



A local offer for care leavers

A practical guide for local authorities developing a local offer
for care leavers

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The Children's Society and care leavers

The Children's Society has almost 140 years' experience of advocating for children and young people's rights. We focus on breaking cycles of disadvantage in children's lives and helping them succeed.

The Children's Society has a long history of working with and supporting care leavers. We provide services that ensure their voices are heard when leaving care. Alongside this direct work, we also work with care leavers to improve the systems and structures they rely on for support at both the national and local level.

In recent years we have published a range of reports which consider the support and services available to care leavers and how they might be improved.

- In 2017, we published [Claiming After Care](#), a report on the benefits system and care leavers.
- In 2016, we published [A National Offer for Care Leavers](#), looking at what can be done to prevent care leavers falling into financial difficulty.
- In 2016, we published [The Cost of Being Care Free](#), examining the impact of poor financial education and removal of support for care leavers.
- In 2015, we published [The Wolf At The Door](#), a report on the impact of council tax and council tax debt on families and care leavers.

What this guide aims to do

This document aims to provide practical assistance to Officers and councils developing their Local Offer for Care Leavers. The document does not seek to be an exhaustive guide to issues that should be included in any final care leaver offer. It should also be noted that any offer will differ depending on the young person leaving care: what their looked after status; what their immigration status is; whether they have any disabilities or caring needs; whether the young person is living in or out of area (including whether they live out of area and choose to return to their home area), and a whole range of other variables.

While the Children and Social Work Act 2017 has outlined 6 areas the local offer should relate to, we have not drafted this guidance around those categories. While these categories are helpful in considering what should be included in the offer, we have instead structured this guidance around categories that we think might be better understood by young people leaving care themselves.

We have included a range of suggestions, questions and best practice examples that councils may wish to consider or replicate as they develop and evolve their Care Leaver Offer.

If we can support you to introduce any of the recommendations in this pack, please contact us. And *if you adopt any of these measures, please do let us know so that we can share the good news with our supporters in your area.*

If you would like to discuss any of the issues or recommendations contained within this guide, please contact our Senior Public Affairs Officer, Tom Redfearn, at [thomas.redfearn@childrenssociety.org.uk](mailto:redfearn@childrenssociety.org.uk) or call 020 7841 4573

The Local Offer for Care Leavers

Corporate parenting responsibilities now extend to 25. However, the focus of corporate parenting should not be on getting the young person to the age of 25 when that responsibility ends, but preparing the young person for life, ensuring they have the skills to support themselves for their whole lives and ultimately thrive.

Through the Children and Social Work Act 2017, the Government introduced the requirement for local authorities to publish a 'Care Leaver Offer', which outlines the services for care leavers available within the local authority area.

The Government have also introduced a set of corporate parenting principles that require all departments within a local authority to recognise their role as corporate parents, and encourage them to look at the support and services they provide. The principles require corporate parents:

- to act in the best interests, and promote the physical and mental health and well-being, of those children and young people
- to encourage those children and young people to express their views, wishes and feelings
- to take into account the views, wishes and feelings of those children and young people
- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- to prepare those children and young people for adulthood and independent living.

The next two pages reproduce the relevant section from the Children & Social Work Act 2017 which outlines the statutory requirements of councils in relation to their local offer for care leavers.

What the Children and Social Work Act 2017 says about the Care Leaver Offer

(1) A local authority in England must publish information about—

(a) services which the local authority offers for care leavers as a result of its functions under the Children Act 1989;

(b) other services which the local authority offers that may assist care leavers in, or in preparing for, adulthood and independent living.

(2) For the purposes of subsection [\(1\)](#), services which may assist care leavers in, or in preparing for, adulthood and independent living include services relating to—

(a) health and well-being;

(b) relationships;

(c) education and training;

(d) employment;

(e) accommodation;

(f) participation in society.

(3) Where it considers appropriate, a local authority in England must publish information about services for care leavers offered by others which the local authority has power to offer as a result of its functions under the Children Act 1989.

(4) Information required to be published by a local authority under this section is to be known as its “local offer for care leavers”.

What the Children and Social Work Act 2017 says about the Care Leaver Offer (cont.)

(5) A local authority must update its local offer for care leavers from time to time, as appropriate.

(6) Before publishing its local offer for care leavers (or any updated version) a local authority must consult relevant persons about which of the services offered by the local authority may assist care leavers in, or in preparing for, adulthood and independent living.

