

**CORPORATE PARENTING BOARD
2ND MARCH 2006**

**MIDDLESBROUGH COUNCIL LEAVING CARE
SERVICE – FINANCIAL ASSISTANCE POLICY &
GUIDANCE**

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PURPOSE OF THE REPORT

1. The purpose of this report is to present the Corporate Parenting Board with the Policy and Guidance Relating to Financial Assistance relating to the Leaving Care Service attached as appendix 1.

BACKGROUND

2. This report provides details of the Financial Policy and the financial support available to young people looked after and who have left care.
3. The Financial Policy is intended to be a stand-alone document. However it does support the Performance Plan of the Leaving Care Team and supports the aims of the service as outlined in the Annual Report of Middlesbrough Council's Leaving Care Service.

DISCUSSION

4. The Leaving Care team has offered financial incentives to Eligible and Relevant young people for several years. We are proposing to extend this incentive scheme to support and motivate young people post 18 years and up to 19 years to access Education, Training and Employment (see Appendix 1 section 3.6).
5. A key Performance Indicator for the Council relates directly to the engagement of young people leaving care in Employment, Education and Training at age 19 years. This is an area where our performance is of concern. This initiative is part of an overall strategy to reduce the numbers of young people not engaged in Employment, Education and Training (NEET).

FINANCIAL, LEGAL AND WARD IMPLICATIONS

6. The additional financial support outlined in these proposals will be available to 27 young people in this coming financial year 2006/2007. Should all the 27 young people access the maximum incentive within this provision, there will be an additional cost of £21,100. Currently there are only 5 young people who are in a position to take up this incentive. We would, however, hope to engage at least 15 young people within this scheme.
7. We have, in the past, been committed to supporting young people to access Higher Education. However, we have not had criteria for accessing the support nor was there any guidance as to the level of financial support a young person would be entitled to. This guidance clearly sets out the department's commitment to the Higher Education of young people who have left care and clarifies the support available to those young people. It is this department's, and indeed the Department for Education and Skills' aim to encourage care leavers to access higher education. A recent report, 'Going to university from care' (2005), found that the lack of clear guidance relating to the financial support from Local Authorities to care leavers was a major barrier to their accessing higher education.
8. We currently have 2 young people at University and are committed to supporting them financially for a further 3 years. Unfortunately, we do not anticipate any additional young people will be accessing Higher Education in the Academic year 2006/2007 but we remain optimistic that our young people will go to university in the future and this policy will hopefully serve to encourage and support them to do so.
9. There is a non-recurring cost within the Leaving Care Team's existing budget. Consequently, any additional expenditure would be off set against this cost so there would be no pressure on the existing budget and there are no additional resources needed to implement this key proposal.

10. There are no legal implications in this report. There are no specific ward implications as the Leaving Care Service covers the whole of Middlesbrough.

RECOMMENDATION

11. It is recommended that the Corporate Parenting Board advise the Executive to approve the Policy and Guidance relating to Financial Assistance for Care Leavers.

REASON

12. As Corporate Parents, the Council is charged with the responsibility to promote the welfare of children and young people looked after and who have left care. This Financial Policy and guidance sets out the Council's financial commitment to young people and provides a financial framework to assist the department to fulfil its duties and enhance the life chances of young people leaving care.

BACKGROUND PAPERS

The following background papers were referred to in the preparation of this report:
Going to University from Care, Sonia Jackson, Sarah Ajayi and Margaret Quigley, 2005, Institute of Education, London

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MIDDLESBROUGH COUNCIL

CHILDREN, FAMILIES AND LEARNING DEPARTMENT

LEAVING CARE TEAM

**POLICY AND GUIDANCE RELATING
TO FINANCIAL ASSISTANCE**

MARCH 2006

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SECTION 1

POLICY

1. POLICY

The purpose of this policy is to outline the Children, Families and Learning Department's financial commitment to young people in line with the statutory requirements of the Children (Leaving Care) Act 2000 and to achieve best practice for young people leaving care.

