

LEAVING CARE FINANCIAL POLICY

Operational from: 1st of April 2017

Agreed by: **CYPS Policies and Procedures Group**

Version Number: **1.0**

Date of Equality Impact Assessment: TBC

Document Author: Practice Development and Quality Assurance

Responsible Service Area: **Children & Young Peoples Services (CYPS)**

Review date: 1st April 2018

This policy outlines how Suffolk County Council will meet its financial responsibilities towards care leavers.

The policy needs to be read in conjunction with the Suffolk “Policy for Looked After Children aged 16-18 and Care Leavers, Suffolk Children and Young People Services” (2015). This policy replaces the Suffolk “Leaving Care Finance Policy” (2011).

Suffolk County Council is required is required to meet its statutory duties towards young people leaving care. The Leaving Care Service is responsible for implementing the financial policy for all CareLeavers they support.

The Leaving Care Financial Policy will be reviewed annually.

We will on request produce this policy, or particular parts of it, into other languages and formats, in order that everyone can use and comment upon its content.

1. Introduction and legislation

- 1.1. This policy outlines how Suffolk County Council will meet its financial responsibilities towards care leavers. The defining legislation is the Children (Leaving Care) Act 2000 and The Care Leavers (England) Regulations 2010.
- 1.2. The Children Act 1989 Statutory Guidance Vol. 3 “Planning Transition to Adulthood for Care Leavers” (2010) highlights that *“care leavers are particularly vulnerable to social exclusion because they will have to make their transition to adulthood much earlier than most other young people. Local authority financial policies should aim to mirror the types of support that families provide, to be flexible to the differing needs of care leavers and to be aware of the fact that they are often being required to be financially capable and competent early in their adulthood. Local authorities should support looked after children and care leavers to manage their financial resources and money, gradually helping them to take responsibility for themselves, but recognise that the process of successful learning may involve learning from mistakes, taking risks and a requirement that a second chance with related financial support may be required”*.
- 1.3. Suffolk County Council is required to meet its statutory duties towards young people leaving care. The Leaving Care Service is responsible for implementing the financial policy for all care leavers they support.
- 1.4. There are four categories of young people and care leavers who are entitled to support from the Local Authority after their 16th birthday.
 - Eligible child - aged 16 or 17 and currently ‘looked after’, either on a Care Order (Sec 31 of the Children Act 1989) or accommodated (Section 20). To be ‘Eligible’ the young person must have been looked after for a period of 13 weeks, or periods amounting in total

to 13 weeks, which began after their 14th birthday and ended after their 16th birthday.

- Relevant child - aged 16 or 17 and has left care, having previously been in the category of 'Eligible Child'.
- Former relevant child (Section 23.C)- aged 18-21 (or up to 25 if in full time further or higher education), and has left care having been previously either 'Eligible', 'Relevant' or both.
- Qualifying child (Sec 24)- aged 16 – 21 either where a special guardianship order is in force, or was in force when they reached 18 years old, and the child was looked after immediately before the makings of that order. Or, at any time after reaching the age of 16 but while still a child was, but is no longer, looked after, accommodated or fostered.

2. Financial Entitlements for Qualifying Young People

- 2.1.** A qualifying child who is 16/17 years old and has previously been looked after, but ceased to be looked after before their 18th birthday, does not have the same restrictions to claiming welfare benefits as eligible and relevant young people do. Because of this the Leaving Care Service will not pay a personal allowance or pay for the accommodation costs for these young people.
- 2.2.** All qualifying children aged 16+ who would like a service from the Leaving Care Service will have their needs assessed. Where, following the initial assessment, it is concluded that support will be necessary over a period of time a plan will be drawn up with the young person. The plan will outline the support to be provided to the young person, including, if necessary, any financial support. The plan will be drawn up by a social worker or suitably qualified person.