(7) In this section—

- *“care leavers” means—*

(a) eligible children within the meaning given by paragraph 19B of Schedule 2 to the Children Act 1989;

(b) relevant children within the meaning given by section 23A(2) of that Act;

(c) persons aged under 25 who are former relevant children within the meaning given by section 23C(1) of that Act;

(d) persons qualifying for advice and assistance within the meaning given by section 24 of that Act;

- *“local authority in England” means—*

(a) a county council in England;

(b) a district council;

(c) a London borough council;

(d) the Common Council of the City of London (in their capacity as a local authority);

(e) the Council of the Isles of Scilly;

(f) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

- *“relevant persons”, in relation to a local authority, means such care leavers and other persons as appear to the local authority to be representative of care leavers in its area.*

Developing and Communicating the offer

Designing the offer

The primary audience for the care leaver offer should be young people about to leave care and those who have left care. The document should therefore be brief, free of jargon and easy-to-read. Not all care leavers will have the same levels of literacy or English language skills. As well as being provided with copies of the offer, young care leavers and looked after children on the verge of leaving care should be talked through the offer. This may need to be repeated and may need to involve any carers or support workers the young person has a supportive relationship with.

Councils should not just consider the role they can provide, but also the role that statutory and non-statutory partners are able to provide as part of a corporate family.

Many of the words, phrases and roles within the care system are technical or legalistic and often alien to 'mainstream' family life. When working with or writing for young care leavers and looked after children it is important to be aware of this and demonstrate a degree of humility. 'Corporate parenting' is a role often fulfilled by people who have had no direct contact with the children and young people they are charged with looking after. While corporate parents must provide support to looked after children and care leavers at the level any reasonable parent would be expected to, corporate parents do not drop the young person off at school or college, pick them up when they fall, or give them their first driving lesson: they may be the corporate parent, but they don't do the day-to-day parenting.

Who should be involved?

The law states that 'relevant persons' should be consulted on the care leaver offer. Arguably, the most 'relevant persons' for a care leaver offer are care leavers themselves, as well as young people about to leave care. This should be representative sample of young people to best reflect the diverse needs and aspirations of all young people leaving care. This sample should include, but not be limited to, young people living out of area, disabled young people, those with low levels of literacy or English language skills, and those who may be young parents. Councils should also consider consulting with foster families, personal advisers, work coaches, children's homes, key workers from supported accommodation, local charities and organisations supporting young people in care and care leavers, and partner statutory organisations (particularly other local authorities in a two tier area or city region).

Young people leaving care should be consulted about what they would find useful in any offer. Similarly, young people who have already left care should also be consulted about information they found helpful in their offer or would have found helpful if it had been included in their offer or provided to them.

The Pathway Plan

The Pathway Plan should be an evolution of the young person's Care Plan. As with the Care Plan, it should consider the whole life cycle of the young person, their hopes and aspirations and what steps the young person and other individuals or organisations can do to support them in those aims, as well as the more practical skills and knowledge the young person should have as they move towards independent living and adulthood.

Young people leaving care should always be given an updated version of their pathway plan which they can take home with them. This will allow them to reflect on and remember what had been

discussed, while also reminding them if they need to take any actions themselves before their next appointment.

Both the Pathway Plan and Care Plan should consider how best to equip the young person to leave care. For example, during their time in care, the young person should be supported to develop their cooking skills with the aim that they can cook at least 10 basic meals by the time they leave care. Similarly, the young person should be supported to do their own laundry and cleaning. These skills do not need to be taught through formal means, but through allocated chores and household responsibilities that might increase as the young person matures.

Introducing the offer

This will depend on the capacity and maturity of individual young person to think about their next steps after leaving the care system. As well as being provided with copies of the offer, young care leavers and looked after children on the verge of leaving care should be talked through the offer. This may need to be repeated and may need to involve any carers, support workers or other trusted adults the young person has a supportive relationship with. The Independent Reviewing Officer and other key professionals in the young person’s life should be also be introduced to the care leaver offer with ongoing discussions taking place between relevant parties as to how the young person might be able to access or take advantage of services or opportunities that may be part of the offer.

Young people leaving care may sometimes be relieved, and even eager, to leave the care system and the confines, as they see them, that it presents. They may therefore be keen to have as little contact with their local authority as possible, even where this may be beneficial to them. While a young care leaver might reject any offer of support when they first leave care, the offer is in place until they are at least 25. Therefore, the young person should be periodically reminded of the services and opportunities contained within the offer and invited take them up, if appropriate. Similarly, the offer and its relevance to the young person should be constantly reviewed and interpreted according to the changing circumstances of the young person, for example if and when they might move home, become a parent, leave education, start work, etc.

Getting the tone right – some examples

Youth offending	Keeping safe
Substance misuse	Staying healthy
Risk of eviction	Managing your household
Debt management	Looking after your money
NEET	Getting that job
Radicalisation	Faith and society

Historically, there has been a culture of low aspirations and low expectations for care leavers. The headings on the left of the above table are real headings used in council documents for and about care leavers, demonstrating this unconscious (or conscious) expectation of failure for young people leaving care. Councils must develop, demonstrate and encourage much more positive language and aspirations for young care leavers. Language matters and yet using the right language costs nothing.

Think about how more challenging issues can be framed in a more positive way. The headings on the right of the above table exemplify the kind of language that can be used to cover the same issues as those on the left, but considers them within a much more positive and constructive manner, with more focus on potential achievement rather than failure. Working closely with care leavers to develop your local offer should ensure the language used is positive and accessible.

