

## 5 SUPPORT TO CARE LEAVERS

### 5.1 INTRODUCTION

- 5.1.1 It is a requirement of the Children Act 1989 that, as soon as a child or young person is in the care of the local authority, planning commences for leaving care.
- 5.1.2 It is the intention that, wherever possible and appropriate, the culmination of young people's experiences of being looked after by a local authority, private foster carers, a voluntary organisation or in a children's home, is a successful return to their family or the establishment of a stable and positive relationship with another responsible person.
- 5.1.3 Alternatively, where this is necessary, they should be enabled to become as self-supporting as possible.
- 5.1.4 Thus there are a number of routes out of the looked after children system, mainly:
- A return home or to a birth parent or other person with parental responsibility possibly on a Special Guardianship or Residence Order
  - Adoption
  - Moving into supported and/or independent living sometime between the ages of 16 and 18
- 5.1.5 These procedures are intended to describe service availability and determine decision making in the third of these possibilities, which generally occurs when the first two options have not been possible.
- 5.1.6 The Children (Leaving Care) Act 2000, implemented in October 2001, defines the actions local authorities must take to support young people leaving its care and moving into independence.
- 5.1.7 These procedures fulfil the requirement under this legislation that each Social Services Department should provide a written statement of its philosophy and practice on the preparation of young people for leaving care and the provision of aftercare support.

#### LOOKED AFTER CHILDREN 16+ TEAM

- 5.1.8 Services to care leavers on the Isle of Wight are provided by the Looked After Children 16+ Team (16+).

- 5.1.9 16+ is responsible for delivering statutory services to looked after children, care leavers and homeless young people aged 16 and 17.
- 5.1.10 It consists of managers, Social Workers, general and specialist personal advisers (PAs) and social work assistants, with dedicated admin support.

### **AIMS AND OBJECTIVES OF THE LEAVING CARE SERVICE**

- 5.1.11 The aim of the leaving care service is to help pro-actively to reduce levels of disadvantage experienced by young people leaving care by providing high quality services which:
- Seek to maximise young people's opportunities to reach their full potential in life
  - Are based on a range of assessments of needs and summarised in the Pathway Plan
  - Are flexible to meet individual needs and circumstances
  - Make best use of services available from other agencies and the voluntary and private sector
  - Take account of the importance of family members, friends and other significant adults in the younger person's life
  - Are constantly monitored and reviewed by service providers, service users and other principle stakeholders
  - Recognise and respond to differences in ethnicity, culture and religion
  - Are equally available to all young people so entitled, irrespective of gender, ethnicity, sexual orientation, religion and ability

## **5.2 TERMINOLOGY**

- 5.2.1 The Children (Leaving Care) Act 2000 introduces a number of categories of young people for whom the Isle of Wight Council has a duty to provide services as follows:
- Eligible young person
  - Relevant young person
  - Former relevant young person
  - Qualifying young person

## ELIGIBLE YOUNG PEOPLE

### Definition

- 5.2.2 An eligible young person is aged 16 or 17, has been looked after by the local authority for a period of 13 weeks since the age of 14, and remains looked after. The period of 13 weeks need not have been continuous and could be made up of a series of shorter period during which the child was looked after.
- 5.2.3 Planned periods of respite care do not count towards eligibility (see 5.2.8 below).
- 5.2.4 Potentially eligible young people include the following categories.

### Young People Remanded into Local Authority Accommodation

- 5.2.5 Young people remanded into local authority accommodation are regarded as 'eligible', even if they subsequently are not given a custodial sentence, if the period of remand is for 13 weeks or more.

### Asylum Seekers

- 5.2.6 Young people who are seeking asylum are covered by all the terms of the Children (Leaving Care) Act 2000 if they were looked after for the required 13 weeks.
- 5.2.7 2 categories of children, although fulfilling the criteria for eligible children, will not be regarded as being eligible. These are:
- Young people in respite care
  - Young people who have returned home and are in a stable arrangement

### Respite Care

- 5.2.8 A young person is not eligible if they who have had a number of planned short-term placements, none longer than 4 weeks and after each one they returned to their parents or someone with parental responsibility (Reg. 3 (3)(a) Children (Leaving Care)(England) Regulations 2001).
- 5.2.9 This will particularly apply to disabled young people who have regular periods of short-term respite care.

### **Young People Who Return Home**

- 5.2.10 A child who whilst still looked after is placed with a parent or someone who has parental responsibility for him for a period of 6 months or more.
- 5.2.11 Regulation 3(2)(b). Until the young person has been living at home for 6 months they will be eligible or relevant. If they are subject to a care order, they will remain eligible until the care order is discharged (either by court order or attaining the age of 18).

### **RELEVANT YOUNG PEOPLE**

- 5.2.12 A 'relevant' young person is one who was previously eligible but who is no longer looked after and is under the age of 18.

### **Young People Detained or In Hospital**

- 5.2.13 The Regulations provide for an additional category of relevant young people.
- 5.2.14 These are young people who on reaching 16 are detained in a remand centre, young offender institution, any other institution ordered by the Court or in hospital and, immediately prior to being detained or in hospital, had been looked after for 13 weeks since the age of 14.

- 5.2.15 This extension applies even if the child is detained or in hospital overnight.

### **Young Parents**

- 5.2.16 Relevant young people who are lone parents will still be able to claim social security benefits, but not housing benefit.
- 5.2.17 For all other purposes of the Children (Leaving Care) Act they will be considered to be relevant.

### **FORMER RELEVANT YOUNG PEOPLE**

- 5.2.18 Former relevant young people are those who have reached 18 but not 21 and were eligible and/or relevant prior to becoming 18.
- 5.2.19 However, if someone is being helped with education or training they remain a former relevant young person to the end of their agreed programme, even if that takes them past the age of 21.

## **PRE-ELIGIBLE**

5.2.20 A pre-eligible young person is defined as one who is:

- A looked after child and
- Over the age of 14 and
- Likely to be looked after long term and therefore eligible for leaving care services

## **5.3 SERVICE ENTITLEMENT**

The services to which young people are entitled depend on which category of care leavers they come under as follows:

### **ELIGIBLE YOUNG PEOPLE**

- All the provisions of the looked after system
- Personal adviser
- Needs assessment
- Pathway Plan

### **RELEVANT YOUNG PEOPLE**

- Personal adviser
- Needs assessment
- Pathway Plan
- Accommodation and maintenance
- Assistance to achieve the goals (e.g. educational goals) agreed and set out in the Pathway Plan
- The responsible authority must keep in touch

### **FORMER RELEVANT YOUNG PEOPLE**

- Personal adviser
- Pathway Plan
- Assistance with employment
- Assistance with education and training
- Assistance in general
- Vacation accommodation for higher education or residential further education if needed
- The responsible authority must keep in touch

## QUALIFYING CHILDREN & YOUNG PEOPLE OVER 16

- The same benefits as under s24 Children Act 1989 before amendment and in addition
- The responsible authority must keep in touch as they think appropriate in order to discharge their functions under s24A and 24B
- Care leavers are entitled to assistance with education and training up to the age of 24
- Care leavers are entitled to vacation accommodation for higher education courses or residential further education courses if necessary

## 5.4 CARE LEAVERS WITH / FROM OTHER AUTHORITIES

- 5.4.1 The responsible local authority is the one which last looked after an eligible or relevant child or young person.
- 5.4.2 The local authority retains this responsibility for a care leaver wherever the young person may be living in England or Wales.
- 5.4.3 The aim of this is twofold:
- First, to reinforce continuity of care. Research suggests that this, along with stability and the maintenance of family links, may contribute to positive outcomes for care leavers, especially in relation to their self esteem and sense of identity
  - Second, to prevent disputes between local authorities over the issue of who is responsible for services
- 5.4.4 If a young person moves to a different local authority funding can be transferred by the responsible local authority to the local authority where the young person is living so they can provide the services under the Children (Leaving Care) Act 2000 if that is the most convenient way of proceeding.
- 5.4.5 Such arrangements are also available as a possible solution in cases where a young person's relationship with the responsible authority breaks down. Under such circumstances the authority will be able to discharge its duties through arrangements made with another authority, though it will still keep ultimate responsibility.
- 5.4.6 However, it is essential that young people are provided with support services whilst new arrangements are being made and, where necessary, the funding transferred. In difficult cases this may mean use of the second authority's emergency services.

