

Name of meeting: Cabinet

Date: 27th July 2021

Title of report: Care Leavers Support and Financial Guidance Policy refresh

Purpose of report: All Local Authorities are required to set out how they will meet their duties to support young people when they leave care. This is a refresh of the existing policy. Approval of the policy and agreement to implement is being sought from Cabinet Members.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes. This policy affects all Wards.
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ?	Key Decision – Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Mel Meggs – Strategic Director for Children's Services. 18 th May 2021
Is it also signed off by the Service Director for Finance?	Eamonn Croston – 11 th June 2021
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft. – 8 th June 2021
Cabinet member portfolio	Councillor Viv Kendrick

Electoral wards affected: All.

Ward councillors consulted: Not applicable.

Public or private: Public.

Has GDPR been considered? Yes, No personal or sensitive data, or other information covered by GDPR, is included in this report.

1. Summary

- 1.1. We need to be Corporate Parents who understand achieving positive outcomes for Care Leavers means for some young people, we will need to do things differently or do more than the minimum that is set down in Legislation. We intend to make a conscious shift away from one size fits all 'rule book' parenting to a flexible approach that is highly personalised to each young person's needs, with their wrap around support identified and clearly set out in their pathway plans.
- 1.2. This policy puts young people at its heart, from the creative writing shared by a Care Leaver to new areas such as 'the Care Leavers pot', we have endeavoured to create a restorative policy where the voice, strengths and needs of young people take priority over process. The policy is sighted on how we can nurture young people to have ambition, achieve good outcomes and gain the skills needed to live successful and independent adult lives, whilst at the same time, acknowledging and remembering what it is like to be a young person and the things that are important in the here and now.
- 1.3. Threading through the policy are the Council Plan's shared outcomes and the priority themes of the Children and Young People's Plan. The policy is set out in a way that reflects how the support delivered will contribute to these outcomes for Children and Young People.
- 1.4. This Policy needs to be considered in conjunction with the refreshed Staying Put Policy. Care Leavers who live in Staying Put arrangements are entitled to the support within this policy due to their status as Former Relevant Care Leavers.

2. Information required to take a decision.

Background.

- 2.1. The Council has duties under the Children Act 1989 and the Children Leaving Care Act 2000 to prepare young people for leaving care and to provide financial support, guidance, and advice when they have left care depending on their age and how long they were in care for.
- 2.2. The Children and Social Work Act 2017 introduced a new duty on Local Authorities to provide Personal Advisors and support to all Former Relevant Care Leavers up to age 25 if they want this support. Not all Care Leavers want to continue their relationship with Children's Services once they leave care, this is their choice, and we must respect their wishes.
- 2.3. When a child is Looked After, or is a Care Leaver aged under 25, the Council is in law, their 'Corporate Parent'. This means that we should act towards these children and young people as any good parent would their own child. Just as other parents continue to love, support, care for and be ambitious for their children after they turn 18, so too must the Council.
- 2.4. All Local Authorities must publish information relating to what support is offered to Care Leavers. In Kirklees we have three main documents which set out how we will support our young people, these are:
 - The Corporate Parenting Strategy
 - The Kirklees Commitment to Care Leavers
 - Guidance for Financial Assistance for Looked After Young People aged 16 and over and for those who have left care.
- 2.5. The Children Leaving Care Act 2000 created four categories (known as Status) of Care Leavers who are entitled to support after their sixteenth birthday.

The table below summarises eligibility for services and describes the services that should be provided as a minimum.

Table 1.

