



**BRIEFING PAPER**

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# Support for care leavers

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## Summary

This briefing paper provides general background on the development of Government policies to support care leavers, and existing support available in key areas such as: social services; housing; education and training; health services; and the social security system.

It mostly deals with the position in England but includes some information about support for care leavers in Wales, Scotland and Northern Ireland.

### Who are care leavers?

The focus of this paper is young people aged 16+ leaving local authority care. Support for younger children moving into and out of care, or leaving care through adoption or other routes, is not considered in detail in this report.

### Outcomes for care leavers

In a July 2016 policy document, [Keep on caring](#), the Department for Education (DfE) noted that outcomes for care leavers were much worse than for their peers. The quality of leaving care services provided by local authorities was variable. Earlier, in 2015, the National Audit Office found that addressing the poor life outcomes of young people leaving care had been “a longstanding problem” and that the cost of their not moving successfully into adulthood was high.

### Government policy

The then-Government published its [Care leaver strategy](#) for England in October 2013. This identified several key areas where care leavers needed better (and more joined-up) support, including in education; employment; finance; health; housing; and the justice system.

More recent developments include:

- In February 2018, the announcement of up to £5 million of funding for Social Impact Bond-backed projects for care leavers, targeted at Bristol, Sheffield and Lewisham.
- The introduction, in August 2018, of a new Care Leavers' Apprenticeship Bursary to provide extra financial support.
- In October 2018, the launch of a new Care Leaver Covenant, which the Government hopes will support 10,000 work opportunities for care leavers over the next 10 years.
- In October 2019, £19 million investment into programmes benefitting care leavers, and a Government commitment to deliver 1,000 new internships over two years to support care leavers into work.

### National Care Leavers' Week 2019

[National Care Leavers' Week](#) is an annual event. In 2019, it runs from 24 to 31 October.

# 1. Introduction

## 1.1 Who are care leavers?

As the Children's Commissioner for England explains:

Leaving care means that you are between 16–18 and have previously been in care, but are no longer legally “looked after” by your Local Authority Children's Services. You don't have to leave care when you're 16. You can stay until you are 18, unless you feel ready to be more independent. If you are in foster care, you can also request a 'Staying Put Arrangement' to remain in your foster home after you turn 18.<sup>1</sup>

A child can be a “looked after child” if either they are:

- subject to a court-made care order (or interim care order); or
- provided with accommodation by a local authority for a continuous period of more than 24 hours.

## 1.2 The 2013 Care Leaver Strategy

In October 2013, the then-Government published [the Care leaver strategy](#) for England. This noted that care leavers as a group had poor outcomes on key measures such as housing, health, employment, and continuing in education and training post-16. It set out the case for change as follows:

[Young care leavers in England [...] leave home at a younger age and have more abrupt transitions to adulthood than their peers. Unlike their peers who normally remain in the family home, care leavers will often be living independently at age 18. Information from the Children Right's Director's surveys on care leavers and Children in Care Council (CICC) meetings show that many care leavers feel that they leave care too early and often feel isolated and lonely.

Research and inspection reports show that the quality of support care leavers receive is patchy and that their journey through the first decade of adult life is often disrupted, unstable and troubled. They often struggle to cope and this can lead to social exclusion, long term unemployment or involvement in crime. [...]

“Within a couple of weeks I can feel that I'm going to be on the streets and another number”

Care leavers come into contact with a range of services including housing, health, employment, and education, yet they are often not recognised as a priority group for services. Improving how local authorities and other agencies support them is crucial to improving the lives of this vulnerable group of people. They need services which are integrated, easy to access, embedded within local communities, and which treat them with respect.<sup>2</sup>

The strategy identified several key areas where care leavers needed better, more joined-up support: education; employment; financial

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<sup>1</sup> Children's Commissioner for England, [Leaving Care](#). All web pages last accessed October 2019 unless otherwise stated.

<sup>2</sup> HM Government, [Care Leaver Strategy. A cross-departmental strategy for young people leaving care](#), October 2013, p4.

support; health; housing; the justice system; and ongoing support.<sup>3</sup> It said that a range of action would be taken, including:

- Steps to ensure that care leavers could be more easily identifiable in Department for Work and Pensions records and other measures to support those seeking work.
- Allowing young people to make advance claims for Universal Credit before leaving care and ensuring access to personal budgeting support, where needed.
- Encouraging social housing providers to take account of care leavers in out-of-borough placements when developing their allocation policies.
- Encouraging local authorities to introduce 'staying put' schemes for those in foster care – see Section 2 of this note for further information on this.
- Appointing a Care Leavers' Champion within the Ministry of Justice.

### 1.3 Policy development since the publication of the 2013 Strategy

In the [press notice](#) accompanying a [report](#)<sup>4</sup> on care leavers in England published in July 2015, Head of the National Audit Office (NAO), Sir Amyas Morse, concluded:

Addressing the poor life outcomes of young people leaving care is a longstanding problem. The cost of their not moving into adulthood successfully is high. The government has made a commitment to improve the support for these young people but the outcomes for many have been deteriorating over the last seven years. The government knows the scale of the challenge. Stronger central and local leadership is urgently required to get a grip on this problem.<sup>5</sup>

The Committee of Public Accounts published their related [report](#) in October 2015.<sup>6</sup> This praised the fact that the Government had taken action on care leavers, but concluded that both central and local Government needed to take "more responsibility for improving outcomes and the quality of support". The report summarised:

There has been a systemic failing in the provision of support to vulnerable care leavers. The quality and cost of support that local authorities give to care leavers varies unacceptably across the country and outcomes for young people leaving care are poor and worsening. Ofsted's inspections have found that two-thirds of local authorities' care leaver services are inadequate or require improvement and there is no clear relationship between the amount spent and the quality of service. The scale of variability in the quality and cost of support, and a lack of understanding of

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<sup>3</sup> HM Government, [Care Leaver Strategy. A cross-departmental strategy for young people leaving care](#), October 2013, p5.

<sup>4</sup> National Audit Office, [Care leavers' transition to adulthood](#), HC 269, 17 July 2015.

<sup>5</sup> National Audit Office press notice, '[Care leavers' transitions to adulthood](#)', 17 July 2015.

<sup>6</sup> Committee of Public Accounts, [Care leavers' transition to adulthood](#), Fifth Report of Session 2015–16, HC411, 30 October 2015.



what causes this, show that this is a systemic issue, rather than a problem in just a few local authorities. We welcome the Government's intent to improve the lives of care leavers, signalled by the launch of the Care Leaver Strategy in 2013, and the fact that more good practice in supporting care leavers is now emerging. [...]'<sup>7</sup>

In July 2016, the then-Government published [Keep on caring: Supporting Young People from Care to Independence](#). Its commitments included:

- Piloting 'Staying Close' for those who had been in residential care, modelled on the 'Staying Put' model for those in foster care.
- Testing out new models of delivering services for care leavers, such as trusts and mutuals.
- Introducing social impact bond-backed initiatives for care leavers. These are payment-by-results schemes.
- Testing out approaches that allowed for care leavers to be more closely involved in designing services affecting them.

## 1.4 DfE funding for New Belongings projects 2013-16

Between 2013 and 2016, the DfE provided funding to the Care Leavers' Foundation charity, to run the *New Belongings* programme. This was in response to concerns that the outcomes for many care leavers remained poor, and that the support they received varied widely across the country. A main aim of the programme was to involve care leavers more closely in designing services.

An evaluation of the project published in October 2016 concluded:

[T]here was clear evidence that in most [participating] LAs [local authorities] the programme (or certainly particular components within it) had been embraced. A notable aspect of the NB programme was the continued level of engagement [...] with seemingly low attrition rates.<sup>8</sup>

## 1.5 February 2018: Government announces up to £5 million in social impact bond projects for care leavers

On 27 February 2018, Minister Nadhim Zahawi announced that the Government was making funding of up to £5 million available for three social impact bond projects for young care leavers. Social impact bonds are a type of payment by results scheme. The projects would be targeted at three areas: Bristol, Sheffield and Lewisham. Further details can be found in the relevant DfE press notice.<sup>9</sup>

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<sup>7</sup> Committee of Public Accounts, [Care leavers' transition to adulthood](#), Fifth Report of Session 2015–16, HC411, 30 October 2015, p3.

<sup>8</sup> Jo Dixon and Claire Baker/ Department for Education, [New Belongings: an evaluation](#), October 2016, p10.

<sup>9</sup> Department for Education news story, ['Minister announces improved support for care leavers'](#), 27 February 2018.

## 1.6 May 2018: Government announces care leavers' apprenticeship bursary

Care leavers aged 16 to 24 starting apprenticeships in England after 1 August 2018 may be entitled to a £1,000 bursary during the first year in training. The charities, the Children's Society, and Barnardo's, have previously campaigned for better financial support for care leavers undertaking apprenticeships.<sup>10</sup>

A DfE [press release](#) provided further background on the bursary:

The extra financial support will be for those aged 16-24 and help them in the first year of their apprenticeship as learners transition into the workplace for their practical studies.

This change is one of a small number of improvements – including increasing the number of apprenticeship funding bands - which will come into effect from August 2018.

[...]

We know those leaving care can experience additional barriers to getting an apprenticeship.

Everyone should get a chance to be able to start an apprenticeship and change their life, so I'm really pleased that as we see how we can make the apprenticeship system work better we are able to offer this extra support for those leaving care.

The £1,000 bursary will be paid once to each care leaver in the eligible age range, when they start an apprenticeship after 1 August 2018. This comes in addition to the £1,000 we provide to both employers and training providers when they take on 16 to 18 year olds or 19 to 24 year olds who were in care or who have an Education, Health and Care plan.<sup>11</sup>

The press notice went on to say that the £1,000 bursary was in addition to the £1,000 that employers received if taking on care leavers aged 16-24 as apprentices.