The Children (Leaving Care) Act 2000 introduced new financial arrangements for care leavers and made it clear that the responsible authority will normally be the young person's primary source of income. Access to Income Support, Job Seeker's Allowance and Housing Benefit for 16/17 year olds who have been looked after, is no longer available.

All such financial assistance will now come from the Children, Families and Learning Department and will cover income maintenance, accommodation, housing costs and other expenses such as travel and leisure.

Each young person will have a different set of needs and an individual capacity to manage a budget. Some young people may have sources of income of their own, such as a training allowance or wages from employment. This means that in each case the responsible authority will agree with the young person, normally detailed in their Pathway Plan, a financial support package.

All payments over and above income maintenance and housing costs for 16/17 year olds are discretionary and not an entitlement.

Items that are considered to be a priority for financial assistance include:

- Travel costs e.g. for education and training
- Education materials/special equipment
- Other educational costs
- Costs associated with special need (pregnancy or disability)
- Contact with family or other significant relationships
- Cultural/religious needs
- Counselling/therapeutic needs
- Hobbies/leisure pursuits

It must be noted that this list is not exhaustive and any other requests for financial support should be discussed with the Team Manager, or the Service Manager.

SECTION 2

POLICY GUIDANCE

ELIGIBLE AND RELEVANT YOUNG PEOPLE

2. ELIGIBLE YOUNG PEOPLE

2.1 Definition

An Eligible Child is one who is aged 16/17, has been looked after by the Local Authority for a period of 13 weeks since the age of 14, and who remains looked after. The period of 13 weeks need not have been continuous and may be made up of a series of shorter periods during which the child was looked after. **The period of care must cross their 16th birthday.**

Planned periods of respite do not count towards eligibility.

2.2 Young people remanded into the care of the Local Authority

Young people remanded into the care of the Local Authority are regarded as eligible, even if they are not given a custodial sentence, if the period of remand is for 13 weeks or more and crosses their 16th birthday.

2.3 Unaccompanied Asylum Seekers

Young people who are seeking asylum are covered by the terms of the Act if they were formerly looked after for the required period of 13 weeks.

RELEVANT YOUNG PEOPLE

2.4 Definition

Under the Children (Leaving Care) Act 2000, a Relevant Child is one who was previously an Eligible Child but who is no longer Looked After, and is under the age of 18.

Note: Young people on Care Orders remain Eligible until such time as they reach 18 or the Care Order is discharged.

2.5 Young people detained or in hospital

The Regulations provide an additional category for relevant children. These are young people who on reaching 16 are detained in a remand centre, young offender institution, or any other institution ordered by the Court and, immediately prior to being detained or in hospital had been looked after for 13 weeks since the age of 14. **This extension applies even if the child is detained only overnight.**

2.6 Young Parents

Relevant young people who are lone parents **can claim Income Support**, but not Housing Benefit. For all other purposes of the Act, they are considered Relevant.

2.7 Income Maintenance - Young People living in Residential or Foster Placements

Young people remaining in residential or foster care will not receive income maintenance paid directly to them. They will receive a personal allowance from the carers, which will be identified and agreed within the **Pathway Plan**.

2.8 Income Maintenance - Young People Living Independently

This is a payment made by the Leaving Care Team to “maintain a young person’s income”. Generally, the payments are equivalent to the rates paid by the Benefits Agency. The implementation of the payments is as described in the young person’s Pathway Plan.

It should be noted that the income maintenance level can be “paid” in kind as well as cash and for some young people food, fuel tokens etc can be used to replace cash.

2.9 How Young People are Paid

Ideally, all young people should have their allowances paid directly into a bank account. If this is not appropriate or possible, cash payment forms will be issued to the young person for collection at Middlesbrough House. Payments will be made on Friday one week in arrears.

In circumstances where a young person is assessed as being extremely vulnerable, payments can be split between Friday and the following Tuesday or in extreme cases can be made on a daily basis.

In exceptional circumstances, payments may be temporarily withheld until young people make some efforts to access education, employment and training. This will be for a maximum of 2 days.

2.10 Accommodation Costs

Young people aged 16 and 17 yrs old are not entitled to Housing Benefit therefore all accommodation costs will be met by the Leaving Care Team. The accommodation will be appropriate to the needs of the young person and offer value for money.