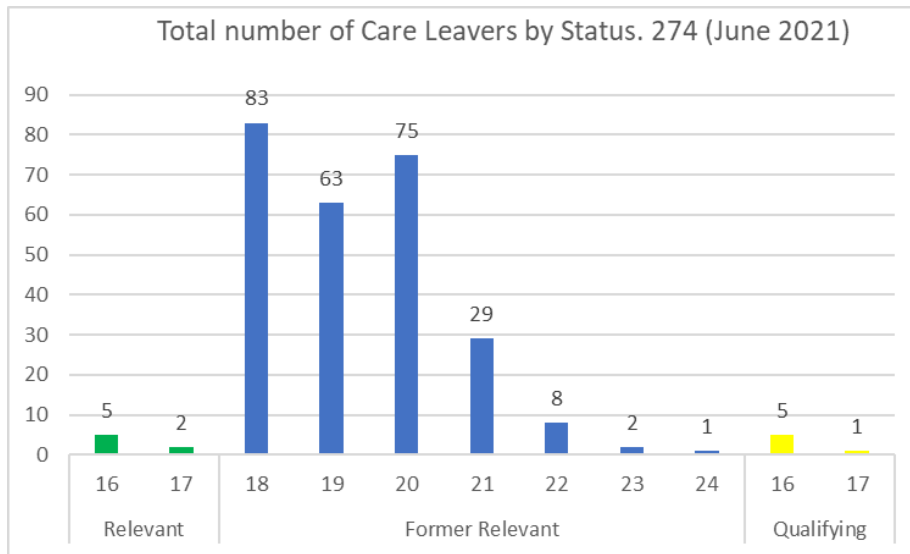
Explanation of Status	As a minimum, we must ensure these young people
<p>Eligible young person (young people aged 16 or 17 who have been looked after for at least 13 weeks since the age of 14 and were looked after on their 16th birthday and who are still looked after)</p>	<ul style="list-style-type: none"> • Receive all the care and support they would normally until they leave care. • Have a Personal Advisor • Have a needs assessment. • Have a pathway plan and review. • Have access to our Commitment to Care Leavers
<p>Relevant young person (young people aged under 18 who were previously an Eligible child and are no longer Looked After.)</p>	<ul style="list-style-type: none"> • Have a Personal Advisor • Have a needs assessment. • Have a pathway plan and review. • Receive help to find both a good place to live (suitable accommodation) and financial support to pay for this. • Receive a maintenance allowance. • Receive encouragement and support to achieve their goals as set out in their pathway plan. • Have access to Keep in Touch. • Receive financial support to meet education, employment and training needs. • Have access to our Commitment to Care Leavers
<p>Former relevant young person (young people aged 18-25 who have been Eligible or Relevant young people)</p>	<ul style="list-style-type: none"> • Have a Personal Advisor • Have a needs assessment. • Have a pathway plan and review. • Receive help to find a good place to live (suitable accommodation) • Receive encouragement and support to achieve their goals as set out in their pathway plan. • Receive encouragement and support to access education, employment, and training. • Receive help with some living costs. • Have access to our Commitment to Care Leavers
<p>Qualifying young person (any young person aged between 16 – 25 who has left care but who was in care on or after their 16th birthday and had spent less than 13 weeks in care since the age of 14, in other words not an Eligible or Relevant young person)</p>	<ul style="list-style-type: none"> • Have access to our Commitment to Care Leavers • Receive encouragement, advice, and support. • Receive a maintenance allowance if they are taking part in education or training and not in receipt of Universal Credit,

- 2.6. The Guidance for Financial Assistance for Looked After Young People aged 16 and over and for those who have left care was produced in 2015. Since this time, Children’s Services, the Council, and our Partners have collectively been on an ambitious journey of improvement.
- 2.7. Through the Corporate Parenting Strategy, the Children’s 10 Point Improvement Plan, the Children and Young People’s Plan and Our Council Plan we have set out clearly our strategic intentions to improve outcomes for Children and Young People to give them the best start in life. By aligning our vision and narrative across all key policies and plans, we have laid down strong foundations on which we can build outstanding services and created the conditions for success for social work practice.
- 2.8. The current Financial Guidance for Care Leavers for Looked After Young People aged 16 and over and for those who have left care is outdated. It does not reflect our Corporate Parenting narrative and ambitions.
- 2.9. To ensure staff not only have the conditions for success but also the tools to facilitate success, the Leaving Care Team have reviewed and refreshed the Financial Guidance for Care Leavers to ensure young people leaving care are able to access support which provides them the best start to their adult lives.

