

Somerset Leaving Care Service

Leaving Care Finance Policy:



2019 - 2020

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1. Introduction

Somerset County Council has several responsibilities for the provision of financial support to care leavers which depend on age and circumstances and are outlined in the table below. Also, there is a requirement to support young people to manage their financial resources and money, gradually helping them to take responsibility for themselves.

This policy outlines the arrangements that Somerset County Council has in place to meet their duties and responsibilities for young people in preparation for leaving, and once they have left, care and the document is available for young people, parents, carers and staff.

1.1 Leaving Care Entitlements

Definitions	Main statutory obligations of the local authority
Eligible	
<p>A young person who:</p> <ul style="list-style-type: none"> • is looked after under a Care Order (Section 31), Voluntary Accommodation (Section 20) or Remand in Youth Detention Accommodation (Section 21); • is aged 16 or 17, and • has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after they reached 14 and ended after they reached 16. <p>This does not include young persons who are provided with care in a series of pre-planned short-term placements even if the total number of days exceeds 240 in a year.</p>	<p>The same as for all other children looked after, including a duty to maintain the care plan, carry out regular reviews of their case and appoint an independent reviewing officer for the child.</p> <p>In addition, they must:</p> <ul style="list-style-type: none"> • prepare an assessment to determine what advice, assistance and support is needed, both while the young person is still looked after and after they have stopped being looked after; • as soon as possible after the assessment of needs is completed, prepare a pathway plan (which includes the child’s care plan); • keep the pathway plan under regular review; • appoint a personal adviser.
Relevant	
<p>A young person who:</p> <ul style="list-style-type: none"> • is not looked after, aged 16 or 17 and was, before they last ceased to be looked after, an eligible child. 	<p>The local authority that last looked after the relevant child must:</p> <ul style="list-style-type: none"> • take reasonable steps to keep in touch

Or

A young person who:

- is not looked after, aged 16 or 17, and
- at the time they attained the age of 16 was detained in a remand centre, young offenders' institution, a secure training centre, or any other centre pursuant to a Court order;
- is in a hospital and immediately before they were detained or in hospital they had been looked after by a local authority for a period or periods amounting to at least 13 weeks which began after they reached the age of 14.

However

A young person is not a relevant child if they have lived for a continuous period of six months or more with:

- a parent;
- someone who is not their parent but who has parental responsibility for them, despite falling within section 23A (2).

Where those living arrangements break down and the young person stops living with the person concerned, they should be treated as a relevant child.

- prepare an assessment to determine what advice, assistance and support is needed;
- as soon as possible after the assessment of needs is completed, prepare a pathway plan;
- keep the pathway plan under regular review;
- appoint a personal adviser;
- safeguard and promote the young person's welfare by providing maintenance, suitable accommodation and assistance in order to meet his needs in relation to education, training or employment as provided for in the pathway plan.

Former relevant children

A young person who:

- is aged 18 or above, and either has been a relevant child and would be one if they were under 18, or
- was an eligible child immediately before ceasing to be looked after at age 18

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

- take reasonable steps to keep in touch and if they lose touch, to re-establish contact;
- continue to keep the pathway plan under regular review;
- continue the appointment of the personal adviser;

<p>The duties continue until the former relevant child reaches 21 or, where the pathway plan sets out a programme of education or training which extends beyond their 21st birthday, they continue for so long as the young person pursues that programme</p>	<ul style="list-style-type: none"> • provide financial assistance by contributing to expenses in living near the place where they are or will be, employed or seeking employment; • provide financial assistance to enable him to pursue education or training; • if the former relevant child pursues higher education in accordance with the pathway plan, pay the higher education bursary.
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Former relevant children pursuing further education or training

<p>A young person who:</p> <ul style="list-style-type: none"> • has been a relevant child and would be one if they were under 18, or was an eligible child immediately before ceasing to be looked after at age 18; • is aged under 25; • is over 21 and has informed the local authority that they want to pursue or are pursuing a programme of education or training. 	<p>The local authority which owed duties to that former relevant child must:</p> <ul style="list-style-type: none"> • appoint a personal adviser for that person; • carry out an assessment of the needs of that person with a view to determining what assistance (if any) it would be appropriate for them to provide; • prepare a pathway plan; • to the extent the person’s educational or training needs require it, provide financial assistance.
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Persons qualifying for advice and assistance

<p>A young person who:</p> <ul style="list-style-type: none"> • is aged at least 16 but is under 21, with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of the order, or • at any time after reaching the age of 16 but while they were still a child were, but are no longer, looked after, accommodated or fostered. 	<p>The relevant local authority must consider whether the person needs help of a kind the local authority can give:</p> <ul style="list-style-type: none"> • to advise and befriend and give assistance which can include financial assistance; • assistance in relation to securing vacation accommodation where the person is in full time further or higher education, is under the age of 25 and qualifies for advice and assistance or would have done if they were under 21.
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2. Care Leavers in residential or foster placements

For children and young people in care, there needs to be an early emphasis on promoting the development of financial literacy and financial capability skills. Pocket money and identified allowances for e.g. leisure and clothing can be used whilst the young person is in foster or residential care to help develop these skills. This should be considered for all young people as early as possible and at the latest from the age of 15 onwards.