What the offer should look like

The offer should be co-designed with the young people, taking account of format, accessibility of language, and medium in which the offer is shared.

There is often an assumption that all young people are digitally literate and most comfortable accessing information online, therefore digital often becomes the default. While digital skills are undoubtedly increasing, traditional methods of sharing information – for instance through printed copies or verbally – can often be welcomed by young people, particularly if they have poor literacy or English language skills. Equally, many young people leaving care may not be able to afford a smartphone, tablet or computer or, if they can, their data use or access to wifi may be limited.

The offer document (or webpage) should be brief, in plain English and regularly updated. The primary audience for the document is young people leaving care, not council officers or council members, and so their needs should always be prioritised.

Councils may find it useful to frame the offer around key themes (e.g. independent living; education, employment and training; health; finances; relationships and keeping safe) which also make clear the eligibility criteria for the different elements of the offer.

Who is responsible for the care leaver offer

Care leavers and children in care are not the sole responsibility of councils' children's services departments. While such departments might discharge the majority of services and support, all council departments hold corporate parenting responsibilities. As per the Care Leaver's Strategy, council departments must consider the support or services they can also provide to care leavers through the lens of their corporate parenting responsibilities. The individual departmental offers should be included within the wider corporate offer and updated when relevant. Upper tier councils should use their convening skills to work with districts in their area to ensure a joined-up offer for young people across the county and within districts. Published offers should include all that is available to them in their area, whether provided by the county or district.

Responsibility of the offer should ultimately sit with the council's Chief Executive and Leader, both to ensure the document fully reflect the full breadth of the services the council offers, but also to demonstrate corporate parenting leadership.

Keeping the offer updated

There should be a named team or officer within the council with responsibility for keeping the offer updated. Similarly, each council department or district/borough council should have a named team or officer responsible for keeping up to date their element of the offer while also giving constant consideration to the relevance and content of the offer.

Councils should monitor the use and effectiveness of the offer year-round, with a more in-depth review taking place annually. Council members, perhaps via the Overview & Scrutiny Committee should conduct a review periodically; we would recommend every three years.

Elements that should be considered and our recommendations

Successfully managing finances

Forming positive financial habits as early as possible in life is crucial. Research shows that these can be formed as early as seven years old. This is even more necessary for young people leaving care, who lack the same support network as children living with their families, to help them if they fall into debt or struggle with bills and finances. It is well known how quickly this group of vulnerable young people can run into financial difficulty.

While many care leavers will have received some level of support from their personal advisor, [research that we published in 2016](#) found that the support they did receive was not always enough to help them confidently manage their finances. We know that Young people leaving care, alone and with no family to support them, are falling into debt and financial difficulty due to insufficient financial education from local authorities. The Centre for Social Justice found that 57% of young people find it difficult managing their money and avoiding debt when leaving care. This is further reinforced by research from the Joseph Rowntree Foundation that outlines how 'accumulation of debt, threats to their tenancies and their inability to avoid this through careful budgeting' were issues of continuing concern for care leavers.

Too often the support that care leavers receive amounts to crisis management: stepping in to help when they are already in a difficult situation, rather than helping them make positive financial decisions that would help to make sure that they do not face such perilous financial situations later on. Councils should always provide care leavers with proper financial education support and debt advice that is age appropriate. This support should continue throughout the young person's time in care and up until the age of 25.

The Children's Society has developed a peer-to-peer financial mentoring model, where former care leavers support current care leavers by sharing basic advice and support on issues pertaining to personal finances and budgeting. This helps develop the skills of both sets of young people, while also providing low-level, low cost early help for these vulnerable young people before they might reach financial crisis point.

However, it must also be recognised that effective budgeting is not enough on its own. In many instances, support is simply inadequate to cover living costs. Councils must also support care leavers with advice and assistance to ensure they are getting all the help they are entitled to.

- **Council tax**

Care leavers are a particularly vulnerable group when it comes to council tax. Often, when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. [Our 'Wolf at the Door' report](#) into council tax debt showed that the pace of escalation of debt by local authorities could be frightening for care leavers - what can start out for many care leavers as falling slightly behind can very quickly escalate to a court summons and enforcement action being taken.

In the Government's care leavers' strategy, [Keep on Caring](#), published in July 2016, they encouraged councils to consider the role of a corporate parent 'through the lens of what any reasonable parent does to give their child the best start in life'. In relation to this, local authorities were encouraged to consider exempting care leavers from council tax using the powers already at their disposal.

Councils have the power to introduce exemptions for council tax for certain groups under Section 13A of the Local Government Finance Act 1992. At the time of writing, more than a third of councils across the England have taken the step to exempt care leavers from council tax up to the age of 25; The Children’s Society would encourage all councils to introduce this measure. You can find more about the proposal, including a briefing, [here](#). The typical cost of the policy for a council has been approximately £20-30,000 per annum.

