Introduction
We believe that young people shouldn’t leave care until they are ready to do so and any new arrangements for 16 and 17 year olds should reinforce this fundamental policy objective.

and overview

1.1 Most young people are looked after until they are willing and ready to leave home. Most ordinary families continue to support their children until at least 18. The average age for leaving home for young people in the population as a whole is 22. Yet every year 4,900 young people leave the care of local authorities when they are 16 and 17. An increasing proportion of these leave at 16.

1.2 Many of these young care leavers receive very little support from their “parent”, the local authority. Many struggle to cope with independence at such a young age. As many as 75% of young people leaving care have no educational qualifications. Up to 50% of young people leaving care are unemployed and up to 20% experience some form of homelessness within two years of leaving care.

1.3 We believe that young people shouldn’t leave care until they are ready to do so and any new arrangements for 16 and 17 year olds should reinforce this fundamental policy objective. Leaving care should not mean the withdrawal of personal support. In modernising social services the Government is determined to build on current good practice and secure better futures for young people leaving care.

1. Garrett L. Leaving Care and After, NCB 1992
2. Broad B. Young People Leaving Care: Life after the Children Act 1989, Jessica Kingsley 1998
Quality Protects: transforming services for children

1.4 Some young people leaving care have been let down badly. They have been expected to cope with independence too early and with too little support. The Government has launched a major new programme to transform services for looked after or vulnerable children - Quality Protects - and in the Response to the Children’s Safeguards Review the Government made a commitment to develop new arrangements for 16 and 17 year olds who are in care or care leavers.

1.5 The aim of the new arrangements, together with the Quality Protects objectives (para. 4.4), is to improve the life chances of young people in care and care leavers and to do all that is possible to ensure their social inclusion and active engagement in society. This means:

- young people being looked after until they are willing and ready to leave care, which will mean more young people remaining in care until 18
- improved arrangements for those young people leaving care
- increased involvement of care leavers in education, training and employment
- local authorities maintaining greater contact with formerly looked after children
- ensuring that young people live in accommodation suited to their needs, thereby reducing the risk of homelessness and rough sleeping.
1.6 Through the new arrangements we want to:

- prepare young people better for leaving care at 18, or earlier if appropriate
- make sure that when they leave care at 18, or in exceptional cases earlier, they get the support they need to fall back on
- make sure that services are provided in the way that is best for the young person.

Proposal

1.7 This consultation paper sets out how, through a central and local government partnership, we propose to achieve better futures for young people leaving care. It describes in detail our proposal for new arrangements for 16 and 17 year olds who are in care or care leavers and separate arrangements for 18-21 year olds. What we are proposing is radical. It needs to be. The key elements of the proposal are:

- local authorities to have a duty to assess and meet the needs of all eligible 16 and 17 year olds who are in care or care leavers. Wherever the young person lives the duty will rest with the local authority that looked after them
- every young person in care on their sixteenth birthday to have a comprehensive pathway plan mapping out a clear pathway to independence
- new resources for social services support and assistance for 16 and 17 year olds who are in care or who have left care
- local authorities to provide all eligible 16 and 17 year olds who are in care or care leavers with personal and financial support to meet their needs as identified in their pathway plans. Health and educational needs to be met by the relevant services
• young people who are 16 and 17 and have been looked after for more than 3 months (continuously or in aggregate) to be eligible

• young people not to be able to opt out of the new arrangements and claim social security benefits. Emergency assistance to be available to prevent those who go missing becoming destitute

• each young person to have a **Young Persons Adviser** who will co-ordinate provision of support and assistance to meet the needs of the young person as identified in their pathway plan. Particular emphasis will be placed on helping the young person into education, training, or employment

• separate but linked arrangements for provision of support and assistance to 18-21 year olds.

1.8 These new arrangements will provide better opportunities for young people living in and leaving care. We want young people, and those who work with them, to make the most of these opportunities. We will expect young people to work with the Adviser they have helped to choose; to stay in contact; and to work to make a success of their pathway plans.

1.9 We have a special responsibility to young people who are in care or who have left care. As their corporate parent we owe them a special duty. In considering the proposed new arrangements we must always think “would this be good enough for my child?” We believe that this group’s distinct needs can best be met through the special arrangements we propose here. But we mustn’t forget that these young people belong to other wider groups as well; for example some of these young people will be students or teenage parents. The new arrangements must be effectively linked to other initiatives the Government is undertaking to help young people more generally. The consultation paper sets out how they are linked.
1.10 Young people in care or leaving care form part of a wider group of potentially disadvantaged and excluded young people, for the rest of whom the local authority is not their corporate parent. The Social Exclusion Unit is working on a report on 16-18 year olds not in education, employment or training which will make proposals on overcoming the obstacles to learning and employment among this wider group. Local authorities will continue to help children in need, particularly disabled young people living in hospitals or schools who are not in care but who have little contact with their families, through current arrangements.

1.11 This consultation paper marks the beginning of the debate. It sets out radical proposals for giving young people in care and care leavers a better future. Many of this group have been let down badly for too long. Working in partnership and listening to young people themselves we can make a change for the better. We are grateful for the significant contribution young people, voluntary organisations and experts in the field have made to developing the proposals set out in this consultation paper. We would welcome your views.
The problem:
There has been an increasing trend to discharge young people from care early. This trend is alarming.

What happens now

Leaving care too early

2.1 Every year about 5,000 young people aged 16 and 17 leave the care of local authorities. There has been an increasing trend to discharge young people from care early. The proportion of care leavers aged 16 to 18 who leave at the age of 16 increased from 33% (3,000) in 1993 to 46% (3,600) in 1998. This trend is alarming. The majority of ordinary families continue to provide support to their children until they reach at least 18; the average age at which young people in the population as a whole leave home is estimated to be 22.

[Graph showing the average number of children ceasing to be looked after, by week of age after 15th birthday, 1992/93 to 1996/97]
2.2 The reason for this trend is not clear but one factor is thought to be cost saving by local authorities, as after discharge young people move on to the benefits budget and placements are freed up for other looked after children. Another factor is that poor experiences of care can lead young people to “vote with their feet” and leave care as early as possible. There may also be a small number of troubled young people who, owing to their experiences prior to being looked after, and, sometimes, their experiences in care, may turn out to be unmanageable in care.