During the 6 months before leaving a care setting to move to semi/independence, further use of allowances for food, mobile phones, toiletries etc. should also be encouraged. Young people, foster carer/s, residential workers and, where appropriate, family members should be encouraged to think ahead and collect items that can be saved and used when the young person sets up their home.

It is expected that a young person should have at a minimum the basic essential items they will need when they leave a care setting including:

- Suitcase, day bag, school/college/work bag;
- Coats / jackets / footwear to cover all seasons;
- Clothing to cover all seasons and in sufficient quantity for at least 1 week;
- At least 1 smart outfit (interviews / special occasions);
- Clothing & equipment appropriate for hobbies / interests;
- Enough toiletries to cover at least 2 weeks post leaving;
- Mobile phone;
- Some means of accessing radio stations / music.

If for any reason they do not have these items, the Social Worker will arrange for them to be obtained.

Saving should be encouraged while in a care setting and where young people have saved and collected items in preparation for independent living, they will not be penalised, and will remain entitled to their full allowances.

Financial arrangements for Care Leavers, who have remained with their ex-foster carers under a Staying Put arrangement, are outlined in the Staying Put Policy and will be included in their Living Together Agreement.

3. Allowances for Eligible and Former Relevant Care Leavers in supported or independent settings and Relevant Care Leavers

3.1 Living Allowances 16 and 17 year olds

Unless a young person is working, a maintenance or 'personal' allowance will be paid of £60.00 per week. From this £60, a young person is expected to pay for all their maintenance costs such as utilities, food, clothes, travel, leisure etc. Therefore, in all settings apart from independent living, contributions are required for utilities and, where applicable, food. The amount and arrangements will depend on the type of accommodation and the young person's situation. The young person can either give the necessary amount to the provider or it may be deducted at source. This decision will be made on a case by case basis between the allocated worker, their manager and the Leaving Care Team Leader.

Initially young people will be paid weekly, but as the young person develops financial capability, usually by the age of 17 and a half, allowances will be paid fortnightly, in preparation for transferring to the benefits system at 18. The timing of this will be agreed between the Leaving Care Worker and Leaving Care Team Leader.

Where possible, allowances will be paid directly into the young person's bank account. In some circumstances, particularly for those not engaged in education, training or employment, an arrangement may be made to collect their allowances at the same time as attending for a meeting with Leaving Care staff. In some circumstances young people may need assistance with managing their money and allowances may be split to require more frequent collection. In extreme circumstances the Leaving Care Worker may need to shop for provisions with the young person or provide allowances 'in kind' instead of providing cash.

Allowances cannot be accrued and paid as a lump sum at a later date, unless discussed in advance and agreed by the Leaving Care Team Leader.

3.2. Savings Deductions from Personal Allowances

In order to prepare care leavers for managing their finances when they are financially independent at 18, and encourage a savings habit, a sum of £3.00 per week could be deducted from the personal allowance. This would be added to a new or existing, interest generating savings account, or held by the department as savings for them to be used for irregular and unforeseen payments and expenses.

3.3 Care leavers 18 years and over

Care leavers who are not in employment are eligible for a number of means tested and welfare benefits via Job Centre Plus. This applies when people are in education, and regardless of whether the young person has remained in foster or residential care or is living in supported or independent accommodation. Leaving Care staff will help the young person to make their claims and to maximise their income from these sources. For further information, see <https://www.gov.uk/browse/benefits>

3.4 Birthday and Christmas/Festival allowances

The following allowance will usually be paid:

- Birthday allowance age 17/19/20 per annum £60.00
- Birthday allowance age 18 & 21 per annum £75.00
- Festivals allowance e.g. Christmas or equivalent £60.00

3.5 Setting up home allowance

An allowance of up to £2,138 is available to pay towards the cost of setting up home and includes the cost of providing the first year's television licence and content's insurance if that can be arranged. It may be spent in stages and ideally the bulk of it will be spent for setting up in the young person's own independent accommodation. The Leaving Care Worker will discuss with the young person the sort of things they can spend the money on, e.g. furniture and household items, assist the young person in balancing cost, value for money and choice, and will make these purchases with the young person. If it is proposed that anything other than items on the list are purchased, agreement is required from the Leaving Care Team Leader.

