



Children and Young People's Services

Procedure for Planning Transition to Adulthood for Care Leavers

POLICY/PROCEDURE APPROVAL			
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1 INTRODUCTION

- 1.1 The transition to adulthood for all young people can often be complex and confusing and the support they receive during this period can play a significant role in a successful transition. Young people leaving care are known to be particularly vulnerable due to their previous life histories.
- 1.2 Cheshire West and Chester (CWAC) does not view leaving care as a process driven by a prescribed age point, rather it is a process which is driven by qualitative assessment processes, ongoing support and assessment and the capacity of each young person to develop the skills necessary to live independently.
- 1.3 This document outlines Cheshire West and Chester's stated position on how it intends to meet its legislative duties to young people leaving care and ensure they are enabled to realise their potential.

2 KEY PRINCIPLES

- 2.1 Cheshire West and Chester aim is to ensure that care leavers have the same opportunities and life chances that any good parent would wish for their own child. Just as good parents support the gradual transition of their children into adulthood, CWAC takes equal responsibility to care leavers in ensuring their social inclusion and active engagement in society.
- 2.2 The support made available to all young people leaving care should enable them to realise their full potential and become successful in all aspects of their lives. Our aspirations for care leavers cannot be achieved without the real engagement of other Directorates. Equally, the involvement of the whole range of specialist agencies in the statutory and voluntary sector is vital to achieving our goals and ambitions. It is the local authority as a 'Corporate Parent' that has responsibility for local leaving care services with Children's Social Care taking an overall lead.
- 2.3 The principle underpinning these procedures is that young people should be encouraged to remain in care until they are ready and able to live independently. Those young people wishing to leave care before they reach age eighteen will only be supported in doing so when an assessment of their needs supports this and that decision has been agreed in a review of their Pathway Plan.

3 PREPARATION

- 3.1 Preparation for leaving care should begin well in advance of the pathway planning process for young people, in the sense that the care they receive should encourage the young person to develop the skills and self-confidence required to function more independently when they cease to be looked after.

- 3.2 CWAC expects that all young people in care should begin to prepare for independence at around the time that they enter high school provision. That preparation will include the completion of a comprehensive Independent Living Assessment (ILA). This will then form an integral part of the Pathway Assessment; which will contribute to the identification of areas for development and recommended actions when formulating the YP transition to adulthood in their Pathway Plan.
- 3.3 The young person must have a key role and be central to all planning in order to ensure that the Pathway Plan is accurate and reflects the young person's wishes and feelings. The worker must also ensure that parents and carers are fully involved in all stages of the transition process.
- 3.4 In preparing for transition and in order to achieve full independence, care leavers will need access to:-
- A range of accommodation
 - Further and higher education;
 - ongoing support, motivation and encouragement;
User-friendly health services, in particular mental health and substance misuse to enable them to take responsibility for their own healthy living;
 - Financial support and access to high quality benefits advice;
 - Training and employment opportunities;
 - Constructive leisure pursuits and community networks; and
 - Access to a complaints and advocacy service

4 LEGAL FRAMEWORK

- 4.1 **The Children Act 1989** remains the general legal framework for young people in and leaving care. Most subsequent legislation sought to amend and supplement its provision.
- 4.2 **The Children (Leaving Care) Act 2000** and the associated Regulations and Guidance is designed to improve the life chances of young people leaving care and details important entitlements in both support and finance.
- 4.3 **The Children and Young Person Act** provides a particular focus on young people in care and those making the transition from care.
- 4.4 **The Children Act 1989 Guidance and Regulations, Volume 3: Planning Transition to Adulthood for Care Leavers** includes The Care Leavers (England) Regulations 2010 and stands as the most current guidance. It was implemented in April 2011 and is addressed to local authorities and their staff, lead members and Commissioners of services to ensure care leavers are given the same level of care and support that their peers would expect from a reasonable parent and that they are provided with the opportunities and chances needed to help them move successfully to adulthood.
- 4.5 There has also been **significant case law** that the Local Authority has to be mindful of in undertaking their statutory duties and obligations to CIC and Care

Leavers.

G vs. Southwark (2009)

Considers how local authorities respond and support homeless 16 and 17-year-old young people.

J vs. London Borough of Sutton (2007)

J challenged the Borough of Sutton to provide her with leaving care services as a 'relevant child' under the Children (Leaving Care) Act 2000.

J vs. Caerphilly County Borough Council (2004)

J challenged in relation to the local authority's responsibility when assessing care leavers and drawing up Pathway Plans.

5 DEFINITIONS OF CATEGORIES OF CHILDREN ENTITLED TO CARE LEAVING SUPPORT

- 5.1 Staff should ensure via the Pathway Planning process that all young people are aware of their leaving care status and the level of support they can expect to receive.
- 5.2 Each young person leaving care may have a different entitlement to service and support dependent upon their care status e.g. eligible, relevant, former relevant or qualifying.