Lack of support

2.3 Even with support when leaving care, many of these young care leavers would struggle to cope with independence at such a young age. In some areas excellent specialist leaving care schemes exist but in many areas they do not. Too many young care leavers have very little support.

2.4 Whilst some young people leaving care receive financial support from their local authority, some do not. The majority of young people leaving care become dependent on benefits, including housing benefit and income support or they may be eligible to claim jobseeker’s allowance for periods of time.

Accommodation

2.5 Young people leaving care move into a variety of accommodation. They often have specific needs for support to help them to make the transition to living independently and to manage practical issues such as rent payment. Whilst some of the accommodation they move into is suitable and good quality e.g. supported lodgings, some is not e.g. B&B accommodation or flats in red light districts or areas where drug use is prevalent.
Outcomes

2.6 The life chances of care leavers are unacceptably restricted. Whilst many care leavers go on to have successful lives their chances of doing so are far worse than other young people. This may in part be due to the experiences that led to their entry into care. It is estimated that:

- Up to 50% of young people leaving care are unemployed
- Up to 20% of young people experience some form of homelessness within two years of leaving care
- As many as 75% of care leavers leave care with no educational qualifications, compared with 6% for all school leavers.
The proposal for
We are determined to secure a better future for care leavers through ensuring that, as far as possible, they have the same opportunities and aspirations as other children.

OBJECTIVES

3.1 Most parents would find these outcomes unacceptable for their children. They are equally unacceptable for children and young people in care. We are determined to secure a better future for care leavers through ensuring that, as far as possible, they have the same opportunities and aspirations as other children.

3.2 The Government announced in its response to the Children’s Safeguards Review that it would develop new arrangements for 16 and 17 year olds who are in care or have left care. This consultation paper sets out proposals for these new arrangements. The objectives of the new arrangements are:

• to make sure that local authorities look after young people until they are demonstrably willing and ready to leave care, with many more young people remaining in care until 18
• to provide better preparation and planning for leaving care at 18, or in exceptional cases earlier, and to involve the young people fully in this process
• to make sure that leaving care at 18, or in exceptional cases earlier, does not mean a withdrawal of personal support and that where appropriate there are staged moves to independence with the ability to fall back on more supportive arrangements should this prove necessary
to sort out the arrangements for the financial support of young people to make sure that services are provided in the way that is best for the young person, and that there are no financial incentives to encourage local authorities to discharge young people prematurely.

We hope that by commenting on the proposals you can help us to ensure that the new arrangements achieve these aims.

**DUTY TO ASSESS AND MEET NEEDS**

3.3 Currently, the Children Act of 1989 gives local authorities where the care leaver lives the following duties and powers in relation to care leavers:

- **16-18 years old**
  - duty to advise
  - duty to befriend
  - power to assist

- **18-21 years old**
  - duty to advise
  - duty to befriend
  - power to assist

- **21+ years old**
  - power to assist with education/training if course commenced before the age of 21

**Legislation**

3.4 We believe local authorities’ responsibilities for care should correspond more closely with those of parents. This means:

- making it a **duty** for the local authority to **assess and meet the needs** of care leavers up to the age of 18

- making the local authority that looked after the young person retain their responsibility for continuing support whenever the young person is living

- giving the local authority the power to assist with education and training up to the age of 24 regardless of what age the course was started at.
We intend to legislate as soon as Parliamentary time allows to achieve these changes. These legislative changes will apply to England and Wales.

3.5 This new duty, to “assess and meet needs”, will provide the legal basis for the new arrangements. The new arrangements we propose in this consultation paper will provide the mechanism for assessing and meeting the needs both of those 16 and 17 year olds who remain in care and those who leave care.

PATHWAY PLANS

3.6 It is important that young people are helped to prepare and plan for their future to enable them to achieve their aspirations. We propose that all young people in care should have a pathway plan by their sixteenth birthday. This plan would map out a clear pathway to independence, set out the support and assistance the young person would receive and who would deliver each component, with approximate dates. We would expect that in most cases there would be a reduction in support over the life of the plan as the young person moves to independence, but we recognise that this will not apply in all cases. The plans would cover the period from 16 until independence is achieved and look beyond 18. Plans would apply both to those who remain in care up to 18 and those who leave care before 18. These plans will not be about planning to move young people out of care but about enabling young people to plan for their futures and helping them to achieve their potential. In partnership with local authorities we intend to reverse the trend of young people leaving care increasingly early. We expect that there will be an increasing number of young people whose plan includes remaining in care until 18.

3.7 It is estimated that between 20% and 25% of children have some disability. We recognise that in a minority of cases these young people may not be able to achieve total independence. Their pathway plans should cover the transition to adult services.
3.8 Pathway plans will build on current good practice that exists in planning for young people’s future. Local authorities currently have a duty to prepare a care plan for each child they are looking after and are required to have regard to whether arrangements need to be made for the time when the child will no longer be looked after. Some local authorities already work with other agencies in planning for the young person’s future and the pathway plans will build on and spread this good practice.

**When the plans are completed**

3.9 It is important that young people have certainty about their future. We would expect that most plans would be completed by the young person’s sixteenth birthday. In completing the plans the local authority will need to be sensitive to other events in the young person’s life; planning should be seen as a process rather than an event. It would not be sensible, for example, to discuss the plan in detail with a young person in the lead-up to their GCSE exams. However, it is most important that the local authority should always have a completed pathway plan before any young person over 16 leaves care.

**The content of the pathway plan**

3.10 Young people have very differing needs. Each pathway plan will vary according to the young person’s needs. We would anticipate that in most plans the following areas at least would be covered:

- personal support e.g. advice, befriending, mentoring
- accommodation
- education and training
- employment
- health care
- life skills
- financial support.
Drawing up the plans

3.11 To ensure that pathway plans accurately reflect a young person’s needs it is important that all interested people are involved in the planning. We propose that the plan would be drawn up by the young person’s social worker on the basis of a thorough multi-agency assessment of need. We would expect a wide range of people to be involved including:

- the young person,
- foster carers or residential carers,
- the housing department and other housing providers,
- the local Learning Partnership, including education and careers services,
- voluntary organisations, and
- health professionals.

We would expect the young person’s immediate and extended family to be involved where this was appropriate.