In exceptional circumstances the Operations Manager Leaving Care may agree additional Setting Up Home Allowance on the recommendation of the Leaving Care Team Leader

If this allowance has not all been accessed by the time the young person's case is closed, a note will be made in the last Pathway Plan of the amount remaining. The allowance may be accessed at any time up to the young person's 25th birthday. In exceptional circumstances it can be accessed up to 27th birthday with the agreement of the Leaving Care Team Leader.

3.6 Contact with family

16 and 17-year-old young people will be funded for transport to visit their family if they live in Somerset, twice a month. If the young person has a need to visit their family more often, or if they live further away, this will need to be discussed on a case by case basis and a decision made by the Leaving Care Team Leader, which will be recorded in the Pathway Plan.

In some circumstances a young person over the age of 18 may be given such assistance as agreed with the Leaving Care Team Leader.

3.7 Driving Lessons

For young people who are or who have the prospect of working, need to drive for that purpose, and have the means to obtain and maintain a vehicle, support will be given to apply to charitable sources for funding to access a course of driving lessons. In some circumstances a contribution will be made from the Leaving Care Service. A decision would be made by the Operations Manager Leaving Care on the recommendation of the Leaving Care Team Leader.

3.8 Clothing

It is expected that young people leave care with adequate clothing and footwear etc. as outlined above. Similarly, for a young person starting to be looked after over the age of 16 and placed in supported accommodation, it is expected that they bring from home the same sort of basic possessions. If for any reason that is not possible, the Social Worker will arrange for what is necessary to be purchased.

Thereafter the young person will be expected to budget for replacement clothing from their allowances, benefits or earnings and only in exceptional circumstances, as agreed by the Leaving Care Team Leader, will clothes/shoes be bought for a young person.

3.9 Identification Documents

All young people should have a National Insurance Number from the age of 16, but they do not get issued automatically. At the age of fifteen and nine months, the Social Worker for the young person should contact the New Registrations Section of the National Insurance Number Office – HMRC to instigate the process of obtaining the National Insurance Number. For detailed guidance, [click here](#).

When the letter confirming the National Insurance number is received, the Social Worker should record it in LCS and place it on the young person's paper file. The letter should be transferred at the time of hand over to the Leaving Care team.

To ensure young people have other documentation to prove their identity Children's Social Care will pay for the initial purchase of the following if required:

- Passport / travel documents
- Provisional driving licence
- Copy birth certificate
- Deed poll to change name legally,

3.10 Transition to employment, training, education and benefits income

There may be a need to bridge a financial gap for young people when their primary source of funding changes e.g. when starting work, transferring to benefits or waiting for a student loan. Transitional payments will usually be made to ensure that a young person is not without income. The amount will depend on the circumstances and will be decided on a case by case basis by the Leaving Care Team Leader. Details of what has been agreed should be recorded.

3.11 Emergency Financial Assistance

Arrangements may be made to assist in an emergency if required by any of the Leaving Care teams or Emergency Duty Team out of office hours. This could involve a small cash payment or payment in kind. If authorised, the cause of the crisis and the details of help provided should be documented. This should not be relied upon and therefore the young person will be encouraged to manage without.

3.12 Managing debt

In some circumstances it may be appropriate for a young person to borrow money and it can be a positive thing, such as taking out a student loan or a mortgage on a property. However, some care leavers find themselves in unplanned debt or debt that has a negative effect or is out of their control. Leaving Care staff will offer basic advice about all aspects of debt and signpost young people to more specialist advice. On occasions financial assistance may be given where a young person is struggling with debt. This will be decided on a case by case basis.

4. Accommodation

4.1 For 16 and 17-year-old care leavers

Somerset County Council is responsible for providing or ensuring the provision of accommodation until a young person is 18 years of age. A contribution to the accommodation from the young person's weekly personal allowance is payable for food / utilities as applicable. The amount will vary depending on the type of accommodation the young person is living in. Details of contributions are available from the Leaving Care Team Leader.