## 1.7 October 2018: Care Leaver Covenant and collaboration with Barnardo's

On 1 October 2018, the Government announced a new collaboration with the charity, Barnardo's, the aim of which was to provide care leavers with work placements in the charity's shops. The [press notice](#) announcing the plans also said that the Department for Work and Pensions (DWP) and Barnardo's were "exploring options for a longer-term partnership, which would deliver a broader range of support for care leavers to help them thrive in the workplace."<sup>12</sup>

On 26 October 2018, Minister Nadhim Zahawi launched the [Care Leaver Covenant](#) for England. The covenant - first announced in May

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<sup>10</sup> See e.g., the Children's Society's [written evidence](#) to the Education Committee inquiry on Quality of apprenticeships and skills training, QUA022, 6 March 2018; [Barnardo's](#) written evidence to that enquiry, QUA086, 6 March 2018.

<sup>11</sup> Department for Education, news story '[New support for young care leavers starting an apprenticeship](#)', 17 May 2018.

<sup>12</sup> Department for Education news story, '[Government launches new collaboration with Barnardo's to support care leavers into work](#)', 1 October 2018.



2016 – has been signed by more than 50 businesses, charities and all Government departments. Mr Zahawi outlined an ambition for the scheme to “create 10,000 work opportunities over the next ten years”. He continued:

Due to be launched today in Birmingham, the Care Leaver Covenant is part of an unprecedented package of support for young people leaving care and smooth their transition into adulthood.

Too many care leavers do not achieve the same outcomes as their peers, with 40 per cent of care leavers aged 19 to 21 not in education, employment or training (NEET), compared to 13 per cent for this age group overall.

The Covenant will help care leavers navigate the work opportunities available and support them in fulfilling their ambitions. From today, they will have access to work placements and internships with big businesses, government departments, museums, theatres, or Premier League football clubs, as well as training workshops or life-skills coaching.

[...]

The Covenant, run by Spectra First, is part of the government’s ambition to improve care leavers’ outcomes so they go on to lead happy and successful lives. The pledges on offer include work placements with organisations such as Liverpool FC Foundation, the Science Museum Group and Rolls-Royce to help them get their first step into a career.

In addition to the private and voluntary sector offers of support, the package of support for care leavers includes:

- 12-month internships from every government department in Whitehall, including 100 12-month internships from January 2019;
- Support from universities, such as bursaries and accommodation, with Cambridge, Leeds, and Manchester universities committing to supporting care leavers – data shows that only 6 per cent of care leavers aged 19 to 21 go on to higher education; and
- Resources and tools from Barclays Life Skills to help care leavers to manage their money better, as they often lack the safety net of financial support from their families.<sup>13</sup>

## 1.8 October 2019: expansion of Staying Put and Staying Close schemes, and other support

Prior to the start of National Care Leavers’ Week 2019, the Government announced a “new multi-million pound settlement to improve the life chances” of children leaving care.

The funding includes:

- £10 million to expand the Staying Put programme (see section 2, below).

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<sup>13</sup> Department for Education news story, [‘Major new scheme launched to support young people leaving care’](#), 26 October 2018.

## 10 Support for care leavers

- £6 million in 2020/21 for the national roll out the Staying Close programme (again, see Section 2 below).
- £3 million for support to participate in further education, through extending the Pupil Premium to all care leavers aged 16 to 18.

Alongside this is a commitment to create 1,000 new internships over the next two years, including through the Civil Service Internship Scheme and through partnerships with other public sector employers.<sup>14</sup>

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<sup>14</sup> Department for Education press release, ['Vital new support for young people leaving care'](#), 23 October 2019.

## 2. Social services support for care leavers

### 2.1 Devolved issue

Social care for care leavers is a devolved matter; this section applies to England only. For introductory information on the position in Scotland, Wales and Northern Ireland, see section 2.11.

### 2.2 The definition of a looked after child

A child can be a “looked after child” if either they are:

- subject to a court-made care order (or interim care order); or
- provided with accommodation by a local authority for a continuous period of more than 24 hours.

### 2.3 Improvements in support for care leavers

As the Department for Education (DfE) has noted, prior to 2000 there was no statutory framework in place for care leavers; instead, each local authority determined the level of support that it would provide. As a consequence, “with no nationally-set expectation about what was an adequate level of support, many care leavers received only minimal assistance”.<sup>15</sup>

Starting with the *Children (Leaving Care) Act 2000*, legislation was introduced to provide support for young people leaving care:

- *Children (Leaving Care) Act 2000* – introduced requirements for local authorities to: “assess the needs of the young person once they left care; appoint a Personal Adviser for them; and develop a pathway plan. This support was available to care leavers up to age 18, or to age 21 if the young person was in education”.
- *Children and Young Persons Act 2008* – “required local authorities to provide assistance to care leavers in education (including a £2,000 bursary for those in higher education); and extended support from a Personal Adviser to age 21 for all care leavers; and to 25 if they remained in education”.
- *Children & Families Act 2014* – the “Staying Put” policy was introduced, requiring local authorities “to support young people to remain with their former foster carers to age 21 where both the young person and carer want the arrangement to continue”.<sup>16</sup>
- *Children and Social Work Act 2017* – the Act required local authorities to publish their offer of support to young people leaving their care (the “local offer”) and removed the requirement for certain care leavers to be in education and training to obtain support from a personal adviser and get other help from the local

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<sup>15</sup> Department for Education, [Keep On Caring – Supporting Young People from Care to Independence](#), July 2016, p9, paras 1.1–1.2.

<sup>16</sup> As above, p9, paras 1.1–1.3.

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authority between 21 and 25 years of age. It also introduced the corporate parenting principles for local authorities in respect of both looked after children and care leavers.

More information on these policies are set out below.

### Box 1: Terminology related to looked after children

**The legislation and statutory guidance referred to in this section uses several terms to describe children who are, or were, looked after:**

**Eligible child:**

- **aged 16 or 17;**
- **been looked after by Children’s Services for a period of 13 weeks since they were 14 (this does not have to be continuous). They will still be ‘eligible’ if the period of 13 weeks began after they turned 16; and**
- **they are still looked after.**

**Relevant child:**

- **aged 16 or 17; and**
- **are no longer looked after; and**
- **were previously an ‘eligible child’;**

**or**

- **are aged 16 or 17; and**
- **are not subject of care order and at the age of 16 they were detained or in hospital and immediately beforehand they had been looked after in the care system.<sup>17</sup>**

**Former relevant child**

- **aged 18 or over;**
- **are under 21 or are still in full time education; and**
- **were previously an eligible or relevant child.<sup>18</sup>**

**Care leaver**

**This term can vary depending on the context; for example, in regard to personal advisers it means:**

- **a relevant child; or**
  - **a former relevant child up to the age of 25.<sup>19</sup>**
- 

In addition to the “Staying Put” policy, the DfE has made a commitment to introduce a similar approach for young people in residential care (children’s homes), to be called “Staying Close”, which will “enable young people to live independently, in a location close to their children’s home with ongoing support from that home”.<sup>20</sup> No date has been set for its introduction across England, although as noted above, in October 2019 the Government announced £6 million to support its national roll-out.<sup>21</sup> For more information on Staying Put and Staying Close see sections 2.6 and 2.8 respectively.

<sup>17</sup> Family Rights Group, [Support for young people leaving the care system](#), 15 December 2014, pp4–6.

<sup>18</sup> *Children Act 1989*, section 23C.

<sup>19</sup> Department for Education, [Extending Personal Adviser support to all care leavers to age 25 – Statutory guidance for local authorities](#), February 2018, p7, para 12.

<sup>20</sup> Department for Education, [Keep On Caring – Supporting Young People from Care to Independence](#), July 2016, p38, para 3.46.

<sup>21</sup> [PQ 106317 14 October 2017](#)

The DfE also noted that in 2013 it published the “first cross-government care leaver strategy”, and that in 2014 the new inspection framework for children’s social care introduced a specific judgement on the quality of leaving care support.<sup>22</sup>

The Government appointed Mark Riddell as the National Improvement Adviser for Care Leavers – he published his first year report in December 2018 which considered both “what is working well and ... good practise” and “challenges local authorities will need to address in order to provide consistently high quality services for care leavers” following the coming into force of the additional provisions relating to care leavers in the *Children and Social Work Act 2017* (see below).<sup>23</sup>

## 2.4 Publication of the local offer

Section 2 of the *Children and Social Work Act 2017* requires that local authorities “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”.

The definition of care leavers for section 2 was set out in subsection 7.<sup>24</sup>

The Act states that “services which may assist care leavers” for these purposes include “health and well-being; relationships; education and training; employment; accommodation; [and] participation in society”.<sup>25</sup> The DfE subsequently said that the purpose of the local offer is to “set out in one place the full range of services that the whole of the LA [local authority] provides, which will be of benefit to care leavers ... not just the support provided by the Children’s Services Department”, and provided guidance on when it should include services provided by third party organisations.<sup>26</sup>

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<sup>22</sup> Department for Education, [Keep On Caring: Supporting Young People from Care to Independence](#), July 2016, pp9–10, paras 1.1–1.3.

<sup>23</sup> GOV.UK, [National Implementation Adviser for Care Leavers: first year report](#), 14 December 2018

<sup>24</sup> Care leavers in respect of the local offer are defined as:

- ‘eligible children’,
  - ‘relevant children’,
  - ‘persons under 25 who are ‘former relevant children’ and
  - those who qualify for advice and assistance under section 24 of the *Children Act 1989* [i.e. those aged between 16 and 21 and subject, or previously subject, to a special guardianship order having previously been looked after by a local authority, or under 21 and at any time after reaching the age of sixteen but while still a child was, but is no longer, looked after, accommodated or fostered].
- For definitions of the first three terms above, please see the Child Law Advice’s webpage, [Services for children leaving care](#).

<sup>25</sup> More detailed information on the provisions of the Act in respect of looked after children can be found in the Library briefing paper, [Children and Social Work \[HL\] Bill 121: analysis for Commons Report Stage](#).

