

AGENDA ITEM: 5 Pages 1 – 14

Meeting	Cabinet Resources Committee
Date	2 March 2011
Subject	Children's Service Fees and Charges
Report of	Deputy Leader of the Council and Cabinet Member for Education, Children and Families Cabinet Member for Resources and Performance
Summary	To approve proposals to update fees and charges for children's services from April 2011. To approve the allowances payable to foster carers and care leavers from 1 April 2011

Officer Contributors	Val White, Assistant Director, Children's Service
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix 1 Tables: 1. Child Care Fees in Children Centres 2. Social Care Fees and Charges 3. School Meals 4. Youth Service Accommodation and Play Service 5. Music Service 6. Training Appendix 2 7a. Fostering Allowances 7b. Leaving Care Allowances
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Val White, Assistant Director, Policy, Performance and Planning, 020 8359 7036.

1. RECOMMENDATIONS

- 1.1 That the fees and charges detailed in the appendices of this report be approved to take effect from 1 April 2011.**
- 1.2 That the proposed new fee structure for Children's Centres be approved with effect from the 19 April 2011.**
- 1.3 That the schedule of allowances payable to foster carers and care leavers be approved with effect from 1 April 2011.**
- 1.4 That the inclusion of Academies and Free Schools within the traded services for school be noted as outlined in paragraph 9.16.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee on 23 September 2004 (Decision item 6) – approved:
 - increases in fees and charges in line with the Financial Forward Plan be approved by Heads of Service in consultation with the Cabinet Member concerned, and that these increases be implemented from January each year, with only limited exceptions to those being increased from 1 April; and
 - increases in fees and charges above the rate assumed in the Financial Forward Plan be approved by Cabinet Resources Committee, and that these increases be implemented from 1 January each year, with only limited exceptions to those being increased from 1 April
- 2.2 Cabinet Resources Committee, Fees and Charges, 22 February 2010 (Decision item 12) – approved the revised fees and new fees and charges detailed in the Cabinet Members' report.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Regularly reviewing fees and charges enables the Council to ensure it is making the best use of its resources, supporting the corporate priority of 'better services with less money'. The resources generated by changes to fees and charges will help to support the priorities of the Corporate Plan.

4. RISK MANAGEMENT ISSUES

- 4.1 It is not considered that the issues involved are likely to raise significant levels of public concern or give rise to policy considerations.

Child Care

- 4.2 Parents may find it difficult to pay higher charges for child care. However, the fees for the core day are in line with the Childcare Working Tax Credit limit and parents on lower income will be in receipt of up to 70% Tax Credit on the fees charged (up to a maximum of £175 per week).

Music Service

- 4.3 There may be a reduction in take up of music lessons in the term following the increase in prices. If the reduction in take-up was greater or for a longer period staffing hours would need to be adjusted to compensate this.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Changes to fees and charges have the potential to significantly affect accessibility of services to the customer and accordingly individual cases should be considered as they arise. The resources generated by this decision contribute to supporting the priorities of the Corporate Plan which in turn focuses on providing services to all parts of the community.
- 5.2 The proposed changes to charges would take place across a range of areas including training, traded services and music services. Schools, children's centres, parents, pupils, and partner organisations are among those likely to be impacted. As regards children's centres, officers do not consider there will be a detrimental impact on attendance levels at the centres so long as sufficient notice is given. Increasing the maintenance element of the allowances payable to foster carers and increasing payments to young care leavers in line with Job Seekers Allowance should help to ensure that children in care and leaving care are not unduly disadvantaged by the increased costs of some living expenses. None of the other proposed changes are directly related to a service provided to a specific equalities strand.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 The impact of the increased and revised fees and charges has been taken into account in the 2011-12 Medium Term Financial Strategy.

7. LEGAL ISSUES

- 7.1 None in the context of this report.

8. CONSTITUTIONAL POWERS

- 8.1 The Council's Constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including approving income sources and charging policies.
- 8.2 Paragraph 3.8 of the Council's Financial Regulations requires that the Cabinet Resources Committee (CRC) approves changes to fees and charges that are significantly different from inflation.