3. Financial Entitlements for Former Relevant Young People

- 3.1. Care leavers continue to receive a service from the Leaving Care Service until they are 21 years old, unless they are in education or training, in which case the support from the Leaving Care Service can continue until they reach the end of their agreed programme of education and training (which can take them beyond their 25th birthday). Any financial support that is agreed upon and provided to the young person will be detailed within their Pathway Plan.
- 3.2. Where young people stopped receiving support from the Leaving Care Service at 21 years old, but then wish to return to education or training at any time before their 25th birthday, they can return to the Leaving Care Service and will have a new assessment of their needs carried out. An education and training focussed Pathway Plan will be completed and this will include details of any agreed financial support to be provided to them.

4. Financial Entitlements for Young People in Education

4.1. Financial Entitlements for 16 and 17 year olds

4.1.1. Personal Allowance

The Leaving Care Service has a duty to provide for the maintenance of young people who are eligible or relevant. In line with benefit rates, the higher rate of £57.90 is paid if they are living independently, in supported lodgings, or other accommodation. Deductions can be made if the young person is receiving meals in their accommodation.

4.1.2. Treatment of earnings

For young people who have a job, their weekly earnings will be deducted from their income maintenance, with the first £10 disregarded, to ensure that they have a minimum of £67.90.

4.1.3. Rent

16 and 17 year old's who are eligible or relevant are unable to claim Housing Benefit until they are 18 years old. Where they have a liability to pay rent, it is the duty of the Leaving Care Service to pay this.

4.2. The 16-19 Bursary Fund

4.2.1. Young people in care and care leavers are eligible to receive a bursary of £1,200 per year from the 16-19 Bursary Fund which is paid by their school or college. Larger bursaries can be paid if the provider considers this necessary to enable the young person to continue in education or training.

To be eligible the young person must be aged under 19 on 31st August in the Academic year in which they start their programme of study. Where a young person turns 19 during their programme of study, they can continue to be supported until the end of the academic year in which they turn 19, or to the end of the programme of study, whichever is sooner.

4.2.2. To qualify young people must also satisfy the residency criteria:

- Must have the legal right to be resident in the UK at the start of their programme,
- Any person subject to a Home Office deportation order will ordinarily be ineligible for funding until their situation has been resolved to the satisfaction of the Home Office, as funding should only be claimed for learners who can complete their programmes,
- The person must have been ordinarily resident in the UK for the three years preceding the 'relevant date' (the first day of the first academic year of the course),

- The person must be 'settled' in the UK, this means having either indefinite leave to enter or remain, or having the right of abode in the UK.

4.3. Financial entitlements for young people aged 18 and over

4.3.1. Young People in Further Education (Non-Advanced)

4.3.1.1 Definition of Further Education (Non-Advanced):

Any course which leads to a qualification below the standard of degree, NVQ level 4, Higher National Diploma, Diploma of Higher Education, a teaching qualification or similar, which the young person attends for more than 12 hours per week in normal term time (includes tuition, practical work, supervised study or examinations.)

4.3.1.2 Benefits Entitlement/Personal Allowance

Young people leaving care who remain in further (non-advanced) education, and are not living with their parents or anyone acting in place of a parent, are likely to be eligible to claim Income Support when they are 18 years old. The rules state that if they enrol before their 21st birthday, they remain entitled to Income Support until the end of the academic year in which they turn 21.

The rate of Income Support is £57.90 per week, this will be paid instead of a personal allowance.

4.3.1.3 Rent/Housing Benefit

Young people who are in further (non-advanced) education and have a liability to pay rent are likely to be eligible for Housing Benefit between the ages of 18 years old and until the end of the academic year in which they reach their 21st birthday.

4.3.1.4 Treatment of Earnings

For Income Support single people have a £5 per week earnings disregard. Anything they earn over £5 per week will be deducted from their weekly amount of benefit. For Housing Benefit if the young person's income is less than or equal to their applicable amount (£57.90 per week for a single person aged 18 to 24 years old), they will get all of their eligible rent paid for in Housing Benefit. If their income is greater than that, a calculation will be made to determine their entitlement.

