

# FOSTER CARE LINK (FCL) STAYING PUT POLICY



**Please Note: At the present time this policy and procedure remains as a working draft. A number of local authorities that FCL works with are developing differing policies and as a result, over time this policy document may have to be amended to take account of regional variations.**

## Introduction

1. In May 2013 the Government introduced guidance for the newly termed “Staying Put” arrangements, previously known as supported lodgings. The guidance was aimed at local authorities and required them to put in place a policy to enable young people to stay in their foster homes beyond the age of 18 years, where appropriate. The guidance did not cover local authorities’ use of independent fostering agency placements and as a consequence, local authorities are developing varying local protocols in relation to IFA’s. FCL will always work with protocols in place with our partner agencies, but has produced this policy to clarify the agency’s position in relation to Staying Put arrangements.

2. Foster Care Link fully supports the need for some young people to remain with their foster carers post eighteen. It is recognised that not all young people are ready to move to independence at the age of 18 years and also for some young people staying in education or training, remaining in the same secure placement is the best way to promote a good outcome for that young person. As a matter of good practice, FCL expects that all local authorities will negotiate Staying Put arrangements with FCL and not make direct approaches to FCL foster carers. The Staying Put arrangement must be by mutual agreement between FCL, the local authority, the young person and the foster carers. It should be remembered that at the point of discussing whether an existing placement should become a staying put arrangement, that the young person is still a foster child and that the foster carer is still a Foster Care Link foster carer.

## Foster Care Link’s Policy and Procedure

1. Once a young person turns 18 years they are an adult and their status changes from a foster child to an “Excluded Licensee” i.e., a lodger. Their foster carer can no longer act as a foster carer in relation to that young person. This means that the Fostering Services Regulations 2011 no longer apply and Foster Care Link has no statutory duty to support the Staying Put carer, unless there is agreement with the local authority to delegate this responsibility to FCL.

2. In many cases foster carer will have other placements or the potential to take other placements and therefore any agreement to a Staying Put arrangement must take into account the impact of any other placements. If FCL foster carers are contacted directly, they should refer local authority children’s social workers to FCL to discuss any proposal about Staying Put. Foster carers should be made aware that they have no statutory obligation to accept a Staying Put arrangement and can refuse if they consider that this does not fit in with their family arrangements or may adversely affect their fostering career.

# FOSTER CARE LINK (FCL) STAYING PUT POLICY



3. Where there is more than one child in placement, the responsible authorities for any other children must be notified and their views sought on the proposal for one placement to become a Staying Put arrangement.

4. Foster carers must be made aware that where they have informed insurance companies that they are fostering, they should now inform their insurance companies that they have a 'lodger'. In addition any legal protection provided by their membership of Fostering Network may no longer be effective in relation to a Staying Put arrangement. If the Staying Put arrangement is made under the umbrella of Foster Care Link, the agency's liability insurance (i.e. public indemnity, wilful damage, professional indemnity) has been extended to include Staying Put arrangements and carers will be covered under this policy in all areas. In cases where the arrangement has not included Foster Care Link's supervision in a formal capacity the insurance cover will not apply and carers will need to liaise with the Local Authority to seek clarification on this specialist insurance cover.

4. Where there is a likelihood of an existing foster placement Staying Put arrangement, the local authority and Foster Care Link should arrange a Staying Put Agreement Meeting/Pathway Planning meeting immediately following the young person's 17<sup>th</sup> birthday. This meeting will need to consider;

- Whether such an arrangement is the best way to meet the needs of the young person;
- Whether the young person wishes to remain;
- Whether the foster carer(s) are in agreement with the change of status and understand the implications of the change;
- The plan for the young person and anticipated length of the Staying Put arrangement.
- The implications for any other children in placement;
- Whether or not the supervision/support of the carer will be delegated to Foster Care Link and written details of how this will be provided;
- The local authority's role and responsibility in relation to supervising and supporting the placement ;
- The financial and contractual arrangements including liabilities and insurance.

5. Where a placement is being made of a young person of 16+ years, the Placement Planning meeting and the Placement Plan/Pathway Plan should consider whether the placement is likely to become a staying put arrangement. In particular this will need to be clarified with the foster carers whether or not they are willing to consider the placement becoming a Staying Put arrangement.

6. Following a Staying Put Agreement/Pathway Planning meeting, a written agreement will be drawn up, agreed and signed by all parties.

7. Where FCL has agreed to supervise and support the carer, copies of the supervisory visit report will be sent to a named person in the responsible local authority. Pathway Plan Reviews will be held every six months to review the

# FOSTER CARE LINK (FCL) STAYING PUT POLICY



Staying Put arrangements. It should be noted that in cases where the Local Authority has not agreed to manage the Staying Put arrangement under the umbrella of Foster Care Link no support or supervision will be in place from the agency in relation to the young person.

8. The Staying Put arrangement can be ended at any time by the young person or the carer giving notice. Both parties should endeavour to give as much notice as possible and it is expected that this should be a minimum of 28 days.

9. Where a FCL foster carer has only been approved for one placement and that placement has now become a Staying Put arrangement, FCL will need to discuss with the foster carer whether it is appropriate for them to remain approved as a foster carer. This will in part depend on the proposed length of the staying put arrangement. Any decision to terminate a foster carer's approval in these circumstances, will not negate any agreement that FCL has entered into to support and supervise the placement.

10. This policy and procedure will be reviewed and updated at least annually.