9. BACKGROUND INFORMATION

Children's Centres

- 9.1 Two children's centres (Wingfield and Newstead) are standalone children centres and the fees are set by the Council. Seven children's centres offering childcare are attached to schools and the fees are the responsibility of the school governing body. Wingfield and Newstead are required to offer affordable childcare to working parents 48 weeks of the year.
- 9.2 Officers have reviewed fees against other providers of child care within the immediate locality of the two centres. Newstead is 53 pence below the average and Wingfield is 43 pence below the average. The approximate average increase from last year for providers reviewed was 11% and 8% respectively.

- 9.3 Officers recommend changing the charging method from sessions to hours. By charging by the hour the rate per hour increases, however it is still less than the rate charged for other sessions throughout the day. Therefore the overall cost balances out.
- 9.4 As well as charging by the hour it is also recommended to charge by a two tier system according to age groups due to the ratio of carer to child. This has been implemented at local Boroughs such as Harrow and Enfield. The hourly rate for 2-3 year olds is higher than the 3-5 year olds due to higher cost ratios:
- o Ratio of adult carer to 2-3 year olds: 1:4; and
 - o Ratio of adult carer to 3-5 year olds: 1:8.
- 9.5 Newstead's current rate is the second lowest rate in the local area. It is therefore recommended that the rate is increased. The proposed rate for 3-5yr olds is £5.75 per hour and 2-3yr olds is £6.00 per hour. This would result in an increased fee for 2 to 5 year olds accessing a Full Day Care session/Core day/After school club and a reduced fee for all other sessions throughout the day. This would give more flexibility to parents in choosing what sessions they send their children to.
- 9.6 Officers do not consider there will be a detrimental affect to the attendance levels at the centres so long as sufficient notice is given. It is therefore proposed that the charges are implemented on the first day of the summer term (26 April 2011).
- 9.7 The proposed charges for each of the centres are detailed in Appendix 1. Either of the charging levels (or charges in between the 2) will be recommended to the Governing Bodies managing Children's Centres under extended school powers (Section 27 of the Education Act 2002).
- 9.8 The additional income raised through this increase will help to offset cost pressures from the uneven demand of childcare throughout the year.

Social Care

- 9.9 The Family Resource Centre has some capacity to market contact services to neighbouring councils. Research done with other local authorities and the local competition and based on rates set by the independent sector suggest if fees were increased income targets would be unrealistic. The proposal is that charges are not increased from 1 April 2011, charges are shown in Appendix 1, Table 2a.
- 9.10 The decision to charge when children and young people come into care is at the discretion of the Director of Children's Service (DCS) and is dependent on circumstances. The DCS will have regard to the reasons for the child becoming looked after and the likely impact on them. Any charges levied will be subject to an assessment against income. The proposal is that charges are not increased from 1 April 2011, charges are shown in Appendix 1, Table 2b.
- 9.11 The allowances payable to foster carers and young care leavers have been reviewed and compared to the increases propose by neighbouring authorities. It is recommended that the maintenance element for foster carers is increased by 2% in recognition of the increased costs of some living expenses but the reward/fee element is not increased. The allowance for care leavers will be increased in line with Job Seekers Allowance. The increased cost is estimated at £15,000 for foster carers and £10,000 for care leavers. The cost of care leavers will be met from a review of all allowances payable to current care leavers. The increased cost of foster carer payments is to be met from the children in care budget (including external placements). The proposed allowances are outlined in Appendix 2.

School Meals

- 9.12 All the funding for the School Meals service including free school meals is delegated to schools and schools are charged for the meals taken. Barnet charges £2.05 for a school meal this is higher than most comparable Boroughs. It is not proposed to increase the price of a school meal on 1 April however a review will be done in light of any increased costs for implementation in September 2011, charges as shown in Appendix 1, Table 3.

Youth Service Accommodation and Play Service

- 9.13 There are no proposed increases in the charges for use of youth centres however, there are some changes to the charges for play service. The proposed charges for after school service have increased by 25% to a level which is closer to market rates. Parents are able to apply for Working Family Tax Credit and can receive up to 80% return on this amount depending on the family circumstances. The proposed charges are outlined in Appendix 1, Table 4.

Music Service

- 9.14 The charges for music service are met by parents of children receiving lessons and schools. The charges are increasing to meet the full cost of the service. The proposals are outlined in Appendix 1, Table 5.