<p><u>Eligible children</u></p> <p>Defined in paragraph 19B of Schedule 2 to the 1989 Act, and regulation 40 of the Care Planning Regulations as a child who is:</p> <p>(a) looked after, (b) aged 16 or 17, and (c) has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after he reached 14 and ended after he reached 16.</p>	<p>The local authority has the same statutory obligations in relation to eligible children as they do towards other children looked after by them, including a duty to maintain their care plan, carry out regular reviews of their case and appoint an independent reviewing officer for the child. In addition they must:</p> <ul style="list-style-type: none"> • prepare an assessment of the eligible child's needs with a view to determining what advice, assistance and support it would be appropriate for them to provide him (both while he is still looked after and after he stops being looked after) [paragraph 19B(4) of Schedule 2 to the 1989 Act; the requirements for carrying out the assessment are set out in regulation 42 of the Care Planning Regulations] • as soon as possible after the assessment of needs is completed, prepare a pathway plan (which includes the child's care plan) [paragraph 19B(4) of Schedule 2 to the 1989 Act; the requirements for preparing the pathway plan are set out in regulation 43 of the Care Planning Regulations] • keep the pathway plan under regular review [paragraph 19B(5) of Schedule 2 to the 1989 Act] • appoint a personal adviser for the child [paragraph 19C of Schedule 2 to the 1989 Act; the functions of the personal adviser are set out in regulation 44 of the Care Planning Regulations].
<p><u>Relevant children</u></p> <p>Defined in section 23A(2) of the 1989 Act as a child who is:</p> <p>(a) not looked after, (b) aged 16 or 17, and (c) was, before he last ceased to be looked after, an eligible child.</p> <p>Regulation 3 of the Care Leavers Regulations prescribes a further category of relevant child who is:</p> <p>(a) not looked after,</p>	<p>The local authority that last looked after the relevant child must:</p> <ul style="list-style-type: none"> • take reasonable steps to keep in touch with the relevant child [section 23B(1) of the 1989 Act] • prepare an assessment of the relevant child's needs with a view to determining what advice assistance and support it would be appropriate for them to provide him (unless they already did so when he was an eligible child) [section 23B(3)(a) of the 1989 Act; the requirements for carrying out the assessment are set out

<p>(b) aged 16 or 17, and</p> <p>(c) at the time he attained the age of 16 was detained (i.e. detained in a remand centre, a young offenders institution or a secure training centre, or any other centre pursuant to a Court order), or in a hospital, and immediately before he was detained or in hospital he had been looked after by a local authority for a period or periods amounting in all to at least 13 weeks which began after he reached the age of 14.</p> <p>Regulation 3 of the Care Leavers Regulations also provides that a child who has lived for a continuous period of six months or more with:</p> <p>(a) his parent,</p> <p>(b) someone who is not his parent but who has parental responsibility for him or,</p> <p>(c) where he is in care and there was a residence order in force immediately before the care order was made, a person in whose favour the residence order was made then that child is not a relevant child despite falling within section 23A(2). Where those living arrangements break down and the child ceases to live with the person concerned, the child is to be treated as a relevant child.</p>	<p>in regulations 4 and 5 of the Care Leavers Regulations]</p> <ul style="list-style-type: none"> • as soon as possible after any assessment of needs is completed, prepare a pathway plan [section 23B(3)(b) of the 1989 Act; the requirements for preparing the pathway plan are set out in regulation 6 of the Care Leavers Regulations] • keep the pathway plan under regular review [section 23E(1D) of the 1989 Act; the requirements for carrying out reviews are set out in regulation 7 of the Care Leavers Regulations] • appoint a personal adviser for the child (unless they already did so when he was an eligible child) [section 23B(2) of the 1989 Act; the functions of the personal adviser are set out in regulation 8 of the Care Leavers Regulations] • safeguard and promote the relevant child's welfare by maintaining him, providing him with or maintaining him in suitable accommodation and providing assistance in order to meet his needs in relation to education, training or employment as provided for in his pathway plan [section 23B(8) of the 1989 Act and regulation 9 of the Care Leavers Regulations; regulation 9 also makes provision about the meaning of "suitable accommodation"].
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Former relevant children

Defined in section 23C(1) of the 1989 Act as a young person who is:

- (a) aged 18 or above, and either
- (b) has been a relevant child and would be one if he were under 18, or
- (c) immediately before he ceased to be looked after at age 18, was an eligible child.

The duties in section 23C(2), (3) and (4)(b) continue until the former relevant child reaches 21 or, where the child's pathway plan sets out a programme of education or training which extends beyond his 21st birthday, they continue for so long as he pursues that programme.

The local authority that last looked after the former relevant child must:

- take reasonable steps to keep in touch with the former relevant child, and if they lose touch with him, to re-establish contact [section 23C(2) of the 1989 Act]
- continue to keep the pathway plan under regular review [section 23C(3)(b) of the 1989 Act; the requirements for carrying out reviews are set out in regulation 7 of the Care Leavers Regulations]
- continue the appointment of the personal adviser for the child [section 23C(3)(a) of the 1989 Act; the functions of the personal adviser are set out in regulation 8 of the Care Leavers Regulations]
- if his welfare requires it, provide financial assistance by contributing to the former relevant child's expenses in living near the place where he is, or will be, employed or seeking employment [sections 23C(4)(a) and 24B(1) of the 1989 Act]
- if his welfare and educational and training needs require it, provide financial assistance to enable him to pursue education or training [sections 23C(4)(b) and 24B(2) of the 1989 Act]
- if the former relevant child pursues higher education in accordance with his pathway plan, to pay him the higher education bursary [section 23C(5A) and the Children Act 1989 (Higher Education Bursary) (England) Regulations 2009].

<p><u>Former relevant children pursuing further education or training</u></p> <p>Defined in section 23CA(1) as a former relevant child who is:</p> <p>(a) aged under 25, (b) in relation to whom the duties in 23C(2)(3) and (4) no longer apply, and (c) he has informed the local authority that he wants to pursue or is pursuing a programme of education or training.</p>	<p>The local authority which owed duties to that former relevant child under section 23C of the 1989 Act must:</p> <ul style="list-style-type: none"> • appoint a personal adviser for that person [section 23CA(2) of the 1989 Act] • carry out an assessment of the needs of that person with a view to determining what assistance(if any) it would be appropriate for them to provide him [section 23CA(3)(a) of the 1989 Act; as set out in Reg 4 and 5 of the Care Leavers Regulations] • prepare a pathway plan for him [section 23CA(3)(b) of the 1989 Act; as set out in regulation 6 of the Care Leavers Regulations] • to the extent the person’s educational or training needs require it, provide financial assistance [section 23CA (4) and (5) of the 1989 Act].
<p><u>Persons qualifying for advice and assistance</u></p> <p>Defined in section 24 of the 1989 Act as a person who is:</p> <p>(a) aged at least 16 but is under 21, (b) with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of that order, or (c) at any time after reaching the age of 16 but while he was still a child was, but is no longer, looked after, accommodated or fostered.</p>	<p>The relevant local authority (as defined in section 24(5) of the 1989 Act) must consider whether the person needs help of a kind the local authority can give:</p> <ul style="list-style-type: none"> • under section 24A-to advise and befriend and give assistance, • under section 24B - to give financial assistance – see above; • or where the person is in full time further or higher education, is under the age of 25 and qualifies for advice and assistance, or would have done if he was under 21, • assistance in relation to securing vacation accommodation [sections 24A(2) and (3), and 24B of the 1989 Act].

