

Leaving Care Policy

Report of Director Children & Young People's Service

1. Issue

- 1.1 This Policy is designed to support service development and good practice in respect of transition from care to independence for care leavers.
- 1.2 Local authorities are required to support care leavers in a variety of ways to enable them to achieve their full potential.

2. Need for a decision

- 2.1 Cabinet is asked to agree the contents of the Leaving Care Policy which outlines the support that Calderdale will offer to care leavers as part of their transition to adulthood.

3. Recommendation

- 3.1 That Cabinet recommend to Council approval of the Leaving Care Policy in compliance with Statutory Guidance (Children Act 1989 Guidance Volume 3 Transition to Adulthood for young people leaving care).

4. Background and/or details

- 4.1 Calderdale supports between 130 to 140 care leavers up to the age of 21.
- 4.2 5 care leavers are currently in full time higher education and they will be supported until they complete their education. Care leavers are assessed so that their level of need is known and a Pathway Plan is developed with them to ensure that they are well supported.
- 4.3 Relevant care leavers are those who leave care before the age of 18 and who are not on a Care Order. They are our most vulnerable group as they have often come into care at a late age and have many issues that remain unresolved. Currently we support 25 young people with a high level of need and who require additional management support.
- 4.4 We closely monitor suitable accommodation and employment, education and training. Most care leavers are in suitable accommodation although the cost of accommodation is increasing due to market forces and government policy. Lack of employment opportunity is an increasing concern along with the number of young people who are becoming young parents. Our employment rate is 40% at the current time.

Current cohort	134
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Eligible still in care	37
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Relevant (living independently)	16
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Former relevant 18-21 years	77
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Over 21	4
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Need	
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Very High	48
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High Need	37
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Medium Need	20
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Low Need	29
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4.5 Ethnicity

The total number of black and minority ethnic young people leaving care is 21 of whom 13 are unaccompanied asylum seekers.

4.6 Disabled Care Leavers

8 young people referred are disabled. This does not include those with emotional or behavioural difficulties but the Provider will be required to work with colleagues in Adults, Health and Social Care as part of the transition process.

4.7 Gender

Currently there are almost equal numbers of female to male care leavers

4.8 Young Parents

There are currently 14 young parents with another 4 young people expecting a child.

4.9 Education, Training and Employment

For the first time more young men are in education and training than young women. This is due to the high number of young parents. However there are still more young men in employment.

Number of referred service users:

Education & HE	Training	Work	Unemp.	FT Parent	Prison	Sick	NK	Total
32	9	12	47	11	1	2	0	114
28%	8%	11%	41%	10%	1%	2%	0%	100%

4.10 Accommodation

Number in suitable accommodation after 6 months	106
Numbers moved in last monitoring period	23
Number in supported accommodation	25
Number experiencing homelessness in last quarterly monitoring period	6

4.11 National Profile

Nationally care leavers are among the most disadvantaged groups in our community with the majority leaving school with few qualifications, moving quickly into unemployment, with over representation in the prison system, mental health services and homeless population.

Young people who leave care without adequate preparation and support are vulnerable, the average care leaving age being between 16-18, compared to other young adults who leave home at an average age of 23.

Research and practice show that care leavers have the best chance of success if those responsible for their support take the following principles into account as they work with young people for their transition to adulthood:

- Would this be good enough for my own child?

- Providing a second chance if things don't go as expected;
- Is this tailored to their individual needs, particularly if they are more vulnerable than other young people?

5. Consultation

5.1 A consultation exercise with care leavers has taken place as part of the new service. care leavers gave the following feedback as to what they would like most from a leaving care service.

- ❖ Consistent contact with a support worker who is well informed, forms a good relationship with young people.
- ❖ Young people are usually referred on to the service by a social worker or a care worker
- ❖ Young people value support with budgeting, finding somewhere appropriate to live and personal support to cover their needs
- ❖ Leaving care has helped with practical support, personal support and empowerment. Once again it was stressed how important it was to have a good support worker for as long as possible.
- ❖ Matching of young people to an appropriate type of accommodation in an area of their choice.
- ❖ **New suggestion** – that, for emergency reasons, it would be good to have emergency, stand by, contacts with a member of staff at weekends. This is the time when things go wrong

5.2 Further consultation is planned as part of the service development, along with pathway advisors, social workers and partner agencies have also been consulted.

6. Financial implications

6.1 The leaving care service is currently in the procurement process. The current service operate on a budget of £321,000

6.2 Support to care leavers, including financial support, is provided through an assessment of need and a Pathway Plan. The Leaving Care Policy outlines the level of support available for all care leavers according to their legal status and level of assessed need. The key areas of expenditure in supporting care leavers relate to accommodation costs, support through further and higher education, employment related expenses, and setting up home grants and living allowances. All expenses are reviewed and monitored through the pathway planning process for individual care leavers and through the budget monitoring process for care leavers support. The current amount for care leaver support is £356,350, which has a projection to break even.

7. Corporate implications

- 7.1 This policy outlines the roles and responsibilities of Calderdale Council for young people leaving care.
- 7.2 The intention of this Policy is to ensure that care leavers have the same opportunities and life chances that any good parent would wish for their own child.
- 7.3 Local authorities have a special duty to ensure the social inclusion and active engagement in society of care leavers. The appropriate support can encourage care leavers to go on to reach their potential, contribute socially and economically to their communities, and for those who so wish, to become successful parents in their own right.
- 7.4 These aspirations for our care leavers can only be achieved with the full cooperation of all Directorates in the Council, whose roles are defined in the Corporate Parenting Strategy and by full engagement with partner agencies and the third sector.

8. Conclusion

- 8.1 The transition into adulthood and independence can be an anxious and challenging time.
- 8.2 Flexible individual support, high aspirations and a commitment from social care staff are successfully helping young people leaving care make the transition into adulthood and independence.
- 8.3 Desired outcomes for care leavers are clearly set out in plans demonstrates commitment and high aspirations for care leavers by the Authority to help young people progress and become successful young adults.