4.3.1.5 Financial Support from Leaving and After Care

Where young people remain in full time further education after their 22nd birthday, or they begin or are accepted on to a course after their 21st birthday, they will not be eligible to claim Income Support or Housing Benefit, as explained above. For these young people, it is possible that Leaving and After Care could provide some discretionary financial support. Any financial support offered to young people in these circumstances will be based on their assessed needs, including the appropriateness of the course, how it will help them to achieve their ambitions, and what other options are available to that young person to help them to attain their long term goals. These details will be recorded and agreed upon in the young person's Pathway Plan.

4.3.1.6 Further Education Course Fees

Course fees for young people in further education between the ages of 16 – 19 years old are usually paid for in full by the Local Education Authority (LEA), where the course is approved by the LEA.

Young people aged 19 years and over who continue with further education, may also get help with the costs of the course fees from the LEA if they are in receipt of certain welfare benefits. They may also be able to access Learner Support Funds and Hardship Funds directly from the college. In the first instance the

young person should contact a Student Adviser at the college, with support from their Leaving and After Care Worker as necessary.

The availability of this funding is dependent upon the subject and level of the course studied, the young person's existing qualifications, and the resources of each individual college's hardship and support fund budgets.

4.3.1.7 Definition of Advanced Education (University):

A course in preparation for a degree, a diploma of higher education, a higher national diploma, or a teaching qualification, or any other course which is of a standard above an ordinary national diploma, a national diploma, a national certificate of Edexcel, a general certificate of education (advanced level), or a Scottish national qualification at higher or advanced level.

4.3.1.8 Student loans/grants/bursaries

Young people who began a University course on or after 1st September 2012 are eligible to claim loans from Student Finance England, and the most common maximum yearly rates for students in 2017/18 are:

A Loan for Tuition Fees of up to £9000

A Loan for Maintenance of up to £1102 if studying in London or £8430 if studying elsewhere.

A new National Scholarship Programme is available to students who began their course on or after 1st September 2012. This is aimed at providing financial help to independent students who are on a low income, or whose family income is £25000 per year or less. Universities and colleges decide who to give financial help to from this group. It is essential that the young person identifies themselves as a Care Leaver to the educational establishment to ensure that they access the full range of financial help that is available to them.

4.3.1.9 Personal Allowance

The Leaving Care Service have a duty to provide for the maintenance of young people who are attending University. In line with benefit rates, the higher rate of £57.90 is paid during term times.

4.3.1.10 Rent

The Leaving Care Service will pay the young person's rent during the official vacation periods of the course, for young people who are attending an advanced educational course. This applies to all vacations within a course but not any time immediately preceding the first term or after the final term of the course as a whole.

Where young people will return to Staying Put Carers in the holidays please refer to the Suffolk Staying Put Policy.

The young person will be responsible for paying their own term time rent. They will not usually be eligible for Housing Benefit as a higher education student unless they are a lone parent or have a disability.

- 4.3.1.11 Treatment of earnings
The young person is able to participate in part-time work whilst studying at University. Student loans, grants and bursaries are not affected by any earnings.
- 4.3.1.12 Bursary from the Leaving Care Service
The Leaving Care Service has a duty to provide a bursary to young people at University, as required within The Children Act 1989 (Higher Education Bursary) (England) Regulations 2009.
The total amount of the bursary is £2000 and will be paid in instalments throughout the length of the course, or at the end. This will be agreed with the young person and set out in their pathway plan.
- 4.3.1.13 Post Graduate Study (e.g. Masters / PHD)
The Leaving Care Service supports and encourages young people to continue with their education after they have completed a degree course, where appropriate. For any young person who would like to go on to post graduate study, their worker will help them to explore their options, and make a full assessment of their needs. These details will be recorded within the young person's Pathway Plan, including details of any discretionary financial support that may be offered to them by The Leaving Care Service, based on their individual circumstances.
- 4.3.1.14 Education related costs – books / materials
Each young person who is undertaking a University degree will be given £150 towards the costs of books and materials.