Multi agency Training

- 9.15 The Council currently receives grant funding for a range of multi agency training to provide training for Council staff and staff from other partner organisations (health, police, voluntary sector, schools). The majority of this funding is ceasing. Where there is insufficient grant funding to cover the cost of multi agency training from April 2011 onwards and/or where partner organisations are not making a contribution towards the cost, the Council are introducing a fee structure per attendee (Appendix 1 Table 6). Where there is no grant funding available at all, courses will be offered to non-council staff at a price to cover cost. The price for each of these courses will vary depending on the cost of accommodation, trainer and other facilities.

Academies and Free Schools

- 9.16 With the conversion of schools to Academy status, the local authority will no longer receive funding for some services that are currently funded through the centrally retained part of the schools budget. Academies and Free Schools are independent organisations. The Council are revising its traded services currently offered to local authority maintained schools, to take account of the requirement to charge Academies and Free Schools and allow Academies and Free Schools to purchase its services at full cost. The price of each service offered will be set each year by the appropriate manager to reflect the cost of the service and offered within the existing traded services portfolio for all schools.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

Legal – MB

CFO – MC/JH

APPENDIX 1

Table 1a) Proposed Children’s Centre Fees 2011/12 – Wingfield

Hourly rate	Age 3 to 5				Age 2 to 3		
	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Variance</u>	<u>Difference</u>	<u>Proposed Fee</u>	<u>Variance</u>	<u>Difference</u>
		£5.50			£5.75		
8am to 6pm (inc. lunch at 2.05)	£47.00	£48.00	2.13%	£1.00	£49.00	4.26%	£2.00
8.45am to 11.45am	£16.60	£16.50	-0.60%	£-0.10	£17.25	3.92%	£0.65
12.45pm to 3.45pm	£16.60	£16.50	-0.60%	£-0.10	£17.25	3.92%	£0.65
8.45am to 3.45pm (inc. lunch at 2.05)	£40.75	£40.55	-0.49%	£-0.20	£42.30	3.80%	£1.55
8am to 8.45am	£5.00	£4.13	-17.40%	£-0.87	£4.31	-13.80%	£-0.69
3.45pm to 6pm	£10.00	£12.38	23.80%	£2.38	£12.94	29.40%	£2.94

Table 1b) Proposed Children’s Centre Fees 2011/12 – Newstead

Hourly rate	Age 3 to 5				Age 2 to 3		
	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Variance</u>	<u>Difference</u>	<u>Proposed Fee</u>	<u>Variance</u>	<u>Difference</u>
		£5.75			£6		
8am to 6pm (inc. lunch at 2.05)	£48.00	£49.00	2.08%	£1.00	£50.00	4.17%	£2.00
8.45am to 11.45am	£18.00	£17.25	-4.17%	£-0.75	£18.00	0.00%	£0.00
12.45pm to 3.45pm	£18.00	£17.25	-4.17%	£-0.75	£18.00	0.00%	£0.00
8.45am to 3.45pm (inc. lunch at 2.05)	£41.50	£42.30	1.93%	£0.80	£44.05	6.14%	£2.55
8am to 8.45am	£6.00	£4.31	-28.16%	£-1.69	£4.50	-25.00%	£-1.50
3.45pm to 6pm	£12.00	£12.94	7.83%	£0.94	£13.50	12.50%	£1.50

Table 2a) Social Care Charges – Contact

	Charges 2010/12	Proposed Charges 2011/12
Marketing contact sessions to neighbouring authorities		
Room hire	£28.90 per hour (weekdays) £43.50 per hour (weekends)	£28.90 per hour (weekdays) £43.50 per hour (weekends)
Contact supervisor (min time period 3 hours)	£23.20 per hour (weekdays) £34.70 per hour (weekends)	£23.20 per hour (weekdays) £34.70 per hour (weekends)
Transport	47p per mile	47p per mile

Table 2b) Social Care Charges – Means tested parental contributions towards the care costs of children in care (Section 20 only)

	Charges 2010/12	Proposed charges 2011/12
Families in receipt of benefits	No charge	No charge
Weekly contribution	Weekly net income less £60 per person, per household, then 20% of remaining amount for 1 st child, then 10% for any other children thereafter.	Weekly net income less £60 per person, per household, then 20% of remaining amount for 1 st child, then 10% for any other children thereafter.