<sup>26</sup> Department for Education, [Guidance on the corporate parenting principles, the local offer and extending Personal Adviser \(PA\) support to all care leavers to age 25 – Government consultation response](#), February 2018, p9; see also Department for Education, [Local offer guidance – Guidance for local authorities](#), February 2018.

Section 2 came into force on 1 April 2018, although this did not mean that local offers had to be published on that date. The DfE said that meeting the duty:

...involves the LA first consulting young people, before publishing their local offer. The guidance states that we would expect the consultation with young people and development of the local offer to be completed within 6-9 months of the duty coming into force, meaning that LAs would be required to publish their local offers by 1 January 2019 at the latest.

In terms of reviewing and, if necessary, updating the local offer, the DfE said that it would “expect the local offer to be reviewed every 2-3 years”, although this was not “prescriptive”.<sup>27</sup>

The additional support provided for in the Act was generally welcomed: for example, the Alliance for Children in Care and Care Leavers expressed support during its passage through Parliament, but called for measures to be strengthened.<sup>28</sup> Regarding the local offer, the Alliance noted that:

Care leavers often tell us that they do not know which services they are entitled to or how to access them. The duty on local authorities to consult and provide a “local offer” is important, but it will not address the problem of service availability, which means that young people’s needs are not being met.<sup>29</sup>

## 2.5 Personal advisers and pathway plans

Since the relevant provision of the *Children (Leaving Care) Act 2000* came into force in October 2001, local authorities have had a duty to provide certain care leavers with a “personal adviser” (PA).

As the DfE notes:

Once a young person ceases to be looked after and they are a relevant child, or once they reach legal adulthood at age 18 and are a former relevant child, then the local authority will no longer be required to provide them with a social worker to plan and coordinate their care.

The local authority must, however, appoint a PA to support them. The PA will act as the focal point to ensure that care leavers are provided with the right kind of personal support. All care leavers should be aware of who their PA is and how to contact them, so that throughout their transition to adulthood they are able to rely on consistent support from their own key professional.<sup>30</sup>

Statutory guidance published in February 2018 adds:

The PA acts as a focal point for the young person, ensuring that they are provided with the practical and emotional support they need to make a successful transition to adulthood, either directly

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<sup>27</sup> Department for Education, [Guidance on the corporate parenting principles, the local offer and extending Personal Adviser \(PA\) support to all care leavers to age 25 – Government consultation response](#), February 2018, p10.

<sup>28</sup> Alliance for Children in Care and Care Leavers, [Second Reading Briefing – Children and Social Work Bill \(House of Lords\)](#), pp1–4.

<sup>29</sup> As above, p3.

<sup>30</sup> Department for Education, [The Children Act 1989 guidance and regulations Volume 3: planning transition to adulthood for care leavers](#), January 2015, pp23–24, paras 3.17–3.18.



or through helping the young person to build a positive social network around them. All care leavers should know who their PA is and how to contact them. Throughout their transition to adulthood and independent life, care leavers should be able to rely on consistent support from their PA, who is the designated professional responsible for providing and/or co-ordinating the support that the young person needs. This includes taking responsibility for monitoring, reviewing and implementing the young person's pathway plan.<sup>31</sup>

Since April 2018, any care leaver aged up to 25 – whether or not in education or training – is entitled to have a personal adviser if they so wish. This also applies to people who turned 21 before the new duty was introduced in April 2018.<sup>32</sup>

The DfE notes:

For care leavers aged 18 to 20, there is a proactive duty on the local authority to keep in touch with care leavers (section 23C (2) of the Children Act 1989 Act), which does not apply to care leavers aged 21 or over (neither those who are already entitled to support because they are in education or training, nor those who will be covered by the new duty).

Therefore, the DfE explains, “local authorities do not necessarily need to provide the same level of support to care leavers aged 21 to 25 as it does for those aged 18-20”, but the requirement to provide a personal adviser to any care leaver under 25 “does however enable local authorities to respond positively to requests for support from care leavers aged 21-25 who may be continuing to struggle with the transition to independence and adult life”.<sup>33</sup>

Furthermore:

Although there is no requirement to proactively keep in touch with all young people aged over 21 up to age 25 throughout the year, the new duty requires local authorities to make care leavers aware that they can continue to request PA support when the person turns 21; and on at least an annual basis thereafter. This applies regardless of whether a care leaver may have earlier declined the offer of PA support.<sup>34</sup>

In terms of drawing up a “Pathway plan”, the DfE notes that:

The 1989 [Children] Act [as amended] requires that a pathway plan must be prepared for all eligible children and continued for all relevant and former relevant children. Each young person's pathway plan will be based on and include their care plan and will set out the actions that must be taken by the responsible authority, the young person, their parents, their carers and the full range of agencies, so that each young person is provided with the services they need to enable them to achieve their aspirations and make a successful transition to adulthood. This plan must remain a “live document”, setting out the different services and how they

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<sup>31</sup> Department for Education, [Extending Personal Adviser support to all care leavers to age 25 – Statutory guidance for local authorities](#), February 2018, p7, para 13.

<sup>32</sup> As above, p8, para 15.

<sup>33</sup> As above, p6, paras 8 and 10.

<sup>34</sup> Department for Education, [Extending Personal Adviser support to all care leavers to age 25 – Statutory guidance for local authorities](#), February 2018, p13, para 27.

will be provided to respond to the full range of the young person's needs.

All relevant and former relevant children must have a pathway plan based on an up to date and thorough assessment of their needs.<sup>35</sup>

The plan must address the young person's health and development, their education, training and employment, contact with their parents, wider family and friends and the support they can offer, as well as the young person's financial capabilities and money management skills.<sup>36</sup>

## 2.6 Staying Put (for former foster children)

"Staying Put" was formally introduced under the *Children and Families Act 2014* and came into force in May 2014.<sup>37</sup> It allows those young people in foster care (subject to meeting certain conditions)<sup>38</sup> to choose to remain with their former foster carers until they reach the age of 21, where this is what they and their carers want, unless the local authority considers that the arrangement is not consistent with the welfare of the young person. In turn, their carers continue to receive financial support.

As the Library briefing paper, [Key issues in fostering: capacity, working conditions, and fostering agencies](#) notes:

The Staying Put programme impacts upon the foster care system because although the young people are, after the age of 18, care leavers and therefore not included in the figures for young people in care, their previous foster carers are often unavailable to take in another child. In effect, with every young person who takes advantage of the Staying Put programme, a potential foster placement disappears.

There are several further issues with the Staying Put programme. While the programme has been widely welcomed and recognised as a positive initiative, concerns have been raised over its implementation and resourcing. Knowledge and structure of the programme varies across the country, it has been argued that financial backing by the Government – £40 million over the first three years – is insufficient, with the financial gap only increasing as more young people take advantage of the programme. Carers in a Staying Put placement get lower allowances than they would previously have received as a foster carer.<sup>39</sup>

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<sup>35</sup> Department for Education, [The Children Act 1989 guidance and regulations Volume 3: planning transition to adulthood for care leavers](#), January 2015, p18, paras 3.5–3.6.

<sup>36</sup> Department for Education, [The Children Act 1989 guidance and regulations Volume 3: planning transition to adulthood for care leavers](#), January 2015, pp18–19, paras 3.7.

<sup>37</sup> The *Children and Families Act 2014* inserted new section 23CZA into the *Children Act 1989*.

<sup>38</sup> An "eligible child" for Staying Put is defined in paragraph 19B of Schedule 2 to the *Children Act 1989*, as aged 16 or 17, still looked after, 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 s/he reached 14 and ended after s/he reached 16 [Department for Education, [The Children Act 1989 guidance and regulations Volume 3: planning transition to adulthood for care leavers](#), January 2015, p63, paras 7.21].

<sup>39</sup> P3.

Local authorities only have a duty in respect of the Staying Put programme for those young people in a local authority fostering placement when they turn 18 years of age.

For other looked after children who turn 18, a local authority *may* choose to offer a Staying Put arrangement, but it does not have a duty to do so.<sup>40</sup>

## 2.7 Statistics on Staying Put

The DfE publishes statistics on care leavers aged between 19 and 21 years. These relate to children who were looked after for a total of at least 13 weeks after their 14th birthday, including some time after their 16th birthday.<sup>41</sup>

In 2017/18, around 26% of 19 and 20 year olds who ceased to be looked after on their 18th birthday were still living with their former foster carers. This compared with 23% in 2015/16.

Individual data on children who were aged 18 and still living with former foster carers up to three months after their 18th birthday was collected for the first time in 2015/16.

Of the 3,310 children who turned 18, 1,800 (55%) remained with their foster carers three months after their 18th birthday, similar to the 2015/16 figure of 55%.<sup>42</sup>

## 2.8 Staying Close (for former residents of a children's home)

In July 2016, the Government announced the development of a "Staying Close" programme for those "leaving residential care, an alternative to the Staying Put arrangements which already exist for children in foster care", adding "we will use the Innovation Programme to pilot possible models of Staying Close".<sup>43</sup>

In September 2018, the Government said:

We are providing around £6 million in the period 2018 to 2019 and in the period 2019 to 2020 for a national pilot of Staying Close in eight sites.

These pilots provide an enhanced support offer for those leaving residential care. The support offer includes an accommodation offer close to their former children's home alongside practical and emotional support from a member of staff from their former children's home whom they know and trust.

Reports from the pilots show that 120 care leavers participated in the Staying Close pilots from January 2018 to July 2018.

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<sup>40</sup> Department for Education, [The Children Act 1989 guidance and regulations – Volume 3: planning transition to adulthood for care leavers](#), January 2015, p63, para 7.20.

<sup>41</sup> See also Section 3.1 (accommodation for care leavers) and Section 4.1 (education and employment activity).

<sup>42</sup> Department for Education, [Looked after children statistics 2017/18](#), Table F4.

<sup>43</sup> [HCWS 57 4 July 2016](#)

A full evaluation will be available when the pilots end in March 2020.<sup>44</sup>

As noted above, in October 2019, the Government announced £6 million of funding to support the national roll-out of Staying Close.