For young people with special educational needs the pathway plan would have to be consistent with their special educational needs transition plan.

Independent Review Panel

3.12 In planning their future young people and their parents do not always agree. The same is true of young people in care and their social workers. When a young person and their social worker could not agree a pathway plan we would expect that informal negotiation would be tried by the local authority. However, when informal negotiations fail we propose that there should be an Independent Review Panel to which the young person and their social worker could appeal. This panel might include a person with social work experience, a lay person, and a person with care experience.
Review of Pathway Plans

3.13 Young people experience a great deal of change in circumstances and ambitions between the ages of 16 and 18. Their pathway plans should be flexible enough to reflect this. We propose that the plans should be reviewed regularly, at a minimum of six monthly intervals or more regularly when there was a need. The reviews of the pathway plans would be completed by the Young Person’s Adviser (whose role is outlined in 3.40) and involve the young person and other interested people.

The Government would welcome your views on:

1. How best to ensure that pathway plans are completed at the most appropriate time

2. Who should be involved in drawing up the plans and how best their views can be co-ordinated

3. Whether there should be an Independent Review Panel and who should be on this Panel

4. How often pathway plans should be reviewed.

FINANCIAL SUPPORT

3.14 Young people are leaving care at an increasingly young age. This trend to discharge young people from care early is thought in part to be a cost saving measure by local authorities as, after discharge, some young people move to the benefits budget. The proposed new arrangements will remove the financial incentives for local authorities to discharge these young people prematurely. Young people leaving care are currently dependent on a mixture of local authority and social security assistance. Young people can all too easily fall into gaps between the social services and benefits systems. The proposed new arrangements will end this.
Support and Assistance

3.15 We propose that support and assistance for young people aged 16 and 17 who remain in care or who leave care will be provided through two sources:

- local authority provision of the kind of personal and financial support a responsible parent would provide. This would include where appropriate:
  - accommodation
  - food and domestic bills
  - pocket money
  - someone to talk to, provide advice, support and practical assistance, and check on progress
  - help with transport and some of the other costs associated with education, training and finding work.
- health, education and other mainstream services provided from mainstream budgets, in the same way they are provided for other young people. This would include where appropriate:
  - mental health services
  - general health services including a GP
  - specialist health services e.g. drugs or alcohol rehabilitation
  - education, training and employment services, including careers advice, assistance in finding work and assistance with special educational needs.

Meeting Needs

3.16 Local authorities would be responsible for meeting the needs of the 16 and 17 year olds who were in care or care leavers. The needs of the young people would be identified by their pathway
plans. We would expect that the type and level of support a young person received would vary according to their circumstances and growing independence. This would reflect how the support responsible parents provide to their 16 and 17 year olds varies with the young person’s circumstances and near adult status. This might include for example:

- a young person continuing to live with their foster parents and attending school. The local authority would pay for the foster placement; maintain the young person; and provide any other appropriate personal support and advice;

- a young person who was unemployed and living in independent accommodation in another area. The care authority would provide financial support for accommodation and living costs and offer advice and assistance to enable the young person to enter education, training or work. It would do this either directly or through the local authority where the young person was living;

- a young person who is employed and living in independent accommodation. The local authority’s role would be to contact them regularly, offer advice and personal support if requested by the young person and, if necessary, contribute to the costs of their accommodation.

**How support is provided**

3.17 Young people should receive support in a co-ordinated way. We propose that the Young Persons Adviser (see para 3.39) would be responsible for co-ordinating the provision of support to the young person. Support could be provided directly (giving the young person money) or in kind (paying for services for the young person) depending on the young person’s situation. We would expect that in many cases young people would assume more responsibility for their own budgets as they approached 18.

**Accommodation**

3.18 Young people need suitable accommodation. There will be a wide variety of places where these young people will live. This could include foster homes, residential homes, accommodation with associated support and training opportunities e.g. foyers, supported lodgings, house shares with other care leavers and
non-care leavers, and their own flats. Different settings have very varying costs. For example, foster care is estimated to cost approximately £200 per week on average whilst residential care is estimated to cost approximately £1,400 per week.

3.19 Decisions about placements should not be driven by financial considerations. Local authorities will be expected to make available a range of suitable accommodation to meet the needs of this group of young people. Suitable accommodation would not include flats in red-light districts or dangerous and isolated areas or B&B. As stated in the Social Exclusion Report on Teenage Pregnancy, the Government believes that under 18 year old lone parents are best supported in semi-independent accommodation, rather than isolating them in lone tenancies. This will be true for care leavers who are lone parents. We will rigorously check provision of suitable accommodation along with other aspects of the provision of care and aftercare services through inspections by the Social Services Inspectorate and the Audit Commission. The National Standards to be used by the Commission for Care Standards for inspection of children’s homes will be used to promote better standards in children’s homes.

Resources

3.20 Currently 16 and 17 year olds in care are supported by their local authority social services (special groups receive benefits, see para 3.29) and those who have left care receive support from a mixture of local authority after care support services and benefits. We propose that this spending should be drawn together and used by local authorities to provide support and assistance to 16 and 17 year olds who are in care or care leavers. This would include resources from the following existing spending:

- Housing Benefit
- Income Support
- Jobseeker’s Allowance
- Local Authorities’ current spending on 16 and 17 year olds in care
- Local Authorities’ current spending on after care services for 16 and 17 year olds
3.21 It would not include resources from Training Allowances, which are part paid by employers, and Educational Maintenance Allowances, which are currently being piloted. However, where a young person was receiving these allowances we would expect their Adviser to take them into account in providing the services to meet their needs.

3.22 Currently not enough is spent on care leavers. Many care leavers live in unsuitable accommodation struggling to get by. Adding the money currently spent together will not produce the better outcomes we are looking for. We propose to include a part of the new funding from the Children’s Social Services Special Grant in the resources used to deliver the new arrangements. This grant was set up to help local authorities to implement the Quality Protects programme and in particular to improve the life chances of looked after children. The special grant is targeted at 6 priority areas, one of which is, “increasing the support provided for care leavers, including taking steps to prevent inappropriate discharge of young people at 16 and 17”. We believe that this target can best be supported through the proposed new arrangements.