5. Financial Entitlements for Young people in training / apprenticeships

5.1. Financial Entitlements for 16 and 17 year olds

5.1.1 Personal Allowance

The Leaving Care Service has a duty to provide for the maintenance of young people who are eligible or relevant. In line with benefit rates, the higher rate of £57.90 is paid if they are living independently, in supported lodgings, or other accommodation.

5.1.2 Rent

16 and 17 year olds who are eligible or relevant are unable to claim Housing Benefit until they are 18 years old. Where they have a liability to pay rent, it is the duty of the Leaving Care Service to pay this.

5.1.3 Treatment of earnings

Young people on apprenticeships will be receiving an apprenticeship wage. Earnings or training allowances will be deducted from their Personal Allowance to ensure that they have a minimum of £57.90. The national minimum wage for apprentices as at April 2015 is £2.73 per hour, for apprentices under 19 or 19 or over and in the first year of their apprenticeship.

5.2. Financial entitlements for 18 years and over

5.2.1 Benefits Entitlement

Young people aged over 18 years old who are attending a training course may be entitled to claim Income Support at the rate of £57.90. Any training allowance that they receive from the training provider will be deducted from this amount. For example, a young person receiving a £40 per week training allowance will be eligible to claim Income Support at the rate of £17.90 per week, making their total income £57.90.

5.2.2 Young people on apprenticeships will be receiving an apprenticeship wage. The national minimum wage for apprentices as at April 2014 is £2.68 per

hour, for apprentices under 19 or 19 or over and in the first year of their apprenticeship.

5.2.3 Rent/Housing Benefit

Young people who are over 18 years old and attending training courses can claim Housing Benefit to help them to pay their rent.

6. Financial Entitlements for Young People in Work

6.1. Financial Entitlements for 16 and 17 year olds

6.1.1 Personal Allowance

The Leaving Care and 16+ Service have a duty to provide for the maintenance of young people who are eligible or relevant. In line with benefit rates, the higher rate of £57.90 is paid if they are living independently, in supported lodgings, or other accommodation.

6.1.2 Treatment of earnings

For young people who have a job, their weekly earnings will be deducted from their income maintenance, with the first £10 disregarded, to ensure that they have a minimum of £67.90.

6.1.3 Rent

16 and 17 year olds who are eligible or relevant are unable to claim Housing Benefit until they are 18 years old. Where they have a liability to pay rent, it is the duty of the Leaving Care Service to pay this. Any earnings will not affect these rental payments.

6.2 Financial Entitlements for young people aged 18 and over

6.2.1 Treatment of Earnings/Benefits Entitlement

A young person who is working for less than 16 hours per week could claim Job Seekers Allowance (JSA) if they are on a low wage. However, anything they earn over £5 per week will be deducted from their benefit.

The amount of Job Seekers Allowance for a single person between the ages of 18 and 24 years old is £57.90 per week, so if they earn more than £62.90 per week they will not be entitled to a JSA payment.

6.2.2 Rent/Housing Benefit

Housing Benefit can be claimed independently of any other benefit.

Providing the young person has a liability to pay rent, they are eligible to make a claim. It is a means tested benefit, so the amount that they will receive will depend on their earnings. If their income is less than or equal to their applicable amount (£57.90 per week for a single young person aged 18 to 24 years old), they will get all of their eligible rent paid for in Housing Benefit. If their income is greater than that, a calculation will be made to determine their entitlement.

7. Financial Entitlements for Young people who are NEET (not in Employment, Education or Training)

7.1 Financial entitlements for 16 and 17 year olds

7.1.1 Personal Allowance

The Leaving Care Service has a duty to provide for the maintenance of young people who are eligible or relevant. In line with benefit rates, the higher rate of £57.90 is paid if they are living independently, in supported lodgings, or other accommodation.

7.1.2 Rent

16/17 year olds who are eligible or relevant are unable to claim Housing Benefit until they are 18 years old. Where they have a liability to pay rent, it is the duty of the Leaving Care Service to pay this.