### 2.9 Corporate parenting principles

The *Children and Social Work Act 2017* introduced the seven corporate parenting principles for local authorities that they “must have regard to whenever they exercise a function in relation to looked-after children or care leavers” who are “collectively referred to as looked-after children and young people” in the statutory guidance. These legislative provisions came into force on 1 April 2018.

The DfE explained that while the term “corporate parent” in this regard is “broadly understood by Directors of Children’s Services and Lead Members for Children, as well as those working directly in children’s services”, it noted that “it is vital that all parts of a local authority beyond those directly responsible for care and pathway planning recognise they have a key role too”.<sup>45</sup>

The seven corporate parenting principles that that local authorities must have regard to when exercising their functions in relation to looked after children and young people (as defined in the statutory guidance) are:

- to act in the best interests, and promote the physical and mental health and wellbeing, 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.<sup>46</sup>

The DfE explains that the principles are intended to ensure that “looked after children and care leavers ... are not placed at significant disadvantage when compared with the support a non-looked after child

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<sup>44</sup> [PO 172579 13 September 2018](#)

<sup>45</sup> Department for Education, [Applying corporate parenting principles to looked-after children and care leavers – Statutory guidance for local authorities](#), February 2018, pp6. and 7, paras 1.4 and 1.5.

<sup>46</sup> As above, p8, para 2.1.

or young person may receive from their family” – the statutory guidance does not define what “significant disadvantage” means.<sup>47</sup>

While the corporate parenting principles apply to local authorities, the DfE acknowledges that, in terms of the additional support for care leavers as they make the transition to adulthood, “we do not expect local authorities to do it all on their own”, and that it wants “government departments and their agencies, relevant partners, charities and private sector organisations to play their part as part of a wider corporate parenting family”. To this end, the DfE said that it was “introducing a ‘care leaver covenant’ that will enable organisations to make commitments to care leavers within the spirit of the corporate parenting principles in a way that is most appropriate to them”.<sup>48</sup> As noted in Section 1, the Covenant was launched by the DfE on 26 October 2018.

## 2.10 Support for other young people previously looked after as a child

The Family Rights Group (FRG) notes that other young people qualify for leaving care advice and assistance if:

- they are 16 or over but under 21 (or under 25 if they are still in education or training) and
- were looked after by Children’s Services at any time after reaching 16 and
- are not an eligible, relevant or former relevant child (see above for who is in these categories) or privately fostered or under a special guardianship order

or

- they are 16 or over but under 21 and
- are under a Special Guardianship Order (SGO) or were when they turned 18 and
- were looked after in the care system as a child immediately before the SGO was made

For a young person in in this category, FRG notes that:

- they will be entitled to ‘advice and assistance’ from Children’s Services, which may, be in cash;
- Children’s Services may also give them help with living expenses near where they work or are in education or training; if they are in higher education, they may also help them with securing vacation.<sup>49</sup>

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<sup>47</sup> Department for Education, [Applying corporate parenting principles to looked-after children and care leavers – Statutory guidance for local authorities](#), February 2018, pp8–9, para 2.3.

<sup>48</sup> As above, p14, para 3.12.

<sup>49</sup> Family Rights Group, [Support for young people leaving the care system](#), 15 December 2014, pp7–8.

## 2.11 Devolved matters

### Scotland

*The Children (Scotland) Act 1995* (as amended) provides that local authorities have a legal duty to:

- prepare young people for leaving care or ceasing to be looked after
- provide advice and assistance to young people who have ceased to be looked after on or after their 16th birthday. Local authorities are legally required to provide aftercare support until the care leaver turns 19, and to assess any eligible needs for aftercare support until they turn 26 (or beyond in some cases).

Scotland's Staying Put policy – called "Continuing Care" – was introduced through the *Children and Young People (Scotland) Act 2014*. The Scottish Government explained that:

Under new provisions in Part 11 of the Children and Young People (Scotland) Act 2014 and from April 2015, a young person born after 1 April 1999 who is looked after in foster, kinship or residential care is eligible to remain in their current care placement until they turn 21. This is called Continuing Care.

If the placement cannot be maintained, or if it is in the young person's best interests to start an alternative placement, a welfare assessment must be provided showing why staying in their current placement would significantly adversely affect their wellbeing.

Any eligible young person ceasing to be looked after on or after they turn 16 can request Continuing Care under section 60 of the 2014 Act. A young person receiving Continuing Care will no longer be defined as 'looked after' but will continue to receive the same support.

The 2014 Act put into the law the "policy aspirations" of the "These are our Bairns" guidance for community planning partnerships (CPPs) on how to be a good corporate parent.

The 2014 Act also provided for any young person who ceases to be looked after on or after their sixteenth birthday, and is less than 26 years of age, to be eligible (between the ages of 16 and 19) or potentially eligible (between the ages of 19 and 26) for aftercare. This applies to all care leavers regardless of the placement type while looked after.<sup>50</sup>

### Wales

*The Social Services and Well-being (Wales) Act 2014* placed duties on local authorities to provide support for care leavers which was "intended to be equivalent to that which a child who has not been looked after might reasonably expect from his or her parents".<sup>51</sup>

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<sup>50</sup> Scottish Government, [Looked after children](#), webpage accessed on 29 October 2018.

<sup>51</sup> Welsh Government, [Law Wales: Leaving care and services for care leavers](#), webpage accessed on 21 October 2019



An eligible young person is one who had been looked after by a local authority for a period of 13 weeks between the ages of 14 and 16 years.

The support available for care leavers also includes the “When I am Ready” scheme – the Welsh equivalent of “Staying Put” – a new duty which came into force in April 2016. The Welsh Government explains:

‘When I am Ready’ enables young people in foster care to continue living with their foster carers once they turn 18. It allows them to remain in a stable and nurturing family environment up to the age of 21, or up to age 25 if they are completing an agreed programme of education or training. It also provides them with the opportunity to develop their skills and confidence so they can make a successful transition to more independent living.

[...]

Local authorities are required to operate their own local ‘When I am Ready’ schemes in line with national guidelines. Similar to, but distinct from, ‘Staying Put’ in England.<sup>52</sup>

## Northern Ireland

*The Children (Leaving Care) Act (Northern Ireland) 2002*, which came into force in 2005:

...aims to improve the life prospects of young people who are looked after by HSC [Health and Social Care] Trusts as they make the transition to independent living and become care leavers. To achieve this, the Act amended the Act placed new and enhanced duties on HSC Trusts to support young people who are leaving care.

The main aims of the Act are to prevent premature discharges from care, improve preparation, planning and consistency of support for young care leavers, and to strengthen arrangements for financial assistance. Central to the Act, are duties to assess and meet individual’s needs, provide Personal Advisers and develop pathway planning for young people up to the age of 21 (or beyond if they are continuing in education).<sup>53</sup>

In addition, the 2012 “Standards for Leaving Care Services in Northern Ireland” established “minimum standards for leaving and aftercare services. The Standards specify the arrangements, services and procedures that need to be in place and implemented to ensure the delivery of quality services for young people leaving care”.

The equivalent of “Staying Put” is called the “Going the Extra Mile” scheme, which was launched in 2006:

The aim of this scheme is to promote continuity and stability of living arrangements in post-care life for young people living with foster carers by ensuring that financial support is available to assist carers to continue to meet the care, accommodation and support needs of these young people until they reach the age of 21. Allied to this, the scheme also aims to promote better outcomes for

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<sup>52</sup> Welsh Government, [When I am Ready – Good Practice Guide](#), March 2016, pp2 and 4.

<sup>53</sup> Northern Ireland Department of Health, [Northern Ireland Care Leavers 2017/18](#), 7 December 2018, p6.

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young people leaving care in relation to training, employment and education.<sup>54</sup>

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<sup>54</sup> Northern Ireland Department of Health, [Northern Ireland Care Leavers 2017/18](#), 7 December 2018, p6.

## 3. Housing

### 3.1 Statistics on accommodation for care leavers

Most care leavers (35%) were in independent living in 2017/18 with around 12% in semi-independent/transitional accommodation. Around 12% were living with parents or relatives and 8% with former foster carers. The chart below provides the numbers.

In 23,510 cases (82%) the accommodation placement for these care leavers was considered suitable. Of those living in unsuitable accommodation, 320 were homeless/of no fixed abode.



Note:

a) Care leavers now aged 19-21 years looked after for a total of at least 13 weeks after their 14th birthday including some time after their 16th birthday.

[Source: DFE Looked after children statistics 2017/18, Table F1](#)

### 3.2 Local housing authorities' duties to homeless care leavers

It is widely accepted that experience of the care system puts an individual at a higher risk of homelessness. For example, 11% of rough sleepers seen by outreach workers in London over 2018/19 had previous experience of living in care (558 people compared with 580 in 2017/18).<sup>55</sup>

**In England**, local authorities have a statutory duty to secure accommodation for certain unintentionally homeless care leavers including:

<sup>55</sup> [CHAIN Annual Report Greater London April 2018 to March 2019](#)

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- a person under 21 who was (but is no longer) looked after, accommodated or fostered between the ages of 16 and 18 (except a person who is a 'relevant student'); or
- a person aged 21 or more who is vulnerable as a result of having been looked after, accommodated or fostered (except a person who is a 'relevant student').<sup>56</sup>

The [Homelessness Code of Guidance for Local Authorities](#) to which they must have regard when performing their duties under Part 7 of the *Housing Act 1996*, provides the following guidance on duties owed to homeless care leavers over the age of 21:

A person aged 21 or over who is vulnerable as a result of having been looked after, accommodated or fostered has a priority need (other than a person who is a 'relevant student'). The terms 'looked after, accommodated or fostered' are set out in Section 24(2) of the Children Act 1989 and this includes any person who has been:

- a. looked after by a local authority (i.e. has been subject to a care order or accommodated under a voluntary agreement);
- b. accommodated by or on behalf of a voluntary organisation;
- c. accommodated in a private children's home;
- d. accommodated for a consecutive period of at least three months:
  - i. by any Local Health Board, Special Health Authority or by a local authority in the exercise of education functions; or,
  - ii. in any care home or independent hospital or in any accommodation provided pursuant to arrangements made by the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group under the National Health Service Act 2006 or by a National Health Service trust or an NHS foundation trust, or by a local authority in Wales in the exercise of education functions; or,
- e. privately fostered.