## **CARE LEAVERS FROM OTHER LOCAL AUTHORITIES**

- 5.4.7 The authority that last looked after a young person is responsible for the provision of services under the Children's (Leaving Care) Act 2000. If a young person from another local authority has moved to the Island that authority has a duty to inform us of the move.
- 5.4.8 The responsible authority can request support from the 16+ Team, either for advice or as specified actions.
- 5.4.9 The 16+ Team will provide advice to another local authority about services available on the Island.
- 5.4.10 16+ Team members will carry out work on behalf of a young person from another local authority if resources permit.
- 5.4.11 Unless specific agreements between the local authorities are in place an hourly charge will be made for this work.
- 5.4.12 The responsible local authority would be expected to allocate a named personal adviser and to develop and review the Pathway Plan, unless otherwise agreed

## **ISLE OF WIGHT CARE LEAVERS LIVING IN OTHER AUTHORITY AREAS**

- 5.4.13 The Social Worker or personal adviser must make contact with the relevant Social Services Department to inform them that a care leaver from the Island is living in their area. Good practice would suggest that contact is made with the local leaving care team.
- 5.4.14 The young person must be provided with contact addresses and 'phone numbers for the local area duty and leaving care services.
- 5.4.15 A clear written agreement must be negotiated with local agencies about what services the young person will receive from them. These must include financial arrangements.
- 5.4.16 The young person will retain an allocated personal adviser within the 16+ Team, who will retain responsibility for overseeing the implementation and review of the Pathway Plan.

## **SOUTHERN REGION LEAVING CARE PROTOCOL**

- 5.4.17 Local authorities in the ADSS Southern Region have drawn up a protocol setting out how signatories will meet their responsibilities for care leavers who move between authorities.
- 5.4.18 Where a young person moves from or to a signatory authority staff must refer to this protocol.

## **5.5 TRANSFER OF CASES TO THE 16+ SERVICE**

### **SOCIAL WORKERS - GENERAL**

- 5.5.1 Cases will be held in the 16+ Team where the Care Plan identifies a need for a child to be looked after permanently. Social Workers will be allocated to all looked after children whose cases are held in the team.
- 5.5.2 Care leavers, whether relevant or qualifying young people may be allocated a Social Worker up to the age of 18, on a temporary or longer-term basis, following an assessment of need.
- 5.5.3 Exceptionally a young person's Social Worker may remain allocated to finish a piece of outstanding work, however it is unlikely that this should last more than 3 months
- 5.5.4 If there is an identified need for continuing social work services beyond the age of 18, a referral will be made in advance to the relevant adult service.
- 5.5.5 Social Workers will be responsible for carrying out statutory duties as defined in the Children Act 1989 and subsequent policies, procedures and guidelines.
- 5.5.6 Social Workers have a responsibility to support the personal adviser in carrying out their tasks. This applies whether a young person's Social Worker is located in the 16+ Team or in any other Children's Services team.

### **TRANSFER OF EXISTING CASES OPEN TO LOOKED AFTER CHILDREN 0-16 TEAM**

- 5.5.7 The transfer of a case should be viewed as a process and not a single event. The young person, their carers and where appropriate, their

family, must be kept fully informed and involved throughout this process.

- 5.5.8 Cases should be transferred from the 0-16 Team to the 16+ Team at an appropriate time after the young person's 15th birthday. Transfers will normally happen at about the time of the 16th birthday unless there are compelling reasons otherwise.
- 5.5.9 Both Team Managers must agree the timing of a transfer. In the event of failure to reach an agreement the Service Manager must be consulted.
- 5.5.10 Reasons for an early transfer might be:
- Pressure on social work allocations in the 0-16 Team
  - To avoid repeated changes of Social Worker where a case needs to be re-allocated within the 0-16 Team after a young person's 15th birthday
  - To avoid a clash between a planned change of Social Worker and other significant events and developments in a young person's life. e.g. taking exams, a change of carer, a change of personal adviser, a move, etc
  - Where there is persistent, significant and irremediable conflict between the young person and personnel of the Looked After Children 0-16 Team and a change of team is in the young person's best interests
- 5.5.11 Reasons for a deferred transfer might be:
- To avoid a clash between a planned change of Social Worker and other significant events and developments in a young person's life. e.g. taking exams, a change of carer, a change of personal adviser, a move, etc
  - Lack of Social Worker availability in the 16+ Team
  - To maintain a strong, existing, long term, and beneficial social work relationship
  - To enable a single Social Worker to work with a sibling group, where beneficial
- 5.5.12 These lists are indicative and not exhaustive.

## **TRANSFER OF CASES FROM OTHER TEAMS**

- 5.5.13 Young people may become looked after whilst their case is held by other children's services teams: i.e. the Referral & Assessment Team

(RAT), Children & Family Community Team (CFCT), and Children's Disability Team (CDT).

- 5.5.14 Where the plan identifies a need for the young person to be looked after long term (more than 3 months) or for permanency, the case will be transferred to the 16+ Team in line with the conditions outlined above.

### **REQUIREMENTS FOR THE TRANSFER OF A CASE TO A SOCIAL WORKER IN THE 16+ TEAM**

- 5.5.15 This process must involve a minimum of 3 joint meetings between the young person and the 2 Social Workers.
- 5.5.16 The first meeting must be in an informal setting and should not be a review or other professional gathering.
- 5.5.17 This process must happen over a 4-6 week period, with the final hand over meeting coinciding more or less with the completion of the administrative requirements.
- 5.5.18 Until the transfer is completed and agreed by both managers the original Social Worker retains case responsibility.

#### **Administrative Requirements for Case Transfers**

- 5.5.19 Before a case transfer can be completed the following must apply:
- The files contain an up to date assessment, PEP and Care Plan
  - The Care Plan has been reviewed within the required time span
  - Financial arrangements have been confirmed
  - A transfer summary and an up to date chronology and Care Plan have been sent to the new Social Worker
  - A completion date has been agreed
- 5.5.20 Files will be transferred to the new worker only when they have been audited by both Team Managers.

## **5.6 PERSONAL ADVISERS**

- 5.6.1 Personal advisers will be allocated to pre-qualifying young people between their 15th and 16th birthdays.

- 5.6.2 It is the intention that personal advisers and young people will be able to establish an enduring long-term positive supportive professional relationship, supported by the following procedures for the:
- Initial matching process
  - Process for changing personal advisers
  - Complaints and representations procedures

### **INITIAL MATCHING AND ALLOCATION**

- 5.6.3 The deputy manager in the 16+ Team will be provided with a list of pre-qualifying young people requiring a personal adviser from the 16+ database.
- 5.6.4 S/he must discuss the position initially with the young person's Social Worker, to identify any risk factors and critical issues around the allocation.
- 5.6.5 They must then jointly meet with the young person to explore the role of the personal adviser. The young person may be asked to produce a thumbnail sketch about them self and about what they would want from their personal adviser.
- 5.6.6 The deputy manager must bring this information back to the 16+ Team meeting for consideration after which the allocation must be made by the Team Manager.

### **CHANGES OF PERSONAL ADVISER**

- 5.6.7 Whilst it is the intention to promote long-term professional relationships between young people and personal advisers it is entirely possible that the initial matching process may not be entirely successful.
- 5.6.8 For this reason there is a simple low threshold procedure for an initial request from a young people to change their personal adviser.
- 5.6.9 A young person wishing to change their personal adviser must be asked to put this request, preferably in writing, to the Team Manager. The Team Manager must ask the team deputy manager or senior practitioner to meet with the young people and the personal adviser, separately at first, to identify problems and attempt to rectify them. If this is not successful a new personal adviser must be allocated.
- 5.6.10 If a young person makes subsequent requests to change their personal adviser they must be invited to meet with the Team Manager

to discuss the situation. Young people must be encouraged to engage with advocacy services and the Children's Right's Officer.

- 5.6.11 In the great majority of cases, to allow for a cooling off period, instant decisions must not be made. During this period the original personal adviser will retain responsibility for the Pathway Plan, however the young person will be able to access services through the duty worker if needed.
- 5.6.12 In some circumstances the young person may wish for another adult to carry out the role of the personal adviser. Where this is judged to be appropriate by the Team Manager, the personal adviser allocated from within the 16+ Team can delegate all or some of their functions to a third party.
- 5.6.13 The allocated personal adviser will retain responsibility for financial arrangements sourced from the 16+ budgets, for monitoring the progress of the pathway plan and for ensuring it is reviewed.