6 THE ROLE OF THE YOUNG PERSONS ADVISER

6.1 All eligible, relevant and former relevant young people eligible for leaving care services from CWAC will be appointed a Young Persons Adviser from the Care Leavers Service who will fulfil a key role in providing support to them as they transition into adult independence

6.2 Young Peoples’ Advisers will hold a pivotal role in supporting the completion of

the Pathway Assessment and Pathway Plan and its subsequent review

Personal Advisers will need to strike a balance between being “hands off” and intervening in support of the young person. Personal Advisers must be ready to step in, and be active in making sure that young people are offered the right kind of support to enable them to succeed as they make the transition to adulthood, recognising that in order to succeed, young people may need to experience failure and a learning experience first.

6.3 The 2010 Regulations set out details of the functions of the personal adviser for an eligible child **[regulation 44]**, although the general principles also apply to relevant and former relevant young people. The personal adviser must:-

- provide the young person with advice and support (this will include direct practical help to prepare them for the time when they move or cease to be looked after and also emotional support);
- participate in reviews of the pathway plan which for an eligible child will include the care plan
- liaise with the responsible authority about the provision of services (this function may be carried out by the personal adviser working as a member of a social work or a specialist leaving care team; it will also involve liaising and negotiating with the full range of services that make up the local authority’s services, e.g. education and housing services);
- co-ordinate the provision of services, ensuring that these are responsive to the young person’s needs and that s/he is able to access and make constructive use of them;
- remain informed about the young person’s progress and keep in touch with him/her – visiting at no less than the statutory intervals; and
- maintain a record of their involvement with the young person, monitoring the effectiveness of services in preparing the young person for a time when s/he will move to greater independence or when s/he ceases to be looked after.

7 THE ROLE OF THE SOCIAL WORKER

7.1 The social worker will remain the Key Worker for the young person for as long as they remain ‘In Care’. In some circumstances young people that are aged 16years and over who are subject Section 20 of the Children Act 1989 may make known; their intention to be no longer be “cared for”. This may seem an obvious choice for some young people and their decision may be based on justifiable reasons and choice.

7.2 The role of the Social Worker is to ensure that once this decision has been made that this action is supported by and assessment of their needs and ability to ensure that all relevant support is in place to meet their assessed needs.

7.3 Any such decision cannot be made in isolation, and the young person must be made fully aware of the provisions set out for them and the entitlement of the service they can expect; based on their leaving care status

- 7.4 The young person's wishes and feelings should be recorded along with contingencies for each point of the plan, paying specific attention to the accommodation aspects. The social worker should make contact with the young person's IRO and advise them that the young person wishes to 'leave care'.
- 7.5 Where possible and appropriate, a multi agency meeting, with the YP and their parent/carers should be held in order to ensure that a review of their pathway plan is drawn up in light of the changes and that recommendations and all professionals involved in the plan appreciate and act on their roles and responsibilities. The meeting should then formally agree to end the young person's legal status. The IRO, where possible; should chair this meeting.
- 7.6 Where a child who is not an eligible child ceases to be looked after because they return home, the child will be a '**child in need**' and a plan must be drawn up to identify the supports and services which will be needed by the child and family to ensure that the return home is successful [regulation 39]. This should take into account the child's needs, the parenting capacity of those with parental responsibility and the wider context of family and environmental factors, reflecting the child's changed status.
- 7.7 Where a YP returns home in a planned manner for a period of 6 months or more, they will cease to be a relevant child and are exempt from the duty to maintain. They will become a 'qualifying' young person.
- 7.8 The social will continue to review the YP's pathway plan under the regulated review cycle for these plans which is 6 **monthly**, if a YP remains in care under S20 or S 31 of the Children Act 1989. These reviews will be chaired by the IRO. It needs to be noted here that the Pathway plan **REPLACES** the care plan at the statutory review nearest to the YP 16th Birthday and no later than 3 months after their 16th Birthday. The YP should not have both.
- 7.9 Where a young person in care under S20 CA89 wishes to discharge themselves from care or they reach majority age (18yrs), they are **NO LONGER** deemed or categorised as Children in Care. In such circumstances it is good practice to move forward the outstanding CIC review to ensure that the young person is not placing themselves at risk and to check that pathway planning processes are in place. At this stage all responsibility as the Key worker will transfer to an YPA and the role of the s/w will cease, this must be recorded in the YP electronic file.
- 7.10 When a YP is no longer 'in care' for what ever reason all responsibility for reviewing their Child in Need Plan as stated in 7.6 or the Pathway Plan; will be the responsibility of the key workers Team manager or suitably qualified and experiences social worker in the team..
- 7.11 There may be some care leavers where concerns warrant the role of the LA to maintain safeguards for young people before adulthood. If this is assessed, and in order to ensure equity and enable all care leavers to have the benefit of an independent perspective, local authorities should consider the advantages of IROs continuing to maintain an overview of pathway plan reviews for relevant children.

- 7.12 The IRO could oversee this process though s/he may not always be the most appropriate person to chair the review of a relevant child. It will often be good practice for these young people to chair their own review though, at least initially, their former IRO may wish to support them to do this. Such arrangements must be in the best interests for the YP and following discussion and agreement with the relevant Team Manager and Senior Manager if necessarily, depending on the individual circumstances, complexity of the case/concerns and where such disputes arise.