Where young people are in employment and therefore able to contribute to their own accommodation costs, assistance from the Leaving Care Team budget will be calculated on an individual basis with the budget holder.

The contribution from a young person towards utilities when living in supported accommodation is expected to be paid by the young person from their income maintenance. However, this money can be deducted at source and paid directly to the accommodation provider. This should be as described in the young persons' Pathway Plan.

2.11 Assistance for Further Education and Training Courses

Financial assistance for local further education and training courses can be paid from the Leaving Care Team budget to young people who are studying or training. This should be detailed as part of their Pathway Plan.

Assistance to such young people can be extensive and have a long term impact on the budget. As such, staff should be mindful, when requesting financial assistance, that all other avenues of financial support have been exhausted. In the first instance an **Education Maintenance Allowance** should be applied for.

2.12 Education Incentives

Incentive payments will be made to those young people who are engaged in an approved course of education. The Young Person's Personal Adviser and the Education Provider must verify the course. Young people need to be aware that the Personal Adviser will expect proof of their attendance on a weekly basis. The incentive will be paid for the duration of the course.

Young people attending a **full time course** will be paid a maximum of £30 per week; this is dependent on their full attendance in one week. This will be calculated by paying a young person a daily rate of £3 per day and this is doubled if they meet the full course requirements making a maximum total of £30. (A full time course, for the purposes of the Leaving Care Team, is a course which is over 24 hours per week). The Leaving Care Team will encourage the young person to save some of this into an account.

For those young people in part time education, a maximum of £6 per day will be paid. The maximum amount will be paid only if the young person attends in full. If they do not attend when they are supposed to, then they will receive only half of the their calculated maximum amount.

2.13 Training

For those young people on training courses, a weekly allowance is paid directly to them by their training provider; therefore the Leaving Care Team does not pay any income maintenance to the young person. (Unless the training allowance is less than as per Job Seeker's Allowance - JSA – in which case the difference should be made up). Incentive payments are at the same rate as for education incentives.

2.14 Books/Equipment/Essential Clothing

An allowance of **up to £100 per academic year** may be paid towards books, equipment and essential clothing to eligible young people who are attending a full time course of education or training.

A partial payment may be considered for those young people who are attending part time courses.

When requesting the above, the young person's Personal Adviser should be satisfied that the young person will attend the course and the equipment purchased is of a suitable type (check with course tutor where necessary). If appropriate, the spending must be supervised.

2.15 Travel Costs

When a young person is engaged in a course of education or training, additional finance can be accessed. Verification that the college or training provider does not supply finance assistance for travel should first be obtained prior to a request for travel costs.

For those young people in full time education or training, an additional payment may be made to enable the purchase of a weekly travel pass. (Note NUS cardholders get a reduced price).

For those on part time courses, the amount will be the normal daily travel costs (day saver). If the part time hours are sufficient to warrant it, then a weekly pass should be provided.

2.16 Financial Assistance to Eligible Young People in Work and Living in the Community

Young people who are in employment and who fulfil the criteria for financial assistance from the Leaving Care Team may still qualify for financial assistance. In an attempt to assist young people in work there are various options available to Personal Advisers:

- If the young person is working full time and after paying a contribution to their keep (£15.25 per week) has less than £75.00 to live on, then an incentive payment to bring them up to a maximum £75.00 per week can be made.

- Pro rata assistance may be offered to those young people who take up part time employment.

Any financial assistance considered for a young person in work must have approval from the **Team Manager** or the **Service Manager**.

2.17 Interview

An additional clothing allowance for interview will be considered in consultation with the Team Manager.

Other Costs

2.18 Travel Payments

A travel payment can be requested, in **exceptional circumstances**, for those young people who need to attend daily hospital appointments, visit family (where agreed in their Pathway Plan), attend job interviews etc. The payment should, where possible, be in the form of a travel/bus pass. The young person's Personal Adviser should have checked the detail of the request before referring to the budget holder.

2.20 Clothing Allowances for Young People living in the Community

A clothing allowance will be available to young people once every 6 months to a maximum of £50. All spending will be on a supervised basis.