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The documents used in the preparation of this report are:

1. OFSTED 'SUPPORT TO CARE LEAVERS'
2. Children Act Transition to Adulthood Children Act 1989 Guidance Vol
- 3.

The documents are available for inspection at:

POLICY AND GUIDANCE - CARE LEAVERS

POLICY STATEMENT

INTRODUCTION

All young people are likely to need support during the transition to adulthood. Young People leaving care are likely to be particularly vulnerable due to their previous life experiences. Calderdale Council does not see leaving care as a process driven by the age of the young person, rather that plans for each individual will be based on a systematic assessment of their emotional maturity and coping skills. This policy and procedure sets out the principles and the process by which we, along with other agencies, will support those young people who have been in Calderdale Council's care to move into independence as positively as possible. This policy therefore outlines the roles and responsibilities of Calderdale Council for young people leaving care.

The Council has a special duty to ensure the social inclusion and active engagement in society of care leavers. Appropriate support can encourage care leavers to go on to reach their potential, contribute socially and economically to their communities, and for those who so wish, to become successful parents in their own right.

These aspirations for our care leavers can only be achieved with the full cooperation of all Directorates in the Council, and by full engagement with partner agencies and the third sector.

An overriding principle is that young people should remain looked after until they are able and ready to leave, recognizing at the same time, a parents responsibility to enable and encourage them to leave. Legally, a young person is looked after until their 18th birthday but the statutory guidance encourages Local Authorities to provide accommodation for longer, up until the age of 21, or longer if they are in full time education.

Through sound assessment of need, multi agency support, and careful planning, transition from care to independence and outcomes for this group of young people in Calderdale can improve, and this will be measured by outcomes relating to Suitable accommodation, and involvement in activities including education, training or employment, and by the numbers of young people remaining in contact with the service. .

The intention of this Policy is to ensure that care leavers have the same opportunities and life chances that any good parent would wish for their own child.

Calderdale supports on average 130 young people a year from the ages of 16 through to age 24.

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Gender

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Nationally, care leavers are among the most disadvantaged groups in our community with the majority leaving school with few qualifications, moving quickly into unemployment, with over representation in the prison system, mental health services and homeless population

Young people who leave care without adequate preparation and support are vulnerable, the average care leaving age being between ages 16-18, compared to other young adults, who leave home at an average age of 23.

SCOPE OF THE POLICY

To ensure all care leavers who have been looked after by Calderdale have access to :

1. A range of suitable accommodation as set out in the Placement Strategy
2. Appropriate financial support for higher education and training
3. Mainstream health services including mental health and substance misuse services, so that care leavers can take responsibility for their own healthy living.
4. Financial support and benefits advice.
5. Training and employment opportunities through subscribing to the standards required in the Care2 work scheme
6. Constructive leisure pursuits, with access to community networks.
7. Complaints and advocacy service.
8. Access to their care records

LEGISLATIVE CONTEXT

1. Children (Leaving Care) Act 2000

The main aims of the Leaving care act are to:

- Delay young people's discharge from care until they are prepared and ready to leave
- Provide a framework for assessment, preparation and planning, and review for care leavers
- Provide better personal support for care leavers
- Ensure appropriate financial arrangements for care leavers.

2. Children Act 1989

The revised Children Act framework for Working with Looked After Children came into force April 2011.

This is a suite of new regulations and guidance which concludes the work to implement the Children Act 2008(amendments to the Children Act 1989)Key to this Policy are:

- Planning transitions to adulthood for care leavers (Children Act 1989 Guidance Volume 3)
- Sufficiency Guidance – outlining the duty of the Local Authority to provide sufficient accommodation to meet the needs of their looked after children
- Local Authority responsibilities towards former looked after children in custody (Children Act 1989 Guidance and Regulations)

The new framework has 6 key themes

1. The looked after child at the centre(care planning)
2. Care leavers
3. Placements
4. Health and education
5. Vulnerable children (also known as children on the edge of care)
6. The voice of the child.

The new Guidance in respect of care leavers, seeks to improve the quality and consistency of support offered.

Local Authorities are required to support care leavers by offering them

- Consistent personal support from a suitably qualified personal advisor
- A range of suitable accommodation options
- Career planning advice and guidance, so that young people have reliable support to follow their chosen education or training pathway into employment
- Financial support in line with local authority policies that set out clearly, priorities that are recognised as fair, by care leavers.

Definition of care leavers

A care leaver is a young person who has ceased to be looked after, but who is entitled to support as a care leaver. This includes young people who choose to leave care from the age of 16 years and those who leave care on reaching their 18th birthday. The Local Authorities responsibility extends until the age of 21, or 25 where the local authority is supporting them through education or training

REGULATION 3 of the Guidance outlines in detail services to be provide.

Children's services must provide the following

<p>Eligible child</p> <p>A child aged 16 and 17 who has been looked after for at least 13 weeks since the age of 14 and who is still looked after</p> <ul style="list-style-type: none"> <input type="checkbox"/> Pay accommodation, personal and education related expenses <input type="checkbox"/> Carry out a needs assessment <input type="checkbox"/> Prepare a Pathway Plan <input type="checkbox"/> Regularly review the pathway plan <input type="checkbox"/> Appoint a Personal Advisor 	<p>Relevant child</p> <p>A child aged 16 and 17 who have been looked after for at least 13 weeks since the age of 14 and who has left care.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Carry out a needs assessment <input type="checkbox"/> Prepare a Pathway Plan <input type="checkbox"/> Regularly review the pathway plan <input type="checkbox"/> Provide a Personal Advisor <input type="checkbox"/> Arrange suitable accommodation and pay for furnishings <input type="checkbox"/> Provide an allowance, which must not be less than if on benefits. Relevant children cannot claim benefits unless they are disabled or a lone parent. <input type="checkbox"/> Pay for any additional costs set out in the pathway plan <input type="checkbox"/> Keep in touch with the young person
<p>Former relevant child</p> <p>18-21 year old (or until the end of agreed programme of education or training) who were previously 'eligible' or 'relevant'</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review the Pathway Plan <input type="checkbox"/> Provide a Personal Advisor <input type="checkbox"/> Pay for the things set out in the Pathway Plan <input type="checkbox"/> Paying towards the costs of education and having a place to stay (but you are 	<p>Qualifying child</p> <p>Any young person under 21 (or 24 if in education or training) who ceases to be looked after or accommodated in a variety of other settings, or privately fostered, after the age of 16. This also include young people who were in care prior to becoming subject to Special Guardianship</p> <ul style="list-style-type: none"> <input type="checkbox"/> Give advice and support <input type="checkbox"/> Keep in touch with the young person

<p>expected to get a student loan if you are at university)</p> <p><input type="checkbox"/> Keep in touch with the young person</p>	<p><input type="checkbox"/> May also help with paying expenses related to their education.</p>
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NEEDS ASSESSMENT LEADING TO PATHWAY PLANNING

The Local Authority has a duty to assess and meet the needs of all eligible care leavers aged 16 years & 17 years.

Preparation for leaving care should be regarded as an integral part of the care planning process.

There are three broad aspects to preparation

- Enable young people to establish and maintain relationships with others
- Enable young people to develop their self esteem
- Teach practical and financial skills.

In assessing their needs, due weight should be given to contact and support available from family and friends

All care leavers should have a recent core assessment, which takes into account their wishes and feelings. This assessment will be carried out by the allocated social worker in conjunction with the young person, their family and those supporting and caring for the young person while looked after

This will lead to the production of a Pathway Plan which will outline how the identified needs will be met in relation to education, training and employment, financial support, accommodation, health and life skills.

PATHWAY PLANNING

All young people in care aged 15 are entitled to a Pathway Plan

Good Pathway planning is critical and local authorities are required to work with every young person to prepare a pathway plan as they approach the age of 16.

As with Care Plans, the Pathway Plan is not static, but subject to ongoing review and assessment in accordance with changing needs. The plan should be based upon the dimensions of a Core Assessment. It should build upon and include all the elements of a care plan, mapping out needs, aims and

ambitions as the young person approaches adulthood.

Pathway Plans have a particular focus on education, training and employment as well as suitable accommodation.

It should take into account the young person's wishes in respect of where they want to live

The mapping should respond to the changing needs of the young person.

The Pathway Plan should be part of the Care Plan and post 16 becomes the key document for review. As much thought and planning should be given to young people leaving care, as for those entering care. Any young person leaving care under the age of 18, without preparation or planning (because they have decided to make their own choice and leave care) and who may be at risk should be presented to Gateway Panel, so that additional support needs, including the need to return into care as a contingency - can be considered.

Where a young person approaching the age of 15 is placed out of authority, forward thinking and planning is required. It is inadvisable to move a young person once they have started year 10/11 and therefore a return to Calderdale should always be considered by the end of year 9. (See Volume 2 Care Planning Guidance). Once a young person is aged 15 and has entered year 10, most of their contacts and friendships will be in the area where they live and if this is out of the Local Authority, appropriate support is both more costly and difficult to achieve successfully.

Care Leavers who have reached the age of 21-24 and have returned, or tell you that they wish to return, to education or training, will have the support of a personal advisor while they are on that course. (If the course is agreed in the Pathway Plan)

THE CONTENTS OF A PATHWAY PLAN ARE OUTLINED AS APPENDIX 1.

REVIEW OF PATHWAY PLANS

A child care review will always take place before a young person leaves care, as the Pathway plan is part of the Care Plan.

Pathway Plans may be reviewed in circumstances where the Personal Advisor considers it necessary or where the care leaver requests it.

There are particular circumstances which might trigger an early review such as entry into custody, abuse, parenthood, or homelessness for example.

There can also be a review whenever the care leaver requests one.

Where a young person moves into unregulated accommodation, and is under the age of 18, a review must take place within 28 days to ensure that the Pathway plan is responding to all dimensions of the young person needs. This review will normally be undertaken by the Independent reviewing officer.

Where the move is planned, the final child care review will decide whether the

first review needs to be in 3 months or 6 months. This follow up review will be undertaken by the Pathway service. Pathway plans must then be reviewed every 6 months

PRESCRIBED REVIEWING ARRANGEMENTS

No move from a regulated to an unregulated placement, or in circumstances which give concern, such as the young person deciding to move without support, family problems, health issues, or custody for example, should take place without a statutory review, chaired by an Independent Reviewing Officer.

Unregulated placements are those placements not regulated by the Care Standards Act (Fostering and Residential Home Regulations) or Supporting People Regulations, and may include independent living or independent housing projects. (Advice may be sought from the Care Quality Commission in these cases)

If a care leaver moves into new accommodation, a review must take place after 28 days and then every three to six months after that up to age 21 or up to age 25 if the young person is in fulltime education.

PATHWAY ADVISORS

By the age of 16 the Local Authority will need to determine which professional will be appointed as the Pathway Advisor.

The role of Pathway Advisor may be taken on by the social worker or delegated to the carer, for example, if the young person wishes this, but care must be taken to avoid a conflict of interest

Once a young person ceases to be looked after and becomes a relevant child, or once they reach the age of adulthood (18), then the Local Authority will no longer need to provide them with a social worker to coordinate their plan and care.

The Local authority must however appoint a Pathway Advisor. It will be good practice to maintain the same Pathway Advisor post 18, who was allocated when the young person was still looked after. However if the social worker acted as the Pathway Advisor, or the young person moves out of a looked after placement, this continuity may not be possible.

The Pathway Advisor post 18 will undertake the assessment and the writing of the Pathway Plan and will be responsible - with others, for the implementation of the plan.

Pathway Advisors must be suitably qualified and experienced as outlined in the Statutory Guidance .(Transition to Adulthood for care leavers)

It is expected that Pathway Advisors will hold a suitable professional qualification or will be working toward one.

The focus of plans beyond age 18 will be on education and training, and accommodation. Once education has ceased it will not be a requirement to remain involved after the age of 21, but may continue up to age 25.