8 PATHWAY ASSESSMENT, PLANNING & REVIEW

- 8.1 Every young person leaving the care of CWAC will undertake a Pathway Assessment and Pathway Plan. The assessment must be completed at the latest within 3 months of the young person becoming 16 or, upon achieving 'eligible' or 'relevant status' if this is later and completion should be planned around significant events in the young persons life e.g. examinations.
- 8.2 Prior to completion of the Pathway Plan, a Social Worker will complete a Pathway Assessment for every eligible or relevant care leaver to gather all appropriate information to inform the completion of the Pathway Plan. If a social worker is completing a Pathway Plan assessment there is not an additional requirement for them to undertake an Assessment of the Child and Young Persons need.
- 8.3 The pathway assessment is a two-stage process involving a Pathfinder Assessment (interactive information gathering tool) and the formal Pathway Assessment and then the Pathway Plan. During this process, information will be gathered around a number of topics detailed within Appendix 2 of this guidance. (For Further detail please refer to Practice Guidance in completing a Pathway Plan).
- 8.4 Upon completion of these documents, all young people will receive a copy of their completed Pathway Assessment and Pathway Plan and they should be asked to sign and have any comments recorded.
- 8.5 There may be instances during this process when a more specialist assessment in other areas e.g. disability, may be required and where practicable, these should be completed at the same time as the Pathway Assessment to ensure the young person is not subject to a succession of overlapping assessments.
- 8.6 A Pathway Plan will be prepared by a Social Worker for every relevant child in the care of CWAC. That plan will be prepared prior to the young person ceasing to be a child in care (i.e. when they are an 'eligible child' and considered at a statutory review chaired by the young persons Independent Reviewing Officer(IRO). The plan must be in place for every child or young person in care or leaving care aged 16 and 3 months or, as soon as practicable for those young people who become a child in care after their 16th birthday e.g. via Southwark (see Section 5 & Appendix 1).

8.7 The Pathway Plan will be the pivotal document used to map, with the assistance of their Personal Adviser, a young person's future including their aspirations, goals, ambitions and choices. The Pathway Plan is a living document and much more than a statement of intent. The Pathway Plan is owned by the young person and should be flexible to respond to their changing needs and ambitions and it remains the key planning tool for care leavers.

(Please refer to Practice Guidance in completing and undertaking Pathway Assessments and plans)

8.8 The voice of the young person is at the centre of the Pathway Planning process and the weight given to their stated views will depend upon a number of factors including their capacity, the circumstances and viability of any request, the potential impact of any request and after consultations with their Personal Adviser, Social Worker, IRO and advocate as appropriate.

8.9 All Pathway Plans should be regularly reviewed at a minimum level of every six months and additional reviews can be called where the authority, the Young Persons Adviser or a relevant or former relevant care leaver requests it to consider changes to the existing plan. The review cycle of the pathway plan for 16 -18 year old CIC will be reviewed by the IRO, save for those CYP who discharge themselves from care under S20 (see 7.9.above).
CYP aged 18 and over who have Care Leaver status will have their pathway plan reviewed by the Team manager of the Leaving Care Service/Team.

8.10 There may be specific cases where-by the YP has requested that due to their circumstances, a variation in the frequency of their Pathway Plan (PWP) review is desired. For example if they are at University or FE, placed away and the timing of the review impinges on this or they continue to make great strides in their transition towards Independence that they do not wish or see the need for a 6 monthly review.

8.11 The LA has a responsibility to meet the wishes and feeling of the YP in as far as is safe and reasonable to do so. In these circumstances if such a request is made then authorisation from the Senior Manager must be sought before such arrangements can be set.

8.12 For eligible and relevant care leavers, the Pathway Plan will replace the CIC Care Plan (prior to reaching age 16 and 3 months) The Social Worker will present the Pathway Plan and relevant assessment at the review. The chair of this review will then minute the Review on the CIC Review of Arrangements Part 2 noting that this document is a Pathway Plan Review document.

8.13 The Young Persons Adviser will prepare a review report for all former relevant care leavers which will be available **3 days** before any review of the Pathway Plan. Those reviews will be chaired by a Team Manager who will agree and record all tasks and timescales along with assigned responsibilities.

8.14 Within **5 working days** the recommendations of the pathway plan review should be available to all parties and recoded on the YP electronic file in LL.

Within **15 working days** the full set of minutes to their review should be available, distributed to all identified relevant parties and recorded on LL.

9 FORMER RELEVANT YOUNG PEOPLE

9.1 CWAC will continue to provide various forms of advice, assistance and guidance to young care leavers over the age of 18 making the transition from their care to more independent living arrangements in accordance with the information set out in Section 5 above.

9.2 Former relevant Guidance:-

- These requirements apply if the young person had previously been eligible or relevant children, who are described as former relevant children and support may also be available to those 'qualifying' young people, dependent upon an assessment of their needs.
- Following their 18th birthday, CWAC will no longer be primarily responsible for the young person's financial support, maintenance and accommodation and this responsibility will pass directly to the young person and universal provisions.
- Personal Advisers will need to support young people to access all elements of support in advance of their 18th birthday and to ensure that the Pathway Plan reflects the authorities continued high aspirations for former relevant care leavers.
- If a former relevant young person is not intending to continue in an approved programme of education or training following their 21st birthday, the Pathway Planning process and support will be brought to a conclusion in an agreed way around the time that the young person reaches the age of 21.
- In the final year of receiving care leaving support services, the Personal Adviser will seek to ensure that any outstanding issues have been identified in advance of closure and actions taken to resolve prior to closure. This may require formal signposting and/or referrals to other statutory and voluntary agencies. It may also include enabling and empowering the young person to raise self-awareness and begin self-management of areas of their lives where ongoing support may not be available.