4.2 Care leavers over 18

Local Authority Children's Services no longer have primary responsibility for the provision or maintenance in, accommodation for care leavers when young people are 18. Young people become eligible for a range of means tested benefits including Housing Benefit. The Leaving Care Worker will help the young person to access those benefits wherever possible. A standard letter is available to send to independent accommodation providers to inform them that this is the case. If a young person is in accommodation provision provided by the County Council (Stepping Stones or Leaving Care Houses) over the age of 18 and working they may still be eligible for Housing Benefit. If earning more than the amount to become eligible for Housing Benefit, a contribution for rent may be expected, depending on their level of income.

If there is a plan for a young person to continue to live with a foster carer post 18, authorisation must be sought in advance in accordance with the Staying Put Policy

The District Councils (Housing Options Team) usually operate deposit guarantee/rent in advance schemes for young people over 18 to secure accommodation in the private sector and care leavers may be eligible for this. Somerset County Council may help if neither of those options is available.

Care Leavers are entitled to apply for a discount or exemption for their council tax which will vary depending on location and personal circumstances. The Leaving Care worker will help the care leaver to make an application under the relevant local scheme.

Where a care leaver is living outside of Somerset they should not be disadvantaged if there is no commensurate scheme where they are living as opposed to their original home area.

The care leaver will therefore receive financial support from Somerset to cover their council tax bill subject to;

- Checks to ascertain if a care leaver discount/exemption scheme is operating in the area the young person lives in and if care leavers from Somerset would be eligible to apply
- Care leavers making applications under these schemes if applicable and any other discounts such as for a single person, disability etc
- Care leavers providing proof of council tax liability and team leaders checking that bullet points 1 and 2 have been carried out.
- Authorisation by the relevant Operations Manager

If agreed, care leavers will need to provide proof of payment of their council tax on a monthly basis. Following receipt of this, a BACS payment will be made to credit the amount of council tax paid.

5. Education for Eligible Care Leavers in supported or independent settings, Former Relevant and Relevant Care Leavers

5.1 Further and Higher Education

The Leaving Care Service will offer financial support for care leavers through at least one course of further or higher education of their choice until they are 21 years old, or until the end of a programme of education or training, if that has been previously detailed in the pathway plan.

If not met by a Bursary or charitable funding, costs may be met for:

- Registration and Examination fees;
- Textbooks and equipment specified as essential;
- Activities essential to meet course requirements;
- Public transport between accommodation and course centre if over 3 miles, if they have attended the closest available course to their home;
- Transport costs to open days & college interviews;
- Specific clothing, including clothes for interview and essential equipment related to the course.

5.2 Further Education

As above Care Leavers can claim Income Support / Universal Credit and Housing Benefit whilst in further education from their 18th birthday until the end of the academic year in which they are 21. For young people who cannot access this, either because they are over 21 years or for some other reason, an assessment will be carried out and, subject to the outcome of that assessment, personal allowances may be paid. Accommodation may also

be provided, or the means to secure it, to a maximum of the relevant Local Housing Allowance rates.

Care leavers are also entitled to apply for Bursaries from their chosen educational establishment to help with costs associated with courses.

The 16 to 19 Bursary Fund is money the government has given to local authorities, schools, colleges and other education and training providers (institutions) to give to students. Its purpose is to provide financial support to help students overcome specific barriers to participation, so they can remain in education.

There are 2 types of 16 to 19 bursaries:

- a vulnerable bursary of up to £1,200 a year for young people including care leavers
- discretionary bursaries that institutions award to meet individual needs. For example, transport, meals, books and equipment

Education institutions are responsible for managing both types of bursary. The Leaving Care Service will assist young people to make an application. A guide is available on the [16 to 19 Bursary Fund page](#). There should also be information about applying for the 16 to 19 Bursary Fund on institution websites.

5.3 Higher Education

Tuition Fee Loans and Maintenance Loans for living costs are available to care leavers.

Full information can be found at;

<https://www.gov.uk/student-finance/new-fulltime-students>

In addition, Somerset County council will pay a bursary of £2,000 to young people in Higher Education. The Leaving Care Worker will arrange for this to be paid. They will also continue to be paid the incentive until they are 21 years, or until the end of the programme of education commenced before 21.

If there is a delay in this being paid after term starts, a transitional payment from the Leaving Care service will be considered until the student grant/loan is available. Arrangements about the reimbursement of this payment will be made on a case by case basis and recorded in the Pathway Plan.

Some Universities and Colleges also pay Institutional Bursaries and extra bursaries for students who have been in care. The Leaving Care Worker will assist in applying for all these and to charitable organisations for any additional funding. Somerset County Council

provides rail warrants for travel to and from university during term time, and the means for transporting a care leaver and their belongings to and from university at the beginning and end of terms, if required.

