



Policy No: SJD/ORG/34	Authorised by: Davina Powell	Review Date: 2 nd November 2023
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STAYING PUT POLICY		

1. Introduction to SJD Homes' policy statement.

1.1 SJD Homes widely recognises that for many young people the transition to adulthood is often a turbulent time with many emotional and financial issues involved. These issues can be particularly acute for young people in care who may be more likely to experience, social exclusion, unemployment, periods of abuse, neglect, or time in custody.

1.2 The Children Act 1989 and 2014 and the Children Leaving Care Act 2000 place a legal duty on Local Authorities to provide support for Care Leavers. The Local Authority is the "corporate parent" for children in care and therefore has a responsibility for the children home placement into independent living. The precise level of care required by each care leaver will depend on their assessed need and on their leaving care status as define by statute.

1.3 The 2010, 2011 and 2014 Regulations, set out under Volume 3 of the Children's Act 1989, have strengthened an emphasis on Leaving Care as being a transitional period rather than something that occurs at a particular point in time. Care Leavers are expected to receive support from their responsible authority up to their 25th birthday if they so wish and are eligible. The aim of such continuing support is to ensure that Care Leavers are provided with comprehensive personal support, so they achieve their potential as they make the transition to adulthood. In order to help address this, the Children and Families Act 2014 (Section 98) place a robust arrangement to ensure young people in care who turn 18, have an opportunity to remain in their placement should they not have other arrangements in place until they reach the of 21 or 25 if in education.

1.4 SJD's 'Staying Put' arrangements allows Care Leaves to remain in placement post 18 either because they need continuity while completing further education or simply because both the Care Leaver and the agreement to the arrangement as this is thought to be in the Care Leaver's best interest. This policy aims to achieve the following principles and objective:

- Active and positive promotion of the 'Staying Put policy to young people and SJD Management.
- For all young people to have the opportunity to enter into a 'Staying Put' arrangements where this has been agreed to be in the best interests of the young person to achieve independence through their Individual Pathway Plan.
- Ensuring carers and young people are aware and clear in regard to the financial impact of a 'Staying Put' arrangement.
- Ensuring there is a policy of 'no detriment' towards the fees SJD Homes receive when transitioning from the children home placement into independent living to a carer providing a 'Staying Put' arrangement to a young person.
- Avoiding another change or loss of carer for a young person coming to the of their 'Staying Put' arrangement at the ae of 21 or 25 if in Education.

2. Definition of Staying Put

2.1 Once a Looked After young person reaches the age of 18 and enters into a 'Staying Put' arrangement, they will no longer be considered as Looked after by the Local Authority. The young person's placement will therefore become an arrangement between the local authority and the young person. The young person will be classified as a lodger and the Children's home management team will become their landlord.

2.2 The term 'arrangement' should be used rather than a placement: as this placement denotes a situation where the Local Authority arranges and places a child into care. However, on the child reaching the age of 18 and legal adulthood, the Local Authority is no longer making a placement but maintaining a 'Staying Put' arrangement for the young person.

2.3 The term 'Staying Put' in the 'Staying Put' Guidance 2013, is used to define the following arrangements:

- A Care Leaver who was looked after immediately prior to their 18th birthday (as an eligible child) and continues to reside with their former placement.
- A Care Leaver is deemed an eligible child, within the meaning of paragraph 19B (2) of the Schedule 2 of the Children Act 1989, immediately before he/she reached 18.
- The 'Staying Put' arrangement is needs led and is set out in the Care Leaver's pathway plan.
- A proportion of the allowance paid to the 'Staying Put' carer is paid by the Local Authority's Children Services under section 23C of the Children Act 1989.
- The 'Staying Put' arrangement extends until:
 - The Care Leaver leaves the 'Staying Put' arrangement.
 - Or
 - They are transferred to an adult social care provision
 - Or
 - They reach the age of 21 or 25 if still in education.

3. Eligibility Criteria

3.1 Children Looked After can remain with their corporate 'parent' post-18 in a 'Staying Put' arrangement if:

- The young person and children home wish to do so and
- Children's Social Care determines that it would be appropriate and is consistent with the young person's welfare

3.2 Were the local authority determines that such an arrangement would be appropriate and that it would meet the needs of the young person once they reach 18, the opportunity to 'Stay Put' is open to all looked young people regardless of whether they are in education, employment, or training before turning 18.

3.3 Through the pathway planning process SJD's Home management team actively encourage young people to consider the option of 'Staying Put' as a positive leaving care option for the young person. This is arranged between the local authority, the young person and SJD's management.

3.4 If a young person wants to remain with their placement and this is not within their pathway plan, then they are able to discuss this before they turn 18 with their independent Reviewing Officer to request that a review of the plan takes place. The young person will also have access to the local authority's complaints procedure and be given information and advice to be able to have an independent advocate through the National Youth Advocacy Service to represent their views to the Local Authority.