10 QUALIFYING YOUNG PEOPLE

10.1 CWAC may give advice, guidance and assistance to certain groups of young people who "qualify" for leaving care support. Some "qualifying children" will be as vulnerable and have very similar needs to eligible, relevant or former relevant children. Section 5 of these procedures, sets out the categories of young people who may become "qualifying children" and eligible to receive support.

10.2 Qualifying Care Leavers Guidance

1. Where a qualifying child has been previously looked after by CWAC, the authority must assess their needs to establish whether they require advice and assistance.

2. Where, following a Pathway assessment, it concludes that support will be necessary over a period of time; a plan should be drawn up with the young person outlining the support that will be provided, the plan that follows might follow the same format as a Pathway Plan for a relevant or former relevant child. The plan will outline the support to be provided to the young person, including, if necessary, any financial support. The plan should be drawn up by preferably by a social worker or suitably qualified person.
3. A young person who was not looked after for 13 weeks may be a qualifying child. If that young person returns home, perhaps as a result of a decision made at their first statutory review as a looked after child, then that young person should not be regarded as “qualifying” rather, support to the young person and his family should be provided under section 17 of the 1989 Act.
4. Young people who were previously eligible and have returned home and become relevant and subsequently qualifying, will revert to being relevant if this arrangement breaks down before their 18th birthday.

11 CARE LEAVERS AGED 18-24

11.1 CWAC will continue to provide various forms of advice, assistance and guidance to young people over the age of 18 making the transition from care to independent living arrangements. These arrangements apply if they have previously been eligible, relevant children or former relevant young people and may apply to qualifying children, depending upon an assessment of their needs.

11.2 Care Leavers aged 18-24 Guidance

1. The duties set out within these procedures operate primarily up to the age of 21 except where the young person continues to be engaged in education or training.
2. The general duties are as for relevant care leavers i.e.:
 - Provide a Personal Adviser;
 - Review & revise the Pathway Plan;
 - Keep in touch;
 - General assistance;
 - Assistance with expenses associated with education, training & employment;
 - Vacational accommodation (or the means to secure it) for care leavers in Higher or Further Education

12 CARE LEAVERS AGED 25

12.1 Responsibilities for planning continuing support primarily applies to all care leavers until they reach the age of 21 or, if they are being helped with education or training, to the end of the agreed programme of education or training (which can take them beyond their 25th birthday). Where a former relevant child previously entitled to leaving care services wishes to take up additional education

or training after they have reached the age of 21, but before the age of 25, the Young Peoples Team will undertake an assessment of their needs to determine the nature and extent of any support provided including the re-allocation of a Personal Adviser.

12.2 Care Leavers aged 25 Guidance

1. The definition of a programme of education and training must be interpreted broadly and range from the completion of basic level course in numeracy and literacy to enable the young person to better compete in the employment market onto postgraduate qualifications, vocational training and apprenticeships.
2. All young people who are in receipt a leaving care support service from CWAC will receive advice via the Leaving Care Service, in a number of ways e.g., Telephone, text, email and the LA website details on how to resume contact with leaving care services in CWAC will be available.
3. The extent of any practical and financial support provided to a previous care leaver aged between 21- 25 years will be determined by an assessment of their needs. Any agreement to offer support will be conditional on a number of factors including the type and nature of the planned course, if the course is both a practical and realistic goal, existing levels of income, etc.
(Please refer to financial procedure for Care leavers for further details)
4. The agreed package of support will continue for as long as the young person continues to pursue the agreed programme of education as set out within the resumed Pathway Plan.

13 **UNACCOMPANIED ASYLUM SEEKING CHILDREN (UASC)**

- 13.1 Unaccompanied asylum seeking children making the transition from care to adulthood have both a leaving care and an immigration status in addition to their placement, accommodation, education, health, financial, religious and cultural needs. Planning the transition to adulthood for this group is a complex process that needs to address all levels of need whilst maintaining the wider asylum and immigration legislative context
- 13.2 Those unaccompanied children from abroad who are in the care of CWAC are entitled to the same level of leaving care provisions as any other relevant or former relevant young person. However, the application of any provision detailed within this policy must be undertaken after giving suitable regard to the immigration status of the young person.
- 13.3 UASC Guidance
 1. Pathway Planning for UASC who do not have a permanent right to remain should initially take a dual or triple planning perspective which, over time should be refined as their immigration status is resolved.

2. Planning may be based on:
 - A transition plan during the period of uncertainty when status is unknown;
 - A longer term plan if permission to stay is granted;
 - An overarching plan of repatriation should immigration be refused or the young person wish to return to their country of origin.
3. Social Workers and Young Peoples Advisers should work closely with the young person's legal representative and the UK Border Agency to ensure clarity and accurate planning.

14 SPECIAL GUARDIANSHIP

- 14.1 Children and young people who were in the care of CWAC immediately before the making of a Special Guardianship Order (SGO) may qualify for advice and assistance if that child:
 - Is a Relevant Child (*not looked after, aged 16 or 17, and was, before he last ceased to be looked after, an eligible child - see below and details in section 5 of these procedures for additional clarity on the Relevant child*).
 - Was, before he last ceased to be looked after, an eligible child.
(*Looked after, aged 16 or 17, and has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after he reached 14 and ended after he reached 16.*)

15 CARE LEAVERS IN THE YOUTH JUSTICE SYSTEM

- 15.1 Planning for transition to adulthood must take place for every child and young person in the care of CWAC regardless of any other status that a child or young person may have. This includes those detained – whether in a remand centre, young offender institution or a secure training centre, or any other institution ordered by a court, or in hospital.
- 15.2 Care leavers & Youth Justice Guidance:
Young people who meet the above criteria should receive the same level of advice, support and assistance as any other young person who qualifies within the definitions detailed in Section 5 above (see also Children in Care in the Criminal Justice System Procedure).