### **Complaints and Representations**

- 5.6.14 If a young person is dissatisfied with the outcome of the processes described above they must be advised of their right to use the Complaints and Representations process.

## **THE ROLE OF THE PERSONAL ADVISER**

### **Introduction**

- 5.6.15 There is a legal requirement for the local authority to appoint a personal adviser to each young person who has been looked after for at least 13 weeks since the age of 14 and is now 16/17, either currently being looked after or who has left care since becoming 16.
- 5.6.16 Young people aged 18-21 who have, in the past, been looked after for at least 13 weeks since the age of 14 and fulfil the above criteria are also required to have the support of a personal adviser.
- 5.6.17 The legislation is not retrospective and only applies to those 16/17 year olds leaving care after the Children (Leaving Care) Act 2000 came into force. Young people 16 and older who are not covered by the Children (Leaving Care) Act 2000 are still eligible for support under existing provisions of the Children Act 1989, as amended.

### **To Provide Advice (Including Practical Advice) and Support**

- 5.6.18 This will depend on the young person's individual circumstances and how much wider support may be available from other people, e.g.

foster carers, befrienders, mentors, specialist care workers and family networks. Some young people will require a great deal of support from their adviser, others will need less contact as they are well supported and able to move on to independence.

- 5.6.19 The adviser is required to build and develop a network of support for the young person, whose needs will change as time goes on. The adviser must also be the first point of contact in any matter relating to the Pathway Plan.

#### **To Be Involved in Understanding the Young Person's Needs and Preparing A Plan to Meet Them (Pathway Plan)**

- 5.6.20 The personal adviser will have a key role in this process and ensure that the support identified builds on the young person's existing Care Plan (this may be in discussion with the young person's Social Worker). It is the personal adviser's role to update and review the young person's Pathway Plan.

#### **To Be Involved In Reviewing the Pathway Plan**

- 5.6.21 Pathway Plans must be reviewed at least every 6 months until the young person is 21 (or longer if the young person is on an agreed education or training course).
- 5.6.22 The personal adviser is responsible for agreeing any changes to the Pathway Plan with the young person and, in most cases, will be required to convene review meetings, linking with other organisations where needed.

#### **To Ensure the Pathway Plan Is Met**

- 5.6.23 The personal adviser must monitor progress in close discussion with the young person and those other organisations that have been identified in the Plan as required, delivering a service to the young person. The responsible authority is required to arrange a review if the personal adviser feels it is needed.

#### **Linkages with the Connexions Service**

- 5.6.24 The Connexions Service aims to provide young people aged 13-19 (24 for disabled young people) with the advice, guidance, support and personal development they need to prepare them for the transition to work and adult life. It is a universal service with targeted support for looked after children and care leavers.
- 5.6.25 When a young person reaches 16 it is expected that the personal adviser, as set out in the Children (Leaving Care) Act, will also be the Connexions Service personal adviser.

- 5.6.26 The local Connexions Service has seconded an intensively working personal adviser to the 16+ Team, who supports a small number of young people requiring time limited episodes of intensive work.

**To Co-Ordinate the Provision of Services and Take Reasonable Steps to Ensure That the Young Person Makes Use of Such Services**

- 5.6.27 In order to co-ordinate the provision of services the personal adviser must:

- Ensure that the range of services required are identified in the Pathway Plan
- Work closely with other agencies and professionals to ensure that services are provided at the right time and that agencies understand their respective contribution
- Fully involve the young person
- Keep informed about the young person's progress and well-being
- Monitor progress through regular contact with agencies/individuals that are supporting the young person

**To Keep Written Records of Contact with the Young Person**

- 5.6.28 The personal adviser must ensure a full and up to date record is kept of contacts with the young person to demonstrate that the local authority is discharging its statutory duties and to maintain a formal record of agreements made on behalf of the young person.

**To Keep in Touch**

- 5.6.29 The responsible authority is required to keep in touch with eligible, relevant and former relevant young people up to the age of 21 (or beyond if the young person is on an approved programme of education or training). This will normally be a role of the personal adviser.
- 5.6.30 Where advisers lose touch with young people they must take reasonable steps to re-establish contact until they succeed in regaining contact with the young person.
- 5.6.31 Advisers must be pro-active in expressing interest and concern.
- 5.6.32 Advisers will need to judge the appropriate degree of contact with young person.

- 5.6.33 Advisers should respect the wishes of young people whilst adopting the spirit of the 'good parent' and continuing to convey an interest in the young person's well-being.

## SHARED RESPONSIBILITIES

- 5.6.34 The leaving care personal adviser will cover the role of the Connexions Adviser, and will receive appropriate training to diploma level. The personal adviser will be able to refer to Connexions intensively working advisers located in the 16+ and other specialist teams.
- 5.6.35 Other professionals may have specific responsibilities with respect to certain aspects of a young person's needs and circumstances e.g. Children and Adolescent Mental Health Service, Youth Offending Team, Probation, Housing, Adult Services and acute hospital services.
- 5.6.36 The personal adviser retains responsibility for the oversight of the Pathway Plan. However certain aspects of its delivery may be shared, sometimes temporarily, with other workers from other professions. Where responsibilities are shared the personal adviser must ensure that there are clear understandings around who will be doing what.
- 5.6.37 In particularly challenging and or complex cases or situations it may be beneficial for all parties to decide on a joint planning approach based on the concept of the team around the young person. In these situations it is usually essential that a lead professional be identified. This may or may not be the personal adviser, depending on circumstances.
- 5.6.38 It is important for personal advisers to understand that they cannot make a commitment to the delivery of services that are beyond their remit or control.
- 5.6.39 When a former relevant young person has their needs met largely through adult services as a result of a long-term disability, it may well be the case that the personal adviser's role is restricted to monitoring and reviewing the Pathway Plan and maintaining contact with the lead professionals.

## 5.7 ASSESSMENTS AND PATHWAY PLANNING

### ASSESSMENTS

- 5.7.1 Every pre-eligible young person will be involved in an assessment process, which is aimed at:
- Identifying and developing that young person's aspirations for the future
  - Identifying her or his strengths and abilities and also areas where development is required
  - Identifying who are the best individuals and agencies for delivering that development
- 5.7.2 The initial Pathway Plan will be based on a thorough assessment process, which all pre-eligible young person will be involved in.
- 5.7.3 This assessment must be recorded on the assessment form which consists of the following 3 sections:
- Section 1 – young person's assessment
  - Section 2 – carer's (current placement) assessment
  - Section 3 – Social Worker's assessment
- 5.7.4 The assessment must involve all significant individuals and organisations and should include:
- Young person's self assessment
  - Social Worker's assessment
  - Carer's assessment
  - School/training assessment and the PEP
  - Family assessment
  - Specialist assessments from other agencies
- 5.7.5 The assessment process must cover the following areas:
- The young person's health and development
  - Her/his needs for education, training or employment
  - The support available to her/him from her/his family and other relationships
  - Her/his financial needs
  - The extent to which (s)he possesses the practical and other skills necessary for independent living

- Her/his needs for care, support and accommodation
- 5.7.6 The process of assessment should be streamlined as far as practicable and must include any special assessments required, e.g. those arising from a disability or issues of identity, self-esteem, mental health or parenting skills.
- 5.7.7 The Social Worker's assessment must be based on up-to-date existing assessments in line with the Framework for Assessment of Children in Need and their Families, and should usually be based around a Core Assessment.
- 5.7.8 The assessment process should be seen as a continuing process, recognising changes and developments in the young person's abilities and views.
- 5.7.9 However a thorough initial assessment must be completed before the young person's 16th birthday or within 3 months of them entering the looked after children system if this is later. These assessments must be shared and discussed with the young person and used to inform the initial Pathway Plan.
- 5.7.10 The allocated personal adviser is responsible for co-ordinating and driving forward the assessment process. This requires the active co-operation of the Social Worker, carers and other professionals.
- 5.7.11 Wherever possible the young person's family must be involved in the process. The personal adviser must consult with the young people to find out if there are other significant individuals they would wish to be involved.
- 5.7.12 The initial assessment process must be completed in sufficient time to allow the completion of the first Pathway Plan in advance of the young person's 16th birthday.
- 5.7.13 The assessment documents must be kept in the young person's leaving care file with a copy being provided to the Social Worker.
- 5.7.14 Wherever possible the assessments must be shared with the young person as part of the process of drawing up the initial Pathway Plan. This Pathway Plan serves as the recorded outcome of the assessment process.
- 5.7.15 The assessment and Pathway Plan process must be monitored and overseen by Team Managers in supervision with discussions and decisions recorded in ACCISS/Anite.

