

## 1.11.1 Preparation for Leaving Care

### Regulations and standards

#### England

- [Regulation 6: The quality and purpose of care standard](#)
- [Guide to the quality and purpose of care standard](#)
- [Regulation 14: The care planning standard](#)
- [Guide to the care planning standard](#)
- [Children and Social Work Act 2017](#)
- [The Children Act 1989 guidance and regulations, Volume 3: planning transition to adulthood for care leavers](#)
- [Regulation 5 – Engaging with the Wider System to Ensure Each Child's Needs are Met](#)
- [The Children's Views, Wishes and Feelings Standard](#)
- [The Care Leavers \(England\) Regulations 2010](#)

#### Wales

- Regulation 15: Personal plan  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/15/made>
- Regulation 21: Standards of care and support over arching requirements  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/21/made>
- [Social Services and Well-being \(Wales\) Act 2014](#)
- The care leavers Wales regulations 2015  
<http://www.assembly.wales/Laid%20Documents/SUB-LD10402/SUB-LD10402-e.pdf>
- When I am ready
- <https://gov.wales/docs/dhss/publications/160307guidanceen.pdf>

### Scope of this chapter

The local authority Leaving Care Team is responsible for planning support for young people as they leave care.

This chapter summarises the key terms and responsibilities in relation to Care Leavers and explains how staff in children's homes can support young people during the transition to adulthood and independent living.

### Relevant guidance

[The Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers \(revised January 2015\)](#)

[The Care Leaver's Charter](#)

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# 1. Definitions

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## 1.1 Eligible Young People

Are aged 16 or 17, have been Looked After for a period or periods totalling at least 13 weeks starting after their 14th birthday and are still in care. (This total does not include a series of pre-planned short-term placements of up to four weeks where the child has returned to the parent). There is a duty to support these young people up to the age of 18, wherever they are living.

The statutory definition and requirements to undertake a needs assessment, prepare a Pathway Plan, keep the Pathway Plan under review and appoint a Personal Adviser are now covered by Regulations 42, 43 and 44 of the Care Planning, Placement and Case Review Regulations 2010.

## 1.2 Relevant Young People

Are aged 16 or 17 and are no longer Looked After, having previously been in the category of Eligible Young Person when Looked After. However, if after leaving the looked after service, a young person returns home for a period of 6 months or more to be cared for by a parent, he or she will no longer be a "relevant young person".

A young person is also "relevant" if, having been looked after for three months or more, he or she is then detained after their 16th birthday either in hospital, remand centre, young offenders' institution or secure training centre. There is a duty to support relevant young people up to the age of 18.

The statutory definition and requirements to stay in touch with the young person, undertake a needs assessment (unless this was done when the young person was 'Eligible'), prepare and keep the Pathway Plan under review, appoint a Personal Adviser (unless this was done when the young person was 'Eligible') and provide accommodation and assistance to meet his or her needs in relation to education, training or employment are now covered by Regulations 4 to 9 of the Care Leavers (England) Regulations 2010.

## 1.3 Former Relevant Young People

The statutory definition and requirements to stay in touch with the young person, keep the Pathway Plan under review, continue the appointment of a Personal Adviser and provide financial assistance near where the young person is employed or seeking employment/to enable the young person to pursue education or training remain unchanged they are now covered by Regulations 4 to 9 of the Care Leavers (England) Regulations 2010. These duties continue until the young person becomes 21 or, where the Pathway Plan sets out a programme of education or training beyond 21, they continue so long as the young person pursues the programme. The duty to pay a higher education bursary also continues, as before for those who started a course of higher education after 2008.

The duties of local authorities are extended in relation to Former Relevant Young People who inform the local authority of their wish to take up a programme of full time further or higher education after the age of 21 and under the age of 25. In relation to these young people, the local authority has a duty to:

- Appoint a Personal Adviser;
- Carry out an assessment of the needs to determine what assistance (if any) it would be appropriate to provide;
- Prepare a Pathway Plan;

- Give assistance to the extent that the young person's educational or training needs require it. The kinds of assistance are: contributing to expenses incurred by the young person in living near the place where s/he is, or will be, receiving education or training; or making a grant to enable the young person to meet expenses connected with his education and training;
- For those in full-time education, aged 16-19 access to the bursary fund.

The duties of the local authority subsist for as long as the young person pursues the programme of education or training in accordance with the Pathway Plan, and the local authority may disregard any interruption in the education/training if it is satisfied that the young person will resume it as soon as is reasonably practicable.

In each case where a care leaver requests this support, the local authority will need to assess the appropriateness of the course and how it will help the young person to achieve his or her ambitions. The extent of the practical and financial assistance provided will reflect the type of course, whether full - or part-time, and the young person's existing income.