Accommodation (or the money to secure it to a maximum of the relevant Local Housing Allowance rates) will be provided for holidays during the course, except for the time leading up to the first term, or after the last term.

During the holidays, if a return to an ex-foster carer is planned, this must be agreed in accordance with the Staying Put Policy. A contribution to the carer by the young person for food and utilities is expected.

5.4 Incentives

An incentive for those in continuing education will be paid during term times for those under 21 years, or until the end of the programme of education commenced before 21, to help with incidental and day to day additional expenditure associated with their education as follows:

15 hours or over	£30 per week
Fewer hours	£2 per hour

For full time courses, to qualify for the full payment, a young person must achieve 80% attendance. If attendance is less than that, the amount of incentive paid will be reduced accordingly. For part time courses, if attendance is less than 80%, the young person will receive an incentive at £1.00 per hour for attendance.

The exception to this is if the young person is prevented from attending due to ill health. If this is the case the incentive can continue for up to 3 weeks. The young person will need to certify themselves as unwell for the first week and seek a certificate from a GP for the remaining 2 weeks. The level of payment will be based on the previous term's attendance level.

These arrangements will continue until the end of the course of study they are undertaking, even if that continues beyond their 21st birthday.

Incentives will be paid in arrears each half-term when attendance has been verified by the Leaving Care Worker.

5.5 Unpaid work experience, voluntary work and positive employability related activities

Incentives and other related costs for those engaged in these activities may be paid and will be at the same rate as those in education. This will be agreed on a case by case basis by the Leaving Care Team Leader. They will not be paid if being undertaken as part of a Job Centre Plus Agreement or as an order in force because of criminal activity.

5.6 Care leavers returning to education or starting new courses over the age of 21

Young people previously eligible for Leaving Care services, who wish to resume, or start another programme of education or training, after the age of 21, are entitled to support. They will have been informed of this as they approached the age of 21 and it will have been referred to in their last Pathway Plan prior to 21 years and they will have been sent the leaflet;

<http://resources.leavingcare.org/uploads/011f84b4af85da8b047744e2ab0afa84.pdf>.

Support can be available for as long as the young person continues on the agreed education or training programme, even if this goes beyond their 25th birthday.

Programmes might include: completion of a basic skills course, so that the young person has the numeracy and literacy skills needed to compete in the jobs market; take up of a course of further education; take up of a university place; support to enable the young person to complete a recognised postgraduate qualification; or participation in vocational training and apprenticeships.

Where a care leaver requests this support, an assessment will be carried out by the Leaving Care team who may seek assistance from more specialist colleagues such as the Targeted Youth Support team or the Post 16 Education Advisor. The assessment will focus on the appropriateness of the education or training course for the young person given their level of ability, the purpose of undertaking the course and how it will help them to find employment in the future. It will draw on information about the young person's skills and capabilities, previous support given and the extent to which the young person made use of that, which will have been set out in Pathway Plans up to age 21.

The extent of practical and financial assistance provided will depend on the young person's needs and will reflect the type of course, whether it is full, or part time and an assessment of the young person's existing income will also be carried out. Advice will be given on sources of funding available from bursaries, grants and charitable organisations.

The maximum payable for living allowances will be the equivalent of the personal allowance £57.90 per week, and accommodation costs at the relevant Housing Allowance rate. Additional costs to support the course of study could include funding for essential clothing, books or course equipment, course internet access, travel, child care etc. Incentives, festival and birthday allowances will not apply.

An assessment report will be written by the Leaving Care Worker and authorisation given by the Operations Manager Leaving Care. If financial support is given, it will be dependent on attendance and the Leaving Care Worker will need to check on this with a contact at the university or college.

6. Training, Apprenticeships and Employment for Eligible Care Leavers in supported or independent settings, Former Relevant and Relevant Care Leavers

6.1 Top up payments

If in full time employment, training or apprenticeship, the minimum income a 16 or 17 year old care leaver is expected to live on is £120 per week and £140 for 18-20 year olds. If the young person's income falls below that they may receive a top up to that sum. If part-time, a pro-rata figure for the top up may be agreed. Proof of earnings will be needed in these situations.

For young people who need to live in supported accommodation, Leaving Care Team Leaders have the discretion to increase this amount to ensure that there is not a disincentive for them to be engaged in Training, Apprenticeships and Employment.

6.2 Work based Training, Apprenticeships and Employment

All care leavers will be supported through at least one move into the employment of their choice.

Costs may be met by the Leaving Care Service for:

- Suitable clothes for interview purposes;
- Transport costs to interviews;
- Specific clothing/uniform;
- Start-up equipment, including health and safety equipment;
- Transitional payments where there is a gap between benefits and receipt of first salary or wage.