- 5.7.16 The assessment and planning documents are designed to be used on a PC or laptop and should be tailored to meet the individual requirements of the young person.

## PATHWAY PLANS

- 5.7.17 The Pathway Plan format is designed to be used on a laptop and could be completed by the young person in conjunction with the personal adviser. The format is flexible and should be adapted to meet the needs and wishes of the young person.
- 5.7.18 The Pathway Plan is the young person's Plan and should clearly reflect this. Personal advisers may add their comments to the Plan where they differ from the views of the young person but should differentiate between their comments and the Plan itself.
- 5.7.19 Pathway Plans are intended to be dynamic documents that are able to evolve in response to the young person's development and circumstances.
- 5.7.20 The initial Pathway Plan must be completed before the young person is 16, or within 3 months of her or him becoming looked after, whichever is later. The Plan can be updated as a result of discussion between the young person and their personal adviser.
- 5.7.21 It is not necessary to wait for a review to update the Plan, although a review of the Plan should occur if there are major proposed changes to the Plan.
- 5.7.22 Wherever possible Plans should include a long-term perspective as well as more immediate considerations. However the young person's ability to visualise the future should be respected.
- 5.7.23 Plans are likely to be most effective when they contain elements that are well defined and achievable.
- 5.7.24 The Pathway Plan needs to demonstrate that contingency plans have been considered in each major area.
- 5.7.25 Personal advisers must attempt to ensure that young people have read, accepted signed and received the main copy of their Pathway Plan.
- 5.7.26 Copies of the most recent Pathway Plan must be kept in the care leavers and social work files. The personal adviser must keep copies of all preceding Pathway Plans.

- 5.7.27 The Pathway Plan should be pivotal to the process whereby young people map out their future, articulating their aspirations and identifying interim goals along the way to realising their ambitions. It will also play a critical part in meeting other arrangements required by the Children (Leaving Care) Act 2000.
- 5.7.28 Staff should work to ensure that the Plan is owned by the young person and is able to respond to her/his changing needs and ambitions. It should look ahead at least as far as the young person's 21st birthday and will remain in place beyond that when the young person is in a programme of education or training which takes them past that age.

### **Pathway Plans and Good Practice**

- 5.7.29 The Pathway Plan should reflect best practice in that:
- Young people must have the option to remain looked after until they are prepared and ready to leave
  - Pathway planning should run parallel to a young person's Care Plan and looked after children planning, including any Personal Education Plan or Connexions Plan
  - Pathway planning should take place early, recognising the need for structure and stability
  - All people with an interest in or involved in supporting the young person should be fully involved in the process
  - Pathway planning should be at the young person's pace and ensure that young people are fully involved and informed about options available
  - Real choice is vital, as a young person's assessment of need will have identified which options will be most suitable and agreeable to the young person
  - The 16+ specialist Leaving Care Team must be involved at an early point in order to ensure that they can offer specialist knowledge to young people and help focus the pathway planning process

### **Content of the Pathway Plan**

- 5.7.30 The pathway planning process will be where arrangements for continuing support and contact will be agreed. The Plan should cover the following areas:
- Personal support
  - Accommodation
  - Education and training

- Employment
- Family and social relationships
- Practical and other skills
- Financial support
- Health needs
- Contingency planning

5.7.31 The Pathway Plan must be reviewed out least every 6 months and sooner if:

- The young person requests a review
- Major changes have occurred in the Plan

### **LINKS WITH THE STATUTORY REVIEW PROCESS**

5.7.32 Up to the age of 16 the Care Plan will be the main focus of the formal statutory reviewing process and the initial Pathway Plan must be presented as a sub-section of the Care Plan alongside the Personal Education Plan and other relevant plans.

5.7.33 From the age of 16 onwards the young person will be consulted increasingly about the management of the reviewing process. It is envisaged that the Pathway Plan will become the pre-eminent plan reviewed in the period between the young person's 16th and 18th birthdays.

5.7.34 However there is still a statutory duty to continue to formally review the arrangements made for the young person all the time they remain looked after and these reviews must continue to be chaired by an Independent Reviewing Officer in accordance with the Review of Children's Cases (Amendment) (England) Regulations 2004.

## **5.8 FINANCIAL SUPPORT FOR YOUNG PEOPLE AGED 16-18**

5.8.1 An annual schedule of payments is produced by the authority and is available in all workplaces.

### **THE PRIMARY INCOME MAINTENANCE ROLE**

5.8.2 Under the current arrangements local authorities have the primary income maintenance role for both eligible and relevant young people.

- 5.8.3 The local authority duty to maintain relevant young people is established under s23B (8) (a) of the Children Act 1989 as amended.

#### **Exceptions to the Duty to Maintain**

- 5.8.4 This duty will not apply to relevant young people once they have returned home for a period of 6 months or more.
- 5.8.5 In addition young people who are looked after on a series of short-term placements (less than 4 weeks) will not be defined as eligible young people even where the total period looked after is more than 13 weeks.
- 5.8.6 Ongoing responsibilities under s24 Children Act, as amended, will remain.

#### **DISQUALIFICATION FROM BENEFITS**

- 5.8.7 Under s6 Children (Leaving Care) Act 2000, eligible and relevant young people are not entitled to Income Support, Job Seeker's Allowance or Housing Benefit.
- 5.8.8 Lone parents and disabled young people continue to be eligible for benefits including Job Seeker's Allowance, Income Support and any other benefits due to them because of their disability or parental status. They are not, however, eligible for Housing Benefit.
- 5.8.9 Independent advice from a welfare rights specialist should be sought to assist in potential claims for benefits.
- 5.8.10 Those defined as disabled (Schedule 1B of the IS (General) Regulations 1987) and therefore able to claim benefits include someone who:
- Is entitled to statutory sick pay
  - Is incapable of work because of incapacity
  - Has appealed against a decision that they are not incapable of work
  - Is registered as blind
  - Is in work but because of a physical/mental incapacity their hours or earnings are 75% or less than that of a person without that disability in the same job
  - Is in non-advanced education and because of a severe disability they would be unlikely to get a job in the next 23 months

- 5.8.11 Receipt of benefits must be taken into account when assessing needs and drawing up the Pathway Plan for these young people.

**Other 16 and 17-Year-Old Care Leavers Who Remain Entitled To Benefits**

- 5.8.12 16 and 17 year old care leavers who do not meet the qualifying period for eligible or relevant young people remain entitled to benefits.
- 5.8.13 In addition, the local authority may provide them with financial assistance, in kind or, in exceptional circumstances, in cash (s24A Children Act 1989) to meet their particular needs.
- 5.8.14 Assistance may also be provided in relation to work, education or training up to the age of 24. The authority must assist a care leaver in residential further education or higher education with vacation accommodation.

**THE ASSESSMENT OF FINANCIAL NEED AND PATHWAY PLANNING**

- 5.8.15 The guidance states that *'in each case the responsible authority will have to agree with the young person his personal support package and how it is to be managed. The details will be recorded in the Pathway Plan'*.
- 5.8.16 Decisions on how much financial support to provide or how that support is to be provided must be based upon a full assessment of the young person's needs.
- 5.8.17 The minimum level of regular financial support available to any relevant young person will be equivalent to the benefit level for that age band.
- 5.8.18 Agreed regular payments will be made weekly into a young person's bank account. Payments may be made in cash weekly at 147 High St. Newport for a limited period.
- 5.8.19 If a young person is struggling to manage their finances other arrangements may be made in consultation with the Team Manager. However the young person's agreement should be sought if at all possible.
- 5.8.20 In emergencies young people may be issued with food vouchers or food.
- 5.8.21 The weekly minimum level of financial support must always be made available to a young person; in cases where there is a failure to reach

an agreement on the management of allowances the minimum level will be made available as cash, vouchers, warrants and food. This may be provided as a number of payments on set days.