A 'relevant student' means a care leaver under 25 to whom section 24B (3) of the Children Act 1989 applies, and who is in full-time further or higher education and whose term-time accommodation is not available during a vacation. Under section 24B(5), where a social services authority is satisfied that a person is someone to whom section 24B(3) applies and needs accommodation during a vacation they must provide accommodation or the means to enable it to be secured.

Housing authorities will need to make inquiries into an applicant's childhood history to establish whether they have been looked after, accommodated or fostered in any of these ways. If so, they will need to consider whether they are vulnerable as a result.<sup>57</sup>

The [Homelessness Code of Guidance for Local Authorities](#) contains advice on the assessment of vulnerability in chapter 8.

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<sup>56</sup> Section 189(1) of the *Housing Act 1996* (as amended).

<sup>57</sup> Ministry of Housing Communities and Local Government (MHCLG), [Homelessness Code of Guidance for Local Authorities](#), paras 8.28 to 8.31.

On 3 April 2018, local authorities in England acquired new duties to prevent and relieve homelessness for **all** eligible<sup>58</sup> applicants for a period of 56 days.<sup>59</sup> The *Homelessness Reduction Act 2017* also amended the 1996 Act so that the definition of 'local connection' for care leavers ensures that a young homeless care leaver should be treated as having a connection in the area where they were looked after or, if different, the area where they normally live and have lived for at least 2 years, including some time before they reached the age of 16. The aim of this change is to make it easier for care leavers to get assistance in the area where they feel most at home.

Local authorities' duties to provide advice and assistance to homeless people were strengthened with effect from 3 April 2018. Section 179(2) of the 1996 Act provides that authorities must design advice and information services to meet the needs of people within their district including, in particular, the needs of the following groups:

- people released from prison or youth detention accommodation;
- **care leavers;**
- former members of the regular armed forces;
- victims of domestic abuse;
- people leaving hospital;
- people suffering from a mental illness or impairment; and,
- any other group that the authority identifies as being at particular risk of homelessness in their district.

On 1 October 2018, certain public bodies in England acquired a new duty to notify a local housing authority if they become aware of someone who is homeless or threatened with homelessness (with the individual's consent). Guidance on this '[duty to refer](#)' has been published by MHCLG. Social service authorities (both adult and children's) are subject to the duty to refer.

Chapter 22 of the [Homelessness Code of Guidance for Local Authorities](#) provides guidance on the provision of homelessness services to care leavers.

Housing policy is devolved and different approaches to homelessness have been adopted in **Wales, Scotland and Northern Ireland**.

- The *Housing (Wales) Act 2014* places a duty on local authorities to assist unintentionally homeless persons of between 18 and 20 years of age who were "looked after, accommodated or fostered at any time while under the age of 18" (section 70).
- In Scotland, there is a statutory duty on local authorities to find permanent accommodation for all applicants who are unintentionally homeless or threatened with homelessness.

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<sup>58</sup> Eligibility is determined with reference to an applicant's immigration status.

<sup>59</sup> This duty stops short of actually providing accommodation for homeless people who are not in a priority need category.

- In Northern Ireland there is no specific reference to a duty to assist homeless care leavers but there is a duty, under the *Housing (Northern Ireland) Order 1988* to assist “a young person who satisfies the Executive that he is at risk of sexual or financial exploitation.”

Despite these statutory duties, there is concern that local authorities do not always carry out an effective assessment of a care leaver’s needs. The All-Party Parliamentary Group (APPG) on Ending Homelessness published a [report](#) in July 2017 which questioned the degree to which authorities were declaring care leavers to be ‘intentionally homeless’, i.e. to have made themselves homeless and, therefore, not owed a full rehousing duty. The APPG also raised issues about the suitability of the accommodation into which care leavers were being placed.<sup>60</sup> The *Homelessness Reduction Act 2017*, with its focus on the prevention of homelessness and the introduction of personalised plans for each eligible applicant irrespective of priority need or intentionality, may overcome some of these issues. Local authority assessments in England must include:

- the circumstances that caused the applicant to become homeless or threatened with homelessness;
- the housing needs of the applicant including, in particular, what accommodation would be suitable for the applicant and any persons with whom the applicant resides or might reasonably be expected to reside (“other relevant persons”); and
- what support would be necessary for the applicant and any other relevant persons to be able to have and retain suitable accommodation.

The APPG recommended:

- National Government should abolish intentionality for care leavers aged 18-25.
- Local authorities should use their existing powers to exempt care leavers from council tax until the age of 25.
- National Government should exempt all care leavers from the Shared Accommodation Rate up to the age of 25 (see below).
- The Department of Communities and Local Government (now the Ministry of Housing, Communities and Local Government, MHCLG) should conduct a review of the 2013 allocation guidance. The particular concern here was how restrictions on local connection might impact on care leavers. The *Homelessness Reduction Act 2017*’s amendments to the 1996 Act have addressed this issue for homeless care leavers (see above).<sup>61</sup>

### **Local offer for care leavers: accommodation**

*The Children and Social Work Act 2017* places a duty on local authorities in England to publish information on the services offered to assist care leavers in, or in preparing for, adulthood and independent

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<sup>60</sup> APPG, [Homelessness prevention for care leavers, prison leavers and survivors of domestic violence](#), July 2017.

<sup>61</sup> As above.



living. These services are referred to as 'the local offer' and can include access to accommodation.

### 3.3 Paying for housing

The Children's Society's report [Claiming after care: Care leavers and the benefits system](#) (August 2017) observed that care leavers are "more likely to experience homelessness"<sup>62</sup> and went on to focus on aspects of the financial safety net for housing costs which can make securing affordable housing particularly difficult for this group.

**Supported housing:** this sort of accommodation is suitable for care leavers who may need additional support before moving towards independent living. Supported housing is expensive as the rent reflects the additional services and support provided. The Children's Society notes that it can be difficult for care leavers in supported housing to save up sufficient money for move-on accommodation, e.g. for a deposit. Concerns about proposed changes to the funding of supported accommodation and the impact that this could have on providers were allayed on 9 August 2018 when the Government announced that Housing Benefit would continue to meet residents' rent payments in all supported housing.

**Shared Accommodation Rate (SAR):** the SAR limits the amount of Housing Benefit a single person can claim to the equivalent of the cost of a room in a shared house for claimants under 35 years of age. There is an exemption for claimants under the age of 22 who were formerly in social services care. This allows care leavers some leeway to become settled and move into work or establish links whereby they could share accommodation with others. The SAR originally applied to single claimants up to age 25 but was extended to under 35-year-olds in January 2012. The exemption was **not** extended to care leavers aged over 21. The Children's Society has lobbied for the exemption to be extended to care leavers aged up to 25:

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.

Throughout the passage of the Children and Social Work Bill we lobbied for the Shared Accommodation Rate exemption to be extended to the age of 25.<sup>63</sup>

The Government's [2016 Care Leavers Strategy](#) included a commitment to:

...reviewing the case to extend the exemption to the Shared Accommodation Rate of housing support within Universal Credit, for care leavers to age 25.<sup>64</sup>

To date, no change has been made.

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<sup>62</sup> Children's Society, [Claiming after care: Care leavers and the benefits system](#), August 2017, p1.

<sup>63</sup> [Claiming after care: Care leavers and the benefits system](#), August 2017, p10.

<sup>64</sup> HM Government, [Keep on Caring](#), July 2016, p8.

**The Local Housing Allowance (LHA) rate freeze:** Most tenants in private rented housing who are in receipt of assistance with their housing costs receive the Local Housing Allowance. The LHA can cover all or part of a claimant's rent. The LHA is paid at a flat rate based on the lowest 30th percentile of market rents for a particular size of property (up to a maximum of 4 bedrooms) within a Broad Market Rental Area. The exact amount of LHA a claimant receives depends on their personal circumstances – it is a means tested benefit. LHA rates have been frozen since April 2016 and will remain so for four years up to and including 2019/20.<sup>65</sup> It is argued that the freeze is resulting in a growing gap between private sector rent levels and LHA rates which, in turn, is making accessing private rented accommodation difficult for benefit recipients. This was referred to by the National Audit Office in their report on [Homelessness](#) (September 2017):

Changes to Local Housing Allowance are likely to have contributed to the affordability of tenancies for those on benefits, and are an element of the increase in homelessness. Since 2011, the Department for Work & Pensions has introduced a series of welfare reforms, including capping and freezing Local Housing Allowance. These reforms have been designed to reduce overall welfare spending and to provide incentives for benefit recipients to take up employment. They have reduced the amount of household income that it is possible to derive from benefits where the Local Housing Allowance applies. At the same time, rents in the private rented sector in much of the country — London in particular — have increased faster than wage growth. All of these factors appear to have contributed to private rented properties becoming less affordable, which in turn is likely to be contributing to homelessness caused by the ending of an assured shorthold tenancy.<sup>66</sup>

**Entitlement to the housing element of Universal Credit for 18 to 21-year olds:** From April 2017, the Government removed automatic entitlement to housing support in Universal Credit (UC) for those making new UC claims who are out of work and aged 18 to 21, with some exemptions. Care leavers were exempted from these changes on the basis that:

The option to remain living in the family home clearly does not apply to care leavers and we have therefore decided that care leavers will be exempt from these changes.<sup>67</sup>

On 29 March 2018, the Government announced that restrictions on accessing the housing element of UC for 18 to 21-year olds would be removed. The Regulations (SI 2018/1129) were laid on 5 November 2018; the relevant provisions came into force on 31 December 2018.