Recommendation

- **Councils should exempt care leavers from council tax up to the age of 25.**

- **The benefits system**

Research which The Children’s Society, [published in 2016](#) and [updated in 2017](#), found that care leavers were 5 times more likely than the general claimant population to have their benefits sanctioned and 3 times more likely to be sanctioned than other 18-24 year old claimants.

If they appealed, we also found that they were more likely to have that decision overturned. Notwithstanding the fact that this demonstrates that care leavers are more likely to be unfairly sanctioned, it also shows that exploring whether a sanction can be appealed is well worth doing.

It is also crucial that professionals working with care leavers communicate well. Personal Advisors often hold information which could assist in resolving a problem with a care leaver’s claim. However, data protection rules often act as a barrier to Personal Advisors being able to work closely with Work Coaches. That is why The Children’s Society is urging the Government to enable care leavers to designate their personal adviser as assisting in their claims.

Until these changes are introduced by Government, we have come across two simple solutions to this issue. In Lancashire, we have seen how having a personal adviser logged as a designated person on a care leaver’s claim can allow them to proactively solve administrative issues. This was reliant on JobCentre Plus staff on the helpline accepting the personal adviser’s authority to engage with them on the care leaver’s behalf. Such a system can work well, but is dependent on the care leaver having a good personal adviser.

In Trafford, the joint protocol with DWP allows for two-way communication between the named DWP staff member and the personal adviser on any issues a care leaver is facing with their claim. This system is felt to be better than the former solution as it allows each professional to hold the other one to account and does not put any barriers in place which hinder communication, such as having to get permission to speak.

Personal Advisers will be key when it comes to supporting care leavers with support and advice around universal credit. Councils need to ensure that their personal advisers are provided with the skills, knowledge and training to be able to provide the right support to care leavers on universal credit.

Recommendations

- **The Care Leaving Team and local JobCentre Plus should have a joint protocol where the care leaver's Personal Adviser is contacted before a sanction is applied.**
- **Personal Advisers should be able to be listed as a designated person to assist in a care leaver's claim.**
- **Councils should provide comprehensive training for Care Leaver Personal Advisers on Universal Credit.**

- **Financial support**

Local authorities must pay eligible care leavers:

- £2,000 higher Education Bursary for university, or higher education
- £1,200 bursary if they stay in full-time education
- setting up home allowances (known as 'leaving care grants'). The amount varies though the Department for Education encourages them to pay a minimum of £2,000
- support into education, training, or employment

Local authorities need to provide 16 and 17-year-old care leavers living in a supported or semi-independent setting a weekly allowance at least equivalent to benefit rates¹. This allowance is paid regardless of any other income the young person has, such as a further education grant, training allowance or wages from employment. If young people live in supported accommodation where their utilities are provided, deductions are often made to cover these costs, with additional allowances to cover celebrations such as birthdays and Christmas. An allowance may also be payable to help towards the cost of setting up home, to cover items like a television license and contents insurance. Where young people are attending college, training or work (or interviews for these), bus fares or travel costs can be provided too. Public transport fares can also be paid to help young people maintain or build family links.

Housing and accommodation

Local authorities must:

- provide somewhere suitable to live taking into account their needs and wishes
- review the young person's home after 28 days – and at least every 3 months after that
- provide a personal adviser who visits within a week of moving into the young person's new home, and then visit at least every 2 months after that
- provide housing to 16 and 17 year olds

¹ A National Voice, Children Leaving Care Act analysis <http://www.anationalvoice.org/info/rights/childrenleaving-care-act>

- give young people in settled foster placements the option to ‘stay put’ until the age of at least 21

Care leavers should be given priority need for housing and any assessment of their housing needs should always be done jointly with the care leaving service. No care leaver should be allowed to become intentionally homeless and abandoned by statutory services.

Some young people leaving care have told us that they have not felt actively involved in decisions about their accommodation. While discussions take place during the development of their pathway plan, the importance of these is not always properly made clear to the young person.

Due to the short supply of social housing, care leavers are increasingly finding themselves placed in the private rented sector². In many areas across the country rent deposits and bond guarantee schemes are able to be accessed by care leavers, enabling them to seek housing in the private rented sector. This should be encouraged and the setting up home allowance/leaving care grant should never be used to cover rent or a deposit.

Councils should also consider whether the young person would benefit from living in supported accommodation for a period after they first leave care, while also ensuring the support provided in such housing is suitable for them. [Centrepoint](#) has a high support service in London that houses seven young care leavers. Each young person has a key worker who works with them to develop their independent living skills. Centrepoint staff equip their residents with independent living skills and seek to complement any education or training the young person might be receiving, with extra study support and CV writing.

Two tier areas must give particular consideration to how the housing service and care leaving service work together and it may be necessary to consider any service level agreements that exist between the two. Similarly, councils – both unitary and two tier – must consider how the care leaving service works with any arms-length management organisation that manages the council’s social housing.

Care leavers also face housing benefit levels that drop significantly at a critical time in their lives. Currently, care leavers are exempt from the shared accommodation rate restriction on local housing allowance until the age of 22. This allows them to claim the higher one-bedroom rate normally only available to older adults or couples. It provides care leavers with more options as they exit care and begin to live independently. It also allows them to have complete control over their household – not having to split bills or rely on flatmates to make payments.