2.21 Birthday, Christmas and other Cultural Celebrations

Eligible young people who remain in foster care or residential care will receive a birthday allowance from their carer. For those young people in the community, the Leaving Care Team will purchase a gift to the value of:

17 years	£15
18 years	£50
19 years	£15
20 years	£15
21 years	£20

A £15 gift will be given to young people at Christmas or to mark their own cultural celebration.

2.22 Emergency Payments

Emergency payments are usually payments made to alleviate a particular crisis where a young person has no other access to finance. Such payments should be made only after careful consideration of the circumstances. Typically, some of the most vulnerable and demanding young people will be those in most need of emergency payments.

An emergency payment must be made only after consultation with a manager. An agreed amount may be made available on a one off basis.

A reasonable suggestion is that a young person is given £5 per day or the equivalent given in food, until they are due their next income maintenance payment. A weekend payment of cash should not exceed £15 and food parcels should always be considered as an alternative to cash where possible.

It is important to remember that in circumstances where the emergency payment is for gas or electricity the spending **MUST** be supervised.

2.23 Debts/Fines

The Leaving Care Team will not give financial assistance towards debts or fines incurred by young people.

2.24 Damages

Damages to the property of a third party (landlord, supported accommodation provider, etc) resulting from a malicious, careless or intentional action of a young person may lead to a situation where the young person needs to pay for said damage. In such circumstances, and where the third party is not pressing charges or claiming against their insurance and there is no other source of finance apart from the young person's Setting Up Home Grant, this is from where such payments must, unfortunately, be made.

2.25 Dental/Optical Assistance

Eligible young people can use Form HG10 to entitle them to dental and optical care. The personal adviser will assist the young person to complete the form. In addition and where necessary, additional funding from the Leaving Care Team budget can be made available to a maximum of £60.

2.26 Prison

Young people in prison/young offenders serving custodial sentences are not deemed to be living independently and therefore do not qualify for income maintenance.

However, the Leaving Care Team will support these young people financially by paying them an allowance of £10 per month. This is to enable them to buy toiletries, phone cards etc. Payments must be by postal order and made payable to the Governor with the young person's details entered on the reverse.

2.27 Setting Up Home Grant

The Setting Up Home Grant is a payment which is used to enable a young person to move to an independent living situation and can only be accessed when a young person secures the tenancy of a flat or house. The preferred option is for the accommodation to be provided by the Local Authority, a Housing Association or a Voluntary Sector Housing Scheme.

In some circumstances, it may also include a private rented tenancy. In these circumstances extra care is required to ensure furniture can easily be removed when the tenancy is terminated.

The Setting Up Home Grant should be requested only when it is considered appropriate for the young person to move to an independent form of accommodation and they have the necessary skills to manage a tenancy. The accommodation should be in the name of the young person (the tenant) who is furnishing the property with their grant.

Any joint tenancy should be jointly furnished and, as such, furnished with up to 50% of the Setting Up Home Grant.

The Setting Up Home Grant is set at a discretionary maximum of £1500.

Where possible, goods should be paid for in cash. Orders can be placed through the SAP system for company providers with the agreement of the young person. All payments must be recorded and totalled on the appropriate form in the young person's file. Any unspent monies **must be paid back** into the appropriate budget code.

All cash expenditure from the Setting Up Home Grant must be supervised. This must initially be by the young person's Personal Adviser from the Leaving Care Team. Other colleagues or responsible persons may be involved in the spending of the Grant but accountability for receipts/balancing/supervision remains with the Personal Adviser.

Young people who are in Bed & Breakfast accommodation cannot access their Setting Up Home Grant.

Young people in foster care or residential care cannot access their Setting Up Home Grant.

Where possible, for those young people who have been claiming financial support from the Benefits Agency, a claim for a Community Care Grant should be submitted prior to finances being requested from the Setting Up Home Grant budget. The Leaving Care Team will make up finance to the maximum figure for that young person.