- 2.10. Whilst the refreshed policy is ambitious, Members are asked to note and be reassured the contents, where it is in the Council's powers to make changes, reflect recent recommendations for improving support to Care Leavers made to Central Government by the Children's Commissioner.
- 2.11. To also note, the National Independent Review of Children's Social Care is now underway. Included in the scope of the review is support for young people as they prepare to leave care and those receiving ongoing support once they have left care.
- 2.12. Policy reforms at national level are expected to materialise over the course of the next six months and beyond. The Council will likely be in a position of strength to implement changes, as we believe much has been pre-empted and is covered in the scope of this policy should it be approved.
- 2.13. To successfully implement and deliver the policy it will need collaboration across council directorates and an agreement on funding to strengthen the council wide Corporate Parenting Offer.
- 2.14. To deliver some proposals in the policy, it may require changes to policy in other directorates, for example Welfare and Exchequer and Housing Services. Discussions with services may need to take place to understand what impact this would have on their policy areas and whether if required, changes can be made under Schemes of Delegation or would require a Political Decision.
- 2.15. The creation of a 'Corporate Parenting Offer, Budget or Pot' is not a new concept and has been discussed by the Executive Team before. There was initial agreement to the concept, however the conversations were not progressed.
It is proposed conversations resume to agree how a council wide Corporate Parenting Offer can be strengthened.
- 2.16. Not surprisingly, money and finance are high on the list of issues Care Leavers seek support for. The Kirklees Looked After Children Independent Service (Children's Rights Team) offer advocacy, advice, and representation to Care Leavers and children and young people who are Looked After by Kirklees within the borough or in external placements.
- 2.17. The 2019/20 Children's Rights Team (CRT) Annual Report provides insight into the issues and experiences of Care Leavers. Of all the contacts made by young people to the CRT solely for support and representation with issues they were experiencing, 60 (27%) came from Care Leavers.
Of these requests, 12 (20%) related to financial support. The themes raised were:
- Financial support at university
 - Savings
 - Celebratory allowances.
 - Leaving care grant
 - Financial support with an emergency.
 - Council tax not being paid where Care Leaver lives in another Local Authority.
 - Support with bills
 - Overall financial support and adherence to financial policy
- 2.18. These findings align with feedback provided by the Care Leavers Personal Advisors (PA's) on the main issues Care Leavers raise with them.
The topic of having enough money to live off is one of the most frequently raised issues.
- 2.19. As part of refreshing this policy, a number of financial scenarios have been modelled to assess both the cost and potential impact on outcomes increasing the amount of Income Maintenance would have for those Care Leavers which we have a duty to pay Income Maintenance to.
- 2.20. As shown in Table 1. We only have a duty to pay Income Maintenance to Relevant Care Leavers. These are Care Leavers aged 16 – 17 who are living independently.

The reason we must pay this is because young people are not able to claim benefits until they are 18 (unless they qualify for an exception e.g., they are a lone parent or have a disability)

2.21. The chart below shows the current total number of Care Leavers by their Eligibility Status.



2.22. There are 7 Care Leavers who we must pay Income Maintenance for. The weekly rate we pay is equivalent to Universal Credit - £79.38 (includes £20 temporary Covid 19 increase, from Autumn 2021 this may return to pre Covid rate of £59.38)

Alternative payment models for Income Maintenance considered what the cost would be if we based Income Maintenance on:

- Universal Credit over 25 rate
- Minimum National Wage rates – based on 37 hour week, 16/17 year old rates.
- The Living Wage.

The potential financial impact is shown in the table below.

	Weekly cost (allowance rate paid)	Annual cost per Relevant Care Leaver	Annual cost based on current Relevant cohort numbers
Option 1. Current model – aligned to UC under 25 rate	£59.38	£3,087	£21,614
Option 2. UC over 25 rate	£74.96	£3,897	£27,279
Option 3. Minimum National Wage	£170.94	£8,888	£62,216
Option 4. The Living Wage	£329.67	£17,142	£119,994

2.23. Based on the data, the service has concluded it is not a viable option to increase the amount of Income Maintenance and recommends Option 1 -Income Maintenance remains in payment at the current rate for the following reasons.

2.24. The duty to pay Income Maintenance is only for two years from the age of 16 through to when a Care Leaver turns 18. At this point, Care Leavers are expected to maintain themselves either through wages, education bursaries or benefit claims.

2.25. Analysis of data to the end of April 2021 shows 120 out of 282 Care Leavers (42.5%) are not in Education, Employment or Training (NEET) and therefore it is reasonable to assume these Care

Leavers are claiming Universal Credit. This suggests if we did implement Option 3 or 4, for the proportion of Relevant Care Leavers who go on to claim benefits, they would experience a cliff edge as their income reduces significantly to the UC under 25 rate once they turn 18. Potentially we would be setting Care Leavers up to fail.

- 2.26. Whilst it could be affordable to increase Income Maintenance to the over 25 UC rate, as set out above, Care Leavers once they turn 18 will receive the under 25 rate if they claim benefits under current regulations. The Children's Commissioner has recommended to Central Government that all Care Leavers be entitled to this rate. This option has been included to highlight we may have a duty to pay this rate in the future.
- 2.27. The underpinning spirit and intention of the policy is to support and incentivise Care Leavers to continue or enter into Education, Employment or Training (EET) with a longer term ambition of improving outcomes and life chances for Care Leavers. Our numbers of Care Leavers who are in EET are not where we want them to be. Benchmarking shows we are lower than both our Statistical Neighbours and the England average.
- 2.28. Implementing either Option 3 or 4 may further decrease the number of Care Leavers who are in EET, as for the two years we have a duty to pay this allowance, the financial incentives proposed within the policy for taking up EET would be outweighed by the amount of Income Maintenance allowance.
- 2.29. Analysis of the 5 Relevant Care Leavers current education status and pathway plans shows 4 out of the 5 (80%) are in full time education and either are at college or have a place to start college in September 2021. We need to do more to support Care Leavers post 18, as this is where the drop off in EET occurs.
- 2.30. Most of our Children Looked After live in family settings with Foster Carers, with a read across to the aims of the Staying Put policy, we want more Care Leavers to take up the opportunity of Staying Put arrangements. There is a risk this offer would look more attractive to 16 and 17 years olds preparing for leaving care and could result in more young people moving to living independently at an earlier age or before they are really ready.
- 2.31. Whilst as Corporate Parents we have to consider 'is this good enough for my child?' we also have to follow 'good parenting principles.'
Care Leavers often need support to further develop emotional maturity and practical skills such as managing money and budgeting in order to manage living independently. We have to consider whether giving 16 and 17 year old Care Leavers these weekly amounts of allowances would unintentionally create risks for these vulnerable young people.
- 2.32. There is a need to balance what Care Leavers want against what they actually need and what can be afforded. In order to implement a higher Income Maintenance model of payments for a very small number of Care Leavers, many areas of the proposed policy would need to be cut in order for it to be affordable. This would result in a pared back offer and loss of opportunity for the majority of Care Leavers.
- 2.33. We are committed to the principle that no Care Leaver should experience poverty and we will deliver on this commitment by ensuring all Care Leavers have access to a package of wrap around support and individual plans which appropriately meet needs.
A pot of up to £550 per year will be available for PA's to use to meet unplanned requests in the best interest of their young people.
This pot of money is in addition to any other allowances or grants outlined in this guidance. PA's will have autonomy in decision making in regard to this pot of money, however, once the pot is exhausted, there will be no further funding available until the next financial year.
- 2.34. The refreshed policy proposes increases to some existing areas such as the Leaving Care Grant and holiday and birthday allowances as well as introducing new areas such as help with moving and incentives to support Care Leavers in Education, Employment and Training (EET).

Unlike the previous policy, accessing some of the benefits and support will not be dependent on Care Leavers being in EET. Personal Advisors will be encouraged to work with their Care Leavers to use the 'Care Leavers' pot innovatively to nurture ambition, for instance a Care Leaver might have a passion or talent in the Arts or Sports, by using the pot to pay for classes or equipment, a Care Leaver may find they are able to pursue career options they might not have thought possible.

2.35. Section 4.4 'Top Ups' commits to the principle that no young person should find themselves financially worse off or experience poverty when undertaking education, employment or training to improve their life chances. We will ensure that all our Care Leavers who are attending full time education or equivalent have a minimum of £105 disposable income after rent costs.

2.36. We believe incentivising education, employment, and training rather than increasing the maintenance allowance is the right thing to do and will better support Care Leavers to achieve improved longer term outcomes.

2.37. The refreshed policy provides clarity for the most common areas of support requested by Care Leavers. This will facilitate consistent, fair, and transparent decision making whilst at the same time, moving away from a blanket parenting rule book to a position where personalisation is at the heart of planning. If approved, successful implementation of the policy will result in a much needed improved offer for Care Leavers.

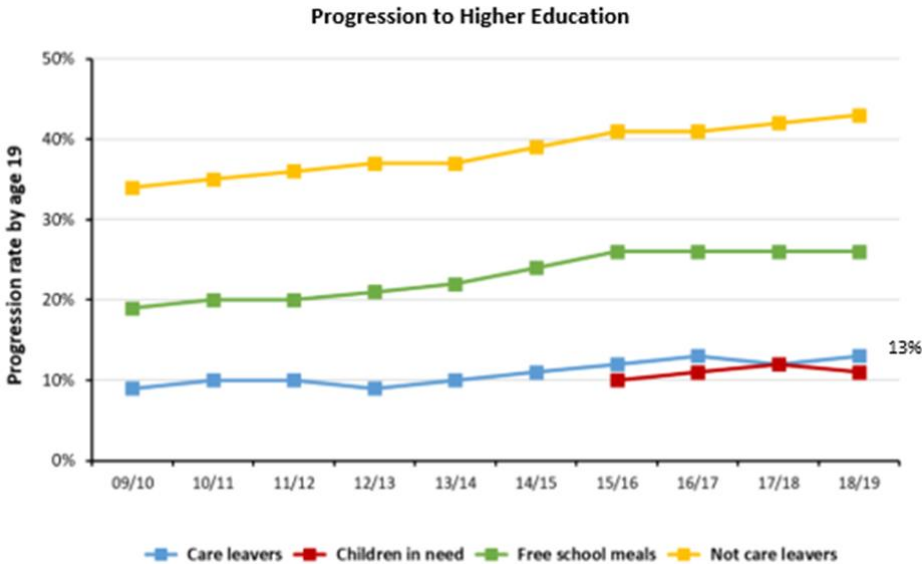
2.38. Aspire and Achieve is one of the Council's shared outcomes. It is accepted that there is a strong correlation between educational attainment, poverty, inclusion, social mobility, and life chances. In Kirklees, the number of Care Leavers progressing on to Higher Education is not where we would want it to be.

The table below shows the numbers progressing as a proportion of the total cohort of Care Leavers.

Year	C/L enrolling in HE Sept.	Total C/L attending HE	Total number of care leavers eligible for services Sept	% of C/L in Kirklees in HE
2018/19	4	16	241	6.6%
2019/20	6	16	251	6.4%
2020/21	7	20	262	7.6%
2021/22	11*	Not yet known	Not yet known	

* current active UCAS statuses, subject to successful application completion and offer.