Table 3 School Meal Charges

School Meal Charges	Charges 2010/11	Proposed charges 2011/12
Kosher school meal	£2.15	£2.15
Free school meal (charge to school)	£2.05	£2.05
Free Kosher school meal (charge to school)	£2.15	£2.15

Table 4 Youth Service Accommodation and Play Service

	Charges 2010/11	Proposed Charges 2011/12
After School Club Greentop Centre	£4.00 per session	£5.00 per session
Holiday Play Scheme Greentop Centre First Child	£16.50 per day or £80.00 per week	£17.50 per day or £85.00 per week
Siblings	£13.00 per day or £60.00 per week	£14.00 per day or £65.00 per week
Child assessed 'in need'	Free provision made where this is specified as part of child's care package or a referral by a professional.	Free provision made where this is specified as part of child's care package or a referral by a professional
Hire of the Greentop Centre	£12.50 per hour for partners agencies or in-house departments	£13.50 per hour for partners agencies or in-house departments (In line with Youth & Connexion charges)
	£25.00 per hour for private use.	£27.00 per hour for private use (In line with Youth & Connexion charges)
Hire of Youth Centre Premises	£27.00 per hour for private, commercial and occasional use	£27.00 per hour for private, commercial and occasional use
	£20.30 per hour for partner agencies or youth work providers	£20.30 per hour for partner agencies or youth work providers
	£13.50 per hour for voluntary sector providers	£13.50 per hour for voluntary sector providers

Table 5 Music Service Charges

	Charges 2010-11	Proposed Charges 2011/12
Instrumental Lessons	£36.00 per hour (from April 2010)	£37.00 per hour (from April 2011)
Attendance at Music Centres	£95 per term (from Sept 2010)	£99 per term (from Sept 2011)
Hire of instrument	£80 per year (from Sept 2010)	£85 per year (from Sept 2011)

Table 6 Multi agency training programmes

	Duration of course	Charge 2011/12	Group
1	Half day courses	£20 per participant	Participants based in Barnet
2	Full day courses	£35 per participant	Participants based in Barnet
3	Half day courses	£35 per participant	Participants from other local authority areas
4	Full day courses	£50 per participant	Participants from other local authority areas
5	Cancellations for training made within less than 5 full working days of the training date will be chargeable at the full rate.		
6	Non-attendance at courses will be charged at £50 per participant.		

APPENDIX 2

7a) SCALE OF FOSTER PLACEMENT ALLOWANCES AND OTHER PAYMENTS WITH EFFECT FROM 1st APRIL 2011

1. STANDARD ALLOWANCE

Foster Placements Allowances 2011/12: The maintenance allowance payable as from 1st April 2011 have been increased by 2%, however, the fees have remained the same as 2010/11. In all cases payments will be calculated to include the day on which the child is placed as well as the day the child leaves the placement.

Maintenance Element: These figures represent the direct costs of looking after a child plus the additional costs of looking after a child who may have special needs, for example, additional laundry, food, travel, activities and household decoration.

Fee Element: The fee element of the foster care allowance reflects a clear model of competence based career progression for foster carers. There are 3 levels of carer:

- Level 1 – newly approved;
- Level 2– achieved by evidencing competencies in caring for children and young people; and
- Level 3 – replacing the current specialist scheme.

Rates will remain above the minimum level recommended by the fostering network in order that the Barnet Service remains competitive.

NB fostering allowances received must be declared for taxation purposes. Carers will be provided with a financial breakdown to assist with this.