### **National Guidance on Priorities**

- 5.8.22 The guidance states that items to be considered a priority for funding include, but should not be restricted to:
- Travel costs, e.g. for education
  - Educational materials/special equipment
  - Other educational costs
  - Costs associated with special needs (such as a disability or pregnancy)
  - Clothing
  - Contact with family or other significant relationships
  - Cultural/religious needs
  - Counselling or therapeutic needs
  - Hobbies/holidays
- 5.8.23 Young people engaged in education and training will receive incentive payments on a weekly basis for attendance and on a regular basis for periods of study completed, success at exams etc.
- 5.8.24 For financial arrangements linked to the provision of accommodation and housing see 5.16.
- 5.8.25 For financial arrangements linked to employment, education and training see 5.18.

## **5.9 FINANCIAL SUPPORT FOR YOUNG PEOPLE 18+**

- 5.9.1 The responsible authority does not have the primary income support role for this group.
- 5.9.2 It is expected that the young person's income should be derived from the same source as the young person's peers – i.e., employment, benefit entitlement, student loans, etc.
- 5.9.3 However, the local authority now has a duty, rather than a power as previously, to provide assistance or cash in respect of the special needs of former relevant children, based on the considerations outlined in Volume 3 of the Children Act 1989 Guidance & Regulations.

- 5.9.4 Payments made under s23C (as previously under s24 Children Act 1989) are disregarded by the Benefits Agency and will therefore not affect the young person's benefit claim.
- 5.9.5 The duty to provide financial assistance in relation to education and training does not cease at 21 but runs until the young person has completed the agreed programme of education or training specified in the Pathway Plan. Such assistance might include travel, clothing or equipment costs.
- 5.9.6 The responsible authority also has a duty to provide vacation accommodation (or funds to secure it) to all care leavers in higher education or residential further education, who were looked after by the local authority, not just those defined as former relevant children.

## **5.10 ADVICE ON ISSUING FOOD VOUCHERS & TRAVEL WARRANTS**

### **FOOD VOUCHERS**

- 5.10.1 When considering a request for food vouchers, workers must check ACCISS to see if there are entries about previous issues of vouchers and relevant instruction from managers and personal advisers or Social Workers.
- 5.10.2 Vouchers may be issued in emergency situations as follows:
- A young person has not yet been able to complete a claim for benefit, when they first receive support from the Directorate
  - Benefits are in place, but there is good reason for the young person to need help until a crisis loan is processed, for instance over a weekend
  - A crisis loan has been refused, whilst an appeal is processed, if the young person's health and safety may be at risk
- 5.10.3 Vouchers will not usually be issued if:
- A young person has mismanaged their money and run out of cash
  - A young person has not made a claim for a crisis loan
  - A young person has failed to maintain their benefits through non-attendance at appropriate training, education or appointments
  - A young person presents at the office late on a Friday, knowing that the benefit office is already shut, and does not have good reason to have dealt with the problem earlier

- 5.10.4 When food vouchers are refused workers will need to consider offering food from the stock held at 147 High Street, Newport.

### **TRAVEL WARRANTS**

- 5.10.5 Public transport on the Island is expensive and service users may be given support with travel in the following situations:
- A young person has an appointment arranged to see a member of the 16+ Team
  - A young person needs to attend an initial benefits/careers interview, and does not yet have benefits set up
  - A care leaver needs to visit family and maintain contact on a regular agreed basis
  - A young person has been asked to attend a particular meeting or event by the 16+ Team or other professional involved in their case
  - The young person is taking part in agreed social, leisure, sports, training or educational activities
- 5.10.6 Warrants may not usually be issued if a young person is asking to have casual travel costs covered.

## **5.11 CARE LEAVERS BASIC FUNDING GRANT FOR CLOTHING**

- 5.11.1 The Directorate has estimated the costs of purchasing a comprehensive list of basic clothing of reasonable quality to equip a young person.
- 5.11.2 On this basis, we provide a proportion of this up to a maximum amount per year for each care leaver to maintain their stocks of clothing via negotiation with their personal adviser. The level of the maximum grant is reviewed each year and up to date figures are available from the 16+ Team.
- 5.11.3 The agreed sum should normally be paid in two sections, one in spring and one in winter. This is to encourage the purchase of clothes appropriate for the coming season e.g. a winter coat, towards the end of the year.
- 5.11.4 Personal advisers must work with young people to help them draw up a list of clothing needs and price this accordingly. This list will be priced against a general advisory list maintained by the 16+ Team.

- 5.11.5 It is essential that young people initially purchase the clothes that they need. If they have a full complement of good quality, adequate clothing we may then look at the purchase of other items or at spending more money on one particular item.
- 5.11.6 Where somebody wishes to buy an item of clothing at a price significantly above that listed we would expect them to make a major contribution towards this from their own money.
- 5.11.7 It is important to remember that the care leavers living allowance, based as it is on the income support rates, contains an element that is designed to allow the young person to contribute towards their own clothing needs.

### **PRACTICAL ARRANGEMENTS**

- 5.11.8 In most situations the preference must be that money is spent as cash rather than county orders. This enables the young person to develop purchasing skills and reduces the risk of stigmatisation.
- 5.11.9 Once the young person and their personal adviser have reached an agreement about a list of clothing and the amount of money to be spent, there are a number of options for purchasing:
- The young person can go shopping with the personal adviser or
  - The young person can be given the money and take responsibility for doing the shopping themselves
- 5.11.10 In both situations, the personal adviser must be given and hold on to the receipts for the clothing. If a young person who has been shopping by themselves fails to return with the appropriate receipts, future shopping expeditions must be accompanied.
- 5.11.11 Disputes between young people and personal advisers regarding clothing money can be resolved through the representation and complaints procedures starting at the informal level.
- 5.11.12 Clothing that is specifically required for education or training or in certain cases for specific work requirements can be purchased separately from the yearly allowance.
- 5.11.13 The young person will need to provide a list to the personal adviser which must be discussed with the Team Manager or deputy.

## 5.12 YOUNG PEOPLE LEAVING CARE

- 5.12.1 The main purpose of the Children (Leaving Care) Act 2000 is to improve the life chances of young people living in and leaving local authority care. Its main aims are to:
- Delay young people's discharge from care until they are prepared and ready to leave
  - Improve the assessment, preparation and planning for leaving care
  - Provide better personal support for the young people after leaving care
  - Improve the financial arrangements for care leavers
- 5.12.2 Young people should not leave the care of the local authority before the age of 18:
- As the result of a crisis or lack of resource
  - Unless they are prepared and ready to do so and
  - They specifically request this action and
  - It is seen to be in their best interests
- 5.12.3 To qualify for support under the Children (Leaving Care) Act 2000 a young person will have left care after her or his 16th birthday.
- 5.12.4 If the young person is on a Care Order this will happen either on their 18th birthday or when the Court agrees to lift the order (unless they continue to be looked after under s20 of the Children Act 1989).
- 5.12.5 If the young person is looked after under s20 of the Children Act they will usually leave care when they cease to be accommodated by the local authority in registered accommodation.
- 5.12.6 However leaving care should happen as part of a planned process and not as a result of a crisis or placement breakdown. This may result in the young person whilst still looked after living temporarily in unregistered accommodation if no other suitable registered resource is available.
- 5.12.7 The decision for a young person to leave care well in advance of their 18th birthday must be the result of an assessment of their capabilities, their best interests and of their informed wish so to do.
- 5.12.8 This decision must be made jointly by the young person, their personal adviser, Social Worker and the Team Manager.

- 5.12.9 Disputes are to be resolved by application to the relevant Service Manager or by use of the representations procedure. Decisions about leaving care will be put on hold whilst the representations procedure is in process.
- 5.12.10 Leaving care must be recorded as a 'significant event' in the young person's record and in ACCISS. An 'end of episode' diary entry will be made recording the relevant DfES 903 return code.

