

	Document Title	Staying Put Policy
	Reference	
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	Authorised by	C Pharoah

1. Policy Context

- 1.1. The Children and Families Act 2014 introduced a new duty on local authorities in England to advise, assist and support fostered young people to stay with their foster families when they reach 18, if both parties agree.
- 1.2. A staying put arrangement is not the same as a foster placement. The young person staying put, who must be an 'eligible child' placed with a foster carer is no longer a looked after child. They are a young adult and a care leaver.
- 1.3. The definition of an 'eligible child' is someone who:
 - Is looked after by the local authority.
 - Is aged 16 or 17 and:
 - Has been looked after for a total of at least 13 weeks since the age of 14.
- 1.4. As an 'eligible child' the young person is entitled to support as a care leaver. Once a young person becomes 18 s/he will be known as a 'former relevant child' and will be allocated a personal advisor by their Local Authority. Young People who are 'former relevant' children will be offered support from a Personal Advisor up until the age of twenty-five.
- 1.5. The foster carer is no longer acting in the capacity of foster carer for that young adult but is regarded as a 'former foster carer'. The foster placement becomes a 'staying put arrangement' and is not governed by fostering services regulations. The legal basis on which an 18-year-old occupies the carer's property becomes one of an "excluded licensee". The young person is effectively lodging in the carers' home.
- 1.6. Planning for staying put should be done carefully and sensitively to ensure that both young people and the carers understand the nature of the new arrangement and that the positive aspects of being in foster care are not diminished by the new legal and financial arrangements and terminology.
- 1.7. The 'former foster carer' offering a staying put arrangement may at the same time be offering foster placements to children who are looked after. Such placements will continue to be subject to provisions of the fostering services regulations. In this circumstance, the former relevant child will require a DBS check as they become a member of the fostering household.
- 1.8. A staying put arrangement is governed by the care leavers' legislation and statutory guidance rather than the fostering services regulations.
 - **The Children Act 1989 Guidance and Regulations Volume 3 (Revised 2015): Planning Transition to Adulthood for Care Leavers, paragraphs 7.19-7.22:**

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“Supporting care leavers to stay with their former foster carers (‘staying put’ arrangements) will allow them to leave stable and secure homes when they are ready and able to make the transition to independence. It will also help them enter adult life with the same opportunities and life prospects as their peers”.

2. Aims and objectives of a Staying Put Arrangement

- 2.1. Enabling the young person to build upon existing attachments to their foreword foster carers and to be supported in making the transition to adulthood in a more gradual manner as one would wish for our own birth children.
- 2.2. The provision of ongoing stability and support necessary for young people to achieve in education, training, and employment.
- 2.3. Enable young people to develop the necessary emotional resilience and practical skills before living independently.
- 2.4. Reduce the risk of social exclusion.
- 2.5. Listen to the views of young people about the timing of future moves and the transition into adulthood.

3. Early Planning

- 3.1. Planning for Staying Put is important and should be considered as part of the care planning process from the time that a long-term foster placement is planned. Decisions as to whether a staying put arrangement is an option should be taken as early as possible in the placement and written into the young person’s pathway plan.
- 3.2. First for Fostering is keen to consult with Local Authorities early in the pathway planning process and will begin such discussions before the young person’s 16th birthday. Simultaneously we will continue to work with the fostering household to make sure that carers fully understand the change from a foster placement to a potential staying put arrangement and their new status as a former foster carer.

4. Equality of opportunity

- 4.1. First for Fostering will work with Local Authorities to do everything possible to ensure that the best interest of the young person is at the heart of decision making about staying put thus enabling a young person to have the best opportunities to lead successful and fulfilling lives. Additionally, First for Fostering will ensure that all our foster carers have equal opportunities to become staying put carers. First for Fostering embraces the principle that a young person should not miss the opportunity to participate in a staying put arrangement because the carer cannot afford to commit to this arrangement and will negotiate financial arrangements with the placing Local Authority at the earliest junction possible.

5. Clear Information

- 5.1. Foster carers and young people will be provided with clear information about the support available to help them make choices about whether to enter staying put

arrangements. First for Fostering ensures that 'Staying Put' will be offered as a regular training course and all carers will be expected to undertake this as soon as practicable. In addition, supervising social workers will regularly discuss staying put arrangements with all carers. Foster carers will also be able to access additional information from our Fostering Network Membership.

- 5.2. First for Fostering has a Staying Put section on its children and young people's portal on our website. We encourage young people to look at this and read the information. We want our children and young people to feel confident that they have a home for as long as needed.

6. Supporting First for Fostering Staying Put carers

- 6.1. First for Fostering carers may continue to foster as well as providing staying put arrangements. Should this be the case then the Agency will continue to provide monthly supervision to the foster carer whilst being mindful of the staying put arrangements.
- 6.2. The Agency will work closely with the responsible Local Authority and the young person's Personal Advisor. First for Fostering believe that when a young person is staying put, effective communication with the Local Authority should, and will continue as this is key to the success of the post 18 years arrangement.
- 6.3. First for Fostering will provide staying put carers with information about financial arrangements. Staying Put carers will be encouraged to read information published by the Government:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/201015/Staying_Put_Guidance.pdf

- 6.4. Staying Put carers who continue to foster can also access additional information via the Fostering Network. All carers may access advice from the Citizens Advice Bureau.
- 6.5. HMRC has also provided brief but helpful guidance: HS236 Qualifying care relief: foster carers, adult placement carers, kinship carers and staying put carers (2019) (updated 6th April 2021)