16 DISABLED YOUNG PEOPLE MAKING TRANSITION

Care leavers with complex needs, including those with disabilities, face many of the same challenges as other care leavers. However, during their transition to adulthood they will often experience different professional challenges relating to language, styles, expectations and cultures as they make the transition to adult services. Young people leaving care who have additional needs will receive the same level of support, advice and assistance as all other care leavers.

Complex Needs Guidance:

1. Due to the nature of their additional needs, some young people may draw on a number of services, receive support from several professionals and have multiple plans. Their Young Persons Adviser must ensure that their transition into adulthood is as streamlined as possible and roles and responsibilities discussed with the young person and their carer(s). (See Transition Protocol for more details)
2. Where a young person with complex needs has been placed out of area, CWAC retains overall responsibility for THEIR care, leaving care and education. The Primary Care Trust (PCT) where the young person is registered with a GP will be responsible for any day-to-day needs, but CWAC PCT will retain responsibility for commissioning any secondary health services.

17 ACCOMMODATION

- 17.1 CWAC recognise that when young people leave care they need a suitable home which is safe, affordable and linked to their wider plans and aspirations (e.g. near a place of education or employment). We also recognise that moving directly from care into independent living can often be too big a step for young people. Accordingly, CWAC have developed a range of safe, suitable accommodation options for young people leaving our care which have been drawn together under a joint protocol with Housing and key partner agencies, (see joint protocol for further details).
- 17.2 A variety of accommodation options which include semi-independent living, shared living, supported living and independent living options are provisions of accommodation used for Care leavers. Planned moves towards independence which includes and ongoing support comes with personalised packages of support and access to safe, secure and appropriate accommodation through the YP pathway plan and the support of their YPA.
- 17.3 In cases of emergencies CWAC will identify 'suitable' accommodation. CWAC will work under the provisions of Section 23(2)(f)(i) Children Act 1989 to place 16 and 17 year old children in need, in such accommodation as we consider appropriate. Thus enabling our responsibility in ensuring we can identify appropriate provision for 16 and 17 year olds who they accommodate, and are looked after. Supported lodgings and other similar types of unregulated supported accommodation would also fit into this category.
- 17.4 In summary of the above points CWAC as LA can therefore place 16 and 17 year old children in need in unregulated accommodation through the Children Leaving Care framework if we consider and assess that accommodation to be an appropriate provision for that particular young person. The Guidance makes it clear that this applies to Section 17 children in need as well as other types of looked after children under Section 20.

18 STAYING PUT

- 18.1 As part of a strategy to increase the range of provision for young people leaving care, opportunities for CYP to remain living in their 'care' placement; be it residential or foster care will be considered.;if the pathway plan identifies a legitimate need for the young person to remain with their carers. Initial agreement for the first 12 months post eighteen is given by the Senior Manager for CIC &CL following consultation with the Senior Manager from Provider Services. Any arrangements post nineteen for Staying Put must be presented to the Resource Panel with an up to date Pathway plan and panel request/report.
- 18.2 ALL requests for Staying Put post 18 MUST be presented to the Resource Panel followed by final approval of the Head of Service.
- 18.3 There is an expectation is that a young person who is employed should make a contribution towards their living arrangements. This should be commensurate with their earnings and not create a disincentive for the young person Each situation should be assessed using the Financial Procedure form Care Leavers.
- 18.4 Extended Placement Guidance:

Young people may request to remain in a previous fostering placement where:

- They are, and continue to be, engaged with a course of agreed education, training and employment as defined within the Pathway Plan;
- There has been an assessment of the carers willingness and ability to continue the placement which should include consideration of both the financial and legal/regulatory changes which arise when the young person ceases to be 'in care';
- There has been a financial assessment of the young person needs and they have made all suitable claims to universal benefits and any other entitlements;
- They have entered into an agreement with the carer regarding the usage and transfer of those monies to the carer;
- There is an agreement that the Leaving Care service will 'top up' the benefits received by the carer to the level of the basic fostering allowance for the 16+ age group (less discretionary payments made in respect of holiday's, birthday's, etc as detailed within the Leaving Care Financial Policy) ;
- The young person and the carer have an agreed ILP course planner and timetable;
- The young person continues to meet the requirements agreed within their Pathway Plan; and,
- The carer has received formal confirmation of this agreement from the Leaving Care service (see pro-forma letter **Appendix 3**).

19 VACATION ACCOMMODATION

- 19.1 Where a care leaver is in full-time further or higher education, regardless of whether they are a former relevant or qualifying child, and their term-time

accommodation is not available, they will be provided with suitable alternative accommodation (or the means to secure it) if required during official holidays. Under such arrangements the YPA will visit the YP in placement up to 3 times a year.