However, when they turn 22, the sudden reduction in support can lead to financial difficulty and debt, rent arrears, homelessness or having to move from their first stable home. If they do not downsize to a shared room they are likely to struggle financially and, particularly if they are in education, the need to move home could be extremely disruptive. Councils should ensure that care leavers are a priority group for Discretionary Housing Payments

Recommendations

- **Care leavers should be given priority need for housing and any assessment of their housing needs should always be done jointly with the care leaving service.**
- **No care leaver should be allowed to become intentionally homeless.**

² <https://centrepoint.org.uk/media/2035/from-care-to-where-centrepoint-report.pdf>

Looking after mental and physical health

Care leavers are five times more likely to self-harm in adulthood³ than the general population and yet often the pathways between the care system and CAMHS are not working in the way they should.

Transition between children's and adults' mental health therefore poses a number of risks. It can be a time of emerging mental-ill health both in adolescence and in adulthood. Young people do not seem to seek help. Adults tend to underestimate the impact of poor mental health and well-being on the young people they know or are working with as professionals.

Working in partnership with the Priory Hospital Group and Birmingham Children's Hospital, The Children's Society operates [Forward Thinking Birmingham](#), the city's child and adolescent mental health service. The service is the first of its kind in the country to support children and young people up to the age of 25, ensuring that young people can receive consistent support and avoid what is often a difficult transition to adult mental health services.

The Children's Society would recommend that councils and CCGs aspire to extend their CAMHS offer up to the age of 25. A good first step to do this would be to allow care leavers access to CAMHS up to the age of 25.

All mental health services should have policies in place on transitions for young people from vulnerable groups between the levels of CAMHS and for the transition to adult services to ensure that children do not fall through the cracks of services and that they have continuous access to mental health support. Policies on transitions should outline how CAMHS will work with other agencies in planning for transition.

Local authorities should provide care leavers with a 'health passport' or their health history. When leaving care, the young person should already be registered with a GP, dentist and other health professionals where relevant.

- **Making friends and developing relationships**

Moving from foster or residential care into independent living for young care leavers can be a very difficult time. Many young people at the time of leaving care feel excited and ready to move, but the reality of supporting themselves can often prove to be quite different to the expectation. Many struggle with loneliness, as well as stress due to the combination of managing a household for the first time, reconnecting with family members and also coming to terms with experiences that might have taken them into care in the first place.

Mental health challenges might be compounded by the lack of a support network – many young people are able to rely on their parents or family, but this isn't available to care leavers. Similarly, the support they receive from social services when they leave care is reduced.

Children and young people should be supported and empowered throughout their time in care – and when they have left care – to access social opportunities, such as through sports and other activity groups, volunteering opportunities and by taking part in civic society.

³ Department of Health. Preventing suicide in England: A cross-government outcomes strategy to save lives. 2012. The Department of Health, London. Page 22.

While some young people might wish to socialise and interact with other care leavers due to a shared understanding of one another and shared experiences, others might wish to avoid any further association with the care system, and will not want to be defined as a care leaver.

If the young person has developed a positive relationship with their Independent Visitor during their time in care, they might wish to continue this relationship if both parties are happy to do so. While the relationship may be less formalised than the Independent Visitor relationship, councils may wish to build in some structure around this and develop the role into a formal or informal mentoring scheme. Similar projects have been undertaken in Salford, with the local university, as well as at Nottingham University. The Prince's Trust and Drive Forward have also operated similar schemes.

Where suitable, personal Advisors should help care leavers to keep contact with relatives and also friends that they have met whilst in care. They can also find more information about finding friends that they met whilst in care, they can visit the [Care Leavers Reunited website](#)

- **Birthdays, festivals and other significant points in life**

The loneliness of being a care leaver can often be compounded at points of significance in the young person's life. Receiving a birthday card, a good luck phone call ahead of exams, or a text message on the first day of a new job are small touches that many of us appreciate from our family and friends.

Many councils already provide allowances or cash gifts to young people in their care for milestone birthdays and to celebrate religious festivals, such as Christmas, Eid or Hanukkah. Some councils continue to offer these allowances or gifts to care leavers up to the age of the 25, though often at a reduced rate. However, the personal touch is often missing – demonstrating to the young person that someone cares. Mentoring schemes, as described above, could provide an opportunity encourage these small gestures.

Alternatively, and taking account of the corporate parenting responsibilities of all council departments and how to embed these across authorities, councils could develop a light-touch mentoring scheme with individual council officers taking responsibility for checking in on a care leaver every so often; sending them a birthday card or a good luck text message; and offering to look over their CV or UCAS personal statement. Council officers taking part in the scheme would be provided with basic relevant training but ultimately such a scheme would be relatively low-cost in terms of budget and officer time. This scheme should complement, not replace, the role of a personal advisor. [The Rees Foundation](#) have supported similar schemes across the country, and the [Prince's Trust](#) has supported 14 mentoring projects alongside the [National Children's Bureau](#).