7.2 Financial entitlements for young people aged 18 and over

7.2.1 Benefits Entitlement

Young People who are aged over 18 years and unemployed can claim Job Seekers Allowance from their local Job Centre. The rate of payment is £57.90.

7.2.2 Rent/Housing Benefit

Young people who are over 18 years old and unemployed can claim Housing Benefit to help them to pay their rent.

8. Financial Entitlements for young people unable to work due to sickness/disability

8.1 Financial Entitlements for 16 and 17 year olds

8.1.1 Personal Allowance

If the young person is not entitled to Employment Support Allowance (see below 8.1.3.) the Leaving Care Service have a duty to pay them a personal allowance in line with Benefit rates. The higher rate of £57.90 per week is paid if they are living independently, in supported lodgings or other accommodation.

8.1.2 Rent

16 and 17 year olds who are Eligible or Relevant are unable to claim Housing Benefit until they are 18 years old. Where they have a liability to pay rent, it is the duty of the Leaving Care Service to pay this.

8.1.3 Benefits Entitlement

If a young person is deemed as not capable of working due to sickness or disability they may be eligible to claim Employment Support Allowance. They will initially need to supply medical certificates from their GP to support a new claim for ESA. They will then enter a 13 week assessment

phase where a healthcare professional appointed by the Department of Work and Pensions (DWP) will carry out a work capability assessment. Further information about Employment Support Allowance is available at www.dwp.gov.uk/esa.

Additionally, if a young person has an ongoing disability or a condition which affects their daily life they should consider making a claim for Personal Independence Payment (PIP). PIP can be paid in addition to any other benefit or income, and it will trigger the payment of extra premiums, advice can be sought from the Benefits Adviser if any young person is in receipt of, or is wishing to claim PIP.

Personal Independence Payment is replacing Disability Living Allowance (DLA) as part of the Welfare Reform Act 2012. The change will affect 16 to 64 year olds who are currently receiving DLA or who wish to make a new claim. PIP is being phased in for existing DLA recipients between 2013 and 2016.

8.1.4 Treatment of earnings

Young people who receive a personal allowance from the Leaving Care Service can earn up to £50 per week before it affects the amount of their personal allowance. Anything earned over £50 will be deducted from their personal allowance £1 for £1.

There are strict rules about working whilst claiming Employment Support Allowance, advice should be sought from the Benefits Adviser. DLA / PIP payments are not affected by any work or earnings.

8.2 Financial Entitlements for young people aged 18 and over

8.2.1 Benefits Entitlement

If a young person is deemed as not capable of working due to sickness or disability they may be eligible to claim Employment Support Allowance (ESA). They will initially need to supply medical certificates from their GP to

support a new claim for ESA. They will then enter a 13 week assessment phase where a healthcare professional appointed by the Department of Work and Pensions (DWP) will carry out a work capability assessment of them. Further information about Employment Support Allowance is available at www.dwp.gov.uk/esa.

Additionally, if a young person has an ongoing disability or a condition which affects their daily life they should consider making a claim for Personal Independence Payment (PIP). PIP can be paid in addition to any other benefit or income, and it will trigger the payment of extra premiums, advice can be sought from the Benefits Adviser if any young person is in receipt of, or is wishing to claim PIP.

Personal Independence Payment is replacing Disability Living Allowance (DLA) as part of the Welfare Reform Act 2012. The change will affect 16 to 64 year olds who are currently receiving DLA or who wish to make a new claim. PIP is being phased in for existing DLA recipients between 2013 and 2016.

8.2.2 Rent/Housing Benefit

Housing Benefit can be claimed independently of any other benefit. Providing the young person has a liability to pay rent they are eligible to make a claim. A calculation will be made to determine the amount of benefit the young person is entitled to, taking into account their income and circumstances.

8.2.3 Treatment of earnings

There are strict rules about working whilst claiming Employment Support Allowance, advice about this should be sought from the Benefits Adviser. DLA payments are not affected by any work or earnings.