	Age 0–11 Fee	Age 0 – 11 Maintenance	Total	Age 12+ Fee	Age 12+ Maintenance	Total
Kinship	-	185	185	-	244	244
Level 1 Carers	181	185	366	181	244	425
Level 2 Carers	211	185	396	211	244	455
Level 3 Carers	289	185	474	289	244	525
Specialist Scheme	355	185	540	355	244	599

Personal Allowances for Children & Young People

Age	Clothing		Pocket Money	
	2010/11	2011/12	2010/11	2011/12
0 to 7 years	16.60	16.60	2.22	2.22
8 years	17.70	17.70	2.42	2.42
9 years	17.70	17.70	3.23	3.23
10 years	17.70	17.70	3.85	3.85
11 years	19.70	19.70	4.45	4.45
12 years	19.70	19.70	4.95	4.95
13 years	19.70	19.70	6.00	6.00
14 years	19.70	19.70	7.10	7.10
15 years	19.70	19.70	8.80	8.80
16 years	23.23	23.23	12.10	12.10
17 years	23.23	23.23	15.50	15.50
18 years				

Birthday & Festival		
Age	2010/11	2011/12
0 to 7 years	£121.70 (66.00 on gifts)	£121.70 (66.00 on gifts)
8 years	£121.70 (66.00 on gifts)	£121.70 (66.00 on gifts)
9 years	£121.70 (66.00 on gifts)	£121.70 (66.00 on gifts)
10 years	£121.7 (66.00 on gifts)	£121.7 (66.00 on gifts)
11 years	£121.70 (66.00 on gifts)	£121.70 (66.00 on gifts)
12 years	£176.75 (98.00 on gifts)	£176.75 (98.00 on gifts)
13 years	£176.75 (98.00 on gifts)	£176.75 (98.00 on gifts)
14 years	£176.75 (98.00 on gifts)	£176.75 (98.00 on gifts)
15 years	£176.75 (98.00 on gifts)	£176.75 (98.00 on gifts)
16 years	£176.75 (98.00 on gifts)	£176.75 (98.00 on gifts)
17 years	£176.75 (98.00 on gifts)	£176.75 (98.00 on gifts)
18 years	£211.00 (109.00 on gifts)	£211.00 (109.00 on gifts)

2. ADDITIONAL ALLOWANCES

Travel Costs: It is expected that the usual travel costs of a child / young person will be met out of the standard allowance. However, if travel costs of more than £17.35 per week are incurred or mileage of more than 50 miles per week is done for school journeys, hospital/ clinic visits, contact etc. a claim can be made for additional travel costs at a rate of 31p per mile.

NB: Requests for such costs as contact, travel to a new placement for introductions etc should be made to the child's social worker, as s/he makes the arrangements and can verify the expenditure.

Holiday: A holiday allowance of 2 x the weekly maintenance rate is payable.

School Journeys & Other Educational Visits: (includes journeys and camps arranged by youth organisations) Such costs are included in the maintenance element of the fee, however, where such journeys are for more than one day, an additional allowance of up to £215 can be paid at the discretion of the Service Manager, Provider Services.

Retaining Fee: Where a carer is actively preparing for the placement of a child (attending planning meetings, having introductions etc) a retaining fee of half the fee element of the allowance may be paid with the agreement of the ADM.

Disturbance Fee: If a carer is contacted out of hours and agrees to take a placement whether or not the child is placed, the carer will receive a payment of £32.10.

Child Temporarily Out of Placement: Where a child is away from the placement on a temporary basis, for example for respite care, the carer will receive only the fee element of the payment, for a period not exceeding four weeks. The carer is entitled to 14 days holiday per year. During this period they will continue to receive both the maintenance and fee elements of the allowance. For a longer period, the fee element only will be paid.

Respite Care: If child care is required either to meet the needs of the child or the needs of the service (for example, carers attending training, a support group or a working group), the Fostering Service will pay the costs at a rate of £5.85 per hour for a period of up to 6 hours or will help arrange and fund respite with another carer. If child care is required for the needs of the carer then the carer will fund this from the allowance. Where carers are providing a week block or more respite, they will be paid at the standard weekly rate. For daily respite, they are paid at 1/7th of the normal rate per day or half of that amount for a period of less than 5 hours.

Skin and Hair Care: Carers looking after black African, Caribbean and Asian children will receive an additional payment of £6.95 per week.

Initial Clothing Allowance: To ensure that all children have a reasonable standard of clothing on admission to placement, an initial clothing allowance may be paid up to a limit of £339, at the discretion of the Service Manager.

Clothing allowance: School Clothes or Starting Work: On first starting school a payment of £108.00 will be made. Yearly payments of £88.85 are made thereafter other than the year the child starts secondary school, when a payment of up to £293 will be made. When the child leaves school, a payment of up to £237.00 may be made to assist with clothing for college, interviews, work etc.

Training: Completion of the NVQ Level 3 in Caring for Children & Young People has now been incorporated within the progression structure for foster carers. Carers will receive a one off payment of £200 for completing the NVQ. They will also receive a year end bonus payment of £100 if they complete the minimum training expected for their level over the year.

Care Leavers: Where a young person remains in placement beyond their 18th birthday, the carer no longer qualifies for a fostering allowance. In exceptional circumstances Supported Lodgings payments will be made by the Leaving Care team at a rate of £126.50 per week.

Basic Equipment: Equipment for short term placements will be purchased by Fostering Service and loaned to the carer. A settling in fee of up to £865 is payable when a child is placed in a long-term placement, this includes placement for adoption, permanence or in a long term kinship placement.

Young People in Employment: Where a young person in foster placement is earning a wage, they will be expected to make a contribution of up to 1/3rd of their net income towards their upkeep. They will also be expected to provide their own clothing and pocket money, and these amounts will be deducted from their fostering allowance.

Foster carers will continue to receive the full fee element of the allowance.

7b) SCALE OF CARE LEAVERS' ALLOWANCES AND OTHER PAYMENTS WITH EFFECT FROM 1st APRIL 2011

Care leavers will be given a copy of this Appendix. All young people are expected to have a bank account. Regular payments will be paid into their account on a weekly basis other than where it is agreed otherwise.

Young People Aged Under 18 Years (Eligible and Relevant Young People) in Semi Independent or Independent Accommodation

Subsistence Payments: Care Leavers under the age of 18 years are not eligible to claim benefits (unless they are lone parents or are entitled to Disability Living Allowance and/or Employment and Support Allowance). They will receive a weekly subsistence payment equivalent to Job Seekers Allowance of £53.45.

Accommodation costs: Care Leavers under the age of 18 years cannot claim housing benefit. The Leaving Care Team will therefore meet all accommodation costs other than where a contribution is required as part of a Preparation for Independence Plan.

Education costs: Young people are encouraged to remain in education. For young people attending a full-time course travel is free up to the age of 19 with a 16+ Oyster Card, within the Transport for London (TfL) area. Otherwise they will be paid the real cost of travel from their placement/home to their school or college. They will also receive £11.25 per week towards educational expenses such as photocopying, computer disks, books etc. Depending on their course of study a payment of up to £106.65 may be made towards starting up equipment costs, at the discretion of the Service Manager.

Personal Allowances for Care Leavers: Young people are entitled to birthday and festival payments up to age 18 years. For their 17th birthday £175 is available, at least £97.00 of which must be spent on gifts, usually bought alongside the young person; the remainder may be spent on a celebration. The same amount is available for Christmas or main annual religious festival. For their 18th birthday £209 is available, at least £108.00 of which must be spent on gifts, the remainder may be spent on a celebration. In every case, if there is no celebration the full amount will be spent on gifts.

Young people are also entitled to a clothing allowance of £168 twice a year, once in summer and once in winter. All spending in this category will be at the discretion of the allocated worker and agreed with the Service Manager.

Setting Up Home Allowance (may be paid before or after 18th birthday): When young people move into their own accommodation they are entitled to a setting up home allowance (SUHA) of £2,000. This will be paid through consultation with their allocated worker, usually in instalments.

Childcare Costs: Young parents who are in education can apply for child care and related travel costs of up to £175 per week through CareToLearn. They are eligible for these payments as long as they start their course before they are 20 years. In exceptional circumstances the Leaving Care Team may supplement this payment at the discretion of the Service Manager. The leaving care team may also pay occasional 'babysitting' costs at a rate of £5.85 per hour for a maximum period of 6 hours.

Young People Aged Over 18 Years (Former Relevant Young People)

Benefits: When a young person turns 18 years they become eligible for benefits and therefore all subsistence payments and payments for accommodation will cease other than in the circumstances described below. Leaving Care workers will assist young people in claiming JSA, Housing Benefit (HB) and Council Tax Benefit (CTB). A leeway period of up to 4 weeks may be given for the claim to be paid, depending on the circumstances causing delay, during which the Leaving Care Service will pay subsistence. Any payment by the LCS made after four weeks will be at the discretion of the Leaving Care Head of Service and will be paid in the form of an interest-free loan.

SUHA and Childcare See sections above.

Young People in Further Education: Young people aged 18 – 20 years in full time further education are entitled to claim income support (IS) rather than JSA as long as the initial claim for IS is made before they are 19 years old and they progress through qualification levels without any breaks. They will be entitled to Housing Benefit (HB) and also Council Tax Benefit (CTB) (with proof of attendance from their FE provider) if their course is for 21 hours of study per week; the Leaving Care Service will meet this cost if study hours are less. They will need an 18+ student Oyster card and will receive 70% of their travel costs if travelling in the TfL area; study outside this area will be paid at full cost of travel. They will continue to receive the education allowance of £11.25.

All young people in full time education who are in their own tenancy are exempt from paying council tax and will need evidence from their school/college.

Young People in Higher Education (HE): Young people who are in higher education will make an application for a student loan and a maintenance grant to cover all term-time expenses. Top-up payments will be arranged in the unlikely event that there is a shortfall between the amount that is received from Student Finance England and the amount that might otherwise be paid by the Leaving Care Team as calculated below:

(Weekly Rent + (JSA) + £32.30 (HE) Allowance) less:

Total weekly loan/grant figure (Tuition Fees+Maintenance Grant+Loan)

The £32.30 represents 'educational costs', for example, books, photocopying costs etc. The top up will be paid into their bank account at a frequency agreed with the young person. In addition the Team provides reasonable additional travel costs during term and vacation accommodation and subsistence costs up to £159 per week. Term dates will vary between HE institutions and will be confirmed with individual institutions. If a young person chooses to work during the time they are in education their earnings will not be deducted from the allowances detailed above.

Bursary: All students in HE are entitled to a one-off payment of a £2,000 bursary which will usually be paid in instalments. The first payment of £500 will be made by the end of the first term; all the money must be paid by the end of the financial year immediately preceding the end of the course.

Exceptional Needs' Payments: After the age of 18yrs, young people may apply for up to a total of £275 exceptional needs payments. This may be a request for one lump sum or a number of requests for smaller payments over the course of several years. Examples of payments that might be made include clothing for a specific event (job interview, funeral, etc) and driving lessons in order to get work.

Unaccompanied Asylum Seeking Young People: If a young person turns 18 and has an initial positive decision from the Home Office (indefinite leave to remain), they are entitled to benefits and must claim them, as with any other young person who turns 18.

If a young person has discretionary leave to remain they will be supported, as required, to make a claim to extend their leave to remain. This claim must be made before they turn 18 years. Their legal status will be extended for the period of the assessment of their claim and therefore they are eligible for benefits, as above.

A young person may be supported in making a fresh claim if their circumstances change, for example, if there are changes in their country of origin or if they develop a health condition.

If a young person is awaiting the first decision on their claim when they turn 18 years the local authority has a duty to support them. This represents a change from the previous arrangement whereby they used to make a claim to NASS for support (Ct of Appeal judgement – Barking and Dagenham).

If the young person has exhausted all applications and has been refused leave to remain then the Leaving Care Team will provide them with financial assistance until they receive their deportation letter or until the age of 21, whichever is the sooner. This will comprise subsistence and accommodation costs up to an amount of £159 per week. It may be appropriate for the young person's leaving care worker to support them to make a claim to NASS for 'Section 4' support post 21 years.

It is recognised that a number of claims will need to be considered on an individual basis, for example, if a young person has a claim for indefinite leave to remain running concurrently with a claim for asylum, and support may differ from that described above depending on legal advice.

Young People in Need of Continuing Care: Where a young person remains in their foster placement beyond their 18th birthday the carer no longer qualifies for a fostering allowance. In exceptional circumstances (for example, if they are part way through an A' Level Course) Supported Lodgings Payments will be paid to their carer by the Leaving Care Team at a rate of £126.50 per week

If a young person has been assessed as needing support from Adult Services, a transition plan will have been made which will include arrangements for accommodation. They will continue to be eligible for travel and education allowances and entitled to their Setting Up Home Allowance.