Worklife

Councils and the wider public sector are generally good at offering care leavers apprenticeships within their workforce. However, with the first year apprenticeship rate being only £3.50 per hour, care leavers often find it very difficult, if not impossible, to take up the offer of an apprenticeship. While an apprenticeship might offer better longer-term employment and earnings prospects, in the short-term a basic unskilled job paying the National Minimum Wage will often be a more realistic option for many young care leavers. To ensure care leavers are able to access the opportunities that apprenticeships bring, we would encourage all public sector bodies, including councils, to pay care leavers working as apprentices at least the National Minimum Wage.

Equally, we would encourage councils to use their local convening powers to ensure local businesses offering apprenticeships to care leavers also commit to paying at least the National Minimum Wage.

Recommendations

- **Councils offering apprenticeships to care leavers should pay them at least the National Living Wage.**
- **Councils should use their local convening powers to ensure local businesses pay care leavers in apprenticeships at least the National Living Wage.**

Education

There is currently no requirement for skills coordinator, virtual head or similar role that oversees the education and training for care leavers. With the raising of the participation age to 18 and the extension of care leaver responsibilities to 25 years however local authorities may benefit from being more involved in care leavers education and training than previously. Education planning remains the responsibility of the Personal Adviser. However local authorities may wish to explore expanding the remit of their Virtual School Head to the age of 25 and using the role to support young people with night courses, continuing professional development and other additional needs. The Virtual Head can also be additional expertise the Personal Adviser can draw on when creating the Pathway Plan and supporting the young person.

We would recommend that local authorities consider an education and training coordinator to support colleges, universities, job centres and employers to ensure care leavers can succeed in education and in work.

Staying put

Since May 2014, young people who are fostered in England have the right to stay with their foster families beyond the age of 18 until the age of 21, if both the young person and family agree. If this arrangement is agreed, fostering service regulations no longer apply – so the young person ceases to be a ‘fostered child’ and the parent ceases to be a ‘foster carer – however it allows for a continued positive and supportive relationship between the former foster carer and the young person.

Staying Put arrangements should never remove any rights or entitlements that the young person already has.

The Children’s Society recommends that the fostering service uses the regulations and standards as incorporated in their existing policy and procedures manual as a basis for good practice. If the carer is an approved foster carer, these conditions must be adhered to, to ensure their continued approval.

Staying Put should be considered as an option in the young person’s care plan and pathway plan, and the young person should be supported to fully participate in the decision.

If a young person wishes to take advantage of the 'staying put' arrangement, they can also choose to delay their leaving care grant until they leave their placement. Sometimes a young person may not wish to take advantage of the arrangement, but later change their mind and wish to return after having previously moved out. If the young person wishes to return to their placement, having already left, subject to the agreement of the former foster carer and the young person being under 21, they should be supported to do so.

[The Fostering Network have produced a useful guide](#) on Staying Put, including some examples of best practice and some "dos and don'ts".

Refugee and migrant young people

The number of unaccompanied asylum seeking young people in the care of local authorities has continued to increase over the last few years, as recorded in official statistics. The accumulative effect of the 'Interim National Transfer Protocol for Unaccompanied Asylum-Seeking Children 2016-17' and various government schemes, aimed at resettling unaccompanied young people in the UK, has meant that local authorities not previously supporting large numbers of separated and unaccompanied young people with outstanding immigration issues are now seeing numbers of these young people in their care increasing. In addition, other children subject to immigration control will continue to come into the care of local authorities through child protection issues, family breakdown, estrangement, and for other reasons just like any other looked after child. These may even include children who were born in the UK to migrant parents and have lived here all their lives. The steady number of refugee and migrant young people in the care of local authorities, alongside these recent arrivals, require a comprehensive system of support from local authorities. Some guidance is already provided to local authorities through the revised statutory guidance published in November 2017. However, there is limited information on leaving care and transitions to adulthood for this cohort.

Care leavers who are subject to immigration control will be at different stages of the immigration and asylum process. Some may have never put in a claim and be undocumented while others may be waiting many years for their decision or may have exhausted their appeal rights. Under the current system, care leavers that have exhausted their right to appeal in immigration proceedings are still entitled to leaving care support in certain cases, if withdrawing support would breach their human rights and this should be considered on a case by case basis with the young person's welfare in mind. There is some provision for reforms under the Immigration Act 2016 however these regulations have not yet been developed or approved by Parliament and therefore should not be implemented or referred to in the meantime.

It is critical that local authorities take steps to secure the immigration status of young people in their care as soon as possible. Young people will need independent, good quality legal advice as they consider their options for settling their status and securing their future.