4. Planning Arrangements for Staying Put

- 4.1 Where it looks likely that the young person will meet the eligibility criteria, the leaving care 'assessment of need' undertaken around a Care Leaver's 16th birthday should begin to establish the timescale required for a care Leaver to be adequately prepared for moving into independence. This will be reviewed via the statutory review of the Care Leaver's pathway plan and consideration will be given to the appropriateness of a 'Staying Put' arrangement being agreed once the Care Leaver reaches 18.
- 4.2 It is important that there are initial discussions regarding the option of 'Staying Put' between the SJD Homes and their supervising social worker. If there is agreement that the young person could stay under this arrangement, then a further discussion with the 'Staying Put' lead will take place to progress further. The young person should only be included in these discussions once the placement management have confirmed that they are able and willing to continue to provide accommodation to them once they turn 18.
- 4.3 SJD Homes in setting up a 'Staying Put' arrangement, the young person, the carers, and the supervising social worker should meet to develop a Live Together Agreement prior to the young person's 18th birthday. This meeting will be chaired by the 'Staying Put' lead who will draw up and formalise the arrangement. The agreement should set out the expectations of all parties and clarify roles and responsibilities. The agreement should be incorporated into the young person's pathway plan.
- 4.4 The carer and young person entering into a 'Staying Put' arrangement will need to be aware that as the young person will no longer be legally Looked After by Local Authority post 18, the basis of the relationship between the young person and the carer will change. Consideration should be given to the strength of their current relationship and the level of support the young person derives from the placement.
- 4.5 The type of support that a former placement will need to provide in a 'Staying Put' arrangement should also be taken account. The supervising Social Worker will explore with them the level of training required supporting the young person develop their independent life skills.

5. Supervision and Monitoring

- 5.1 All ongoing 'Staying Put' arrangements should be reviewed and monitored on a 3 - 6 monthly basis at the Individual Pathway Plan reviews. As set out in the Moving on Section of this policy, a final review of the 'Staying Put' arrangement should take place 6 months before the arrangement is due to terminate. At this meeting, the next steps for the young person, following the 'Stay Put' arrangement coming to an end, will be discussed, and agreed.

6. Financial Implications

- 6.1 SJD Homes will ensure for all young people remaining with their home during their final year of education the local authority will continue to fund the arrangements post their 18th birthday until the end the exam period.
- 6.2 All young people in work and living in a "Stay Put" arrangement will have a liability for rent of 20% of their take home salary, minus essential travel expenses associated with their employment which will be put towards the maintenance allowance the "Stay Put" carer is entitled to get from the Local Authority. The Local authority will then make up the remaining balance of maintenance allowance after the contribution will which is the total maintenance allowance the "Stay Put" placement is entitled to receive from the Local Authority.
- 6.3 If the young person is not in work and is claiming benefits, the financial contribution they will be expected to make towards the "Stay Put" arrangement will be for their benefits. If the young person is at university and working and they are living in the "Staying Put" arrangement full time, a contribution will be required from their student maintenance loan.

- 6.4 All allowances and payments will be reviewed annually and discussed with the Supervising Social Worker and the Staying Put Lead.
- 6.5 For the young person who moves away from their “Staying Put” arrangement to attend University in term time, the SJD Homes will receive the full weekly “Staying Put” and will receive the full weekly “Staying Put” allowance.
- 6.6 All young people who are eligible to claim benefits whilst in their “Staying Put” arrangement, whether in work or not, should be encouraged to do so. Young people in “Staying Put” arrangement may be eligible to claim.
- 6.7 Where a young person is disabled and waiting for a move to adult care, the Child Looked After Social Worker will need to ensure that they are referred to adult services as part of the transition planning process and that agreement is reached that adult services will take on the financial responsibility from the young person’s 18th birthday
- 6.8 Unaccompanied Asylum-Seeking Children who do not have recourse to public funds will be supported by the appropriate social care team in line with the Local Authority procedures. This includes weekly subsistence for the young person and an agreed rent allowance to the carer.
- 6.9 In regard to placements who agree to a ‘Staying Put’ allowance which is made up of a maintenance payment and an enhanced professional fee. The prospective ‘Staying Put’ placement should be clear that although there is a maintenance payment reduction from that which is allocated to placement, this is a reflect the fact that they are no longer expected to provide a savings allowance pocket money, clothing, transport, or holiday costs from the young person. When finalising the ‘Staying Put’ agreement, there should be no financial implications for the Children’s Home when transferring into independent living.
- 6.10 The ‘Staying Put’ carer will also have to be aware that the changes in legal status from Foster Carer to ‘Staying Put’ care will also have implications for the carer’s insurance liability.

7. Safeguarding

- 7.1 Where children or young people are living in the ‘Staying Put’ arrangement, the DBS checks and requirements associated with will remain and will therefore provide a framework for safeguarding and checking arrangements for the whole placement.
- 7.2 All ‘Staying Put’ arrangement must be subject to a joint risk assessment carried out by the SJD Homes and the Supervising Social Worker when the arrangements are first being considered. The risk assessment will need to take into account the impact on other ‘Looked After Children’ in the placement and the extent of the ‘Staying Put’ arrangements. The outcome of the assessment must be shared with the Management team and staff and children in placement.
- 7.3 It should also be noted that young people remaining in a placement at the age of eighteen, will become adult member of that household and subsequently will require a valid DBS. To ensure the check (and possible risk assessment) is completed by the child/young person’s 18th birthday the process will need to be initiated in sufficient time.

8. Moving On

- 8.1 All arrangements may be ended by either the young person, supervising social worker or the management team at least giving one months’ notice.

There must have a contingency plan in the event that arrangements are terminated at short notice.

This is the responsibility of the Supervising

Email: