Staying Put:
What does it mean for you?

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Catch22 NCAS – Young Peoples' Benchmarking Forum Guide

“People get to understand what our real needs are as individuals and as a group. We have been heard.”

YPBMF Member

Introduction

This guide is for young people who are in care or who have left care. It tells you about staying with your foster carer after age 18 – this is called Staying Put. It is written by the Catch22 National Care Advisory Service based on joint work between the Young People's Benchmarking Forum and the National Leaving Care Benchmarking Forum.

We wanted to tell you about a change in the law which means your local authority has to support you and your foster carer after you are 18 to live together if that is what everyone wants.

In this guide you will find information on what the law says you are entitled to. There are also tips from young people and workers.

This guide has been written for young people – but the information in here will be useful to all those who work with young people in and leaving care. The information applies to England only.

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What is Staying Put?

Staying Put is where a care leaver continues to live with their foster carer after their 18th birthday.

Many young people have already been Staying Put in the past, but the law changed in May 2014 so that all local authorities must support such arrangements if it is in the young person's interest and the carer and the young person want it to happen.

This is great news, as you can continue to live with people you know and who have supported you as you have grown up. It means that you do not have to leave your former foster carers until you are ready or are 21-years-old. It can help you to get into, or continue, in education and training or give you time to sort out the issues you face as you move into adulthood.

Legal definition of Staying Put

Staying Put is available to a young person who is 'eligible' – someone who has spent 13 weeks or more in care and is still looked after (in care) when they turn 18.

They must be living with a foster carer who has been approved by either the local authority or a fostering agency.

The foster carer agrees to the plan to stay put, and it must not be against the young person's "welfare" to remain there.

What kind of placement is not covered by Staying Put?

The law on Staying Put only applies to foster care and does not apply to young people who are in residential care, placed in supported lodgings or in other arrangements.

However, if you are in one of these other places the local authority can allow you to stay if it is best for you. If you think this is the case, discuss this with your personal adviser/social worker and Independent Reviewing Officer and ask them to include it in your pathway plan.

Is Staying Put right for you and your carer?

Staying Put arrangements need the agreement of the foster carer and the young person if they are going to work.

When you reach 16 your worker will do a needs assessment. This will consider all your needs as you start to plan to leave care. The needs assessment will help your worker and you understand what needs to be included in your pathway plan. As part of their assessment they must consider whether Staying Put is a possibility and must discuss it with you and your carer.

Staying Put must be discussed at the first review after your 16th birthday and what is decided should be recorded in your pathway plan. It should also be considered at all other reviews before you turn 18, in case your situation changes. You, your foster carer and worker will need to agree to Staying Put and work out the details of how it will work. Sometimes Staying Put may not be possible; for example, your foster carer may wish to stop fostering, or they may want to look after younger children etc.

You may not wish to remain with your carers after 18 – you may wish to live with your birth family, in supported housing or in your own accommodation. It is very important that your worker discusses the benefits of Staying Put as well as the changes it will bring between you and your carer (see Living Together agreements on page 12). Your worker must also discuss what the alternatives are, including the practical support and financial arrangement in such situations.

How long can I Stay Put?

You can stay put until you are 21. However, you will be planning for your future and other accommodation may become better for you. Your plans and whether remaining in the Staying Put arrangement is still right for you should be discussed at your pathway plan reviews.

Young people's top tip

You and your foster carer should discuss Staying Put separately with your social workers at first so that you can be sure it is the right thing for you.

Are there any conditions to Staying Put?

No, the local authority has a legal duty to support all Staying Put arrangements, with the only exception being if they think that the arrangement is not consistent with your "welfare". The government guidance refers to these as 'exceptionally rare circumstances'. Therefore the local authority cannot say "We will only agree to you Staying Put if you are in education or training" or "We will not agree to you Staying Put if you are with an independent foster carer".

Young people's top tip

Staying Put should be discussed with you and your foster carer as soon as it has been agreed that you are staying with them on a permanent basis, unless it is not in your best interests to do so at that time.