Lone parents, sick children or children with disabilities (as defined in the Income Support (general) Regulations 1987) are the exception in that they are still able to claim Income Support or Jobseeker's Allowance or Incapacity Benefit including any relevant premiums. This is because such children have special needs, recognised by the benefits system in advance of the 2000 Act. In every other respect their financial arrangements are the same as those for other relevant children. When agreeing the level of support to be provided, the Leaving Care Team will take into account the sums available through the benefit system. If a young person has a period of sickness and claims benefits, the Leaving Care Team will need to bear in mind the Department of Work and Pensions Schedule for payment to make sure that this is not a gap in the support arrangements.

SECTION 3

POLICY GUIDANCE

FORMER RELEVANT YOUNG PEOPLE

3. FORMER RELEVANT YOUNG PEOPLE

3.1 Definition

Former Relevant Young People are those young people who have reached 18, but not 21, and were eligible or relevant **prior to** becoming 18.

If someone is being helped with an agreed course of education or training, as detailed in their Pathway Plan, they remain a Former Relevant Child to the end of their agreed programme, even if that takes them past the age of 21.

3.2 Income Maintenance

These young people need to make a claim for Income Support or Job Seeker's Allowance. The Personal Adviser, prior to any request for financial assistance from the Leaving Care Team budget, must see proof that this has been done (where possible with the assistance of Personal Adviser and with liaison between the Leaving Care Team and the Benefits Agency). An application for benefits generally takes up to 2 weeks to process and is paid in arrears. This will leave the young person without money for this period. In these circumstances, a request may be made for income maintenance to be paid from the Leaving Care Team budget. This can be for a 2-week period at the full rate as per JSA per week, payable on a weekly basis commencing from the date of confirmation of "signing on". If the period prior to receipt of payment from the Benefits Agency is less than 2 weeks, then a proportional payment can be made at a rate of £6 per day.

This applies also to young people who may lose their jobs and need to apply for benefit.

The young person must be living in an independent living situation with no other source of income. Payments are usually made, by necessity, in cash from Middlesbrough House Cashiers.

3.3 Delays in Benefit Agency Payments

Situations may arise where the young person has fulfilled all the requirements to make the appropriate claim but the Benefits Agency has subsequently lost a claim, postponed a decision or failed to receive necessary information. If this leads to a delay in payments being made and it is **not** due to the actions of the young person, then a request may be made for a continuation of income maintenance at the full rate as per JSA. **If this is approved, the claim must be monitored on a weekly basis. The Personal Adviser needs to consider requesting a discretionary payment from the Benefit Agency if the delay in payment is through no fault of the young person.**

3.4 Accommodation Costs

Former Relevant Children are able to claim Income Support and Housing Benefit and therefore should claim in the usual way.

3.5 Further Education and Benefits

If a young person is in Further Education, full time, **post their 18th birthday** but prior to their 19th birthday, they **are entitled** to Income Support and Housing Benefit. The Personal Adviser should help them to make this claim.

When a young person is in further education, full time, post their 19th birthday, they are not entitled to Income Support or Housing Benefit. If such a young person chooses to go into education, this must be agreed and detailed in their Pathway Plan, be for an approved course, and be monitored and reviewed regularly.

3.6 Incentive Payments for Further Education and Training Courses

Further Education

Incentive payments may be made to those young people who are engaged in an approved course of education. The young person's Personal Adviser and the Education/Training Provider must verify the course. Young people need to be aware that the Personal Adviser will expect proof of their attendance on a weekly basis. The incentive will be paid for the duration of the course.

A young person in full time education will receive an income maintenance payment **as per JSA** if they are over the age of 19 and if the young person can meet their own accommodation cost.

Young people attending a **full time course** will be paid a maximum of £25 per week; this is dependent on their attendance. This will be calculated by paying a young person a daily rate of £2.50 per day. Should they attend in full and therefore meet the course requirements, then this amount is doubled and paid at the full rate of £25. (A full time course, for the purposes of the Leaving Care Team, is a course that is over 24 hours per week). This payment is dependent on the young person's attendance on the course. The Leaving Care Team will encourage the young person to save some of this into an account.