9. Unaccompanied Asylum Seeking Children (UASC)

- 9.1 Asylum seeking young people for whom the Leaving Care Service is responsible will usually have equal access to financial support from Leaving Care as detailed within this policy document. However, depending on their immigration status, they may have differing entitlements to public funds which could affect their entitlement to claim welfare benefits and to accessing education related funding.
- 9.2 Most children who arrive in the UK seeking asylum without a parent or guardian, make an application to the UK Border Agency (UKBA), and are granted Discretionary Leave for three years, or until they are 17 and a half years old, whichever comes first. They then have the opportunity to make an 'in-time application' for this leave to be extended, and as long as they do this before their original leave has expired, they will usually have access to public funds, which includes entitlement to welfare benefits, whilst they are awaiting a decision from the UKBA.
- 9.3 If the decision on their asylum claim is negative, but they make an in time appeal, they still have access to public funds until all of their asylum appeal rights have been exhausted.
- 9.4 For those young people who are refused asylum and have exhausted all of their appeal rights, their entitlement to public funds, including welfare benefits, would usually end. At this point, the Leaving Care Service will work in partnership with the UK Border Agency and the National Asylum Support Service to provide financial support to these young people whilst they are waiting for instructions and assistance in leaving the Country.

- 9.5 Other possible outcomes of the asylum claim are the following:
- The young person could be granted Refugee Status (i.e. granted asylum), they would have leave to remain for five years, and access to public funds
 - Or the young person could be refused asylum but granted Humanitarian Protection (HP) with leave to remain for five years, again usually with access to public funds. HP is most commonly granted when the person is at some risk of 'ill-treatment' in the particular country they left but does not meet the criteria of the Refugee Convention. This is a rare category for UASC.
 - There is also the possibility that the UK Border Agency could refuse asylum with no grant of leave. In this case the UASC would be returned to his/her country of origin.
- 9.6 From February 2011 only young people with a settled status and right of permanent residence will be eligible to pay home fees and Student Support for a higher education course in England. This does not affect UASC who:
- Are studying in Wales, Scotland or Northern Ireland, or apply for Student Support in one of those countries
 - Are studying in England and their course began before 1st April 2011
 - Applied for Student Support before 9th February 2011
 - Are taking a further education course in England

10. Financial Entitlements for Young Parents and Pregnant Women

10.1 Financial Entitlements for 16 and 17 year olds

10.1.1 Personal Allowance

The Leaving Care Service has a duty to provide for the maintenance of young people who are eligible or relevant at a rate that is in line with Benefit rates. The rate of £57.90 per week is paid if they are living independently, in supported lodgings, or other accommodation.

10.1.2 Income Support

Once the baby is born, the young person may be able to claim Income Support if they are a lone parent. This means that they have to be living with, and responsible for, their baby, and not living with a partner. Under these circumstances Income Support can be claimed even if the young person is still aged 16 or 17 years old and is eligible or relevant. The rate of Income Support will be £57.90 per week, and this will be paid instead of the personal allowance, which should be stopped once the Income Support claim is in payment.

10.1.3 Healthy Start Vouchers

Pregnant women under the age of 18 years old qualify for Healthy Start vouchers. These vouchers can be used to buy fruit, vegetables, milk and infant formula milk. Pregnant women and children aged between one and four will receive one voucher each, worth £3.10 per week. Babies under one year old will receive two vouchers, worth a total of £6.20 per week. Healthy start beneficiaries are also entitled to free vitamin supplements. For more information the Healthy Start website is www.healthystart.nhs.uk and the phone number is 0845 607 6823.

10.1.4 Maternity Grant

Young people who are eligible or relevant are unable to access the Sure Start Maternity Grant of £500 until their child is born, as they need to be in receipt of a qualifying benefit such as Income Support (if a lone parent) or Child Tax Credit (at a specific rate). A claim for a Sure Start Maternity Grant can be made up until the baby is 3 months old, they will not be eligible if there is already another child in the household for whom they are responsible for. In these circumstances, to enable the young person to be prepared for the birth of the child an agreement can be made to advance the payment of £500 with a repayment agreement where the unborn baby is not subject to a CP or CIN plan ; if a plan is in place this should be discussed with the social worker for the baby.