3.23 It is essential that these resources are devoted to meeting the needs of 16 and 17 year olds who are in care or care leavers. We do not want to see resources diverted to meet other local authority priorities. We propose that all the funding and financial support for these young people should generally be provided by the local authority and care leavers must not be left worse off than they are currently, through the benefits system. We propose to create a statutory duty for local authorities to meet the needs of 16 and 17 year old care leavers as well as those who are in care (see para 3.4). However, this duty may not be sufficient to ensure that a suitable level of resources is devoted to this group of vulnerable young people, particularly in local authorities who currently provide very poor leaving care services. There are three options for funding the new arrangements. These options are set out in detail below. The Government’s preferred option is option one.
3.24 Option one would be to create a new ring-fenced budget for meeting the needs of 16 and 17 year olds who are in care or care leavers. This budget would include all the money currently spent on these young people, including by local authorities and the benefits system, and new funding from the children’s Social Services Special Grant. This ring-fenced budget would be allocated by the Department of Health to local authorities, possibly on the basis of the number of 16 and 17 year olds who were in care or who had left care. Variations in costs would need to be allowed for. A ring-fenced budget would ensure that the resources intended for this group of young people are used for this group. After a few years, when the services have been established, we would not expect to need to ring-fence these budgets to ensure that local authorities give these young people the help they need.

3.25 Option two would be to ring-fence only the new funds to be made available to local government (benefits and Children Social Services Special Grant) and require them to be spent on additional services. This requirement, which would be subject to audit, should protect the existing level of services. However, it is less clear cut than a totally ring-fenced budget and there may be a risk that in some authorities spending on services for these young people would decline.

3.26 Option three would be to not ring-fence the resources to be spent on 16 and 17 year olds who are in care or care leavers. Local authorities would then determine for themselves how much to spend on these young people to meet their needs. However, that would mean that local authorities could spend the new funds on other local priorities. We would have to rely on inspection to ensure that a suitable level of resources is devoted to this group of vulnerable young people. As part of the Quality Protects programme we will be setting a number of performance indicators for these services which all local authorities will be measured against. However, in the short-term whilst services are being set up and performance indicators developed this may not offer enough protection to prevent these vulnerable young people being worse off than they are now, particularly in local authorities who currently provide very poor leaving care services.
Eligibility to benefits

3.27 We propose that rather than being dependent on a confusing mixture of local social services support and benefits 16 and 17 year olds who are in care or care leavers should be provided with support by social services. We believe that this simplified system will better ensure that young people get the help they need. As the benefit resources will have been transferred to social services these 16 and 17 year olds with the exception of special groups (see para 3.29) would not be able to claim benefits, including homelessness assistance as their Adviser will ensure they have suitable accommodation. We also believe that maintaining these young people’s eligibility to claim general benefits would present three key problems:

• local authorities would still have an incentive to discharge young people prematurely to move them onto the benefits budget and free up placements

• young people might be tempted to drop out of the new system and claim benefits rather than remain in the new system and face the requirement to agree and follow pathway plans. We think that this would be against the young person’s long term interests.

• some young people might be tempted to claim support from both social services and benefits

3.28 We believe that young people should be encouraged to remain in education or undertake training. We propose that these young people would continue to be eligible for other payments related to education and training, such as Training Allowances and means-tested payments by local education authorities and colleges e.g. access funds and Educational Maintenance Allowances.

Special Groups

3.29 It is estimated that up to 25% of young people in care at any one time have some disability and that 25%-30% of young women leaving care are teenage parents. These groups of young people have special needs which are recognised under the current benefit system. It is important to meet these young
people's special needs under the new arrangements. It is equally important, as far as possible, to treat them in the same way as other young people.

3.30 Teenage parents and certain disabled young people who remain part of their parents' family are eligible to claim income support, regardless of their parents' income. Similarly teenage parents and certain disabled young people who are in care are eligible for income support. We wish to ensure that young people in care or leaving care are treated in the same way as other young people in these circumstances.

3.31 We propose, therefore, that under the new arrangements 16 and 17 year old lone parents and certain disabled young people who are in care or care leavers will remain eligible for income support. At the same time, the local authority will retain a parental role in assessing and meeting the needs of the young person. These young people will have pathway plans and Young Person's Advisers in the same way as other 16 and 17 year olds in care and care leavers. The Young Person's Advisers will take into account the support they are receiving from benefits when they provide and co-ordinate services to meet their needs.

Disagreement on the support to be provided

3.32 Support provided to the young person would be directed at meeting their needs as identified in their pathway plans. We recognise that because of the experiences which led to them entering care, and, sometimes, their experiences in care, some young people may be very troubled and unable to agree a pathway plan even after independent review.

3.33 It is these young people who are particularly at risk of becoming socially excluded. It is crucial that social services support these young people and assist them towards agreeing a pathway plan and enter education, training or employment. This support should reflect what responsible parents would do for their children, supporting them, listening to their problems, and constantly encouraging them.
3.34 Many parents encourage their children by rewarding their achievements—such as getting a place on a training or education course, or getting a job—through increased pocket money or presents. We would expect that the local authority might choose to provide similar incentives through providing higher levels of support to those young people who agree pathway plans and are in education or training or find a job.

Emergency Assistance

3.35 Young people leaving care are highly mobile. Some young people may choose, without notice, to leave the support provided by their care authority under the new arrangements. They may choose to move to a different area. Under the new arrangements the high level of skills we will expect from Young Persons Advisers (see para 3.43) should enable them to create constructive relationships with the young people so fewer young people feel the need to leave without notice.

3.36 Following legislation the care authority will be responsible for meeting the young person’s needs wherever they live. Under the proposed new arrangements the young person would receive support in their new area, whether this was another part of the same local authority or in a different local authority. If the young person moved to a different local authority funding would be transferred by the care authority to the local authority where the young person was living so they could provide the services. In practice it would take time for new arrangements for support to be made in the young person’s new area and, if necessary, for the funding to be transferred. In the meantime, the young person would be without means of support and would risk becoming destitute.