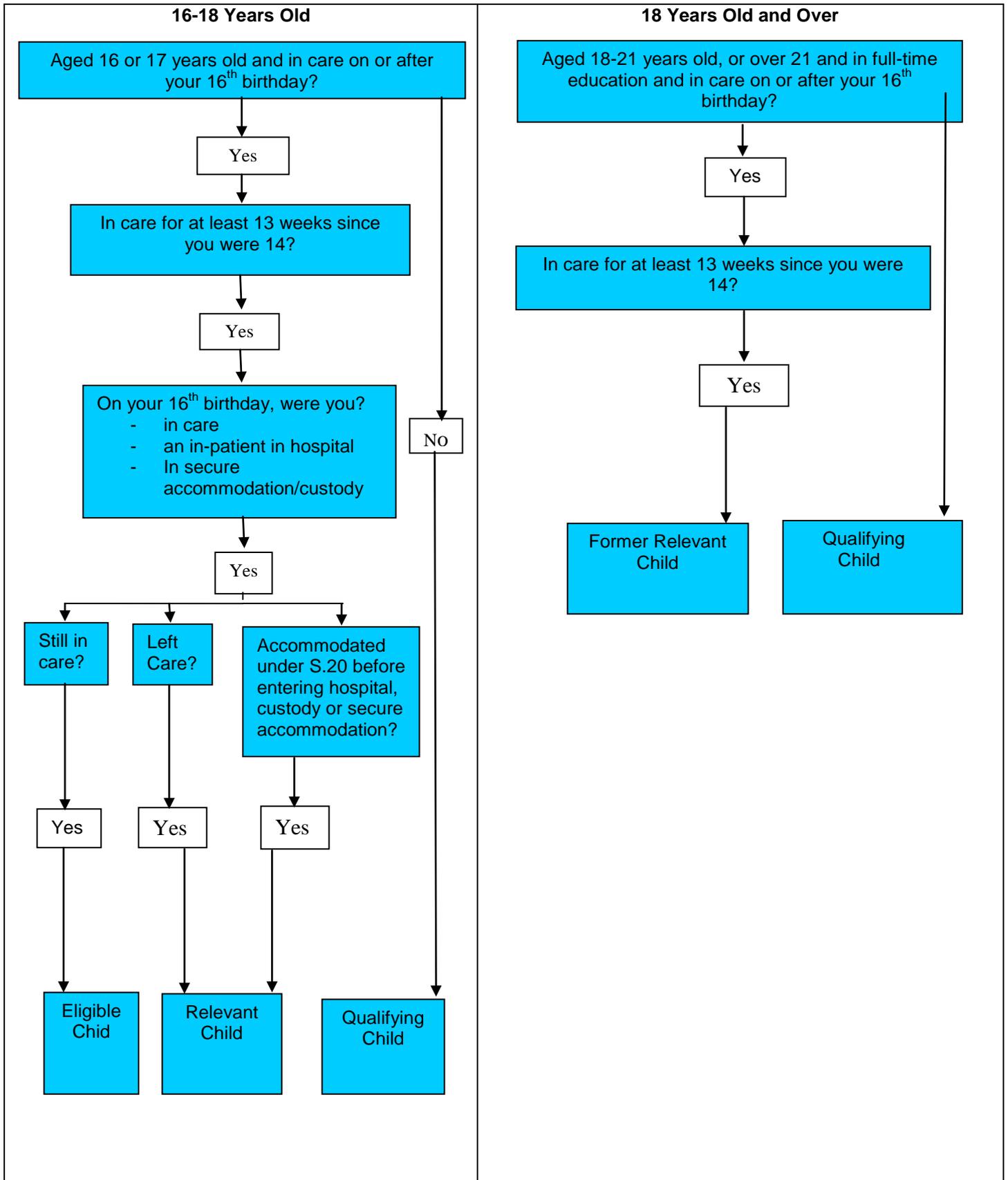
- 19.2 In some circumstances this may result in the YP returning to their previous Foster Carer/Placement. This must be arranged and agreed following the process highlighted under Staying put, in that the case must be presented to Resource Panel in advance of the 'vacation' and the financial contribution clarified using the Financial procedure for Care leavers.

DIMENSIONS OF NEED

Dimensions of Need	Pathway Assessment and Pathway Plan should consider:
Health & Development	<ul style="list-style-type: none"> • Use of primary healthcare services • Arrangements for the young person's medical and dental care according to their needs making reference to the health plan established within the care plan in place when the young person was looked after • Access to specialist health and therapeutic services • Arrangements so that the young person understands the actions they can take to maintain a health lifestyle • Opportunities to enjoy and achieve and take part in positive leisure activities
Education, Training and Employment	<ul style="list-style-type: none"> • Statement of the young person's aspirations and career ambitions and actions and support to achieve this. • Access to careers advice. • Education objectives and support – carried across from the young person's Personal Education Plan. • Arrangements to support the young person in further education or higher education. • Support to enable suitably qualified young person to enter apprenticeships, make applications to university or gain necessary qualifications. • Arrangements to work experience, career mentoring or pathways into employment etc.
Emotional and Behavioural Development	<ul style="list-style-type: none"> • How the authority will assist the young person to develop self esteem and maintain positive attachments. • Does the young person show self esteem, resilience and confidence? • Assessment of their capacity to empathise with others, reason and take appropriate responsibility for their own actions. • Capacity to make attachments and appropriate relationships; show appropriate emotion; adapt to change, manage stress and show self control and appropriate self awareness.
Identity	<ul style="list-style-type: none"> • How the authority intends to meet any of the young person's needs arising from their ethnicity, religious persuasion, and sexual orientation. • How does the young person understand their identity from being a young person in care / care leaver etc? • How the authority will assist the young person to obtain key documents linked to confIROing their age and identity.
Family and Social Relationships	<ul style="list-style-type: none"> • Assessment of the young person's relationship with their parents and wider family. • Contact with family – carried across from care plan. • Young person's relationship with peers, friendship network and significant adults. • Strategy to improve any negative features of these relationships. • How all these relationships will contribute to the young person making a successful transition to adulthood and how they will assist with integration into the community that they identify with?

Practical and other skills necessary for independent living	<ul style="list-style-type: none"> • The young person is adequately prepared with the full range of practical skills they will need to manage the next planned move towards greater independence. • The young person is prepared for more responsibility as they are expected to manage independently.
Accommodation	<ul style="list-style-type: none"> • Assessment of the quality of accommodation where the young person is living/any accommodation under consideration for them to live in. • How far is this suitable to the full range of the young person's needs? • What steps might need to be taken to improve it? (See Appendix 6 for area to consider).
Finance	<ul style="list-style-type: none"> • Assessment of the young person's financial needs and their financial capability. Does the young person have a bank account, national insurance number, and appreciate the value of money? • Do they have access to financial support and adequate income to meet necessary expenses? • The Pathway Plan must include a statement of how the authority proposes to maintain a relevant child, including arrangements for payments and contingency planning. • The young person should receive a statement detailing the financial assistance the authority will provide.