- Service charges in supported accommodation if it is agreed by the Leaving Care Team Leader that this type of accommodation is in the young person's best interests.

Care leavers who start an apprenticeship aged between 16 and 24 years will receive £1,000 government bursary payment for the first year of their apprenticeship via their training provider. For more information about Apprenticeship funding see:

<https://www.gov.uk/government/publications/apprenticeship-funding>

6.3 Incentives

An incentive will be paid for care leavers under 21 years undertaking an apprenticeship, if they are paid on or below the national minimum wage for apprenticeships to help cover the additional expenditure associated with their education or training as follows:

- 15 hours or over £30 per week
- Fewer hours £2.00 per hour

The same expectations apply regarding attendance.

7. Health & Wellbeing

7.1 Health costs

Care leavers under the age of 19 and in full time education will generally be exempt from most National Health Service health charges. For others they may claim assistance via the National Health Service Low Income Scheme. The young person will need to complete forms HC1 (SC) and HC1.

Lone Parents and Sick and Disabled young people in receipt of Income Support or Employment & Support Allowance / Universal Credit will be exempt from National Health Service prescription, dental charges and sight tests charges.

Full details of the help available is in leaflet HC11 'Help with health costs?' which is available from main post offices, Jobcentre Plus offices, National Health Service hospitals and some National Health Service practitioners.

Forms can be obtained from Jobcentre Plus offices, National Health Service hospitals and from some doctors, dentists and opticians or by contacting the National Health Service Forms order line on 0845 610 1112 or by email at nhsforms@spsl.uk.com.

More information is available from the Health Cost advice line on 0845 850 1166.

Requests from young people for assistance over and above the basic provided by the above will be considered on a case by case basis e.g. if there is a need for a young person to have spectacle frames due to their employment or training rather than the basic minimum, or they need complex orthodontic treatment which is not covered by benefits.

7.2 Emotional wellbeing, counselling or therapeutic needs

For young people under the age of 18 a referral should be made to the Child and Adolescent Mental Health Service. For those over 18, the young person would need to be referred to their GP and Adult Mental Health services. Information about accessing mental health services may be obtained from NHS Choices; A guide to Mental Health Services in England

<http://www.nhs.uk/NHSEngland/AboutNHSservices/mental-health-services-explained/Pages/accessing%20services.aspx>

In exceptional circumstances it may be appropriate for the Leaving Care Service to fund assistance in association with the above, with the agreement of the Operations Manager Leaving Care.

Requests for finance to cover travel to appointments or for any other related cost will be considered on a case by case basis.

8. Specific groups of Eligible and Former Relevant Care Leavers in supported or independent settings and Relevant Care Leavers and those with additional or specific needs

8.1 Care leavers who are parents

8.1.1 Living Costs

A pregnant 16/17 year old young woman will continue to receive their personal allowance and equivalent of the benefits agency milk entitlement until her baby is born. Thereafter she, if she is a lone parent, is entitled to Child Tax Credit and Child Benefit, although not Housing Benefit or Local Housing Allowance. This applies regardless of the young person's care status, i.e. on a Care Order, subject to S20 or discharged from S20. The Leaving Care Worker will assist in making these claims at the appropriate time with the Under 18s Benefits Advisor. Benefits received will replace the Leaving Care Personal allowance.

8.1.2 Maternity Grant

Care Leavers on benefits or a low income may be entitled to a Sure Start Maternity Grant of £500 to purchase what is needed for their baby. This can be accessed via their community midwife and claimed from 11 weeks before the birth, until the baby is 3 months old. It is not payable until after the baby is born, in which case the Leaving Care Worker may arrange an advance. The grant is non-repayable and does not affect other benefits or tax credits. Further information is available from <https://www.gov.uk>.

8.1.3 Childcare Costs

There is help available towards the costs of childcare. If the young person is under 20, Care to Learn could pay up to £160 per child per week towards the young person's childcare and travel costs while they are learning.

If the young person is aged 20 or over and studying at a school sixth form or sixth form college, they could get help with their childcare costs through the Sixth Form College Childcare Scheme.

If the young person is an out-of-work parent aged 20 or over with a partner who's working, they could get help with their childcare costs through the Free Childcare for Training and Learning for Work scheme; [click here](#) for more information.

8.1.4 Cold weather payments

In cold weather, help towards the cost of heating for each qualifying week is available from the Benefits Agency for parents of children under 5 years who are in receipt of:

- Income Support;
- income-based Jobseeker's Allowance or;
- income-related Employment and Support Allowance.