A social worker should support the young person with accessing specialist legal advice to regularise their status in the UK as soon as they come into care, as part of their care plan, and before their 18th birthday and they should monitor the process of any application in communication with the child's legal representative. This may involve an asylum claim, an application for leave to remain on human rights grounds or a registration of British citizenship if they child meets the relevant criteria. It may mean that where a young person cannot be exempt from a Home Office application fee or is ineligible for legal aid to cover costs for advice and representation, the local authority would need to pay the fees. The urgency of this should be made very clear as it can lead to the young person losing entitlement. The social worker should also pass on the information about this application to an appointed personal advisor, who can get in touch with the solicitor and remain updated on the situation as appropriate.

The consequences of not resolving immigration status early are severe. In the short term, it can prevent young people from accessing further and higher education or finding employment, meaning that their entire life will be put on hold whilst awaiting a resolution to their immigration case. In the longer term, it could see them being forcibly removed to countries where they have no connections or that remain unsafe for them; they could be detained in an immigration removal centre; they could be made homeless and destitute, and be put at risk of abuse by individuals, criminal networks or traffickers who seek to exploit them.

Everyone involved in providing for the care for unaccompanied and separated young people in care must be aware of their unique circumstances and be able to provide for their needs when in care and as they transition into adulthood. This process should ensure the young person has the opportunity to make their wishes and feelings known and that they have the best information and support possible in helping them plan for their future and achieve a durable solution. Each young person should have a plan for permanence, taking particular account of their immigration status and making clear allowances for how this will change over time through triple planning with clear options for review. Every eventuality should be planned for whilst a young person is in care and this should be reviewed by a young person's personal advisor, with guidance from the young person, once they leave care leaver.

The Children's Society is campaigning to reinstate [legal aid for all unaccompanied and separated migrant young people](#) in matters of immigration. Until the government adopts this – or if it chooses not to - it will be up to local authorities to support young people to access legal support including paying for advice and representation privately if this is needed to meet the welfare needs of young people in their care or care leavers. Therefore, social workers, foster carers, personal advisors and independent reviewing officers should be trained in the identification of young people that are out of scope for legal aid and how to best support their legal needs within this new and complex territory. It is extremely important that a trusted adult with the right knowledge and experience spend time with the young person to make sure they understand the legal documents that have been sent to them by the Home Office and can understand their options. But as the corporate parent, the local authority is responsible for making sure that the young person, regardless of their immigration status or outcomes, understands and can properly engage with this process.

Recommendations

- **Local authorities should make provisions to ensure access to quality legal advice and ensure this is readily available for all the migrant young people in their care.**
- **Social workers, independent reviewing officers and personal advisers should be trained in the identification of children that are out of scope of legal and how to best support their legal needs.**

Redress

Councils may wish to consider including a section within the offer of how care leavers can seek redress if a service goes wrong or the care leaver feels as though they are not being supported as they should be. At a basic level, this should include providing the young person with the contact details of their Personal Adviser's manager as well as ensuring that the council's complaints team is familiar with the council's responsibilities towards care leavers.

Other things to consider

Access to files

The law says that care leavers have a right to see information that is written about them. This includes social services files. Care leavers can request access to their files by contacting their placing local authority. They should talk with their social worker or personal advisor about how to do this.

Participation in society

Local authorities should support young care leavers to access necessary identification documents, including a National Insurance card, birth certificates, and adoption certificates (if applicable).

Personal Advisers can work with care leavers to ensure they are registered to vote, with consideration given to whether they should be registered on the edited version of the register (ensuring their personal details are not available for purchase) and also whether it would be suitable for them to register to vote anonymously, for example if there are concerns about their personal safety.

Young care leavers should also be supported to set up a bank or building society account and access any relevant savings accounts held in their name.

Annex

Definitions:

Leaving care

Leaving Care applies when a young person is 16 or 18 and has previously been in care, but are now no longer legally “looked after” by their local authority Children’s Services. However, it does not mean that Children’s Services no longer has a duty to help them. The young person might not be “in care,” but should still be cared for and supported until the age of 25.

Young people don’t have to leave care when they are 16. Young people can stay in care until they are 18, unless they feel ready to be more independent. When you turn 18, you can also choose to “Stay Put” if you are living in a foster placement.

Eligible children

are those Young People still in care aged 16 and 17 who have been looked after for (a total of) at least 13 weeks from the age of 14.

Relevant children

are Young People aged 16 or 17 who have already left care, and who were looked after for (a total of) at least 13 weeks from the age of 14, and have been looked after at some time while 16 or 17.

Formerly relevant children

are Young People aged 18-25 who have been **eligible** and/or **relevant** Children In Care.

Care leaver

is someone who has formerly been in the care system but has now left care. In the context of the Local Offer, this pertains to young people who have left care and are aged 18-25.

Key professionals and relationships

Become, the charity for children in care and young care leavers, have produced [a series of factsheets](#) for young people with care experience. One of these factsheets, [The Name Game](#), gives an overview of the key professionals who care leavers might come into contact with.