For those young people in part time education, a maximum of £5 per day will be paid. The maximum amount will be paid only if the young person attends in full. If they attend in part, then they will receive only half of their calculated maximum amount.

For example

For a 3-day course, if the young person attends every day, they will receive £15. If they attend only two out of three days, they will receive £7.50.

Young people in receipt of Income Support and Housing Benefit will receive their incentive in kind, for example additional personal items such as household items, toiletries etc, so as not to jeopardise their income support entitlement.

3.7 Training

For those young people on training courses, a weekly allowance is paid directly to them by their training provider, therefore the Leaving Care Team does not pay any income maintenance (unless the training allowance is less than as per JSA in which case we would make up the difference).

We do however pay the incentive payments at the same rate as for education.

3.8 Books/Equipment/Essential Clothing

An allowance of up to £100 per academic year may be paid toward books, equipment and essential clothing to relevant young people who are attending a full time course of education or training.

A partial payment may be considered for those young people who are attending part time courses.

When requesting the above, the young person's Personal Adviser should be satisfied that the young person will attend the course and the equipment purchased is of a suitable type (check with course tutor where necessary). If appropriate, spending should be supervised.

3.9 Financial Assistance to Young People at Work

Young people who fulfil the criteria for financial assistance from the Leaving Care Team but who are in employment, may still qualify for financial assistance from the Leaving Care Team. In an attempt to assist young people in work there are various options available to Personal Advisers:

- If the young person is working full time and after paying a contribution to their keep (£15.00 per week) has less than £75.00 to live on, then an incentive payment to bring them up to £75.00 per week can be made.
- Pro rata assistance may be offered to those young people who take up part time employment.

Any financial assistance considered for a young person in work must have approval from the Team Manager or the Service Manager.

3.10 Travel Payments

A travel payment can be requested, in exceptional circumstances, for those young people who need to attend daily hospital appointments, visit family (where agreed in their Pathway Plan), attend job interviews etc. The

payment should, where possible, be in the form of a travel/bus pass. The Personal Adviser should have checked the detail of the request before referring to the budget holder.

3.11 Higher Education

There may be bursaries available through the educational institution of choice and these should be applied for. If a bursary is secured, then that amount of money **will be deducted** from the grant paid to the young person by the Leaving Care Team. The responsible Personal Adviser should verify this prior to payments being set up.

The following guidelines illustrate the levels of support the Leaving Care Team give to a young person attending University. It is expected that course details will be provided to the Leaving Care Team prior to the onset of the course.

The financial implications of education maintenance are great and require close monitoring by the responsible worker and the budget holder. A financial commitment to support a student at University would be for the period of the course and could exceed the age of 21. All this detail should be agreed and detailed in a Pathway Plan. A student should have successfully completed at least one year at University **prior to their 21st birthday** to secure full educational financial assistance for the complete course.

To access ongoing financial support, the young person must give the Leaving Care Team the appropriate attendance details at the beginning of each term.

The young person must also complete a financial assessment at the beginning of each academic year.

Income Maintenance (maximum figures)

36 weeks term time @ £75.00 per week	Total	£2,700
16 weeks vacation @ £100 per week	Total	<u>£1,600</u>
Total Income Maintenance		£4,300

Note

The term time costs have been calculated using minimum benefit rates and incentive rates.

The vacation costs have been calculated using the Children (Leaving Care) Act 2000 Guidance and policy information from other Local Authorities via the National Benchmarking Forum.

Part of this grant may be paid direct to the young person's Landlord.

3.12 Accommodation

Young people moving from the area will be provided with financial assistance to maintain their tenancy or supported lodging placement during term time. The Leaving Care Team would expect that the allowance during the holiday time would be used to pay for accommodation.

3.13 Book Allowance

An annual book allowance of £100 may be available. Individual requests will be looked into by the young person's Personal Adviser.

3.14 Travel and Health

Travel and health costs will be assessed on a needs led basis using the annual financial assessment.

For those young people studying at University in London, the financial assessment will include an extra 10% to reflect increased costs of living in London.