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<sup>65</sup> There is some allowance for increases in the most expensive rental areas.

<sup>66</sup> [HC 308](#), Session 2017-19, September 2017, para 11.

<sup>67</sup> HM Government, [Keep on Caring](#), July 2016, p48.

## 4. Education and training

### 4.1 Education and Employment Activity

Comparable statistics on the education and employment activity amongst care leavers aged 19-21 years are available for the past four years as shown in the table below.

EDUCATION AND EMPLOYMENT ACTIVITY OF CARE LEAVERS <sup>(a)</sup>										
England										
	2013/14	2014/15	2015/16	2016/17	2017/18	2013/14	2014/15	2015/16	2016/17	2017/18
	<i>number of care leavers</i>					<i>% of care leavers</i>				
In higher education	1,740	1,700	1,760	1,640	1,750	6.4%	6.5%	6.7%	6.1%	6.1%
In education other than higher education	5,080	4,820	4,800	5,090	5,710	18.7%	18.3%	18.2%	18.8%	20.0%
In training or employment	5,500	6,070	6,420	6,670	7,180	20.2%	23.1%	24.4%	24.7%	25.2%
Not in education, training or employment	10,320	10,340	10,460	10,870	11,100	37.9%	39.3%	39.7%	40.2%	38.9%
No information	4,580	3,370	2,890	2,740	2,770	16.8%	12.8%	11.0%	10.1%	9.7%
<b>All care leavers now aged 19-21</b>	<b>27,220</b>	<b>26,290</b>	<b>26,330</b>	<b>27,010</b>	<b>28,510</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Note:

a) Care leavers now aged 19-21 years looked after for a total of at least 13 weeks after their 14th birthday including some time after their 16th birthday

[Source: DFE Looked after children statistics \(Various years\), Table F1](#)

Over the period there has been a slight reduction in the numbers in higher education and an increase in both those in training or employment and not in education, training or employment.

To put these figures in context, around 51% of the total student population progressed to higher education in 2016/17.<sup>68</sup> As shown above, only 6.1% of care leavers were reported to be in higher education.

In addition, in 2017/18 a reported 38.9% of care leavers aged 19-21 years were not in education, training employment (NEET). A relatively comparable figure from ONS data shows that the NEET rate among 18-24 year olds was 13.1% in the quarter ending March 2018.<sup>69</sup>

### 4.2 Post-16 education and training – financial support

#### 16-19 bursaries

In England, some students in this age bracket and who are in a school sixth form or other qualifying further education or training are considered vulnerable students and may qualify for a vulnerable student bursary.

Vulnerable student bursaries are worth up to £1,200 per year in 2019-20.<sup>70</sup> Institutions can decide not to pay a vulnerable student bursary if

<sup>68</sup> Department for Education [Destinations of Key Stage 4 and 5 pupils](#)

<sup>69</sup> ONS [Young people not in education, employment or training](#)

<sup>70</sup> The Department for Education notes that institutions can add additional discretionary bursary funding on top of this, where appropriate.

they consider the student has no actual financial need – i.e., is being provided with support through other means.

For the purposes of the 16-19 vulnerable student bursary in 2019-20, care leavers are defined as follows:

### Defining in care and care leavers

The 16 to 19 Bursary Fund defines 'in care' as 'Children looked after by a local authority on a voluntary basis (section 20 of the Children Act 1989) or under a care order (section 31 of the Children Act 1989) - Section 22 of the Children Act 1989 defines the term 'looked after child'.'

A 'care leaver' is defined as:

a young person aged 16 and 17 who was previously looked after for a period of 13 weeks consecutively (or periods amounting to 13 weeks), which began after the age of 14 and ended after the age of 16; or

a young person aged 18 or above who was looked after prior to becoming 18 for a period of 13 weeks consecutively (or periods amounting to 13 weeks), which began after the age of 14 and ended after the age of 16.

Foster care, including privately arranged foster care

A young person placed with a foster carer by the local authority, including where the foster carer is on the books of an independent fostering agency, is classed as looked after. They are in a defined vulnerable group ('in care') and eligible for help from the bursary for vulnerable groups, where they need financial support to participate.

A child who is privately fostered (in other words, a private arrangement is made between the parent and the person who will care for the child) is not classed as a looked after child and is not eligible for the bursary for vulnerable groups.

In some instances, a young person may have been in the care of the local authority and the care transferred to another party via a permanent form of fostering such as a Special Guardianship Order. In these circumstances, the young person is defined as having left care so is now a care leaver. They are in a defined vulnerable group ('care leaver') and eligible for help from the bursary for vulnerable groups, where they need financial support to participate.<sup>71</sup>

Education is a devolved policy area, and Wales, Northern Ireland and Scotland have different systems of support in place.

In **Wales**, older care leavers aged 19+ undertaking qualifying further education may be able to apply for the Welsh Government Learning Grant (WGLG) of up to £1,500 per year. Those who are looked after or provided with accommodation by the local authority count as independent students and their household income is assessed accordingly. Welsh further education students aged 16-18 may be eligible for an Education Maintenance Allowance (EMA) of up to £30 per week.

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<sup>71</sup> Education and Skills Funding Agency (ESFA) guidance, '[16 to 19 Bursary Fund guide: 2019 to 2020 academic year](#)', April 2019.

In **Scotland**, care leavers in further education may be eligible for EMAs, or a higher-rate Care Experienced FE bursary. Similarly, in **Northern Ireland**, care leavers undertaking qualifying further education may qualify for EMAs or may qualify to participate in a [Training for Success](#) programme.

### 4.3 Higher education – financial support

In England, higher education students are supported via a package of repayable student loans for maintenance and fees. Medical and dental students can apply for NHS bursaries during the later years of their courses – which include non-repayable funding.

The [Propel website](#) (run by the charity, Become) provides detailed information about financial support for care leavers in England, Scotland, Northern Ireland and Wales, and who are considering higher education.

### 4.4 Widening participation in higher education

The Office for Students (OfS) regulates higher education institutions in England. Institutions that want to charge higher tuition fees are required to produce annual access and participation plans for approval by the OfS's Director of Fair Access and Participation. These plans set out the steps institutions intend to take to improve access for under-represented groups.

The OfS's [guidance](#) to higher education institutions on access and participation plans for 2019-20 is that underrepresented groups include:

- students from areas of low higher education participation, low household income and/or low socioeconomic status
- some black, Asian and minority ethnic (BAME) students.
- mature students
- disabled students [...]
- **care leavers**.<sup>72</sup>

Access and participation plans must also include an assessment of the institution's current performance in supporting students from these underrepresented groups.

### 4.5 Scotland, Wales and Northern Ireland

As noted above, education policy is devolved. In **Scotland**, tuition fees are met by the Government for qualifying students. HE students who have previously been in care may be eligible for a range of bursaries such as a Care Experienced Students Bursary. They may also be entitled to an accommodation grant of up to £105 per week in the summer holidays.

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<sup>72</sup> Office for Students, [Regulatory Notice 1, Access and participation plan guidance](#), February 2019, pp16-17.

## 32 Support for care leavers

In **Wales**, as in England, care leavers may be assessed as independent students and may also be entitled to additional financial support from Student Finance Wales, their local authority, or their university.

In **Northern Ireland**, there is a system of grants and loans for student support and as elsewhere care leavers may be assessed as independent students. Additional support may also be available from individual HE institutions.



## 5. Health services

### 5.1 Government guidance

Statutory guidance - [Promoting the health and well-being of looked-after children](#) (March 2015) contains a section on care leavers, which includes that local authorities, clinical commissioning groups (CCGs) and NHS England should ensure that there are effective plans in place to enable looked after children aged 16 or 17 to make a smooth transition to adulthood:

#### Care leavers

Local authorities, CCGs and NHS England should ensure that there are effective plans in place to enable looked-after children aged 16 or 17 to make a smooth transition to adulthood, and that they are able to continue to obtain the health advice and services they need. In particular:

- there should be an emphasis on partnership working between the young person and their personal adviser, and the doctors and nurses involved in their health assessments
- personal advisers should have access to information and training about how to promote physical and mental health
- transitions should be planned as early as possible, and certainly at least six months in advance of a transition to adult services, so that social workers, personal advisers, commissioners and providers of children's and adult services can manage transitions smoothly and ensure that young people are clear about expectations.

Care leavers should be equipped to manage their own health needs wherever possible. They should have a summary of all health records (including genetic background and details of illness and treatments), which suggests how they can access a full copy if required. Information needs to be given to care leavers sensitively and with support, with an opportunity to discuss it with health professionals. Young people leaving care should be able to continue to obtain health advice and services, and know how to do so.

Personal advisers should work closely with looked-after children's health teams involved in health assessments. Leaving care services should ensure that health and access to positive activities are included as part of the young person's pathway planning. They should also ensure that care leavers have the information they need to be able to manage their health when living independently.

Care leavers with complex needs, including those with disabilities, may transfer direct to adult services and the pathway plan will need to ensure that this transition is seamless and supported. For care leavers who do not meet the criteria for support by adult services, their personal adviser should ensure that all possible forms of support, including that offered by the voluntary sector, are identified and facilitated as appropriate.<sup>73</sup>

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<sup>73</sup> Department for Education/ Department of Health, [Promoting the health and well-being of looked-after children](#), March 2015, pp 26-7.

## 5.2 April 2016 Education Committee report

In April 2016, the Education Committee published a [report](#) on the mental health and well-being of looked after children.<sup>74</sup> In addition to finding that looked after children face significant challenges in getting access to mental health support, the Committee also reported concerns about the transition out of care. The report noted that leaving the care system can be a time of significant upheaval and disruption, and that this is likely to be more acute for care leavers with mental health concerns. The Committee noted that current support is based too heavily on inflexible age restrictions and recommended that Child and Adolescent Mental Health Services (CAMHS) should be made available for care-leavers up to the age of 25:

CAMHS should be made available for all looked-after young people up to the age of 25 in recognition of the distinct issues which this vulnerable group of young people face as they leave the care system. Access to services beyond the age of 18 should be offered where appropriate but not made mandatory where an individual would be better suited to moving onto adult mental health services.<sup>75</sup>

In September 2016 the Government published its [response](#) to the Committee's report saying it did not accept the Committee's recommendation on CAMHS being made available to care leavers up to age 25.<sup>76</sup> The response said that mental health support should be available for those that need it regardless of age and that the Government does not therefore mandate an age range for statutory mental health services for children or adults. The Government response also noted that the configuration of local mental health services is a matter for commissioners, and that different parts of the country are meeting children and young people's mental health needs in different ways and cited several examples of good specialist mental health services for care leavers.