3.37 To prevent the young person becoming destitute we propose that they have access to emergency support. This emergency support would be paid for a limited period of time whilst new support arrangements are made by social services.
Set up and administration costs

3.38 The proposed new arrangements must be simple to administer and build on current good practice. We believe that preparing and reviewing aftercare plans, co-ordinating services for those in care and care leavers and providing some care and aftercare services directly, are all things that social services should be doing now. As part of the Quality Protects initiative local authorities submitted to the Department of Health Management Action Plans (MAPs) which set out the steps they will be taking to improve leaving care services. There will be some costs associated with setting up the new arrangements, training staff, and where necessary recruiting Young Persons Advisers. We will expect local authorities to make some of their allocation of the new Children’s Social Services Special Grant specifically available for this work in the lead-up to and introduction of the new arrangements.

The Government would welcome your views on:

5 Which option would be the best way of funding the new arrangements

6 How to ensure a range of suitable accommodation is provided whilst also promoting best value

7 How best to provide emergency assistance for those who go missing

8 The proposal to create a single budget and remove eligibility to general benefits

9 How best to encourage young people to follow pathway plans.
YOUNG PERSONS ADVISER

3.39 Currently many young people are unaware of the services that are available to them or how to access them, for example support with education, or advice on careers. We believe that it is essential that under the new arrangements the young people receive the support and assistance they need in a co-ordinated and easily accessible way. To achieve this we propose that every 16 and 17 year old who is in care or has left care should have a designated Young Persons Adviser.

The Role of Young Persons Adviser

3.40 We propose that the Adviser would have three key roles:

• **Single focus for support**
  The Adviser would act as a single point of contact for the young person. They would provide general support and advice through contacting the young person at least once a week and meeting them at least once every month (with the young person’s agreement). They would be easily contactable when the young person needs advice, particularly in times of crisis. The Adviser would also be able to put the young person in contact with the relevant people or agencies for more specialised support e.g. careers advice. This role would continue beyond the age of 18 (see para 3.65).

• **Purchaser of services**
  The Adviser would use the local authority’s resources to buy in services to meet the young person’s needs as defined by the pathway plan. We would expect that the Adviser would initially pay those providing the services directly e.g. paying foster carers, but that there would be a transition over time, as the young person matures, to an allowance being given to the young person to pay for their own accommodation etc.
Co-ordinator of services

The Adviser would work closely with other agencies to co-ordinate the provision of services to the young person. They would be expected to develop links with a named person in all relevant agencies, including:

- careers services
- local education authority
- housing providers
- local health services
- voluntary organisations
- teenage parenthood services
- employment agencies

and, where appropriate,

- prison and probation service
- young offenders teams
- Benefits Agency.

These agencies would be involved with the development of pathway plans which will help them plan their service delivery. We envisage that some of these agencies would be expected to work closely with their local social services departments to plan future demand for their services.

We would expect the Advisers to work with their named contacts in other agencies to ensure that every young person receives co-ordinated services. This will include sharing information about the young person, with their consent.
3.43 We envisage Advisers being highly skilled to meet the diverse needs of this group. The key skills would be:

- ability to form constructive relationships with young people from a diverse range of backgrounds
- knowledge of the care system
- ability to negotiate with young people
- ability to deal with conflict and troubled young people
- ability to advocate the young person’s needs to other service providers
- understanding of the education, training and work experience needs of young people and the opportunities open to them
- knowledge of the accommodation needs of young people
- knowledge of the benefits system
- ability to form good working relationships with a diverse range of agencies
- effective budget management

3.44 We would expect some Advisers to have special skills to meet the needs of particular groups of young people e.g. those with physical or other disabilities or special educational needs.
Who should be Young Persons Advisers?

3.45 The proposed new arrangements need the trust of young people if they are to work. Whilst some young people have good relations with social services and their social worker, some do not. We believe that there should be flexibility about who should be the Adviser. What is most important is that they have the skills required to provide the young person with the support they need. There is a wide range of people who are involved in supporting these young people:

- social workers
- foster carers
- residential social workers
- teachers
- careers advisers
- leaving care workers
- independent advocates
- mentors
- voluntary organisation workers

Not all these people may be appropriate as Advisers. However, those who are appropriate and meet the skills requirements should be considered. Before being appointed as Advisers appropriate checks would be made to prevent unsuitable people working with these vulnerable young people.
Young person’s choice

3.46 It is crucial that the young person feels comfortable with and able to trust and communicate with their Adviser. Some young people will have built up strong relationships with their social worker and may wish to choose their social worker as their Adviser. Some young people may have experienced disruption, despair and even abuse whilst in care and will not feel able or willing to engage with the social worker or leaving care worker associated with social services. In this case a more independent person, possibly working for a voluntary organisation, would be more appropriate, as experience has shown that care leavers are often more willing to engage with the voluntary sector. We propose that young people should be consulted on who they think should be their Adviser and they should be offered some choice.

Relationship breakdown

3.47 The high level of skills we will expect from Advisers should enable them to create constructive relationships with the young people. The young person’s participation in choosing their Adviser will ensure in most cases that they are compatible. We recognise that in a few cases, despite the Adviser’s best efforts, the relationship between them and the young person may break down. We would hope that the relationship could be mended through discussions, perhaps with the help of a third person. If the relationship has irretrievably broken down it would be beneficial to both for there to be a process for the young person to change their Adviser.

3.48 Through these new arrangements the Government will provide new opportunities for young people living in and leaving care. We want young people, and those who work with them, to make the most of these opportunities. We will expect young people to work with the Adviser they have helped to choose, to stay in contact, and to work to make a success of their pathway plans.

Relationship to Social Services

3.49 Accountability is important. Advisers will be using the budget held by Social Service Departments to buy in services to meet young people’s needs. For this reason Advisers will have to be
formally linked and accountable to social services. We would expect that in most cases the Adviser would be located in the social services specialist leaving care team, or in the voluntary organisations they work with to provide leaving care services. However, in the same way that we believe that there should be flexibility about who should be the Adviser we believe that there should be flexibility over where they are located. What is most important is that they are best situated to meet the young person’s needs.

Recruitment and Training

3.50 A lot of the work that will be done by Advisers should be being done currently by social services. Local authorities were required in their Management Action Plans to set out how they were improving services for care leavers. We are aware of the excellent work that is currently being done by specialist leaving care teams in some local authorities. We intend that the proposed new arrangements should build on current good practice. Advisers will need specialist skills in a broad range of areas, some of which may be different to the current skills of leaving care specialists e.g. budget management. Advisers will need training.