LEAVING CARE FLOWCHART



POST 18 PLACEMENT PRO-FORMA

00/PC
Name/Worker
Tel No
Date

Address

Dear Carer (Insert Name)

Re: **(Young Person's Name)**

Post 18 Living Arrangements

As you will be aware, following a period of consultation, advice and guidance, it has been agreed with you that **(insert name young person)** can remain living with you until the reach age ... on **(insert date)**. This agreement is subject to a number of factors including financial contributions and ongoing engagement with education, training and employment as set out and agreed within their Pathway Plan.

I understand from the information provided that you are willing and able to provide this support and I am writing to confirm the financial arrangements, which apply. **(insert young person's name)**, if not in employment, is required to apply for all appropriate benefits as soon as she/he becomes 18, principally Income Support/Job Seekers Allowance and Housing Benefit or equivalent. If granted, an amount equivalent to these will be deducted from the basic fostering allowance rate for 16+ age group and no additional discretionary allowances, e.g. holiday/birthday will be included. If **(insert young person's name)** is in employment s (he) will need to contribute an amount equivalent to level of IS/JSA (special arrangements will apply in the case of low income).

It is important that you are aware that these payments received from young people are not "disregarded" for the purposes of benefits, income tax etc, in the way that the foster care allowances you previously received were. You are therefore advised to seek Welfare Rights advice about the implication for your own financial position.

I would like to take this opportunity to thank you for all your support to **(insert young person's name)** and commitment to extending this in the future. It is much appreciated.

Yours Sincerely

Team Manager

ACCOMMODATION

- 1.1 The factors set out in the Schedule below will need to be taken into account when assessing if the proposed accommodation for an eligible, relevant or a former relevant care leaver is “suitable”.
- 2.0 ***Facilities and services provided:***
- (a) How many rooms are there in the property?
 - (b) Are there enough facilities being provided for the number of people who will be sharing the house?
 - (c) Furnished or unfurnished? If furnished - is the furniture in a good state of repair?
 - (d) How is the property heated?
 - (e) Access to utilities and services.
 - (f) Is the house free of damp and/or mould?
- 3.0 ***State of repair:***
- (a) Is the property fit for habitation?
 - (b) Are there any outstanding repairs?
 - (c) Is there a clear and effective system of reporting repairs?
- 4.0 ***Safety:***
- (a) Does the landlord possess a current gas safety certificate; fire safety for the property?
 - (b) Is the accommodation secure - burglar alarms/locks on the windows?
 - (c) Have the previous tenants all returned their keys?
- 5.0 ***Location:***
- (a) Is the area convenient for access to education, training, employment?
 - (b) Proximity to public transport?
 - (c) Community safety - is the area safe at night (including information about local crime characteristics)?
- 6.0 ***Support:***
- (a) How will housing related support respond to the child have assessed needs?
 - (b) Where accommodation is to be provided in a domestic setting (not with Former foster carer) how have hosts been selected, assessed and trained.
 - (c) Was assessment subjected to independent scrutiny? Who by?
 - (d) How are supported lodgings providers supervised? What arrangements are in place for keeping their suitability under review?
- 7.0 ***Financial arrangements:***
- (a) Is the property affordable post 18?
 - (b) Does the young person have access to any financial support e.g. Community Care Grant/SUHG?
 - (c) Does the young person require additional support to attend EET?

8.0 ***Relevant Young Person:***

- (a) Does the young person understand the nature of their rights and Responsibilities set out in their tenancy agreement?
- (b) Has the tenancy been independently scrutinised and the young person been provided with independent advice about the implications of their accepting this tenancy.
- (c) Does the young person understand how the position of accommodation and related support is intended to respond to their assessed needs as set out in their pathway plan?

ACCOMMODATION SUITABILITY AGREEMENT

(Schedule 6 Care Planning, Placement & Case Review Regulations)

Name.....

DOB.....

Carefirst No.....

Address.....

.....

.....

Please confirm the accommodation provided is safe, suitable and in accordance with the following:

	Accommodation	Yes	No	Comments/Questions?
Facilities:				
(a)	Are there sufficient rooms for your personal use?			
(b)	Is the furniture in a good state?			
(c)	Does the property have an adequate source of heating?			
(d)	Does the property have adequate access to utilities and services?			
(e)	Is the property free of damp/mold?			
Repair:				
(a)	Is the property fit for habitation?			
(b)	Are there any outstanding repairs?			
(c)	Is there a clear system of reporting repairs?			
Safety:				
(a)	Is there a current gas and fire safety certificate for the property?			
(b)	Is the accommodation secure (e.g. alarm, window locks, etc)?			
(c)	Have previous tenants returned all keys?			
Location:				

(a)	Is the area convenient to access education, training, employment (EET)?			
(b)	Is public transport easily accessible?			
(c)	Are there any known safety concerns in the area?			
Support:				
(a)	Are you happy with the level and nature of your ongoing support?			
(b)	Have those providing your support been approved by Cheshire West and Chester Council?			
(c)	Has your plan for independence been agreed by your IRO?			
Financial:				
(a)	Is the property affordable post 18?			
(b)	Do you have access to appropriate financial support?			
(c)	Do you require additional support to attend your place of EET?			
Rights:				
(a)	Have you been given a tenancy agreement?			
(b)	Do you understand your rights, duties and responsibilities as set out within the tenancy agreement?			
(c)	Have you been offered independent advice regarding the implications of accepting the tenancy (e.g. IRO/ advocate)?			
(d)	Do you understand how the provision of accommodation and support is linked to your Pathway Plan and assessed needs?			
Other:				
(a)	Do you have any questions relating to your accommodation not covered within this agreement?			
Question:		Answer:		

Question:	Answer:
Question:	Answer

I hereby agree that the property provided for my accommodation meets the above requirements and the needs identified within my Pathway Plan.

Young Person:

Print Name.....

Signed.....

Date.....

Leaving Care Team:

Print Name.....

Signed.....

Date.....