### **1.4 Qualifying Young People**

Are over the age of 16 and under the age of 21, (or up to 24 if in full-time further or higher education), and have been Looked After or, if disabled, have been Privately Fostered after reaching 16, but do not qualify as Eligible, Relevant or Former Relevant. They may receive support, advice and assistance wherever they are living. If in full-time further or higher education, this may include assistance in relation to securing vacation accommodation. They may also qualify if they are the subject of a Special Guardianship Order (SGO) and were Looked After immediately before the SGO was made.

Any decision to cease looking after a child aged 16 or 17 who is Looked After other than by virtue of a Care Order, must be approved by the Director of Children's Services. The Director must be satisfied that:

- The child's wishes and feelings have been ascertained and given due consideration;
- The child's Independent Reviewing Officer has been consulted;

The child's relatives have been consulted, where appropriate.

### **1.5 Personal Adviser**

A Personal Adviser is the person appointed to work with the Relevant child or Former Relevant child, on the young person's 16th birthday, and has a key role in preparing the young person for independence and providing support after they cease to be looked after. He or she will hold a pivotal role (where applicable) in the assessment, planning and review of services as set out in the **Pathway Plan**, and will co-ordinate with other agencies as necessary.

Where accommodation is provided to a young person by the responsible authority under section 23B or section 24B of the Children Act 1989, the Personal Adviser must visit the Relevant child or Former Relevant child at that accommodation:

- Within 7 days of the accommodation first being provided;
- Subsequently, before the Pathway Plan is reviewed; and
- At subsequent intervals of not more than two months.

The extent to which the Personal Adviser becomes the main source of advice and support to the young person will vary according to individual circumstances.

They should be kept up-to-date with the young person's progress and wellbeing

### **1.6 Leaving Care Assessment of Need**

All Young People - Eligible, Relevant or Former Relevant - must receive a multi-agency assessment of their needs as to the advice, assistance and support they will need when leaving care.

The young person's social worker will be responsible for coordinating the Needs Assessment.

This assessment should be completed no more than 3 months after the young person's 16th birthday or after the young person becomes Eligible or Relevant if this is later. The young person's Care Plan together with information from the most recent Assessment will form the basis of the Needs Assessment.

The young person's social worker will be responsible for recording the assessment information and conclusions as well as the outcome of any meetings held. The young person must be invited to any meetings held in connection with the assessment.

The Needs Assessment should take account of the views of the following:

- a. The young person;
- b. The parents;
- c. The current carer;
- d. The school/college and the education service;
- e. Any Independent Visitor;
- f. Any person providing health care or treatment for the young person;
- g. The Personal Adviser;
- h. Any other relevant person including, in the case of a young person with special needs, a representative from Adult Services.

The Needs Assessment will inform the development of a Pathway Plan which will be based on and include the young person's Care Plan.

### **1.7 Pathway Plan**

All young people will have a Pathway Plan in place within 3 months of becoming Eligible and, wherever possible, a Pathway Plan will be in place by the young person's 16th birthday.

The Pathway Plan will be based on and include a young person's Care Plan and any Personal Education Plan or Connexions Plan will inform and complement the Pathway Plan.

Each young person will be central to drawing up their own Pathway Plan setting the goals and identifying how the local authority will help meet them, including any services being provided in respect of the young person's disability or needs arising from being in custody or as a result of entering the country as an unaccompanied asylum seeker. It should be written in a way that meets the needs of the young person, capturing their aspirations and key messages. Young people with

particular language or communication needs should be provided throughout the process with appropriate interpretation, translation or advocacy support.

The Pathway Plan must clearly identify the roles of each person who has a part to play in supporting the care leaver.

## **2. Role of Residential Staff**

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Staff in the home must assist in the pathway planning process, and help the young person prepare for transition by developing the self help skills needed for independent living.

As the home will have a sound day to day understanding of young people's capabilities and needs, children's homes staff will have a valuable contribution to make to the Pathway Planning process. They should actively seek to make the fullest contribution, working with other relevant persons.

Staff must help each child to prepare for any moves from the home, whether they are returning home, moving to another placement or adult care, or to live independently. This includes supporting the child to develop emotional and mental resilience to cope without the home's support and, where the child is moving to live independently, practical skills such as cooking, housework, budgeting and personal self-care.

Practical examples of how the home can help young people prepare for the transition to adulthood include:

- Using pocket money, leisure and clothing allowances provided within foster care and residential care to help children develop money management and finance skills;
- Supporting young people to set up a 'bottom drawer' of items that can be saved and used when the young person sets up their home.

## **3. Contact**

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Young people who have left our care may want to stay in touch with key trusted adults.

Residential staff can do this in a range of ways such as welcoming young people when they come back to visit the children's home they lived in or seeing them in their new home or community. Sometimes this is undertaken on a formal basis, such as time limited outreach support, and at other times more informally.

This contact needs to be undertaken safely and so should be agreed and recorded by the line manager of the staff concerned, and, depending on the age of the young person concerned:

- Agreed with the social worker and/or leaving care worker;
  - Set out in the young person's Placement Plan/care plan or pathway plan.
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## Revision History

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Date last updated: May 2020

Date of next review: May 2021

Date of release: December 2018

**End**

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