DUTY TO PROVIDE A PATHWAY ADVISOR AND PATHWAY PLAN

Duties extend to those young people who are unaccompanied asylum seekers and disabled care leavers, and young people in custody

RECORD KEEPING

The responsible authority is required to keep a written record of information obtained during any meetings in connection with the core assessment, the identity of persons whose views were sought for the purposes of the assessment and the outcome of the assessment.

The Pathway Plan must be recorded in writing, and there must be a written record of the young person's views.

Each young person should have a copy of their plan, which holds explicit information about their needs and how they will be met.

If information is shared with other agencies the Authority will need to be compliant with the Data Protection Act.

If the young person has complex needs and a number of agencies are involved – there should be an agreement as to how the information will be shared at multi agency meetings.

In Calderdale, the responsibility for maintaining records of care leavers will be delegated to the service provider.

PRESCRIBED VISITING ARRANGEMENTS

When a care leaver moves into new accommodation the Pathway Advisor must visit within 7 days and then at least every 2 months, including visits to assess suitability of the accommodation, and also whenever the pathway plan is going to be reviewed. A record of all such visits will be retained as part of the young person's electronic care record.

SUPPORT AVAILABLE TO CARE LEAVERS

The following support will be considered for all moves to independence

- Planned moves towards independence, using clear and flexible accommodation and support pathways, for every care leaver;
- Maintained or developed support within the family where safe and appropriate;
- Ongoing support to ensure young people are able to maintain their accommodation, and early intervention if things start to go wrong;
- A personalised support package, based on a full assessment of needs and involving all appropriate agencies, to help young people achieve their aspirations and make a positive transition to adulthood;
- Access to safe, secure and appropriate emergency accommodation if, exceptionally, accommodation arrangements do break down, followed by quick re-entry into more settled housing and support services.

The top ten most concerning factors about leaving care, reported by young people to the Children's Rights Director for the 2006 report²², all relate to accommodation and young peoples' ability to cope with independent living:

1. Being on your own.
2. Not being able to cope.
3. Not being able to get help when you most need it.
4. Not having enough money to live on.
5. Cleaning up after yourself.
6. Leaving care before you're ready.
7. Having nowhere to go/come back to.
8. Being put in a 'dodgy' place.
9. Having nowhere to live.
10. Not being settled anywhere and having to keep moving around.

SUITABLE ACCOMODATION

PRESCRIBED FACTORS TO ENSURE THAT ACCOMODATION IS SUITABLE.

The Local authority must take into account the young person wishes and feelings about accommodation.

There is a need to assess the young person's readiness for new accommodation as well as its suitability.

Accommodation meets the needs as far as practicable, in respect of health and educational needs.

The landlord is a suitable and responsible provider
Health and safety requirements have been met and are complied with

Bed and breakfast is not considered suitable.

Types of accommodation that are suitable include:

Supported lodgings

Foyers or other supported housing

Trainer flats

Specialist accommodation e.g. self contained but with support

Independent accommodation in the social or private sector with or without floating support

The exact requirements for suitable accommodation are set out in Schedule 2 of the Care Leavers Regulations and these are the same requirements as those set out in the Care Planning Regulations (Volume 2). The guidance recognises that every factor may not be met but that there may be a balance for example between suitability of location and affordability

Any episodes of homelessness, which includes 'sofa surfing' will be carefully monitored by the Pathway Advisor.

EDUCATION, TRAINING AND EMPLOYMENT

The 2008 Act amended section 23C of the 1989 Act to introduce a requirement for local authorities to pay a Higher Education Bursary to former relevant children who pursue a higher education course in accordance with their pathway plan. The new duty is in addition to their duty to provide assistance for education and training

The regulations set the amount of the one-off higher education bursary at £2,000, and prescribe the meaning of higher education for the purpose of determining eligibility for the bursary and set out the broad framework for arrangements in relation to the timing of payments and the circumstances in which payments may be withheld or recovered by a local authority. In Calderdale the bursary will be paid on evidence of completion of the higher education, directly into the young person's bank account.

Apprenticeships

Calderdale will work with partners to address the employment, education and training needs of care leavers in the area. Pathway plans should outline how the local authority will work with care leavers to improve the employability of their care leavers. They will ensure that care leavers are aware of, and get

access to work experience, apprenticeship and other training and employment opportunities.

Care leavers requiring additional specialist support

CARE LEAVERS AND CUSTODY

The Visits to Former Looked after Children in Detention (England) 2010 Regulations outline the Local Authorities duty to visit children who are no longer looked after as a result of being remanded or sentenced to custody.

In the past, these young people may not have not been eligible for leaving care support. There is now a requirement for the Local Authority to appoint a representative to visit the young person in custody in order to assess needs, which could include arranging for accommodation upon release and planning for them to be looked after again. (Children Act Guidance 1989 – Local responsibilities towards former looked after children in custody)

DISABLED CARE LEAVERS

The Local Authority responsibility for disabled care leavers is the same as for any other care leaver. Disabled care leavers face many of the same challenges and experiences as other care leavers , but the transition for disabled care leavers is particularly challenging.

As well as complex social and health care needs, there may be differing thresholds for access to adult services.

The Pathway Plan will need to ensure that transition is seamless and supported.

Person Centered Planning ensures that the disabled young person make their transition focusing on what is important to them for the future. The person centered planning approach should be extended to those young people with emotional or behavioral difficulties, with a shared commitment that the young person's views will be listened to, and ways are found to remove organizational barriers that might limit personal development and choices. Personal advisors will require the ability to communicate with a range of differing needs and abilities.

YOUNG PEOPLE FROM ABROAD AND SEPARATED FROM THEIR FAMILIES

These young people have to contend with immigration status as well as leaving care status. Pathway plans will cover needs arising from these specific issues as well as those addressed in all young people's plans. Plans may need to include short term achievable goals whilst entitlement to remain in the

UK is agreed.