Other Costs

3.15 Birthday, Christmas and other Cultural Celebrations

All Former Relevant Young People will receive a £15 cash payment on their birthday. This spending does not have to be supervised. On a young person's 21st birthday, £20 will be available for a present to be purchased for the young person; this allowance must be a supervised purchase.

A gift of £15 will be given to a young person at Christmas or to mark their own cultural celebration.

3.16 Exceptional Clothing Payments

In exceptional circumstances where a young person has lost their clothing by fire or theft, the budget holder may approve a one off payment of up to £50 in any financial year. Consideration of such a request would need care as precedents could be set.

3.17 Emergency Payments

Emergency payments are usually payments made to alleviate a particular crisis where a young person has no other access to finance. Such payments should be made only after careful consideration of the circumstances. Typically, some of the most vulnerable and demanding young people will be those in most need of emergency payments.

An emergency payment should be made only after consultation with a manager and an amount may be made available on a one off basis. A

reasonable suggestion is that a young person is given £5 per day or the equivalent given in food, until they are due their income maintenance. A weekend payment of cash should not exceed £15 and food parcels should always be considered as an alternative to cash where possible.

It is important to remember that in circumstances where the emergency payment is for gas or electricity then the spending **MUST** be supervised.

3.18 Dental/Optical Assistance

Relevant Young People can use Form HG10 to entitle them to dental and optical care. In addition, where necessary, additional funding from the Leaving Care Team can be made available to a maximum of £60 each for teeth and eyes.

3.19 Debts/Fines

The Leaving Care Team will not give financial assistance towards debts or fines incurred by young people.

3.20 Damages

Damages to the property of a third party (landlord, supported accommodation provider, etc) resulting from a malicious, careless or intentional action of a young person may lead to a situation where the young person needs to pay for said damage. In such circumstances, and where the third party is not pressing charges or claiming against their insurance and there is no other source of finance apart from the young person's Setting Up Home Grant, this is from where such payments must, unfortunately, be made.

3.21 General Information

The young person will also be expected to take out a Student Loan. **However, the Leaving Care Team will not repay any loans that the student has incurred.**

A student in Higher Education is not penalised if they secure a part time job whilst at University as this could be considered to be a normal part of the University experience. The Personal Adviser should check, however, that the hours worked do not impact negatively on the student's learning.

It is expected that students work during their summer break and contribute towards their accommodation costs for this period.

SECTION 4

POLICY GUIDANCE

YOUNG PEOPLE WHO RETURN HOME

4. YOUNG PEOPLE WHO RETURN HOME

Young people who were looked after under Section 20 and are placed with a parent or someone who has parental responsibility for them for a period of 6 months or more will become Qualifying after that time. Financial assistance as per Qualifying Young People then applies (see section 5).

Until the young person has been at home for 6 months or more they remain Eligible or Relevant, dependent upon their legal status.

4.1 Young People at Home on Care Orders

If a young person is on a Care Order and living at home, he/she remains an Eligible Child under the Act.

If a young person is on a Care Order, they will remain Eligible until the Care Order is discharged; either by the Court or by the young person reaching age 18.

If a young person is living at home, the person with parental responsibility is expected to claim Child Benefit if the young person is in continuing education. This should be used to support the child.

Income maintenance is not paid to those young people who live at home. Pocket money payments as per residential units may be paid to the young person or their parent.

Education and training incentives may also be applied for when a young person lives at home. All the normal procedures apply when requesting this allowance. If the young person is not attending either education or training, then payments as per benefits payments may be made to the parent in exceptional circumstances and **only with the agreement of the Team Manager or Service Manager**.

SECTION 5

POLICY GUIDANCE

QUALIFYING YOUNG PEOPLE

5. QUALIFYING YOUNG PEOPLE (Section 24 Children Act 1989)

5.1 Definition

Any young person aged under 21 years who ceased to be looked after or accommodated in a variety of settings or privately fostered after the age of 16 years before the 1st October 2001.

5.2 Financial Assistance

Payments to these young people are made under Section 24A and 24B of the Children Act 1989.

Qualifying young people are able to claim Income Support and Housing Benefit and therefore should claim in the usual way.