Whilst it is heartening to see an increasing trend year on year, when compared against the Department for Education (DfE) National statistics on progression to Higher Education, Care Leavers in Kirklees are well below the National average of 13%.



Source: Matched data from the DfE National Pupil Database, HESA Student Record and ESFA ILR

- 2.39. Of the total cohort of Care Leavers enrolled in Higher Education settings, only one attends Huddersfield University. The others attend Universities in the following cities: Leeds, London, Liverpool, York, Bradford, Sheffield, Birmingham, Nottingham, and Manchester.
- 2.40. We do not currently reflect the higher living costs associated with city living and accommodation in the Higher Education Bursary for Care Leavers.
- 2.41. There are proposals within both this policy and the Staying Put Policy which will improve the support available to Care Leavers who want to progress to Higher Education, however there will be a cost attached. These are set out below in Section 3 – Financial Implications.

3. Implications for the Council

Working with People

This policy has been shaped by the voice of Care Leavers gained from feedback from the CRT and PA's who work directly with Care Leavers.

The Young People's Achieve Awards 2020 provided insight into types of support Care Leavers valued. We have built on what we have done well and further strengthened these policy areas.

The policy has been shared with Care Leavers for feedback. Next steps will be to collaborate with the Care Leavers Forum and Children in Care Council via the CRT to produce an Easy Read version for Care Leavers and to update the Kirklees Commitment to Care Leavers. (Care Leavers Local Offer)

Working with Partners

The Care Leavers Service will work with our collective Corporate Parents and the wider partnership to ensure appropriate accommodation, resources and services are available to support successful transitions into adult life.

Place Based Working

We want Care Leavers to live their lives confidently, independently and with dignity. It is intended this policy will enable Care Leavers to feel included and better connected to the communities they live in and encourage them to contribute to making the places where they live safe and welcoming places.

Climate Change and Air Quality

Options for more environmentally friendly travel and transport have been considered in Section 6.6 of this policy.

Improving outcomes for children

This policy has been written in a way that clearly shows how areas of support provided contribute to both the shared outcomes of Best Start, Living Independently, Aspire and Achieve and Well and the priorities of the Children and Young People's Plan.

Tackling poverty, closing equality gaps, and increasing life chances are outcomes this policy aims to positively impact on.

Outcomes we expect to see as a result of successfully implementing this policy are:

- Care Leavers live in appropriate accommodation.
- Care Leavers Keep In Touch.
- Care Leavers successfully complete introductory tenancy periods.
- Young people at risk of poor learning outcomes participate and engage in Education, Employment and Training (EET)
- Care Leavers undertake activity which promote a healthy lifestyle and/or nurtures their talents.
- Social, emotional, and mental health and wellbeing indicators for Care Leavers are good.
- Care Leavers moving into adulthood have good life skills and are ready for work.
- Care Leavers can access 'green' and affordable transport.

Other (e.g. Legal/Financial or Human Resources)

There are no HR or Legal implications.

The overall annual budget for Care Leaver spend is £576,916. The outturn position for 2020/21 shows an underspend of £74,120.

Analysis comparing overall Care Leaver spend against budget over the last two years shows underspends of £142,444 in 2018/2019 and £55,707 in 2019/2020 against the same base budget of £576,916.

The findings do offer some assurance that on current demand there is potentially tolerance in the budget to improve the financial support outlined in the proposals, but it is unlikely the current budget will stretch to meet the whole cost burden.

The issue is knowing future levels of demand and take up of the offer. Not all Care Leavers will need or want to access all parts of the offer. Care Leaver need is assessed on an individual basis as part of their pathway planning, as such there is a difficulty in extracting information to make meaningful projections.

It is estimated introducing the Higher Education Allowance would incur an additional pressure of £7,378.80 per year per student over the period of their course. (usually three years)

Based on the average number of Care Leavers progressing to Higher Education, each year between 2018/19 – 2020/21 (6) this would mean an additional annual cost of £44,272.80. This cost would rise if the trend in Care Leavers progressing into Higher Education continues on the same trajectory.