Possible outcomes of a claim include

- Granted refugee status
- Refused asylum but granted Humanitarian Protection
- (leave to remain for 5 years)
- Refused asylum but granted discretionary leave (normally three years)
- Refused asylum with no grant of leave in which case the young person will return to their country of origin.

Financial support offered will reflect the needs as for any other eligible care leaver.

IDENTIFICATION DOCUMENTS

In order to avoid social exclusion, Calderdale will support and assist young people to obtain birth certificates, passports, driving licenses and other identification documents that will be required as they make the transition to adulthood. Some or all of these documents are critical for registering for housing, employment, training and education, opening bank accounts and proving identity.

ACCESSTO ADVOCACY

All looked after children must be made aware of their entitlement to independent advocacy support (section 26AA 1989 Act) and how they can access it. This service is not just for when young person wished to complain but where they need to make representations about quality of care or support provided by the responsible authority.

KEEPING IN TOUCH

The responsible Local Authority must continue to keep in touch with the young person as specified in the Pathway plan. The responsible authority retains financial responsibility for the care leaver even if the care leaver moves away.

Privacy must be respected but the best way to maintain contact is by establishing a positive and meaningful relationship, which is the responsibility of the Pathway Advisor. That person will also be responsible for maintaining a record of contact using the best means possible.

LIVING OUT OF AUTHORITY

The responsible leaving care authority has a duty to ensure that there is continuing care and support. The Health Authority will commission secondary health services and the Local Authority where the care order was made retains the financial responsibility for a care leaver. Support and day to day

support and guidance can be provided by the authority in which the care leaver lives in accordance with the national protocol.

National Protocol Appendix 2

INFORMATION FOR YOUNG PEOPLE

Young people should be provided with the following information

- Copy of their Care Plan/Pathway Plan.
- Life story work
- What records are kept and how
- Financial entitlements and conditions.
- Payment process
- Complaints process
- Services available
- Information on what will happen upon release from prison
- Information on personalisation process for disabled care leavers.

PARTICIPATION

Care Leavers will have the opportunity to be part of a care leavers forum or focus group and will be able to contribute to service development and the Children in Care Council, or Corporate Parent Panel

STRATEGIC PLANNING AND PARTNERSHIP AGREEMENTS

Priority will be given to

- Transition to adult services
- Health including emotional wellbeing,
- Education, training and employment
- Accommodation choice
- DWP , Job Centers and benefits centers

FINANCIAL SUPPORT

Financial policy to support transition to adulthood

This financial policy sets out how the local authority will support young people to enhance their life chances and make a successful transition to adulthood and demonstrates the priorities of the local authority for the young people for whom it acts as a corporate parent. Details for financial support may vary according to the age and legal status of the care leaver. These

details are outlined in the Financial Procedures for Care Leavers. These procedures will be reviewed on an annual basis and linked to the Benefits available for all young people. The Policy is based upon the following principles :

Incentives, contributions and sanctions

A relevant child has an absolute right that accommodation and maintenance is provided by his or her responsible authority so long as his or her welfare requires it.

The majority of support will be based on entitlements set out in the authority's leaving care financial pathway plan and is part of the care planning process, based upon and assessment of need.. Any rewards and incentives linked, for example, to attendance in education, training or other activities aimed at improving young people's employability will be set out in the Pathway Plan.

Where rewards and incentives are not operating as anticipated, the PA will work with the young person to identify changes and review the pathway plan accordingly.

Access to and the provision of financial support

All allowances should be based on an assessment of need and be set out in the young person's pathway plan. The plan must also highlight any attached conditions, how payments will be made, the frequency of payments and when they will be reviewed

In order to support young people to make a successful financial transition to adulthood they should be assisted to open bank accounts and, where possible, all allowances should be paid through their account. In certain circumstances young people may require additional assistance with managing allowances and may need their allowances to be paid in the form of a cash payment. In extreme situations PAs may need to shop with individual young people and/or provide allowances in kind. In these situations the young person's pathway plan should set out how long these arrangements may need to remain in place and what goals and milestones need to be achieved for the management of the allowance to be transferred to the young person.

It is expected that care leavers will be responsible for maintaining themselves as far as possible through employment and through claiming training and education incentives. They will be supported to manage their money through budget and money management training alongside pre tenancy training. Financial support will therefore be part of the support package outlined within the plan and subject to regular review and monitoring. Where ongoing services are required the Pathway advisor will support the care leaver in accessing universal or specialist services that may be available within the authority.

It will be necessary to prioritise expenditure according to need. All financial support will therefore be outlined in the Pathway plan, and will include consideration of

- ☐ Education, training and employment costs, such as extra tuition, travel costs, interview and work related expenses and general costs associated with improving young people's employability, as well as education materials and equipment;
- ☐ Further and higher education support (including HE bursary);
- ☐ Clothing for work or interviews
- ☐ Costs relating to improving self esteem and resilience including access to counselling, social activities, hobbies and cultural activities/outings;
- ☐ Costs associated with special needs (such as disabilities and the transition to adult services, pregnancy and parenthood);
- ☐ Costs associated with cultural or religious needs;
- ☐ Child care costs (other than those provided by universal services);
- ☐ Costs associated with obtaining important documents associated with identity (passports, birth certificates, driving licenses);
- ☐ Deposits and rent in advance for young people moving into properties in the private rented sector;
- ☐ Living allowances and setting up home allowances (including the possibility of assistance with utility bills during the young person's first winter of independent living.
- ☐ Costs associated with corporate parenting including: birthday and Christmas/festival allowances;

Specific assessment of need with agreement for financial support on a case by case basis will apply to the following groups of young people:

Lone parents, young people who are detained in hospital and custody, disabled young people and unaccompanied young people separated from their families abroad.

Young people who are in receipt of means tested benefits at the age of 16 and 17 accruing from their additional need

Young People living at home

Young people, who have been placed at home on a care order, and the Order is discharged after age 16 or the young person becomes 18.