What does the local authority have to do to make Staying Put happen?

The local authority has to:

1. Provide advice and support to you so that you know what Staying Put is and how it can help you.
2. Provide advice and support to your carer, including financial support. This means they have to continue to pay your carer to support you, but the guidance does not say how much.
3. Provide training to your former foster carer.
4. Monitor the placement.

What is the difference between fostering and Staying Put?

Fostering	Staying Put
You are under 18 and looked after (in care).	You are over 18 and are an adult and a care leaver.
As you are in care, it is a placement.	As you are over 18, it is an arrangement.
A placement plan sets out the expectations on you and the carer—i.e. coming in times, spending time away from the carers.	A living together agreement which the carer and you write with the help of the personal advisor and the fostering support worker. The format of this agreement may vary but see our suggestions for what needs to be included.
You will be starting to learn the practical skills you need to live independently.	It is expected that you are learning and practising skills you need to live independently.
The local authority will make a payment to the carer to cover the costs of food and clothing for you. You may be asked to make a contribution towards your "keep" as part of the "preparation for adulthood".	You are likely to be expected to contribute towards your keep –either directly to the carer or to the local authority. You will be expected to pay for your own clothes, travel costs and spending money.
You cannot claim benefits and the local authority will usually provide money to the carer for food, pocket money, clothing etc.	You may be able to claim benefits including Housing Benefit which will contribute towards meeting the costs of the arrangement. This will require you to spend a number of nights in the home to qualify.
Fostering regulations apply to the placement.	Although this is not a foster placement you will be expected to abide by certain requirements if the carer remains registered as a foster carer.
There is no requirement for you to have a Disclosure and Barring Service (DBS) check.	You will have a DBS check done if there are other children living there, as you are an adult living with foster carers.
If you have committed an offence(s), there may be an assessment done to consider if the risks can be managed in the placement.	The DBS check may show you have committed offences, which because of the foster carers' registration may mean you cannot live in a house with foster carers/ children in care. This issue should be discussed with your Social Worker and IRO so that it can be looked at, planned for and resolved where possible.
As you are looked after, the carers are likely to receive money to celebrate your birthday, Christmas (or similar festival) and to get a holiday allowance.	The local authority may decide not to continue to pay these allowances directly to the carer and you may receive these direct (each local authority will differ in what they do).

Living together agreements

Living together agreements should set out the rules and expectations of the Staying Put arrangement. They are different from your placement plan, as it is an agreement between adults, but can make both you and your carer clear on the "rules of living together".

The living together agreement should be based on a respect for each other and your needs and those of your carer.

In some cases, where you and your carer have been living together for a long time, and you have sorted out issues like coming in on time, having friends over, staying away overnight - the agreement does not need much detail on this.

In other cases, there may be real concerns about your safety if you do not come back at night, there needs to be agreements about the number of nights you spend away from home and whether the police are notified if you don't return etc.

Young people's top tip

There needs to be an agreement regardless of how long you have been living in the placement, to be clear about the "rules of living together".

Young people's top tips

Living together agreement: Questions to consider

- Smoking. Can you smoke in the home?
- Can you have friends over during the day? Can you have a friend to stay overnight?
- Does there need to be an agreement about the carer going into your room?
- Do you need to let your carer know where you are and who you are with?

- If you are not coming back for the night, is there a time you should phone or text to tell your carer?
- Do you have a key to the house? If not, why not? What needs to happen for it to be agreed?
- What happens when your carer goes away for a few days - can you stay there?
- What are the expectations about doing household tasks?
- Until what time can you use the washing machine or get something to eat? What if you have been working late and have an early start and need clothes washing or to get something to eat?

What makes a good Staying Put arrangement?

We understand and respect that everyone has different experiences within the household. Please use these top tips as guidance for your Staying Put arrangement.