The parent needs to notify the Benefits Agency if they have a baby or have a child start to live with them. Thereafter the payments are made automatically.

8.2 Care leavers who are disabled

16/17 year old sick and disabled care leavers who meet the criteria may be able to claim Income Support or Employment & Support Allowance / Universal Credit and some other benefits such as Disability Living Allowance or Personal Independence Payment

However, they cannot claim Housing Benefit or Local Housing Allowance. Claiming Income Support / Educational Maintenance Allowance is a pre-requisite for other benefits and services so should be applied for where possible. The Leaving Care Service will assist the young person in making the relevant claims.

Information about Disability Living Allowance / Personal Independence Payment is available at <https://www.gov.uk/pip/what-youll-get> or from the Benefit Enquiry line 0800 882200, and also from www.disabilityalliance.org.

For 16 and 17 year olds, full costs of supported accommodation will be paid for, and the support element of Disability Living Allowance or Personal Independence Payment awarded will not be taken into account. The young person will be encouraged to use the money to aid their life opportunities or to save towards future needs. The mobility part of Disability Living Allowance however will be taken into account when awarding travel payments/tickets.

Where a young person over 18 is living in supported accommodation because of their additional needs, but the support element is not funded by Adult Social Care, the young person will be expected to contribute towards their support from the support element of Disability Living Allowance. Similarly, the mobility part of their Disability Living Allowance will be taken into account when considering awarding travel payments/tickets.

8.3 Care leavers in custody

Young people aged 16 and 17 in custodial settings will not receive full personal allowances but will generally be paid £20 per month. This is because they will not have the usual expenses of living in the community and there are usually opportunities for the young person to earn some money. If this is not the case, exceptions can be made with the agreement of the Leaving Care Team Leader. Festival allowance will continue to be paid. Transport from custody will be arranged or paid for and any immediate needs on release considered.

8.4 Unaccompanied asylum-seeking young people

16 and 17-year-old Unaccompanied Asylum-Seeking young people living in supported accommodation will receive funding from the Leaving Care service as for all other care leavers.

From the age of eighteen, former relevant children who have been granted leave to remain in the UK can generally claim means tested benefits and have rights to public housing.

This includes cases where the person's leave to remain has expired, but he/she has applied for an extension of leave to remain (provided the application was made before the previous period of leave expired) and that application is still under consideration, or an appeal against refusal of the extension has been made. It is especially important, therefore, that the person is advised that he/she could apply for an extension of leave before the earlier period of leave to remain that was granted expires.

Unaccompanied Asylum Seekers who do not have Refugee Status/Indefinite Leave to Remain are not eligible to claim an Education Bursary but may be able to make use of the 'Care to Learn Fund'.

Where young people have limited leave to remain (usually Discretionary Leave), or are appealing an adverse decision, the Leaving Care Service will consider funding education courses that finish in the academic year prior to their status expiring. This will enable young people to complete courses and gain qualifications which they can use on returning to their country of origin.

For young people who are "unlawfully present in the UK" – which includes those who have been refused asylum and have either not applied for an extension of further Discretionary Leave to remain, or have applied for an extension, but that application and any appeal has been rejected, they can generally only be supported to the extent necessary to avoid a breach of their human rights (under the European Convention of Human Rights).

Therefore, a Human Rights Assessment should be arranged with Adult Care Services to ascertain if Leaving Care support should continue. As a rule, the person will not usually be able to show that support should continue solely because they have no other means of assistance and be made destitute if it is stopped because they could avoid that by leaving the United Kingdom.

Examples that could demonstrate that support should continue for human rights reasons might be:

- The person is taking all reasonable steps to leave the UK but is unable to do so immediately e.g. because they are waiting for the required travel documents from the national embassy;
- The person is temporarily unable to leave the UK because they are too sick to travel;
- The person is awaiting the outcome of judicial review proceedings in the higher courts in relation to his/her asylum claim.

8.5 16 or 17-year-old young people who return home

On returning home, the young person's parent/s can claim all benefits and tax credits if the child is under statutory school leaving age or, if over that age, undertaking full time education or training. The parent will be expected to make the relevant claims and provide financial support for their son/daughter from that. Also, parents who are in work and earning over the tax credit limit will be expected to support the young person.

However, if the parents cannot access benefits/tax credits and can produce evidence of an application that has been refused and the young person is under statutory school leaving age, the Social Worker and relevant manager will decide whether to offer any financial assistance.