Similarly, the introduction of the Graduation Bursary and Vocational/Apprenticeship reward proposals would bring additional costs of £3,500 and £250 respectively per young person who successfully completes their course.

Due to the difficulties in projecting volume growth and demand, the following is proposed.

In the next 3 months, the Care Leavers Service will work with finance colleagues, and transactional services to improve how Care Leaver spend can be recorded and monitored. This will be in place before the refreshed policy is implemented.

There is no request for additional funding at this time. The Care Leavers Service will monitor spend, demand and volume growth over the first year of the policy along with what difference the policy makes to the lives of Care Leavers with a specific focus on attainment and take up of Education, Employment and Training and the numbers of Care Leavers experiencing crisis as a result of poverty.

Children's Services will use this time to collaborate with the wider service and finance colleagues to propose how a 'Corporate Parenting Offer' might be created and drawn down should the proposal for a Corporate Parenting Offer or pot be agreed.

Dependent on the outturn of year one of the policy, the Care Leavers Service will return with a business case for additional funding if required.

4. Consultees and their opinions

4.1. The policy has been drafted in consultation with the following people:

- Heads of Service and Service Managers in the Care Leavers and Fostering Services.
- The Care Leavers Service, Personal Advisors and Careers Advisor.
- The Virtual School and Post 16 Progression and Partnerships
- The Children's Right's Team.

Consultees reported they felt young people and improving outcomes for them was at the heart of the policy. All consultees felt their feedback and concerns have been addressed and well reflected in the policy.

- 4.2. Children's Service's Senior Leadership team have received a briefing for their own sign off of the policy on 18th May 2021.
- 4.3. The Care Leaver forum has been engaged and the draft policy and presentation outlining changes has been shared for feedback and further input.
- 4.4. The Portfolio Holder for Children has been engaged and consulted with throughout the process. A meeting on the 25th May 2021 between Cllr Kendrick, Strategic Director Mel Meggs and Service Director Elaine McShane shared and agreed the final version of the updated policy.
- 4.5. The Executive Team were consulted on the 8th June 2021 and approved the policy to move forward to Cabinet.
- 4.6. The Corporate Parenting Board were consulted on the 29th June 2021. Members wholly supported the policy and the proposal to move forward to Cabinet.
- 4.7. The Leadership Management Team were consulted on the 5th July 2021. The Leadership Management Team supported the policy and approved the proposal to move forward to Cabinet.

5. Next steps and timelines

- 5.1. Subject to approval by Cabinet Members, steps will be taken to implement the policy, with the aim of it being in place by September 2021.
- 5.2. Collaboration with Care Leavers to write and design an easy read guide to the policy and refresh and update our Commitment to Care Leavers.
- 5.3. Regular updates on progress and the impact/outcomes as a result of implementing the policy will be scheduled in the forward plan and provided to Corporate Parenting Board

6. Officer recommendations and reasons

- 6.1. Cabinet Members are asked to approve the updated policy to ensure young people leaving care are able to access tailored support which provides them with the best start to their adult lives.
- 6.2. It is recommended for future updates of the policy that approval be given for a Delegated Officer Decision to be made by the Service Director for Family Support and Child Protection.

7. Cabinet Portfolio Holder's recommendations

As Cabinet Portfolio Holder, I am supportive of the proposals in the updated policy. This is a fantastic opportunity for us as Corporate Parents to strengthen the support we already provide to Care Leavers and deliver an outstanding offer that will make a real difference to the lives of our young people.

8. Contact officer.

Lisa Warnes – Programme Manager, Children's Improvement Team.

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01484 221000.

9. Background Papers and History of Decisions

Executive Team – 8th June 2021

Key Decision Notice – 24th June 2021

10. Service Director responsible

Elaine McShane – Service Director for Family Support and Child Protection