5.3 Further Education and Benefits

If a young person is in Further Education, full time, **post their 18th birthday** but prior to their 19th birthday, they **are entitled** to claim Income Support and Housing Benefit.

When a young person is in further education, full time, post their 19th birthday, they are not entitled to Income Support or Housing Benefit. If such a young person chooses to go into education, this must be agreed and detailed in their Pathway Plan, be for an approved course, and be monitored and reviewed regularly. Agreement for funding must be gained from the budget holder prior to the onset of the course.

5.4 Setting Up Home Grant

The Setting Up Home Grant is a payment which is used to enable a young person to move to an independent living situation. This is when a young person secures their own tenancy of a flat or house. The preferred option is for the accommodation to be provided by the Local Authority, Housing Association or Voluntary Sector Housing Scheme. In some circumstances, extra care is required to ensure furniture can easily be removed when the tenancy is terminated.

The Setting Up Home Grant should be requested only when it is considered appropriate for the young person to move to an independent form of accommodation. The accommodation should be in the name of the young person (the tenant) who is furnishing the property with their grant.

Any joint tenancy should be jointly furnished and, as such, furnished with 50% of the Setting Up Home Grant.

In the first instance, Qualifying Young People should make a claim for a Community Care Grant. No Setting Up Home Grant will be agreed by the Leaving Care Team until notification of the amount agreed by the Benefits

Agency has been verified. This figure will then be deducted from the maximum Setting Up Home Grant available.

The Setting Up Home Grant is set at a discretionary maximum of £1500.

Where possible, goods should be paid for in cash. Orders can be placed and invoiced through the SAP system with the agreement of the young person. All payments must be recorded and totalled on the appropriate form in the young person's file. Any unspent monies must be paid back into the appropriate budget code.

All cash expenditure from the Setting Up Home Grant must be supervised initially by the Personal Adviser from the Leaving Care Team. Other colleagues or responsible persons may be involved in the spending of the Grant but accountability for receipts/balancing/supervision remain with the Personal Adviser.

The Setting Up Home Grant can be accessed only when the young person has moved into independent living.

Young people who are in Bed & Breakfast accommodation cannot access their Setting Up Home Grant.

Young people in foster care or residential care cannot access their Setting Up Home Grant.

5.5 Financial assistance for qualifying young people

Young people who fulfil the criteria for financial assistance from the Leaving Care Team but who are in employment may still qualify for financial assistance from the Leaving Care Team. In an attempt to assist young people in work, there are various options available to Personal Advisers:

- If the young person is working full time and, after paying a contribution to their keep (£15.00 per week) has less than £75.00 per week, a payment to bring them up to £75.00 a week can be made.
- Pro rata assistance may be offered to those young people who take up part time employment.

Any financial assistance considered for a young person in work must have approval from the Team Manager or the Service Manager.

5.6 Travel Payments

A travel payment can be requested, in exceptional circumstances, for those young people who need to attend daily hospital appointments, visit family (where agreed in their Pathway Plan), attend job interviews etc. The payment should, where possible, be in the form of a travel/bus pass. The Personal Adviser should have checked the detail of the request before referring to the budget holder.

5.7 Emergency Payments

Emergency payments are usually payments made to alleviate a particular crisis where a young person has no other access to finance. Such payment should be made only after careful consideration of the circumstances. Typically, some of the most vulnerable and demanding young people will be those in most need of emergency payments.

An Emergency Payment should be made only after consultation with a manager and an amount may be made available on a one off basis. A reasonable suggestion is that a young person is given £5 per day or the equivalent is given in food until they are due their income maintenance. A weekend payment of cash should not exceed £15 and food parcels should always be considered as an alternative to cash where possible.

It is important to remember that in circumstances where the emergency payment is for gas or electricity then the spending **MUST** be supervised.

5.8 Dental/Optical Assistance

Relevant Young People can use Form HC1 to entitle them to dental and optical care. In addition, where necessary, additional funding from Leaving Care Team can be sought to a maximum of £60 each for teeth and eyes.

5.9 Debts/Fines

The Leaving Care Team will not give financial assistance towards debts or fines incurred by young people.

JY/AN(kjw)
12.07.05