3.51 We recognise that some social services departments do not currently have specialist leaving care teams and will have to appoint Advisers from elsewhere. Those local authorities that do have specialist leaving care teams may also need to recruit from elsewhere to provide a choice of Advisers available to the young people, including, where appropriate, the option of an Adviser who is not a social worker. The number of Advisers that will be needed will depend on many factors, including the number of young people covered by the arrangements, and whether being an Adviser is someone’s full or part-time job. We expect that the Advisers could be recruited from the some of the groups of people mentioned in para 3.45.

3.52 Guidance on the recruitment and training of Young Persons Advisers will be issued and local authorities will be expected to use part of their allocation of the new Children’s Social Services Special Grant resources in this area.
The Government would welcome your views on:

10. The proposal for Young Persons Advisers and the definition of their role

11. Who would be appropriate to become an Adviser and what are the skills they will need

12. How we ensure young people have a choice of Advisers

13. How best to recruit and train Advisers

14. Whether there should be a maximum number of young people that Advisers can be responsible for

15. How Advisers can be linked to Social Service Departments to ensure accountability

ELIGIBILITY

3.53. We need to be clear about who does and does not qualify for help under the new arrangements. Simple, clear eligibility rules will:

- promote consistency between local authorities in the young people they help
- prevent young people suffering from uncertainty and long delays whilst decisions are made about whether they are eligible for help under the new arrangements
- enable people on the ground to be clear about who they have to help.
We recognise that tightly defining eligibility might create difficulties. It is important to prevent:

- making needy 16 and 17 year olds who are in care or care leavers ineligible
- creating perverse incentives for local authorities, young people or their families.

If care leavers do not meet the eligibility criteria proposed below, they would remain eligible for after care support, as now, under section 24 of the Children Act.

Age

We propose that the new arrangements should apply exclusively to those young people who are between their 16th and 18th birthdays and who are in or leave care on or after their sixteenth birthday. We suggest different arrangements would best meet the needs of those who are 18 and over (see para 3.65).

Education

Education is important. Many young people will become 18 before the completion of their final year of further education. We suggest that there is an extension of the new arrangements for those who are taking a full time education course which will finish in their 18th year. For those who continue studying beyond this age we propose that they can best be supported through the arrangements for 18-21 year olds (see para 3.65).

Time in care

Many young people are only in care for a short time e.g. for a few weeks during a crisis at home. The Government believes that the family should maintain their responsibility for these young people. We propose, therefore, that the new arrangements should apply to young people who are in care or who have been in care for a minimum of three months. This could include those young people who have been in and out of care, if this adds up to more than 3 months.
Return Home

3.58 We believe that when a young person is successfully reconciled with their family and returns home, their family should take on the responsibility for supporting them, in the same way other families support their children. However, the relationships care leavers have with their families are often problematic. Sometimes relationships can break down and the young person may be unable to continue living with their family. We need to ensure that if this happens there is support for the young person to turn to.

Remand

3.59 Some young people who are alleged to have committed an offence are remanded into local authority accommodation. This group of young people are especially vulnerable to social exclusion. We propose that these young people would be eligible for help under the new arrangements as long as they satisfy the other conditions i.e. having been in care for longer than 3 months.

3.60 The Government is working to decrease the length of time young people are remanded before trial and many remanded young people will not be eligible for assistance, as they will return home or enter custody before spending 3 months in care.

3.61 For those remanded young people who are eligible for assistance we propose that the role of the Young Persons Adviser would continue after they return home or enter custody. The drawing up of a clear pathway plan before the young person leaves a secure unit will be particularly important for this group of young people. We believe that the personal support provided by the Adviser will decrease the chance of these young people re-offending or becoming socially excluded. Similar considerations apply when young people are sentenced to custody but are eligible for the new arrangements, by virtue of their care history prior to being remanded. The Advisers would work closely with the Youth Offending Team.
Respite Care

3.62 Some young people are only looked after for respite care – for example when young people with high needs e.g. severely disabled, are looked after by the local authority for a short period (often a weekend) to give their carers a break. Over many years the time spent in respite care can add up to greater than 3 months. We believe that this group of young people are the responsibility of their families and would not be eligible for financial assistance under the new arrangements.

3.63 This group of young people are very vulnerable to social exclusion and could benefit from Advisers who, whilst not supporting them financially, can co-ordinate service provision and provide advice. We recommend that when young people (16 and 17) have received more than 3 months’ respite care they should be offered the opportunity of having an Adviser.

Unaccompanied Asylum-seeking Children

3.64 We believe that unaccompanied asylum-seeking children should be eligible for the new arrangements in the same way as other looked after young people as, given their lack of alternative support, their risk of social exclusion is great. In April 1999 there were about 2,500 unaccompanied asylum-seeking children aged 16 and 17 in England. The great majority of these would not be eligible for support under the new arrangements as they are generally not looked after or only taken into care for a very short period (less than 3 months). There are currently about 400 unaccompanied asylum-seeking children who are under 16 and looked after by local authorities. However, it is proposed that if they remain in this country they should move through the care system and become eligible for support under the new arrangements when they reach 16.
The Government would welcome your views on:

16 The proposal that young people should have spent a minimum of 3 months in care to be eligible for assistance under the new arrangements

17 The proposed treatment of those young people who receive respite care, are remanded into care or are asylum seekers

18 How best to assist those young people whose relationship with their family breaks down after they return home

ARRANGEMENTS FOR 18 TO 21 YEAR OLDS

3.65 We believe that there should be separate new arrangements for those young people who are in care or care leavers aged 18 or over. We believe that arrangements for 18-21 year olds should match, as far as possible, the support that a responsible parent would provide. At this age many young people live independently, or with their parents and work or claim benefits. We believe that it would be inappropriate for 18-21 year old care leavers to be ineligible for benefits (as is proposed in the new arrangements for 16 and 17 year olds) but local authorities should, as responsible parents do, continue to support and help their young people achieve independence.
Setting up Home

3.66 When a young person leaves home, finding a suitable place to live can be very daunting. Many parents help with this task and we propose that local authorities should be responsible for helping the young people leaving their care find their first independent accommodation.

3.67 Young people living independently for the first time need help with the start-up costs associated with furnishing their flat and starting work or higher education. Many local authorities give young people leaving care grants to meet these costs. We expect local authorities should meet these costs to help young people make a good start to living independently.