<https://www.gov.uk/government/publications/qualifying-care-relief-foster-carers-adult-placement-carers-kinship-carers-and-staying-put-carers-hs236-self-assessment-helpsheet/hs236-qualifying-care-relief-foster-carers-adult-placement-carers-kinship-carers-and-staying-put-carers-2020>

- 6.6. First for Fostering will be involved in the negotiations with Local Authorities about staying put payments. The Agency is mindful that decisions made will have an impact on that carer's availability and the assessment of their ongoing suitability to foster, as well as having financial implications for all involved.
- 6.7. First for Fostering will, in consultation with a Local Authority, consider each potential staying put arrangement on a case-by-case basis. First for Fostering advocate that all Staying Put carers should receive an agreed weekly allowance from the responsible

Local Authority which will cover all reasonable costs of supporting the young adult to remain living with his/her carer.

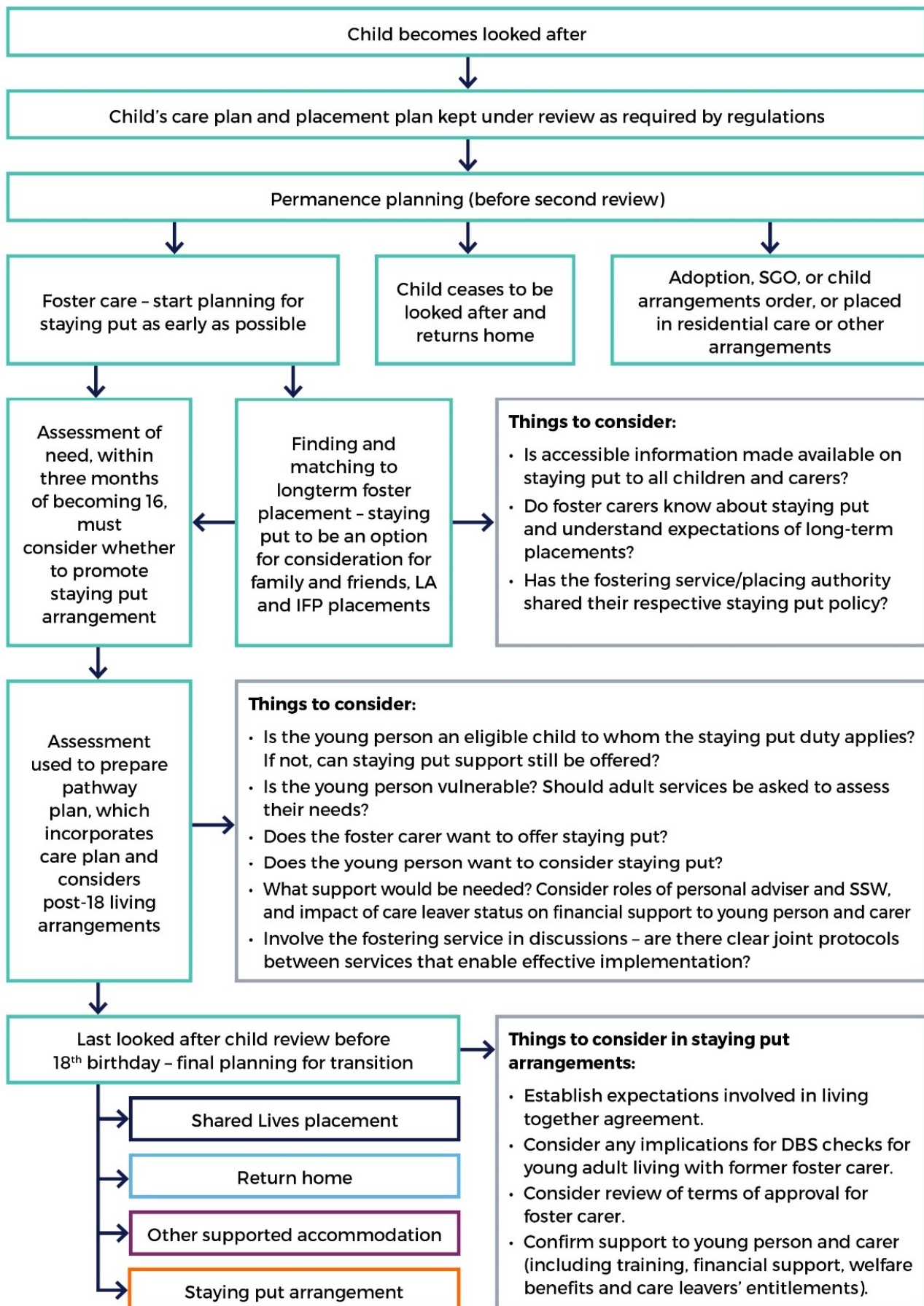
- 6.8. First for Fostering will, in corroboration with the Personal Advisor, encourage and support arrangements whereby the young person makes a financial contribution to the running costs of the household. Young people may be in receipt of an educational bursary, a wage or state benefit and again, discussions should take place at an early stage with regard to what the young person will contribute to the 'Staying Put' arrangement.

7. Review

- 7.1. First for Fostering will review this Policy on a bi-annual basis unless changes to legislation dictate that this should happen earlier.

Appendix 1

Planning for a staying put arrangement



Appendix 2

Process for foster carers and staying put carers