### **5.13 PREPARATION FOR INDEPENDENT LIVING**

- 5.13.1 Councils will be most concerned about leaving care in the case of relevant and former relevant children. However they should also bear in mind the needs of those care leavers who do not qualify for the new arrangements but who will nonetheless qualify for advice and assistance under s24 (1) Children Act 1989.
- 5.13.2 These young people too may be vulnerable and require good quality services from the council in order to safeguard and promote their welfare.
- 5.13.3 The principles underlying preparation for leaving care should reflect good childcare practice generally, following the principles of the Children Act 1989.
- 5.13.4 Services for young people must take account of the lengthy process of transition from childhood to adulthood, to reflect the gradual transition of a young person from dependence to independence. The support provided should be, broadly, the support that a good parent might be expected to give.
- 5.13.5 Young people should be central to discussions and plans for their future. It will be exceptional for decisions to be made without their full participation. Well before a young person leaves care, a continuing Care Plan must be formulated with her or him.
- 5.13.6 In the case of an eligible child this should develop into the Pathway Plan. This must specify the type of help the young person will be receiving and from whom.
- 5.13.7 For young people who will qualify for advice and assistance only under s24(1) Children Act 1989 this continuing Care Plan must incorporate contingency arrangements in the event of a breakdown in the young person's living arrangements after s/he has left care. Such arrangements might include, for example, the possibility of a return to a community home or to foster care.

- 5.13.8 As with the Pathway Plan, where it applies, parents should be invited to help formulate the continuing Care Plan (if they are not estranged from the young person). So, too, should foster carers if the young person is leaving a foster placement (whether local authority or private). If the young person wished it, her or his foster carer should be encouraged and enabled to play a continuing role in her or his support.
- 5.13.9 Preparation for leaving care should help develop young people's capacity to make satisfactory relationships, develop their self-esteem and enable them to acquire the necessary practical skills for independent living.
- 5.13.10 In helping young people to develop socially and culturally, carers must be prepared to take some risks and to take responsibility for doing so; to let young people take some risk, e.g. in attempting relationships that ultimately do not work; and to take responsibility for supporting young people through breakdowns in relationships.
- 5.13.11 All preparation for leaving care and provision for after care must take account of the religious persuasion, racial origin, cultural and linguistic background and other needs of young person.
- 5.13.12 Preparation for leaving care and the provision of aftercare must be planned in conjunction with all other interested agencies, e.g. education and housing authorities, the Connexions Service / Careers Service, health services and, where appropriate, other local authorities. These agencies should be invited to contribute to young people's continuing Care Plans and, as they reach 16, to their Pathway Plans.
- 5.13.13 The Pathway Plan assessment processes will have identified the young person's strengths and needs in terms of independent living skills. The Pathway Plan must reflect the young person's perception of their needs and the steps to be taken to address these.
- 5.13.14 However it is not necessary to wait until completion of the initial Pathway Plan before helping the young person to enhance their independent living skills.
- 5.13.15 Carers will normally be the main resource for this work and personal advisers and Social Workers must work closely with carers and their support workers (in the case of fostering) to co-ordinate this activity.
- 5.13.16 Other training resources available include use of the training flat at Greenlands and the facilities at 4-5 Lower St. James St.

## **GREENLANDS**

- 5.13.17 The training flat at Greenlands can be used for individual and group personal skills training sessions. It will also be used to provide young people in care with practice and experience of living independently for limited periods of time.

## **5.14 FAMILY AND PERSONAL SUPPORT**

- 5.14.1 Personal advisers need to be aware of young people's extended support networks, including family, friends and carers, to ensure that young people are adequately supported to maintain these networks.
- 5.14.2 Where young people are not adequately supported, personal advisers must explore options for involving other agencies and organisations. Where appropriate mentoring and advocacy services must be considered.
- 5.14.3 In many cases when care leavers cannot return home, their immediate and extended families retain an important position in their lives. In some cases, care leavers return to live with their families sometime after leaving care.
- 5.14.4 Whenever it is assessed to be in their best interests, Social Workers and personal advisers have an important role in helping young people explore and rebuild their relationships with family members.
- 5.14.5 Financial support is available for travel to encourage family contact.

## **SOCIAL, SPORTS AND LEISURE ACTIVITIES**

- 5.14.6 The assessment and pathway planning process should identify sports and leisure pursuits which might interest the young person.
- 5.14.7 Personal advisers and carers should encourage young people to develop a range of friendships with peers outside the looked after system as part of their support system.
- 5.14.8 Financial and practical assistance should be made available to encourage care leavers to take part in these activities. 'One Cards' for free access to leisure facilities are available on request.
- 5.14.9 Driving lessons, up to 25 sessions, should be provided to all care leavers at a suitable time on request. License and exam fees should be paid in full.

## 5.15 HEALTH CARE PLANNING

- 5.15.1 Pathway planning must cover health needs, including any mental health needs, and how they are to be met. Planning should:
- Involve a holistic assessment and the maintenance of detailed health records promoting a healthy lifestyle
  - Ensure appropriate use of primary health care services by young people
  - Provide access to specialist help and therapeutic services
  - Promote leisure interests
  - Specify entitlement to free prescriptions, where appropriate
  - Pay attention to healthy living, dietary and cultural needs, sexual health, sexuality and the specialist needs of young people with disabilities
- 5.15.2 See 6.25 for full details of health care planning for looked after children.

## 5.16 ACCOMMODATION

- 5.16.1 The revised guidance (2000) to the Housing (Homelessness) Act defines care leavers as a priority group.
- 5.16.2 The average age at which young people leave their parental home has risen to 23 / 24. It does not generally benefit young people leaving care to move from a stable foster care arrangement to other supported accommodation merely because they have reached the age of 18.
- 5.16.3 The Combined Accommodation Scheme (CAS) has been established within the Fostering and Adoption Service Team (FAST) to develop an accommodation provision in which young people are able to stay in the same place, although under different regulations, past their 18th birthday until they feel ready and able to move on.
- 5.16.4 CAS workers should make links with carers accommodating young people over the age of 14 to establish whether that placement will be able to endure beyond the age of 18.
- 5.16.5 Where it is not possible for a young person to remain in placement past 18 thought must be given to a planned change of placement to a CAS provider.

- 5.16.6 During the pathway planning process and in subsequent reviews young people should become acquainted with the range of accommodation options available to them in the future. The Pathway Plan must include a route through to secure long-term accommodation.
- 5.16.7 In an initial Pathway Plan reference to housing may be a fairly general commitment to explore housing options. Plans are only likely to become firm and detailed as the time for moving on approaches.
- 5.16.8 There are a number of routes open to care leavers in their progress from looked after accommodation to independent living. Housing is available to relevant and former relevant young people on the Island in CAS lodgings, specialist hostels, the Foyer, in supported housing and in general needs housing association stock and private sector rented units.
- 5.16.9 The preferred route into secure self contained housing for care leavers is into the general housing stock of the housing associations on the Island. In the local housing strategy these associations have committed themselves to provide a minimum of ten move-on units for care leavers.
- 5.16.10 Eligible young people must be strongly encouraged to put their names on the Island housing register as they approach the time of leaving care. The registration will remain in place but inactive until a time identified in the Pathway Plan when personal advisers will contact housing services to say that the young person is now ready to manage a tenancy. Exceptionally this can happen before a young person is 18.
- 5.16.11 There is a lack of self-contained single person accommodation for rent on the Island. This means that some care leavers will be housed via the private sector. This route should only usually be explored after the social housing options had been thoroughly explored.

## **FINANCIAL SUPPORT FOR HOUSING COSTS**

- 5.16.12 The local authority will pay relevant young people's rent. Rents may be paid directly to providers or via young people's bank accounts. Former relevant young people may need to claim housing benefit.
- 5.16.13 Young people will be responsible for utility costs in their accommodation but transitional arrangements may need to be put in place to help young people learn to budget effectively. Social Workers are responsible for setting up payment schedules. Personal advisers must do this if no Social Worker is allocated.

- 5.16.14 Personal advisers must ensure that a young person has at least a minimum survival kit whenever they move into new accommodation. This must include:
- A supply of staple food items, e.g. milk, tea, coffee, butter, pasta etc
  - Money to buy a week's food
  - Cleaning and personal hygiene products
  - Access to a week's worth of utility costs, for example, by providing a topped up electricity key
  - Bedding, towels, etc
  - Provision of basic furniture, furnishings, cutlery and crockery etc
- 5.16.15 A designated sum of money is available for these purposes (see the schedule of payments).
- 5.16.16 In supported living situations many of these items may be provided. When a young person moves for the first time into self-contained accommodation they will need to be involved in equipping the property to their taste within the allocated budget.
- 5.16.17 Private sector self contained or shared accommodation may be found through reputable letting agencies. This should only be done if a housing association tenancy is not available.
- 5.16.18 The 16+ Team will arrange to cover the following costs:
- Legal and contract fees
  - 1 month's rent in advance
  - 1 month's rent as a deposit
  - Reasonable moving costs
  - Purchase of a television license
- 5.16.19 Reasonable rent levels will be determined by reference to local housing benefit rates. These may be exceeded if the young person is able to contribute to the rent from earnings.
- 5.16.20 These costs will usually only be made once and therefore should only be made if the young person is able to maintain their tenancy. Rent advances and deposits may be re-used if a young person moves to a new property. If this is part of a planned process legal fees can be paid again.