Personal Advisors and support workers

Every care leaver is entitled to a personal advisor until their 25th birthday. In legislation the role of the personal advisor is most closely linked to the 'pathway plan'. This replaces the 'care plan' for looked after children and is designed to create a staged path into adulthood providing support and services from a range of different actors. In statutory guidance the personal advisor, along with writing, monitoring and recording a young person's progress along their pathway plan is also supposed to provide direct practical and emotional support.

Care leavers we work with often tell us how their personal advisor is like their social worker from when they were still looked after; that they spend most of their time doing paperwork, attending meetings, monitoring progress and are often unavailable. There is clearly a role for more personalised and intensive support for care leavers, particularly around significant transitions or when they experience particular difficulties. Through our 'Care to be Different' project The Children's Society trialled a leaving care service in which the personal advisor role was complemented with a dedicated support worker. This support worker was available to young people to help them achieve goals that they defined or support them with practical problems they were facing. The project was designed to aid local authorities in helping care leavers to succeed and to monitor their progress but was based on an acknowledgement that care leavers also need support not from plans and papers but from people who are easily contactable and with whom they can build a relationship.

Independent Visitor

All looked after children are entitled to an independent visitor, should they wish to have one. Independent visitors form lasting bonds with the looked after children they are matched with, regularly meeting with them to do fun and educational activities and offer emotional support. Independent visitors can often be a trusted adult in a young person's life and one whom the relationship is genuine and controlled by the young person. There is no entitlement to an independent visitor whilst a care leaver but local authorities can use their discretion to continue to support this often crucial relationship. Many care leavers, particularly those in good employment, or in education, may be able to maintain this relationship with little support from their local authority. Others, on low incomes, or with learning or other disabilities may struggle without considerable support.

Advocate

All looked after children and care leavers have the right to access an advocate to help them challenge their local authority when they disagree with decisions that are being made or are concerned that their voice is not being heard. Care leavers are also entitled to independent advocacy when they want to challenge or review decisions that have been made in their pathway plan. Advocates can often be a trusted adult in a care leavers life, particularly if they have already had to rely on one as a looked after child. As such it is important to consider continuity when planning advocacy services for care leavers

We believe the same advocacy provider should be commissioned to provide advocacy support for both looked after children and care leavers. Staff permitting, this could allow the same advocate to work with a young person on each occasion they require assistance. Even when this is not possible case notes and previous interactions will allow the service to get to know a young person quicker and should ensure the young person is more familiar and comfortable with the service.

Work Coaches and Jobcentre Plus staff

Jobcentre Plus Work Coaches often play a key role in a young person's life, and many young care leavers tell us that they meet and have better relationships with their work coaches than many other professionals they encounter. The work coaches in job centres we've spoken with have been enthusiastic to support care leavers but they recognise that when a young person fails to attend an appointment or is clearly struggling there is little they can do to support them – even contacting their personal adviser to flag up a problem fell afoul of consent procedures unless explicit consent was sought on every occasion from the care leaver themselves. On pages 10 and 11 we have made some suggestions on how this

Healthcare professionals

Looked after children undergo annual health assessments and in each area a looked after nurse works to coordinate care, liaise between the local authority and health services and provide a familiar face to young people

Virtual head

The introduction of the Virtual Head for looked after children was designed to improve outcomes in attainment for looked after children in education. Currently there are over 10,000 care leavers aged 19-21 who are currently not in Education, Employment or Training (NEET). Other care leavers will be in a range of different circumstances including further and higher education, apprenticeships, full and part-time work.

It is a statutory requirement that local authorities appoint a Virtual School Head to raise attainment of looked after children; DfE provide £1,900 a year extra to schools to support the progress of every Looked After Child on their register, through the Pupil Premium Plus – it is still the case that only 14% of children in care achieved 5 good GCSEs in 2015, compared to 53% of non-looked after children⁴.

Housing Officers

After the Leaving Care service, the next council department that might have the most interaction with care leavers would likely be the housing department. Therefore, the offer provided by the housing team will be an important component of any local offer.

We would recommend that all housing staff are provided with training on the corporate parenting responsibilities of the council towards care leavers. A proportionate number of housing officers should also be designated as key link officers for care leavers and these officers should receive enhanced training and work closely with the care leaving team.

⁴ Statistical First Release Outcomes for children looked after by local authorities in England, 31 March 2015

Further information

There are a number of places you can look to find out about and get support with care leavers' rights. Please see the links below:

The Children's Society	www.childrenssociety.org.uk/careleavers
The Children's Commissioner for England	www.childrenscommissioner.gov.uk
Coram Voice	www.coramvoice.org.uk
Shelter	www.youngpeopleoutcomes.shelter.org.uk
Rees Care Leavers Foundation	www.reesfoundation.org
Become	www.becomecharity.org.uk
The Care Leavers' Association	www.careleavers.com
The National Care Leavers Benchmarking Forum (Run by Catch 22)	www.catch-22.org.uk

If you would like to discuss any of the issues or recommendations contained within this guide, please contact our Senior Public Affairs Officer, Tom Redfearn, thomas.redfearn@childrenssociety.org.uk or call 020 7841 4573