The Government said it was establishing a new Expert Working Group for Looked after Children to consider how to improve the mental health and well-being of the following vulnerable groups:

- Looked-after children
- Children adopted from care
- Care leavers
- Children leaving care under a special Guardianship Order or Child Arrangements Order.

A PQ response from March 2018 provides some further background on the Expert Working Group, and noted that the joint health and education green paper: '[Transforming children and young people's](#)

<sup>74</sup> Education Committee, [Mental health and well-being of looked-after children](#), Fourth Report of Session 2015-16, HC 481, 28 April 2016.

<sup>75</sup> As above.

<sup>76</sup> Department of Health/ Department for Education, [Mental health and well-being of looked-after children: Government response to the Committee's Fourth Report of Session 2015-16](#), Cm 9284 September 2016.

[mental health provision](#)' also included a commitment to set up a new national strategic partnership to support the mental health of 16-25 year olds and encourage more coordinated action and robust evaluation:

Asked by [Jonathan Ashworth](#)

To ask the Secretary of State for Health and Social Care, what steps he is taking to improve access to mental health services for care leavers who are between 18 and 25 years old.

Answered by: [Jackie Doyle-Price](#)

Answered on: 07 March 2018

We know that mental health needs are much more prevalent among children in care, which is why NHS England is currently testing models for the use of personal budgets for looked after children, which includes children on the edges of care.

The Department of Health and Social Care and the Department for Education also commissioned the Social Care Institute for Excellence to convene an expert working group to look at improving the mental health and emotional wellbeing of looked after and previously looked after children. A report was published at the end of last year and the Departments are considering the recommendations in the report and how to take them forward.

Transitions from children and young people's mental health services to adult services can be a difficult time for young people. NHS England has therefore developed a model specification for such transitions and included transition from children and young people's mental health services as one of 13 mandatory national indicators in the Commissioning for Quality and Innovation scheme (2017/19). This offers financial incentives to local areas to make improvements in support of the Five Year Forward View for Mental Health and NHS mandate and will encourage improved transition planning and better experiences for children and young people.

The joint health and education green paper: 'Transforming children and young people's mental health provision' also included a commitment to set up a new national strategic partnership to support the mental health of 16-25 year olds and encourage more coordinated action and robust evaluation.<sup>77</sup>

Further background can be found in the Library briefing paper, [Children and young people's mental health – policy, services, funding and education](#).

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<sup>77</sup> [PQ 130203](#), 7 March 2018.

## 6. Social security benefits

### 6.1 Care leavers and DWP benefits

Young people aged 18 and over – including those who have left local authority care – may claim benefits in their own right on the same basis as adults. 16-17 year olds can only claim benefits in very limited circumstances. Young people aged 16-17 who are “care leavers” – who have been looked after by a local authority for at least 13 weeks since the age of 14 and who left care on or after their 16th birthday – cannot usually claim benefits. This is because the local authority remains responsible for meeting their needs for maintenance, accommodation and support. Care leavers aged 16-17 are not excluded from claiming benefits if they are responsible for a child, or have a “limited capability for work”, but this will not include an amount to cover rent.

Until recently, the main benefits care leavers might claim were Income Support, income-based Jobseeker’s Allowance, income-related Employment and Support Allowance, and Housing Benefit. With the roll-out of Universal Credit, most young people leaving care will however find that making a claim for UC is their first experience of the benefits system.

#### Universal Credit

Universal Credit (UC) is replacing means-tested benefits and tax credits for working-age households, including single people and couples without children as well as families. It is payable both in and out of work. The Universal Credit “Full Service” – the final, digital version of UC available to all claimant groups – was rolled out to the whole of the United Kingdom by December 2018. With very limited exceptions, it is now no longer possible to make new claims for “legacy” benefits (the benefits – including those listed above – UC is replacing). Under the [latest timetable](#) UC will not however have fully replaced legacy benefits for all existing claims until the end of 2023.

[Universal Credit Full Service Guidance](#) deposited in the House of Commons by the Department for Work and Pensions includes a chapter on [Care leavers](#) (Version 13.0, current March 2019) giving information on how UC affects care leavers and the additional support that should be available for this group. It supplements a separate chapter on [Under 18s](#) (Version 8.0).

The guidance states that care leavers may be identified in the Universal Credit system as a result of either:

- a local authority Leaving Care Team contacting the Jobcentre’s care leaver “Single Point of Contact” (SPOC) to inform them a young person is approaching their 18th birthday and will be making a claim; or
- the care leaver identifying themselves when making the claim

The individual must also confirm their care leaver status, by providing secondary evidence and confirmation from the local authority (or Local Health Trust in Northern Ireland). Once the DWP has verified their status, this is recorded in the person's "claimant history."

The guidance emphasises the vulnerable position of care leavers and the particular issues they face:

#### **Why we support care leavers**

Care leavers are young people who often have complex needs so have access to additional support. Children enter either residential or foster care for many reasons. Often their past experiences can sometimes have a negative impact on adult life.

Care Leavers are more likely to be at risk of:

- poor educational outcomes
- unemployment
- being homeless
- drug and alcohol dependency
- offending
- mental health issues

#### **Support for care leavers**

It is important that care leavers are identified as soon as possible to ensure they receive the correct support and switching off requirements (Easements) that must be applied.

In the majority of cases the care leaver will have documentation confirming their care leaver status from their local authority.

The Government is committed to improving the outcomes for care leavers and has introduced a number of measures to encourage them to engage in education and employment.

The guidance goes on to outline the support available to a care leaver whilst claiming Universal Credit which includes:

- advance claim preparation, being able to prepare their claim up to 28 days before, entering details on their account (this cannot be submitted before their 18th birthday)
- being able to apply for Alternative Payment Arrangements and Personal Budgeting Support at any point in their claim
- undertaking full-time non-advanced education
- access to Recoverable Hardship Payments
- help with accommodation costs, if they are under 22 years old
- Advance payments are available to care leavers in short term financial need
- access to the Work and Health Programme

The DWP guidance gives further information on advanced claim preparation for care leavers, on education and on accommodation costs:

### **Advanced claim preparation for a care leaver**

Care leavers can prepare their claim to Universal Credit up to 28 days before and including their 18th birthday. This helps ensure support is in place as soon as possible.

Although the claim details should not be submitted until the claimant's 18th birthday, they can be viewed and checked in advance of submission, to help get the claim ready.

The service automatically deletes any information after 28 days. All information must be submitted within 28 days of the claimant starting to enter information on the service, providing it is on or after the claimant's 18th birthday.

Local authority Leaving Care Teams can assist young people to make their claim using the service.

The care leaver can make a pre-claim appointment, to confirm:

- identity
- bank account details
- they are a care leaver (for example, written confirmation from the local authority on headed paper or by email, official paper work relating to the claimant being in care)

The Initial Evidence Interview and Commitment Interview can be booked at the pre-claim appointment providing that they take place on or as soon as possible after their 18th birthday.

The care leaver may bring a social worker or support worker with them to the pre-claim appointment.

There are rare circumstances where young people leave care after age 18. In these instances the advanced claim preparation facility should still be offered.

### **Full-time Non-advanced education for care leavers**

Whilst claiming Universal Credit care leavers are able to undertake full-time non-advanced education, up to the age of 21 or the end of the academic year in which they reach the age 21 (or at the end of the course if earlier).

Whilst in non-advanced education the care leaver will be in the No Work-Related Requirements regime. During the summer vacation, the claimant will be allocated to the Labour Market regime based on their individual circumstances (as if they were not in education or training at that time).

### **Accommodation costs**

Care leavers aged 18-22 are exempt from non-payment of housing costs and will not receive the shared accommodation rate

The Local authority must provide support for 16 or 17 year-old care leavers with housing costs until they are 18 years old.

## **Children's Society report**

In August 2017, the Children's Society published [Claiming after care: Care leavers and the benefits system](#) which sets out the findings from research into care leavers which involved, among other things, looking at case studies from practitioners, a focus group with Jobcentre Plus staff who engaged regularly with care leavers, and analysis of data on

outcomes from the Work Programme<sup>78</sup> and on benefit sanctions. The report builds on other existing research undertaken by the Children's Society.<sup>79</sup>

The report states:

Care leavers and our practitioners tell us that their experiences of the welfare system and JobCentre Plus are not always happy ones. Care leavers can often face delays in payment, sanctions, and must make difficult decisions between taking up education and employment opportunities. Unlike other claimants, they must also maintain good relationships with both their personal adviser and their work coach in order to make a claim, because of the many interdependencies between JobCentre Plus and their local authority as their corporate parent.<sup>80</sup>

The report includes the results from an analysis of data on participation in the **Work Programme**, intended to explore how effective the programme was in promoting positive outcomes for care leavers. It comments:<sup>81</sup>

After a participant has spent a minimum amount of time gaining experience with their provider, a job outcome payment is made to that provider. The response from the Department revealed that amongst all of the groups for which data is collected, care leavers' outcomes were particularly poor. Overall, they were around half as likely to spend the minimum amount of time gaining work experience within a 12 month period than peers aged 18-24 claiming Job Seekers' Allowance. Based on this data, it is clear that the work programme did not operate effectively for care leavers as a group.