Young people who were accommodated under Section 20 of the Children Act 1989 (Voluntary care) and who return home in a planned manner after the

age of 16 , and those who return home in an unplanned manner, after the age of 16

Transitions to education, training, employment and benefits income in respect living allowances

Where young people live outside of their responsible authority

Arrangements will need to be put in place to help young people manage their allowances and develop financial capability skills. If young people are capable of managing their own funds these may all be channelled through the young person's bank account. If the young person is experiencing difficulties managing their allowances there may need to be negotiations with the leaving care service in the authority where they are living currently so that any financial support might be channelled through this authority

Emergency assistance

It is expected that care leavers will be supported to manage their finances well and that emergency payments are the exception rather than the rule.

Arrangements should be made to assist young people to access emergency payments within their responsible authority area, should they require them. This may involve the provision of small cash payments from the leaving care service, or may involve previous carers or residential units holding a small allowance to be used in an emergency. The system of previous carers holding allowances may help to address the difficulties associated with accessing support outside of core working hours.

In addition, out of hours services may need to provide occasional emergency payments. Where emergency payments become relied upon, the pathway plan may need to be reviewed to set out the support necessary to help develop a young person's financial capability skills.

Review

Financial support for individual care leavers will be reviewed as part of their Pathway Plan review. The overall financial Policy will be reviewed every year and be open to independent audit and scrutiny, including by the Corporate Parent Panel and Children in Care Council (Voice 4U)

Criminal Injuries Compensation

Young people who receive a Criminal Injuries Compensation Authority (CICA) payment will be assisted to seek independent financial advice regarding the use of their award and how, for example, by establishing a Discretionary Trust Fund, they may retain entitlement to means tested benefits.

END

June 2011

Figure 1 – Needs assessment and content of pathway plans for relevant and former relevant children

Dimensions of Need		Plan to include
1.	Health and development	<input type="checkbox"/> Use of primary healthcare services. <input type="checkbox"/> Arrangements for the young person's medical and dental care according to their needs making reference to the health plan established within the care plan in place when the young person was looked after. <input type="checkbox"/> Access to specialist health and therapeutic services. <input type="checkbox"/> Arrangements so that young person understands the actions they can take to maintain a healthy lifestyle. <input type="checkbox"/> Opportunities to enjoy and achieve and take part in positive leisure activities.
2.	Education, training and employment	<input type="checkbox"/> Statement of the young person's aspirations and career ambitions and actions and support to achieve this. <input type="checkbox"/> Access to careers advice. <input type="checkbox"/> Education objectives and support – continue to use the young person's Personal Education Plan. <input type="checkbox"/> Arrangements to support the young person in further education and/or higher education. <input type="checkbox"/> Support to enable suitably qualified young people to enter apprenticeships, make applications to university or gain necessary qualifications. <input type="checkbox"/> Arrangements for work experience, career mentoring or pathways into employment etc.
3.	Emotional and behavioural development	<input type="checkbox"/> How the authority will assist the young person to develop self esteem and maintain positive attachments. <input type="checkbox"/> Does the young person display self esteem, resilience and confidence? <input type="checkbox"/> Assessment of their capacity to empathise with others, reason and take appropriate responsibility for their own actions. <input type="checkbox"/> Capacity to make attachments and appropriate relationships; show appropriate emotion; adapt to change; manage stress; and show self control and appropriate self awareness.
4.	Identity	<input type="checkbox"/> How the authority intends to meet any of the young person's needs arising from their ethnicity, religious persuasion, sexual orientation. <input type="checkbox"/> How does the young person understand their identity stemming from being a child in care and a care leaver? <input type="checkbox"/> How the authority will assist the young person to obtain key documents linked to confirming their age and identity.

5.	Family and social relationships	<input type="checkbox"/> Assessment of the young person's relationship with their parents and wider family. <input type="checkbox"/> Contact with family – carried across from care plan. <input type="checkbox"/> Young person's relationship with peers, friendship network and significant adults. Strategy to improve any negative features of these relationships. <input type="checkbox"/> How all these relationships will contribute to the young person making a successful transition to adulthood and how they will assist with integration into the community that they identify with.
6.	Practical and other skills necessary for independent living	<input type="checkbox"/> The young person is adequately prepared with the full range of practical skills they will need to manage the next planned move towards greater independence. <input type="checkbox"/> The young person is prepared for taking greater responsibility as they are expected to manage more independently.
7.	Financial arrangements	<input type="checkbox"/> Assessment of care leaver's financial needs and their financial capability. Does the young person have a bank account, national insurance number, and appreciate the value of regular saving etc. Do they have access to financial support and adequate income to meet necessary expenses? <input type="checkbox"/> Pathway plan must include a statement of how the authority proposes to maintain a relevant child, the arrangements in place for the young person to receive financial support and contingency plans. <input type="checkbox"/> Statement of financial assistance to be provided to a former relevant child. Refer to Chapter 8.
8.	(Suitability of) Accommodation	<p>An assessment of the quality of accommodation where the young person is living / any accommodation under consideration for them to live in.</p> <input type="checkbox"/> How far is this suitable to the full range of the young person's needs? <input type="checkbox"/> What steps might need to be taken to improve it? [Schedule 2 of the <i>Care Leavers Regulations</i>]

NATIONAL PROTOCOL

INTER-AUTHORITY ARRANGEMENTS FOR CARELEAVERS

2nd edition: revised July 2006

1. Status of this Protocol:

This protocol has been agreed by the Department for Education and Skills (DfES) Leaving Care Project Group and the Association of Directors of Social Services (ADSS) as a model for managing joint working arrangements between local authorities where a care leaver who is the responsibility of one authority is residing in another authority.

Those local authorities which have established protocols may obviously retain those protocols at their own discretion and subject to their acceptance by partner authorities. This document is designed to support authorities where one or other of the respective agencies does not have such an agreement. DfES and ADSS consider that this protocol represents a minimum standard of joint working required of authorities to implement the Children (Leaving Care) Act.

This national protocol was first issued in June 2004. This second edition version of the protocol was revised and reissued in July 2006.