10.1.5 Child Benefit

Child Benefit can be claimed for the child once it is born. If the child does not stay living with the parent however, special rules apply. Please seek advice from the Benefits Adviser in these circumstances. The rate of Child Benefit is £20.70 per week for the eldest child, and £13.55 for other children. Further information at www.hmrc.gov.uk/childbenefit, their telephone helpline is 0845 302 1444.

10.1.6 Child Tax Credit

Child Tax Credit can be claimed for a dependent child. Child Tax Credit is means tested so the amount that is awarded will be dependent on the parent's income. If the parent's only income is benefits, eg Income Support, then the amount of Child Tax Credit is £63.00 per week for the eldest child and £53.00 per week for other children. Further information, including an online calculator is available at www.hmrc.gov.uk/taxcredits. Their telephone helpline is 0845 300 3900.

10.1.7 Working Tax Credit

Working Tax Credit can be claimed if the young person is responsible for a child and working for more than 16 hours per week if single, or 24 hours per week if part of a couple. Tax Credits are means-tested so the amount that will be awarded will be dependent upon the amount that the young person is earning. A childcare element can help with up to 70% of the eligible childcare costs, maximum rates apply.

Further information, including an online calculator is available at www.hmrc.gov.uk/taxcredits. Their telephone helpline is 0845 300 3900.

10.1.8 Rent

16 and 17 year olds who are eligible or relevant are unable to claim Housing Benefit until they are 18 years old. Where they have a liability to pay rent, it is the duty of the Leaving Care Service to pay this.

10.1.9 Care to Learn

Young parents who are under 20 years old and in education may be able to get help with childcare costs via the Care to Learn scheme. Further information is available from this website: www.dfes.gov.uk/caretolearn.

10.2. Financial entitlements for young people aged 18 and over

10.2.1 Income Support

From 11 weeks before the baby is born, a pregnant young person may be able to claim Income Support. If they are working, or have a partner who is working, these earnings will affect the claim, and they may be eligible for Maternity Pay or Maternity Allowance instead. Please seek advice from the Benefits Adviser. The rate of Income Support is £57.90 per week for a single person (aged under 25) and £113.70 per week for a couple (both aged over 18). The rate for a lone parent (aged over 18, once the baby is born) is £73.10 per week.

Lone parents can continue to claim Income Support whilst they have a child aged under 5 years old. Once the child reaches this age the parent will no longer be eligible for Income Support, but may be able to claim Job Seekers Allowance instead.

10.2.2 Healthy Start Vouchers

Pregnant women qualify for Healthy Start vouchers. These can be used to buy fruit, vegetables, milk and infant formula milk. Pregnant women and children aged between one and four will receive one voucher each, worth £3.10 per week. Babies under one year old will receive two vouchers, worth a total of £6.20 per week. Healthy Start beneficiaries are also entitled to free vitamin supplements. Further information is available at www.healthystart.nhs.uk. Their telephone number is 0845 607 6823.

10.2.3 Maternity Grant

A Sure Start Maternity Grant of £500 is available for the first child, if the young person is in receipt of Income Support or Job Seekers Allowance. It may also be available if they are receiving Employment Support Allowance or Child Tax Credit at a specific rate. Please see the Benefits Adviser for more details. The Grant can be claimed from 11 weeks before the baby is due until the baby is 3 months old. The claim form has to be countersigned by a health professional, usually the midwife.

10.2.4 Child Benefit

Child Benefit can be claimed for the child once it is born. If the child does not stay living with the parent however, special rules apply. Please seek advice from the Benefits Adviser. The rate of Child Benefit is £20.70 per week for the eldest child, and £13.70 for other children. Further information is available at www.hmrc.gov.uk/childbenefit, their telephone helpline is 0845 302 1444.