	<b>Job outcomes as a % of referrals</b>	
	2014	2015
All claimants	<b>17.7</b>	<b>20.9</b>
JSA 18 to 24	<b>24.1</b>	<b>26.6</b>
JSA 25 and over	<b>21.7</b>	<b>24.3</b>
JSA and Prison Leavers	<b>11.5</b>	<b>12.6</b>
All self-identified Care Leavers	<b>10.0</b>	<b>13.5</b>
JSA Ex-Incapacity Benefits	<b>16.6</b>	<b>21.7</b>
ESA Volunteers	<b>5.7</b>	<b>8.1</b>

<sup>78</sup> The Work Programme has now been superseded by (in England and Wales) the [Work and Health Programme](#)

<sup>79</sup> See [A National Offer for Care leavers](#), December 2016; and [The cost of being care free](#), September 2016

<sup>80</sup> Children's Society, [Claiming after care: Care leavers and the benefits system](#), August 2017, p2

<sup>81</sup> Ibid. p4



Analysis of **Jobseeker's Allowance sanctions** data for the six months ending in September 2016 found that:

- Care leavers were three times more likely to be sanctioned than their peers (18-24 year olds) claiming benefits and five times more likely than the general population of adult claimants.
- Only 16% of care leavers challenged their sanction, compared with 19% of 18-24 year olds and 24% of the general population of adults claiming JSA.
- However, care leavers who challenged their sanction were more likely to be successful – 86% had their sanction decision overturned, compared with 79% of 18-24 year olds and 78% of the general population of adults challenging a sanction.

The Children's Society argues that its findings should be used "to inform the design and implementation" of the **Youth Obligation**, first introduced in April 2017. Under the Youth Obligation, all new UC claimants aged 18-21 are allocated to either an "Intensive Work Search" or a "Light Touch" regime, from day one of their claim. Participants receive "intensive support to help find employment or apprenticeship quickly."<sup>82</sup>

The Children's Society report comments:

The Youth Obligation combines aspects of both the current sanctions regime and the Work Programme. Its increased conditionality and accelerated move of claimants into some form of work runs the risk of replicating the worst parts of both the predecessor policies.

If the Youth Obligation is to prove a success, it must be changed to overcome these flaws. Given their vulnerability, it is essential that sanctions are not applied to care leavers without contact first being made with their personal adviser.

The intensive activity period also gives cause for concern. If care leavers are forced to enter this period too soon, or if they are unable to pause it once in progress if it becomes unmanageable they are likely to fail, and instead of moving them closer to work it may actually make work seem a lot further away or more difficult and risk demotivating care leavers.

Many of these potential problems can be avoided by reducing the consequences of sanctions on care leavers. We would recommend that the early warning system should always be used when a care leaver is at risk of being sanctioned. Work coaches should also be required to make contact with the care leaver's personal adviser before applying a sanction, and sanctions should not be applied above the levels set for 16 and 17 year olds.

Finally, thought should be given to the design of the intense activity period for vulnerable young people like care leavers. The ability to 'pause' the period should be made available to young people so they know that, if necessary, they can take a break without being penalised whilst they attend to other issues going on in their lives.<sup>83</sup>

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<sup>82</sup> DWP, [Universal Credit Full Service Guidance: Youth Obligation](#), Version 10.0, current March 2019

<sup>83</sup> [Claiming after care: Care leavers and the benefits system](#), p6

The report sets out five key recommendations, focusing on DWP and Jobcentre Plus staff:

### **Changing the nature and use of sanctions**

The early warning system for sanctions should always be applied to care leavers. Work coaches should contact a care leaver's personal adviser before applying a sanction. When applied, sanctions should not be applied above the levels set for 16 and 17 year olds so that the financial burden is lessened and the sanction is lifted immediately when the care leaver re-engages and meets their claimant commitment.

### **Improved Entitlements**

Care leavers should be eligible for the full Universal Credit Standard Allowance from the age of 18. The Shared Accommodation Rate Exemption should be extended to 25 years of age. The Severe Disability Premium should be carried forward from legacy benefits into Universal Credit so that care leavers with disabilities are supported to move into independent living.

### **Reducing the risk of debt whilst waiting for the first payment**

Instead of offering an Advance Payment to care leavers - a form of loan which alters future payments and makes budgeting more difficult - care leavers should receive an 'Advance Grant' based on their maximum entitlement at the point of making their claim, whilst waiting for the first payment of their first claim.

### **Do not make care leavers the go-between**

Where a care leaver's claim has administrative or technical problems which require solving, care leavers should not be passed from pillar to post. Personal Advisers should be able to be listed as a designated person to assist in a care leaver's claim and joint protocols between the local JobCentre Plus and the local authority should be put in place so that professionals working with a young person can contact each other.

### **Changing attitudes**

The Department for Work and Pensions should produce training materials to change attitudes towards care leavers among job centre staff and increase their knowledge about how to support them. JobCentre Plus should explore ways to allow care leavers to participate in how local services are structured and how they are better supported into work.

In addition, the Children's Society identifies a number of other measures that could improve the relationship between care leavers, work coaches and personal advisers:

### **Recommendations for the Department for Work and Pensions**

- DWP should introduce an apprenticeship bursary, similar to the higher education bursary, to support care leavers during the first year of their apprenticeship. This would provide better financial support, ensure better long-term employment prospects and provide increased parity between academic and technical education routes.
- DWP should bring forward the marker for care leavers under Universal Credit. Currently, care leavers can be

flagged on the legacy benefits system if they tell their work coach they are leaving care but this is not yet available on Universal Credit. The marker should be as robust as the current marker for those leaving prison.

- For their first claim, care leavers should always have the option to have their housing element/housing benefit of their claim paid direct to the landlord communicated to both themselves and their personal adviser.
- DWP should further explore the early warning system for care leavers at risk of a sanction to see if it reduces the levels of sanctioning.
- DWP should produce a resource to help personal advisers better understand Universal Credit and the ways in which it can be tailored to meet the needs of care leavers.

### **Recommendations for JobCentre Plus staff**

- JobCentre Plus and local authorities should establish joint protocols to allow personal advisers and work coaches to contact each other when a care leaver misses an appointment or appears to be struggling financially.
- JobCentre Plus staff should be encouraged to contact care leavers in a variety of ways, including text, in order to simplify communication.
- JobCentre Plus should proactively approach their local authorities to see if a service level agreement like a joint protocol would improve ways of working.

### **Recommendations for local authorities**

- Local authorities should provide comprehensive training for their personal advisers on Universal Credit.
- Local authorities should establish service level agreements, like a joint protocol, with their local JobCentre Plus in order to allow better information sharing and in order to make it easier for professionals to help solve technical and administrative issues in a care leaver's claim.
- Local authority staff should be encouraged to contact care leavers in a variety of ways, including text, in order to simplify communication.

## **Social Security Advisory Committee Report**

In May 2018, the Social Security Advisory Committee published its report on its study of [Young People Living Independently](#), which explored the impacts of the benefit system on young people aged 16 to 24 who live independently of parents or other guardians.<sup>84</sup> As part of project the SSAC examined the issues relating to the Universal Credit claims process for care leavers transitioning out of care.

In order to provide support for care leavers at 18, the Government's Advanced claim preparation scheme allows care leavers to prepare their claim to Universal Credit before their 18th birthday. The SSAC report explains the process:

To help them receive benefits at 18, at age 17 and 11 months, the care leavers' Universal Credit account is set up and a check is

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<sup>84</sup> [SSAC Occasional Paper 20: Young people living independently](#), 23 May 2018

run on their identification and bank account. The account is then held for 28 days. The young person has two appointments at the Jobcentre. The first is to explain Universal Credit and talk about alternative payments and budgeting support. The second, mostly on the day of their 18th birthday, is to check that there has been no change of circumstances so that the claim can then be determined. The work coach's first focus is ensuring the young person gets paid and that they have an allocated case manager.<sup>85</sup>

Although the pre-claim process should provide support as soon as a care leaver turns 18, the SSAC study identified various barriers to the timely payment of benefit. These included many care leavers not having a bank account when they turn 18, and a majority not owning a passport to provide the required identification to open a bank account. The SSAC report states:

These [issues] can cause payment delays and care leavers personal advisors may be reluctant to access advance payments as "they felt that care leavers should not have to start their independent life in arrears".<sup>86</sup>

Other barriers to accessing the support and exceptions for care leavers included:

Young people not wanting to disclose the fact that they are care leavers to a work coach and therefore not being identified as requiring additional support

Issue with the Universal Credit computer system flagging upon care leavers.

A lost opportunity to connect the support between the local authority's care leaver Pathway Plan and Claimant Commitment which forms the basis of a care leaver's claim for Universal Credit.<sup>87</sup>

SSAC also heard that care leavers found the transition to adult life "rapid and crowded". Many reported unclear or unrealistic expectations upon leaving care, including not knowing how to apply for benefits or pay rent. Combined with the emotional issues involved in transitioning to independent living at 18, SSAC found that it "makes the experience of turning 18 a very different one for care leavers" compared to young benefits claimants living with parents or guardians.

SSAC report's key recommendation for improving the benefit claims process for care leavers was **that as part of the [Care Leavers Covenant the Westminster Government explores with local authorities, how better to link up the Pathway Plan, Jobcentre support and the Claimant Commitment.](#)**

The Government response<sup>88</sup> to the SSAC report published in July 2018 does not refer to report's recommendation on linking support for care leavers. Instead the Government response emphasises the "intensive support for 18-21 year olds making a new claim to Universal Credit"

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<sup>85</sup> [SSAC Occasional Paper 20: Young people living independently](#), 23 May 2018, p55

<sup>86</sup> As above.

<sup>87</sup> As above, p56.

<sup>88</sup> [DWP response to SSAC report on young people living independently: government response](#) July 2018.

under the Youth Obligation Support Programme introduced in April 2017. The response adds:

This programme starts with an intensive activity period of workshops and interventions that encourages 18-21 year olds to think more broadly about their skills and job goals, helps them identify any training they need, and supports them to improve their job search, job application and interview skills.



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