Young Persons Adviser

3.68 We propose that young people aged 18-21 should continue to receive support from their Adviser who would fulfil the three key roles of a responsible parent:

i. making contact on a regular and relatively frequent basis (at least once a month), both through phone calls and visits, to check if the young person requires help. This will include encouraging the young person to review their pathway plan every six months;

ii. being contactable for advice in a crisis; and

iii. ensuring a seamless transition for the young person from the 16 and 17 to the 18-21 arrangements.
Temporary Support

3.69 When young people leave home and live independently for the first time things may suddenly go wrong, for example, they may become unemployed and unable to pay the rent. Responsible parents provide their children with temporary assistance in time of crisis. We believe that the local authority social services, as a care leaver’s corporate parent, should also fulfil this role, and we propose that local authority social services should provide temporary assistance. The Young Persons Adviser would be responsible for co-ordinating this temporary support.

Education and Training

3.70 Education and training is one of the best ways to improve a young person’s prospects of a successful future. We believe, as we set out in Quality Protects, that local authorities should encourage and help care leavers continue in education or training. Local authorities can currently assist care leavers with the costs associated with education or training up to the age of 24 if they started the course before the age of 21. Many care leavers return to education later. The Government intends to enable local authorities to assist with the costs of education and training up to the age of 24 regardless of when the young person started the course.

3.71 Currently very few care leavers make it to higher education. We are determined to change this. One of the disadvantages faced by care leavers in higher education is having no family to return to for vacations. In our response to the Children’s Safeguards Review we set out our commitment to legislate to require care authorities to provide accommodation in the higher education vacations for care leavers who need it up to the age of 24. We believe that local authorities should also provide assistance when care leavers finish further or higher education and training and enter the job market.

Financial Arrangements

3.72 Many local authorities with good leaving care schemes are currently providing the kind of support we have outlined here to their 18-21 year old care leavers. We believe that all local authorities should be doing so. We will expect local authorities to provide the support outlined here from their current funds.
The Government would welcome your views on:

19 The proposal that there should be separate arrangements for 18-21 year olds

20 Whether there should be a continued role for the Young Persons Adviser

21 What would be an appropriate level of leaving care grant

22 How local authorities should best provide temporary support to 18-21 year olds

MONITORING AND EVALUATION

3.73 Monitoring and evaluation will be necessary to make sure that the new arrangements are effectively implemented on the ground. Quality Protects Regional Development Workers (RDWs) will be able to help local authorities in strengthening their services for care leavers. The Social Services Inspectorate (SSI) will have an important role to play in monitoring the introduction of the new arrangements through the system now being introduced for the performance assessment of Social Services. Evaluation of the policy will be part of the evaluation package for Quality Protects that is currently being developed. This package will include monitoring by the Social Care Group Regions of the Department of Health (SCR) by the application of the performance assessment framework and scrutinising authorities' reports and Management Action Plans. It will also include the use of inspection and research.
Related
We will be working to ensure that the new arrangements are effectively linked into other initiatives aimed at securing a better future for today’s young people.

Initiatives

4.1 This consultation paper sets out proposals for new arrangements for 16 and 17 year olds who are in care or care leavers. It is important to see these proposals in the context of the wider work which is being undertaken to secure a better future for care leavers and other young people.

Quality Protects Programme

4.2 The Department of Health launched a major new programme on 21 September 1998. Quality Protects will lead to a radical overhaul of services for children, concentrating especially on the public care system.

4.3 By improving the care experiences of children and young people we will build them better futures when they leave care. Key to this is ensuring that care leavers have better qualifications and training.

4.4 Quality Protects launched eight objectives for children’s social services, one of which is to “ensure that young persons leaving care, as they enter adulthood, are not isolated and participate socially and economically as citizens.” Local authorities will be encouraged to improve assessment of needs, draw up aftercare plans and review them at periodic intervals. Under Quality Protects increasing support for care leavers was one of the six priorities for use of the £375m over three years Children’s Social Services Special Grant. Local authorities submitted Management Action Plans setting out how they propose to improve their services for care leavers. The Management Action Plans set out
local authorities’ plans to spend over £9m of the £75m of the special grant allocated for 1999/00 on improving services for care leavers. The grant will also be used to assist local authorities in taking steps to prevent the inappropriate discharge of young people at 16 and 17.

4.5 The Quality Protects programme covers both children looked after and children in need more generally. The Government is revising its guidance on inter-agency working to protect children. The new guidance will emphasise the importance of looking widely at the needs of children and families, and considering their need for support and services. The guidance will be supported by a new framework for assessing children and families which will help local authorities make sound professional judgements, based on evidence, about how best to intervene to safeguard a child and promote their health and development. This will help to support better informed judgements about when it may be necessary - for a child’s safety and well-being - to remove a child from the family environment.

National Priorities Guidance

4.6 The National Priorities Guidance issued in September 1998 set out the Government’s priorities for health and social services. It included a target “to demonstrate that the level of employment, training or education amongst young people aged 19 in 2001/2002 and who are looked after by local authorities in their seventeenth year on 1 April 1999 is at least 60% of the level amongst others of the same age group in the area.”

Specialist Leaving Care Schemes

4.7 We know that some areas already have excellent specialist leaving care teams which provide care leavers with expert support. But many local authorities do not have these schemes. The Government is committed to improving the services for care leavers on the ground by promoting the spread and development of these specialist leaving care teams. We expect that a large proportion of Young Persons Advisers will be drawn from, and located within, these teams. We will shortly be issuing guidance based on research findings of what works in leaving care schemes.
Homelessness

4.8 Further guidance on the provision of accommodation for care leavers will be included in the revised Department of Environment, Transport and the Regions Code of “Guidance on the Allocation of Housing Accommodation and Homelessness” which is due to be published in the Summer. The Government is also working with voluntary and local statutory sectors in the Youth Homeless Action Partnership to address the problems of homelessness amongst those aged 16-25, including the specific needs of care leavers. The Government has also set a target for reducing the number of people sleeping rough in England to a third of its current level by 2002 and aims to meet this target through an integrated approach to tackling the problem. This approach includes the recently introduced Rough Sleepers Unit in London, where the problem is particularly severe. Given that between a quarter and a third of rough sleepers have been looked after by local authorities as children, the new arrangements proposed in this paper and, in the shorter term, the Department of Health’s Quality Protects programme for the reform and renewal of children’s services, may be expected to make an important contribution to the prevention of rough sleeping amongst care leavers. As part of the Quality Protects initiative, the Department of Health will be setting a performance indicator to measure the proportion of children looked after on their 16th birthday, who at the age of 19 are known to have suitable accommodation.