2. Statement of values:

Local authorities working to this protocol recognise that care leavers deserve the same standards of care that reasonable parents would provide for their own children. This means that they agree to:

- make sure that young people know what our responsibilities towards them are;
- make sure that young people know what their entitlements are;
- have the highest expectations of them;
- strive to ensure that they are not discriminated against; and
- offer as much support as reasonably possible throughout the transition to adulthood and independence.

In short, the values which underpin this protocol reflect those which underpin the Children Act 1989 and the Children (Leaving Care) Act 2000.

3. Aim of this protocol:

3.1 The Children (Leaving Care) Act firmly established the principle that a local authority should retain responsibility for its own care leavers (see definition of responsible authority below). This protocol is predicated on that principle and affirms that wherever reasonably possible the

Responsible Authority should continue to ensure the direct provision of services to those care leavers for whom the authority holds responsibility.

- 3.2 This protocol is intended to offer guidance to local authorities to ensure minimum standards of leaving care services for care leavers who have moved between authorities. It also describes a process that the authorities should follow in circumstances where it is not practicable for the responsible authority to provide a full care leaving service to young people who are resident outside their area. These circumstances might include significant distance or, exceptionally, a breakdown in the relationship between a young person and their responsible authority. The aim of this protocol is to enable local authorities to agree consistent arrangements and appropriate support for care leavers.
- 3.2 Wherever reasonably possible local authorities should seek to provide one another with the maximum assistance necessary to ensure that care leavers' needs are met in accordance with the legislation.

4. Definitions

- 4.1 This protocol relates to all young people who qualify for a service as defined by the Children (Leaving Care) Act 2000 (as it amends the Children Act 1989). This therefore includes all young people who are "relevant" (Section 23A), "formerly relevant" (Section 23C), and "qualifying young people who have been looked after by local authorities" (Section 24). This protocol will simply refer to all such young people as "care leavers".
- 4.2 The Children (Leaving Care) Act firmly established the principle that local authorities should retain responsibility for their own care leavers irrespective of where those care leavers may live. The "responsible authority" (Section 23A) is the one which last looked after the young person before they became a care leaver. This protocol seeks to support authorities to work in partnership and find pragmatic solutions to address the needs of care leavers who do not live within the boundaries of their responsible authority. But the protocol in no way dilutes the core duties that the responsible authority retains with regard to its care leavers.
- 4.3 Within this protocol the "host authority" or the "receiving authority" refers to the local authority within whose boundaries the care leaver is living where that is different from the responsible authority.

5. Named Lead Officer in each authority

- 5.1 Each authority will provide a named Lead Officer. This should be the service manager with accountability for the authority's leaving care services, who.

- can be contacted in the event of difficulty and who will try to resolve any concerns reported about the service offered to young people;
- will contribute to monitoring of the protocol.

5.2 The Lead Officer will ensure that wherever a care leaver from that responsible authority intends to move or has moved to a different local authority then the Lead Officer of the receiving authority is notified with as much notice and information as is reasonably possible.

5.3 The Lead Officer will also ensure that systems are in place to receive such notifications from other responsible authorities in order to enable negotiations between authorities about how best the needs of the care leaver can be addressed. Those systems will include the capacity to respond quickly where the move of the care leaver has been unplanned.

5.4 The Lead Officer will also ensure that monitoring arrangements are in place to monitor the implementation of this protocol. Lead officers might usually share monitoring information about services for care leavers living outside of the responsible authority area with senior officers in their own authority, with regional leaving care networks and with other professional forums.

5.5 Local authorities should provide the National Leaving Care Advisory Service (NLCAS) with details of their lead officer so that the data base of lead officer details is as up to date as possible. Local authorities must inform NLCAS whenever they change their lead officer. (See 10.3) The database can be accessed via www.leavingcare.org. This site will be operational in Autumn 2006. In the meantime the last updated database can be accessed via www.nlcas.org or www.nwacf.com

6. Principles of negotiation

6.1 Every local authority should be mindful that the Children (Leaving Care) Act established the principle of the “responsible authority” in order to ensure continuity of care and responsibility, consistent with the aims of the legislation to ensure good parenting. A good parent does not discharge their responsibility when their child leaves the area. By the same token, every local authority ought to aspire to provide a needs-led, comprehensive, and equitable service to all young people in their area, regardless of whether it is the ‘responsible authority’ for the young person.

6.2 Wherever possible a responsible authority should strive to provide services directly to its care leavers. Where it is not possible for the responsible authority to provide a service directly then the responsible authority may seek to negotiate support for a young person with the receiving authority who will make every effort to comply with requests. This protocol recognises that the receiving authority should try to meet

these needs as far as possible within the limit of their resources but will retain the right to decide what they can, or cannot, offer. Receiving authorities may also retain the right to charge responsible authorities for their services but it is expected that such charging would not apply to the provision of basic advice and support nor should it ordinarily include the costs of indirect services (e.g. on-costs for administration). (See also 8.9)

- 6.3 Where there is a delay in the provision of service arising from differing interpretations of policy between authorities, the named officers in the responsible and receiving authorities will negotiate directly in order to achieve a speedy resolution. In exceptional cases where such a resolution cannot be achieved then they should refer the case to their respective senior managers for resolution within 28 days. The minimum standard of service should be maintained to the young person concerned whilst a resolution is being reached. It falls upon the responsible authority to ensure that minimum standard is maintained but the receiving authority must do all it reasonably can to support the responsible authority pending resolution.

7. Financial responsibility

The responsible authority retains financial responsibility for:

- direct financial support to the young person;
- the cost of any negotiated services provided by agreement by the receiving authority (see paragraphs 6.2 and 8.9).

8. Good practice guidelines

- 8.1 Wherever practicable, the responsible authority will continue to deliver services directly to the young person. At the same time and in the spirit of the legislation, the receiving authority will do its utmost to support the responsible authority and ensure the provision of at least a minimum standard of service to the care leaver.
- 8.2 Young people will be involved in the planning and negotiations to transfer their support under this protocol, and will be kept informed at all times.
- 8.3 Each young person will remain on an active caseload with the 'responsible authority' as long as they are receiving services from either or both authorities.
- 8.4 The 'responsible authority' will continue to have responsibility for gathering management information, and will need the co-operation of the receiving authority. This will be part of the negotiation between the two authorities.
- 8.5 Authorities should offer each other maximum co-operation so that they are able to work effectively together to provide good quality services to young people.