## **EMERGENCY ACCOMMODATION**

- 5.16.21 If a care leaver requires emergency accommodation the personal adviser must approach the duty worker in the FAST Team requesting a resource.
- 5.16.22 Where no suitable registered accommodation is available B&B may be used temporarily. All use of B&B must be temporary and reviewed every week.
- 5.16.23 B&B providers may need to be made aware of specific risks posed by young people placed with them and where necessary informed about specific vulnerabilities.
- 5.16.24 If the duty worker cannot find accommodation the young person may be asked to make a homelessness application to housing services as a priority case.
- 5.16.25 Where no accommodation can be identified on the Island, off-Island resources may be used, but arrangements must always be in place to allow the young person to return, and must be closely monitored.

## **5.17 EDUCATION, TRAINING AND EMPLOYMENT**

- 5.17.1 Care leavers are often disadvantaged in their education because of frequent changes of schools following being taken into care.
- 5.17.2 Care leavers often lack confidence in their ability to succeed in education and training and this can lead them to aim below their potential.
- 5.17.3 Part of the personal adviser's role is to help the young person develop their ambitions and aspirations in line with their potential. Personal advisers have an active role in supporting and encouraging young people in education and training. They also have a role in helping family members and carers to support the young people.
- 5.17.4 Personal advisers will need to identify any specific learning needs for the young people and find appropriate professional support. They must also introduce the young person to the education and training incentive scheme and oversee its running.
- 5.17.5 A central part of the personal adviser's duties is to encourage young people to engage in education and training. This is supported by the education, employment and training incentive scheme. Many young people will not have experienced success at school and will need

active encouragement and practical support to re-enter the education and training arena.

- 5.17.6 The 16+ training room has been established to allow personal advisers to work with the trainer and young people in a non-threatening environment. The service is designed to help young people overcome personal blocks to learning and develop the confidence to study and succeed in a more mainstream environment.
- 5.17.7 Some care leavers prefer to work rather than seek continuing education or training. Whilst their decision needs to be respected, often their employment will be low paid, temporary or seasonal and insecure.
- 5.17.8 Young people in work should still be encouraged to examine training and educational opportunities to help them access more secure and better paid employment in the long term.
- 5.17.9 Young single parents will be encouraged to attend the GFS platform scheme or use distant learning opportunities.
- 5.17.10 See 6.26 for further details of the education of looked after children.

## **5.18 FINANCIAL SUPPORT FOR FURTHER EDUCATION AND TRAINING**

### **INCENTIVE PAYMENTS TO LOOKED AFTER CHILDREN AND CARE LEAVERS**

- 5.18.1 Incentive payments are paid to looked after children and care leavers who are attending school, or if post school leaving age who are at college, training with training organisations or who are engaged in further education in different settings.
- 5.18.2 Incentive payments are not paid to young people who are in employment that is not part of the work training arrangement.
- 5.18.3 The level of incentive payments is reviewed annually and current rates are available from the 16+ Team.

#### **Young People in full time Education, either at School or at College**

- 5.18.4 Incentive payments will be paid for weeks attended. Generally, if a young person has a week with low attendance they won't lose their incentive payment immediately. Their attendance must be discussed

with them and if the low attendance continues the incentive payment may be stopped.

- 5.18.5 An additional weekly amount is paid for young people in education for periods of study completed. Generally these will be per half term.
- 5.18.6 These payments must be arranged by the personal adviser in advance of the half term or holiday break. If a young person completes a term but has missed large amounts of time and the personal adviser feels they should not be paid the full amount of incentive payment this must be discussed with the Team Manager.
- 5.18.7 Educational incentive payments will be paid from the start of the autumn term to the end of the summer term.

### **Young People in Training**

- 5.18.8 Young people in training receive an incentive payment for each week of training completed.
- 5.18.9 As with educational incentive payments one low week would not mean that the young person automatically lost their incentive. The personal adviser should discuss the situation with the young people and future payments may be cancelled if attendance doesn't pick up.
- 5.18.10 Goals that are set for attendance at training and reintegration into training must be realistic and achievable. It is not necessary that somebody attends for 5 days a week to receive their incentive payment.
- 5.18.11 Young people in training do not receive an additional payment based on completion of each half term. This is because the training organisations do not work on a term basis.
- 5.18.12 In order to replicate work-like situations wherein agreed holiday periods are paid, young people in training will continue to get their weekly incentive payment over a short holiday period such as the Christmas/new year break and Easter breaks.
- 5.18.13 Agreed periods of summer holiday up to a total of 20 days per year can also be arranged.

### **Arrangements for Payment**

- 5.18.14 If payment is to be made in cash, personal advisers must ensure that the team clerk has advance notice of all requirements. Cash payments must only be used for a short period of time after which direct payments to bank accounts must be set up.

- 5.18.15 For payments into a young person's bank account, personal advisers must set up payment instructions via structured diary entries. The team clerk will produce an annual template for schools and the college which can be used to collate these entries.
- 5.18.16 Karen Wilcox at HQ will need to be informed about the need for payment and referred to the structured diary entry.

### **EDUCATIONAL MAINTENANCE GRANTS (EMA)**

- 5.18.17 The EMA was introduced from September 2004 by the government to encourage young people to remain in education beyond the age of 16. It is coordinated and locally implemented by Local Learning Skills Councils.

#### **Who Is Entitled To An EMA?**

- 5.18.18 Young people who are entitled to an EMA are those who are currently in year 11 at school and whose household income does not exceed a set threshold who enter for:
- Sixth form
  - Further educational courses
  - Sixth form colleges
  - FE colleges
- 5.18.19 Young people cannot claim an EMA if they intend to enter into higher education.
- 5.18.20 Those young people in care, leaving care & homeless can claim as an independent person.

#### **What Is An EMA?**

- 5.18.21 The EMA is a weekly payment paid directly in to the young person's bank account if they stay on in post 16 education after statutory / compulsory education.
- 5.18.22 Young people may also receive bonuses if they remain on their course, maintain good attendance and make good progress with their learning.
- 5.18.23 Bonuses will be paid in January and July in the first year of study, and in September, January and July in subsequent years.

### **For How Long Can A Young Person Receive An EMA?**

- 5.18.24 Most young people can receive an EMA for up to 3 years until they are 19 years of age if they stay on in to post 16 education.
- 5.18.25 Those young people with learning difficulties may receive an EMA for up to 4 years. The Connexions service can certify eligibility for this period of time.

### **How to Apply For an EMA**

- 5.18.26 A young person can obtain an application form from the Connexions service, colleges or schools.
- 5.18.27 Young people need to complete an application form and send it to the Assessment and Payment Body (APB).
- 5.18.28 Young people can start receiving an EMA once they have enrolled at a school or college and have started a valid programme of study.
- 5.18.29 The APB will notify the young person about whether or not they are entitled to an EMA.

### **The Role of the Personal Adviser in the EMA Process**

- 5.18.30 Personal advisers have a role in making sure:
- That young people that are currently in year 11 are aware of the EMA for post 16 education as soon as possible
  - That they assist young people in obtaining an EMA application form from Connexions service, college or school
  - They assist in completing & returning the application form to APB
  - That young people from 9 year are aware of EMAs and encourage them to take up post 16 education
  - They assist young people in the processes of appeal if they are unhappy with an APB decision to stop their EMA entitlement
  - That they work in partnership with the Connexions service, college and schools
- 5.18.31 Advice for personal advisers about EMAs is available through the local Learning Skills Council & Connexions service.

## POST 16 EDUCATION GRANTS AND ALLOWANCES

5.18.32 All personal advisers have a duty to inform young people from year 10 of financial help they can apply for and receive in order to undertake post 16 education or training.

### Higher Education

5.18.33 A young person must obtain 'financial support for HE students' and a PN1 form from the LEA. This enables them to apply for grants and loans available.