For those over statutory school age, similarly all benefits should be claimed and if they cannot be accessed a personal allowance may be paid to the young person. The Leaving Care Team Leader will make that decision. However, the remainder of the range of Leaving Care allowances, setting up home allowance, festival payments and incentives etc. will not apply, except for essential requirements in relation to Education Training or Employment. Where the young person has been discharged home from Section 20, the allowance may continue for up to 6 months, or until the young person becomes 18, whichever is sooner. For those who continue to be looked after on a Care Order the allowance to the young person could continue until they are 18.

The amount payable will be decided on a case by case basis and recorded in the Pathway Plan.

If a return home is unsuccessful and the young person reverts to eligible or relevant status, they would be treated financially as any other care leaver.

8.6 16 and 17 year old care leavers who live with an extended family member, other person known to them – a connected person

There will be circumstances where the most appropriate place for a young person to live is with a person connected to them, but who does not have parental responsibility. If the young person is still looked after, i.e. either on a Care Order or accommodated under Section 20, the connected person will need to be assessed in accordance with the fostering procedures.

If the young person is over statutory school leaving age and no longer accommodated or on a Care Order, i.e. a Relevant Care Leaver, the connected person may be approved as a

Leaving Care Network Accommodation provider and payments authorised by the Leaving Care Manager. Benefits may be payable, and advice should be sought in the first instance from the under 18s Benefits Advisor. If this is not applicable, a payment of £75 per week will be made to the provider and the young person paid the Leaving Care personal allowance. The young person will be expected in that circumstance to contribute to the provider for utilities and food.

Details about how decisions are made, about which is the most appropriate option in each situation and approval of the connected person is contained in the Leaving Care Transition to Adulthood Policy, Procedures and Guidance.

8.7 Young people in receipt of Criminal Injuries Compensation Authority (CICA) payment

Young people will be assisted to seek independent financial advice regarding the use of their award and how, for example, by establishing a Discretionary Trust Fund, they may retain entitlement to means tested benefits. A Criminal Injuries Compensation Authority payment is disregarded in calculating means tested benefit entitlement for the first 52 weeks after receipt of the award.

8.8 Young people with other income

If a young person is in regular receipt of an income (for example, from parents/relatives, interest on an inheritance), the first £15 per week of this will not be taken into account for the purposes of payments.

9. Qualifying Care Leavers

Qualifying Care Leavers are entitled to an assessment about what sort of advice, guidance and assistance they need. This can include financial support and could be provided until the young person reaches the age of 21, or 25 where they are engaged in education or training. The details of the support will depend on assessed need, so decisions will be made on a case by case basis.

Young people qualifying for this in Somerset will be:

- Under the age of 21 who were in the care of Somerset County council; between the ages of 16 and 18 for any period of less than 13 weeks, except those who returned home on leaving care;
- Eligible or relevant young people who have successfully returned home between the ages of 16 and 18 for more than 6 months;

- Those aged 16 to 21 who are or were subject to a Special Guardianship Order and were looked after by a Somerset County Council immediately before the making of the order;
- Those aged 16 to 21 who were privately fostered when 16 or over who live in Somerset;
- Young people accommodated by a health or education authority or by or on behalf of a voluntary organisation.

Leaving Care staff will aim to maintain contact with qualifying young people on a regular basis, at a minimum of 6 monthly, to establish whether they may need assistance. At any time, qualifying care leavers may contact the department by telephoning Somerset Direct (details below).

10. Complaints, comments and compliments

All care leavers with whom staff are working, should be given information about how to give feedback, be that comments, compliments or complaints. Young people may request help in completion of the form.

Care leavers should have routine involvement in, and encouragement to make suggestions and comments about, the services they receive, and agreement should always be sought about any issues or differences of opinion that arise. However, where this cannot be done, and the young person wants to make complaint about the finances they have or are receiving, in the first instance local resolution should be attempted. The person receiving the complaint must acknowledge receipt of the complaint within 3 working days, saying who will deal with it and when a response will be received, and a substantive response must be given within 10 working days. A copy of the full CSC Complaints Policy is available on the Somerset County council complaints, comments, compliments site <http://www.somerset.gov.uk/have-your-say/complaints-comments-and-compliments/complaints-comments-compliments>.

11. Somerset County Council Contact details

A young person, parent or guardian may request assistance by:

Email: generalenquiries@somerset.gov.uk

Write to us:

Somerset County Council, County Hall, Taunton, Somerset, TA1 4DY

Telephone:

0300 1232242

Phone lines are open from 8am to 6pm Monday to Friday and from 9am to 4pm on Saturdays. Inbound and outbound calls may be recorded for training or quality purposes.