8.6 Where the 'responsible authority' provides the service to a young person living in another local authority, they may seek:

- information or advice from the receiving authority about resources within that area;
- to negotiate additional support from the receiving authority.

8.7 The receiving authority will, if requested, provide services to all young people on an equitable basis that will be comparable to services that they provide for their own care leavers

8.8 If possible, services should be provided at nil cost to the responsible authority, but in some circumstances the protocol recognises that it may be necessary for the receiving authority to negotiate charges to responsible authority for its assistance. These circumstances may include:

- where the numbers of incoming care leavers in a receiving area are consistently substantial relative to the authority's own looked after and care leaver population;
- where staff shortages in the receiving area mean that the receiving authority would have to recruit additional staff to fulfil a commitment under this protocol;

or

- where care leavers have exceptional needs (e.g. extremely challenging behaviour).

8.9 Where it is appropriate for a receiving authority to charge a responsible authority for services provided to a care leaver on their behalf, proposed charges should reflect no more than the direct costs of providing the agreed services. If, through staffing or other pressures, it is unable to provide support to a care leaver from another authority, the receiving authority should cooperate with the responsible authority by providing advice and information about local services which may assist the young person and the responsible authority.

8.10 Each authority retains the right to make decisions about which services they can, and cannot provide for young people from other authorities.

8.11 Where a young person is to move to another authority, the responsible authority will make every effort to ensure the move is planned and that any support arrangements are negotiated in advance. The Pathway Plan will be the central document in this negotiation.

8.12 Where a young person moves at short notice, or is found to be living in another authority, the authorities concerned will act promptly to assess and meet their needs. The receiving authority will provide emergency financial assistance and the responsible authority must recognise its responsibility for refunding this.

- 8.13 Though there will be exceptions, as a general rule it is not likely to be in the best interest of a young person to move between areas in an unplanned fashion, not least as this is likely to be contrary to the Pathway Plan which the young person has helped develop. There is a collective role shared by the agencies to impress upon the young person the need to work in partnership in the delivery of the Pathway Plan and to understand that unplanned moves are bound to prejudice the quality of service they can expect to receive.
- 8.14 Where a young person in a receiving authority has a complaint about the service that is being provided, the matter will be referred to the responsible authority for resolution in accordance with its own complaints policy and procedure. Where that complaint relates to the delivery of service provided by the receiving authority there should be effective dialogue between the authorities about the handling of the complaint.

9. Procedures

9.1 Planned moves where the 'responsible authority' is seeking input from the receiving authority.

The Aftercare Service/case-manager in the 'responsible authority' will contact the local manager in the receiving authority and will:

- Provide them with a Pathway Plan and any other information that is required;
- Negotiate any support or services that are needed.

The receiving authority will then provide a response to this request within 28 working days. In the meantime the young person's support will continue to be provided by their responsible authority

Detailed arrangements as to the services to be provided to the young person will be subject to a review of their Pathway Plan, which will be convened by the responsible authority in the receiving area.

- 9.2 It will not usually be necessary for responsible authorities to seek the assistance of receiving authorities (a) where young people plan to move to university; or (b) where they join the armed forces.
- (a) Where young people move to university – their support arrangements should be agreed in advance and recorded in their pathway plan. With the young person's consent the responsible authority should, wherever possible, organise the personal support necessary for them, whilst they are living in the area of the university in consultation with the university's Student Support Service.

- (b) The Soldiers, Sailors, Airmen and Families Association (SSAFA)
<http://www.ssafa.org.uk/socialWorkService.html>
directorofsocialwork@ssafa.org.uk

will provide responsible authorities with advice and support to assist them to meet their duties towards care leavers who join the armed forces.

However, if asked by responsible authorities for urgent advice or information at short notice concerning young people in their area at university or in the forces then receiving authorities should endeavour to co-operate with responsible authorities in offering any necessary assistance.

9.3 Unplanned moves to another authority

When a young person moves to another authority at short notice, or is found to be living there, the receiving authority will take the following steps upon receiving a referral from another agency or upon the young person presenting him or herself:

- Interview the young person to assess any immediate need
- Contact the 'responsible authority' urgently to inform and discuss the young person's immediate needs
- Meet any emergency needs for advice or support in the meantime while discussions take place

The responsible authority will:

- Provide the receiving authority with as much information as possible immediately, including a faxed or e-mailed copy of the most recent Pathway Plan;
- Agree a process to refund any immediate reasonable costs incurred by the receiving authority (see paragraph 6.2);
- In the event that the young person intends to remain within the receiving authority, agree to a meeting to review the Pathway Plan within 28 days.

10 **Monitoring arrangements**

- 10.1 Lead Officers will maintain accurate records which detail the young people for whom their authority is responsible but who are resident elsewhere as well as of those young people for whom their authority is acting as a receiving authority. As a minimum those records will include details of age, race, gender and disability as well as the location of the care leaver, the nature of the move (planned or unplanned) and the duration of the residence. Authorities should also record cases of dispute.

10.2 Future monitoring of the effectiveness of this protocol will be co-ordinated by the National Leaving Care Advisory Service (NLCAS) and NLCAS will arrange for this protocol to be further reviewed in due course¹,

10.3 However, NLCAS is not responsible for mediating should disputes arise about services for individual care leavers. These must be resolved by the local authorities concerned.

10.4 Any comments about the protocol should be forwarded to:

Mark Burrows
DFES
Caxton House
6-12 Tothill Street
London SW1 9NA

email Mark.Burrows@dfes.gsi.gov.uk

or

email nlcas@nlcas.org

<p>Nlcas Rainer Hampton House 20 Albert Embankment London SE1 7TJ</p>
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¹ At the time of issue a review has been proposed for winter 2007.