5.18.34 The LEA will only pay for tuition fees if the whole student loan is applied for. This does not mean the young person needs to access any of the loan throughout their university course.

5.18.35 A high interest savings bank account can be set up to deposit the loan in order to use it later or return to the loans company at the end of the course and the young person keeps the interest made.

5.18.36 Young people can claim as an independent person and the LEA will not expect young people's parents to contribute to young people's tuition fees if the following conditions apply:

- The young person is in the care of the local authority or a voluntary organisation, or under a Custodianship Order on their 18th birthday or immediately before the course begins if they are not 18
- The young person has no living parents
- Parents cannot be traced or it is not practical or possible to contact them
- Young people are permanently estranged from their parents
- Parents live abroad and assessment would put them in danger (applies to young people with refugee status)

5.18.37 Confirmation that one or more of the above conditions applies and the LEA will need a letter from:

- The Social Worker
- Job Centre Plus showing young person has received benefits under 18 i.e. Income Support
- Personal adviser, personal tutor or teacher if parent/family relationships break down whilst in school or college
- GP

- The young person – explaining the circumstances, which led to the break down of relationships and the estrangement from their parents

5.18.38 The LEA expects a young person who is estranged from their parents not to have had contact with their parents within the previous 12 months, although this requirement may be waived in exceptional circumstances.

### LEA Grants

5.18.39 All young people can claim for a means tested grant as from September 2004 which is dependent on the household income.

5.18.40 As care-leavers & homeless young people will be claiming as independent people they will be more than likely to receive the maximum grant allowance. This grant is non repayable.

### Care Leaver's Grant

5.18.41 A care leaver's grant is available to help with accommodation costs during the summer vacation.

5.18.42 This will be paid direct from the LEA to the young person or landlord and does not have to be repaid by the young person.

5.18.43 A care leavers grant from the LEA can be applied for after the first complete year of University (during the first year young people are usually accommodated in student halls) where a young person has no arrangements for accommodation such as a home with relatives/foster carers, supported lodgings or friends.

5.18.44 Young people **MUST**:

- Be full-time students in care on their 16th birthday or afterwards for at least three months and under 21 at the start of their course
- Apply in writing to the effect they have no accommodation as above
- Must be in summer employment or actively looking for employment

### Other Grants Available

5.18.45 Depending on their circumstances young people may also qualify for one or more of the following grants or allowances:

- Parent grant (has dependents)
- Lone parents' allowance

- Childcare grant
- Disabled students' allowances

### **Access & Hardship Funds**

5.18.46 Access and hardship funds may be made available through university / college student services (especially if one or more applies) if the young person:

- Has children of her/his own (In particular lone parents)
- Comes from a low income family
- Has a disability
- Has been in care
- Comes from a Foyer or is homeless
- Is in her/his final year

5.18.47 Payments are given as a grant and do not have to be repaid by the young person.

### **Hardship Loans**

5.18.48 Hardship loans may be available through university / college student services providing that the young person has claimed for their full student loan entitlement and have at least received the first loan instalment.

## **16+ TEAM FINANCIAL SUPPORT FOR CARE LEAVERS GOING TO UNIVERSITY**

5.18.49 Available financial support includes:

- Start up allowance
- Maintenance grant whilst attending higher education includes living allowance, rent for halls (yr 1) other accommodation (yrs 2 & 3), books & stationery
- Retainer during term time may be paid to keep open accommodation i.e. supported lodgings so suitable accommodation is available for the young person in the holidays
- Rent for arranged accommodation during holidays if no accommodation arranged
- Support payments for providers
- Living allowance to young person/student during summer holidays - however all young people should be encouraged to take employment or attend educational activities/school

- Travel warrants for travel to and from university for both young person and carer/provider
- Help with moving personal belongings

5.18.50 Extra help may be provided for other activities such as field trips, or equipment needed to help with university courses.

## **5.19 SUPPORT FOR QUALIFYING YOUNG PEOPLE**

### **OTHER RESPONSIBILITIES IN RELATION TO CARE LEAVERS AGED 18 PLUS WHO ARE NOT FORMER RELEVANT CHILDREN**

5.19.1 Under s24 of the Children Act 1989, local authorities retain a number of residual powers and duties to care leavers who do not become former relevant children but who qualify for advice and assistance. These include:

- Additional financial assistance dependent upon the young person's needs
- To advise or befriend the young person
- Assistance in kind, or in exceptional circumstances, cash
- Assistance where a young person incurs expenses associated with employment, education and training, up to the age of 24 where connected to a course of education or training
- Vacation accommodation, or the means to secure it, for care leavers between the age of 16 and 21 qualifying for advice and assistance, who are in higher education or on a residential further education course, where needed
- To keep in touch up to the age of 21, or 24 if the young person is receiving assistance with education or training
- To provide a representations procedure

5.19.2 There are clear discrepancies between the levels of responses required from the local authority towards young people who have left care before or after the implementation of the Act.

5.19.3 Wherever possible and within budgetary constraints the differences should be reduced. For example all care leavers including qualifying young people must be allocated a personal adviser.

## 5.20 COMPLAINTS, REPRESENTATIONS & ADVOCACY

### NEW DUTY TO PROVIDE 14-DAY INFORMAL RESOLUTION STAGE

- 5.20.1 From 1st October 2001, local authorities have a new duty to provide an initial 14 day informal resolution stage in the complaint process to most care leavers, being:
- Relevant young people
  - Former relevant young people
  - Persons qualifying for advice and assistance
  - Persons qualifying for advice and assistance, formerly looked after by a local authority, and receiving assistance in connection with education/training
- 5.20.2 The time period begins when the local authority receives the complaint. Upon receipt the authority must provide a written summary of the complaint to their designated complaints officer and must try 'by informal means' to reach a settlement to the 'satisfaction' of the young person.
- 5.20.3 If the young person is not satisfied with the resolution of her/his complaint at the end of the 14-day period, the local authority must notify the complaints officer of the failure and the young person of her/his right to begin the formal complaints process. Notices must be in writing.
- 5.20.4 The new duty is set out in Regulation 3A of the Representations Procedure (Children) Regulations 1991 (added by Regulation 13(3) of the Children (Leaving Care) Act Regulations, as authorised by new s24D of the Children Act 1989).
- 5.20.5 The right to pursue a complaint formally if the informal resolution is unsuccessful is found in Regulation 4(1)(a) of the Representations Procedures (as amended by Regulation 13(4)(a) of the Children (Leaving Care) Act Regulations). The requirement that notices be in writing is in Regulation 2(2) of the Representations Procedures.

### ADVICE, SUPPORT & ADVOCACY

- 5.20.6 The Children (Leaving Care) Act Guidance states that the *"responsible authority should ensure that a young person who needs or requires it should have access to an advocate both to help them formulate their complaint and then to present it to the authority and throughout the complaints procedure"*.

- 5.20.7 All young people involved with the 16+ Team are able to access the advocacy service provided by the Youth Trust.

## 5.21 PERFORMANCE MANAGEMENT

- 5.21.1 Children's Services management team collects and analyses data in order to understand its activity and monitor its effectiveness. Data of specific relevance to the activities of the 16+ Team is collected and analysed in the following areas.

### LOOKED AFTER CHILDREN

- Numbers in system
- Changes of placement
- Use of specialist services – CAMHS, YOT etc
- Number with up to date Personal Education Plan and Pathway Plan
- Teenage pregnancy
- Offending behaviour
- Educational performance
- Reviews

### CARE LEAVERS

- Numbers in system
  - Average age of leaving care
  - Percentage age in contact with service at age 19
  - Percentage in appropriate accommodation
  - Percentage in education training and employment
  - Involvement of care leavers in consultation and decision making
  - Percentage of care leavers with up to date Pathway Plans
  - Educational performance
  - Teenage pregnancy
  - Number in higher and further education
- 5.21.2 This information is collected monthly by the Team Manager and presented to senior managers. This information is also presented and discussed at 16+ Team meetings.

## CONSULTATION

5.21.3 Pre-exit interviews will be held with care leavers 6 months before they leave the system. These will have 2 foci.

- Firstly, to check that the young person has accessed the full range of services needed and to identify any final pieces of work required.
- Secondly, to gain feedback about the young person's experience of the service offered in order to improve the service available.