Education, Training and Employment

4.9 The Government wants to see an increase in the number of care leavers continuing in post-compulsory education and training and moving into employment. A range of initiatives to address the specific problems care leavers face include:

- 1998 Requirements and Guidance for Careers Services specifically identifies those in and leaving care as a priority group on whom services should be focused
• the Secretary of State for Education and Employment’s creation of a new additional allowance of up to £100 per week in the academic year 1999/2000 to help care leavers in full time higher education with accommodation costs in the long vacation

• the Government intends to legislate when parliamentary time allows to make care leavers eligible for assistance with the costs of education or training up to the age of 24, regardless of when the course was started

• care leavers aged 18-24 being exempted from the six month qualifying period to be offered work or a training place on the New Deal programme which is aimed at helping them find work, through an advisory process, and work experience and training for those who need it

• under the new arrangements for Further Education student support, including a much enlarged College Access Fund, care leavers will be given priority.

Teenage Parenthood

4.10 The Social Exclusion Unit has recently published a report that examined the problem of teenage parenthood and its causes and made some recommendations to develop an integrated strategy to cut rates of teenage parenthood. The measures proposed for teenage parents will benefit those care leavers who are also teenage parents, which some studies have estimated to be 25%-30% of young women leaving care. The new arrangements proposed in this consultation paper will link closely to the measures proposed for teenage parents. The co-ordinating role of the Young Persons Advisers will be particularly important for care leavers who are teenage parents.
16-18 year olds not in education, employment or training

4.11 The Social Exclusion Unit is working on a report for the Prime Minister on 16-18 year olds not in education, employment or training. The disadvantages which care leavers in this age group face have many parallels with other excluded and disadvantaged young people. However, local authorities also have special responsibilities for care leavers, which go beyond those they have for other young people because of their responsibilities as a corporate parent. We are working closely with the Social Exclusion Unit to ensure that support for those in or leaving care fits within the wider framework, once it is developed, to prevent stigmatisation, but at the same time meets the distinct needs of this group of young people.

Beacon Councils

4.12 Local Authorities have been invited to apply for Beacon status. Beacon status will be awarded for excellence in a particular service or cross-cutting service area. The area chosen for the first year of the award in relation to social services is helping care leavers. Beacon councils must be able to demonstrate that their policies have brought about real improvements in the general welfare of care leavers and will be expected to contribute to a national programme to spread good practice.

Joined up Working

4.13 We will be working with colleagues across central and local government, the voluntary sector and external experts to ensure that the new arrangements for 16-18 year olds who are in care or have left care are effectively linked into other initiatives aimed at securing a better future for today’s young people.
The New Arrangements for Young People
Some young people leaving care have been let down badly. They have been expected to cope with independence too early and with too little support. The aim of the new arrangements is to improve the life chances of young people in care and care leavers.

Conclusion

Some young people leaving care have been let down badly. They have been expected to cope with independence too early and with too little support. The proposed new arrangements set out in this paper are intended to provide care leavers with better futures. The aim of the new arrangements is to improve the life chances of young people in care and care leavers and to do all that is possible to ensure their social inclusion and active engagement in society. This means:

- young people being looked after until they are willing and ready to leave care, which will mean more young people remaining in care until 18
- improved arrangements for those young people leaving care
- increased involvement of care leavers in education, training and employment
- authorities maintaining contact with formerly looked after children
- ensuring that young people live in accommodation suited to their needs, thereby reducing the risk of homelessness and rough sleeping.
Through the new arrangements we want to:

- prepare young people better for leaving care at 18, or in exceptional cases earlier

- make sure when they leave care they get the support they need when they need it

- make sure that services are provided in the way that is best for the young person.

5.2 The key features of the proposed new arrangements for 16 and 17 year olds who are in care or care leavers are:

- Local authorities to have a duty to assess and meet needs of all eligible 16 and 17 year olds who are in care or care leavers. The duty will rest with the local authority who looked after the young person wherever the young person lives.

- Every young person in care on their sixteenth birthday to have a pathway plan mapping out a clear pathway to independence.

- New resources for social services provision of support and assistance for 16 and 17 year olds who are in care or who have left care.

- Local authorities to provide all eligible 16 and 17 year olds who are in care or care leavers with personal and financial support to meet their needs as identified in their pathway plans. Health and educational needs would be met by the relevant services.

- Young people who are 16 and 17 and have been looked after for more than 3 months (continuously or in aggregate) would be eligible for the new arrangements.

- Young people would not be able to opt out of the new arrangements and claim general benefits. Emergency assistance to be available to prevent those who “run away” becoming destitute.
• Each young person to have a Young Persons Adviser who will co-ordinate provision of support and assistance to meet the needs of the young person as identified in their pathway plan. Particular emphasis will be placed on helping the young person into education, training, or employment.

• Separate but linked arrangements for provision of support and assistance to 18-21 year olds through local authority funding and Social Security Benefits.

We believe that the proposed new arrangements will result in better futures for care leavers. Now is your chance to give us your views.

Your Views

5.3 This consultation paper is the start of the debate. We would welcome your views on the proposed new arrangements. Written or taped comments on this consultation paper should be sent by 16 August 1999 to:

Lorraine Reid  
Social Care Group, Department of Health  
Room 138, Wellington House  
133-155 Waterloo Road, London SE1 8UG.

The consultation paper is available on the Internet at http://www.doh.gov.uk/scg/leavers.htm

A proforma is provided on the site to structure your response. Where possible electronic responses would be preferred and should be e-mailed to care-leavers@doh.gov.uk

5.4 To help us analyse all the responses fully in the time available, please keep responses as succinct as possible and indicate clearly the question to which you are responding.

5.5 It would be helpful if respondents would make it clear if they are responding as individuals or on behalf of an organisation. The Government may be asked to publish the responses to this consultation document. Respondents should make clear if they do not wish their responses to be published.