthday, the legal basis on which they occupy the property (former foster care home) changes and they become an ‘excluded licensee’ who is effectively lodging in the “Staying Put” carer(s) home. Whilst the term ‘excluded licensee’ is a legal one, it should not denote that the young person will be treated differently than they were as a fostered child.

The associated change from foster child to adult member of the household, and for the carer from foster carer to host family (“Staying Put” carer), should be carefully and sensitively planned in order to ensure that both young people and their carer(s) understand the nature of the arrangement and that the positive aspects of being in foster care are not diminished by the new legal and financial arrangements and terminology.

Before agreeing the new arrangement both the foster carer(s) and the young person must understand and agree to accept the changed financial responsibilities in writing.

Foster carers may continue to be registered to foster other children but their terms of approval may need to be amended to acknowledge the change of circumstances.
Prior to this arrangement coming into place Dudley already operated a form of staying put arrangement. The financial arrangements were often individualised and the financial packages were often above comparator authority rates. Some of these remain to date.

Although a version of this Staying Put policy was implemented in 2015 it was not communicated effectively and the understanding of staying put amongst professionals and carers is considerably variable as are the financial packages.

This policy will impact on financial savings, although an exact cost cannot be predicted.

The policy will also be shared with the Corporate Parenting Board and the numbers of Staying put placements monitored and supported by the introduction of a dedicated social worker in the fostering team.

3. Financial Implications

If the decision is agreed to advise current host carers receiving in excess of £200 that there remuneration will be decreased 6 months after the policy is implemented to enable them to adjust their finances accordingly then some budgetary savings will be achieved.

The budget assumption for 2016-17 was that all existing 18 year olds and children turning 18 during the year will move to the Staying Put allowance payment of £200 per week.

A revised policy implementation date, assuming 1 January 2017, will lead to in year budget shortfalls estimated as follows:

- Current 18+ years olds already 18 at April 2016 - £139k
- Children turning 18 during 2016-17 - £145k shortfall

If the policy is not fully implemented to include those children that are already 18 at April 2016 and therefore the existing agreed payment were to continue until their 21st birthday, this would create an additional budget pressure in 2017-18 of £335k, and 2018-19 of £161k.

If the policy is not implemented on 1 January 2017 this will result in an additional £43k per month pressure.

This budget shortfall will need to be met from Children’s Services existing resources and will create a budget pressure in 2016/17.

4. Legal Implications

The Planning Transition to Adulthood for Care Leavers Regulations and Guidance 2010 and the Fostering Regulations and Guidance 2011 (Children Act 1989) both require local authorities to have a Staying Put policy. The Staying Put policy should set out the practical, financial, tax and benefit issues (for both the foster carer and the child) which impact on the decision to extend foster care as Staying Put care when a looked after child reaches the age of 18 years. Staying put guidance came into effect in May 2014.

The primary aim of the guidance, and the requirement for local authorities to develop a local Staying Put policy, is to ensure arrangements are in place that can enable a young person’s foster care placement to be extended beyond their 18th birthday.
Decision Sheet

Reference: PPL/32/2016

Key Decision: No

Staying Put will enable young people to experience a transition from care to independence and adulthood that is similar to that which most young people experience, is based on need and not on age alone.

5. Equality Impact

A policy impact assessment is being undertaken.

6. Authorisation

Councillor Ian Cooper, Cabinet Member for Children's Services  Signed: ..............................

In consultation with:

Tony Oakman, Strategic Director People  Signed: ..............................

Decision date: Wednesday, 7 September, 2016
Prepared by: Iona Payne

Associated documents and images

No documents have been associated with this decision

Staying Put Policy (pdf)
Decision Sheet

Reference: This is a Draft decision to be considered on 07/09/2016 (meeting at 09:00).
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Contains exempt information: No

1. Decision
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In consultation with:
Tony Oakman, Strategic Director People

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