Young people's top tips

For foster carers	For young people
Keep lines of communication open. Let your thoughts and feelings be known.	Keep lines of communication open. Let your thoughts and feelings be known.
Ask for help when needed. Don't let things build up.	Ask for help when needed and if you don't know, then ask. Don't let things build up.
Keep mutual respect for each other, including everyone's belongings, space and privacy.	Keep mutual respect for each other, including everyone's belongings, space and privacy.
Know and understand options for alternative accommodation and what happens next.	Know and understand options for alternative accommodation and what happens next.
Be prepared to support the young person in developing new independent living skills.	Be prepared to develop and take part in learning independent living skills within the household to help prepare you for when you live on your own.
Make the Staying Put experience individual to you and your household.	Make the Staying Put experience individual to you and your household.
If a problem arises, ask for help, discuss it with a worker before it gets too serious.	If a problem arises, discuss it with a worker before it gets too serious.
Allow the young person to take responsibilities and risks. We learn from mistakes.	Use this time to use and practice your independence skills.
Support the young person in simple everyday tasks.	Think about why you want to stay, embrace the opportunity and move on with it.
Be flexible about rules and make comprises even if rules and boundaries have been set.	18-years-old doesn't make you an adult. The choices and responsibilities are part of the journey.

Moving on

The local authority has a duty to support your Staying Put arrangement until your 21st birthday. It may be that you feel that you are ready to move on before this and moving on should be discussed at each pathway plan review. However, just because it is discussed does not mean you have to move on, but there should be a back up plan in case the arrangement ends suddenly.

There may be some circumstances where it is in your best interest to remain with your former foster carer after your 21st birthday - because you are doing an education course which has not ended, or you are struggling with some specific problems or issues. In these situations you can ask if you can remain with your former foster carers, but there is no requirement on the local authority to agree to it.

What to do if you are not happy with the plans for you?

All young people who are looked after should have an independent reviewing officer (IRO). If you are unhappy with your pathway plan or the decision that has been made about Staying Put then you should speak to your IRO. You could also ask for an advocate to be appointed to help explain your views to your personal adviser or social worker and to represent them at your pathway plan review meeting.

You can request an urgent review of your pathway plan, so your concerns can be considered. If you feel you are not able to put your views forward you can ask for an advocate or to bring a friend or family member to support you.

If it is not possible to resolve your concerns you should ask for details of how to make a complaint. There will also be details on your local authority's website.

Where to go for more advice

Coram Voice

Provide free legal advice and help (called advocacy) to young people who are living in care or have recently left care.

T: 0808 800 5792
www.coramvoice.org.uk

National Youth Advocacy Service (NYAS)

Offer information, advice, advocacy and legal representation to children and young people.

T: 0808 808 1001
www.nyas.net

Fosterline

Fosterline provides confidential, impartial, advice information and signposting on the broad range of issues of concern to foster carers and those interested in fostering.

T. 0800 040 7675
www.fosterline.info

About the guide

This guide has been written by the Young Peoples' Benchmarking Forum and the National Leaving Care Benchmarking Forum. Both forums are organised by Catch22 NCAS.

The information in here is about care eavers. It tells you all about Staying Put with your foster carer after you are 18. The guide covers things you and your carers should know about before and during Staying Put.

How to order more copies

Copies are available to purchase via:

ncas@catch-22.org.uk
catch-22.org.uk

About us

A forward looking social business, Catch22 has more than 200 years' experience of providing public services that help people turn their lives around.

We work with troubled and vulnerable people, helping them to steer clear of crime or substance misuse, do the best they can in education or employment, and play a full part in their family or community.

The Young People's Benchmarking Forum (YPBMF) was formed in 2008 and involves young people in and from care aged 16 and above from the 75 local authorities who are members of the National Leaving Care Benchmarking Forum (NLCBF).

The forum members range from young people who are employed by their local authority, undertaking a traineeship or actively involved with participation work and service delivery within their local authority, including members of local Children in Care Councils.

YPBMF identify what is important to them and other care leavers and work on these issues to raise awareness and help to make changes for young people moving from care into adulthood.

The YPBMF and NLCBF use "co-production": this involves young people and staff working together on issues and solutions.

Use this space to write contact details of people in your area

(email address and phone numbers)

nlcbf.

Stick contact details **here**

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