10.2.5 Child Tax Credit

Child Tax Credit can be claimed for a dependent child. Child Tax Credit is means tested so the amount that is awarded will be dependent on the parent's income. If the parent's only income is benefits, eg Income Support, then the amount of Child Tax Credit is £63.94 per week. Further information is available at www.hmrc.gov.uk/taxcredits. Their telephone helpline is 0845 300 3900.

10.2.6 Working Tax Credit

Working Tax Credit can be claimed if the young person is responsible for a child and working for more than 16 hours per week. Tax Credits are means-tested so the amount that will be awarded will be dependent upon the amount that the young person is earning. A childcare element can help with up to 70% of the eligible childcare maximum rates apply. Further information including an online calculator is available at www.hmrc.gov.uk/taxcredits. The telephone helpline is 0845 300 3900.

10.2.7 Rent

Housing Benefit can be claimed from the local District Council where the young person has a low income and has a liability to pay rent. Housing Benefit is means tested so the amount that will be awarded will depend upon the level of the young person's income.

10.2.8 Care to Learn

Young parents who are under 20 years old and in education may be able to get help with childcare costs via the Care to Learn scheme. Further information is available from this website: www.dfes.gov.uk/caretolearn.

11. Financial Entitlements for young people on remand or imprisoned

11.1 Financial Entitlements for 16 and 17 year olds

11.1.1 Young people who are remanded in custody for a period of time will have their personal allowance suspended. If they are subsequently convicted of the offence they will forfeit this money. If, however, they are released without conviction, they will be entitled to receive the back pay of their suspended personal allowance.

11.1.2 In line with welfare benefit rules, young people who are convicted of an offence and imprisoned will not be eligible to any personal allowances. The Leaving Care Service however, do have a duty to provide them with small gifts or cash payments as appropriate to their needs, and as identified in their Pathway Plan. If young people are released on bail, or via a home detention curfew (electronic tagging) they will continue to receive a personal allowance at the rate appropriate to their circumstances.

11.2 Financial Entitlements for young people aged 18 and over

11.2.1 The benefit rules connected to young people who are detained in custody awaiting trial or sentence, or who are serving a custodial sentence are

complex. Advice should be sought from the Benefits Advisor for young people in these circumstances.

12. Financial Entitlements for Young People who live at home with parents

12.1 Financial Entitlements for 16 and 17 year olds

12.1.1 Young people who were previously accommodated under Section 20 of the Children Act 1989 and have had a successful return home for six months or more revert to legal status Section 24 of the Children Act 1989 (Qualifying Child). This means that they are then able to access the benefits system (or their parents can claim for them). The Leaving Care Service will not pay a personal allowance or accommodation costs for these young people, once they been at home for 6 months and have reverted to legal status Section 24.

12.1.2 Young people who are subject to a care order under Section 31 of the Children Act 1989 are not able to access the benefits system, nor can their family claim benefits for them, (with the exception of Child Benefit, that the parent can claim for the young person if they are in education).

12.1.3 The Leaving Care Service have a duty to pay a personal allowance to those 16/17 year old young people living at home who are Section 23a (for the first six months) or Section 31, but not rent. They will receive the personal allowance of £57.90 per week. Discretionary payments can also be paid in other circumstances if the family has a low income, to prevent poverty – the Team Manager will make the decision and this will be recorded on the Plan.

12.2 Financial Entitlements for young people aged 18 and over

12.2.1 In most circumstances young people who are over 18 years old and living with their parents will have full access to benefits if they are not in employment. They can claim Job Seekers Allowance/ Universal Credit if they are unemployed and available for and actively seeking employment.

12.2.2 If the young person is in education their parents will be eligible to continue to claim Child Tax Credits and Child Benefit for them until the end of the academic year in which they reach their 21st birthday.

12.2.3 Young people will not be eligible to claim Housing Benefit to help them to pay rent where they are living with their parents or another close relative.

13. Welfare Benefits

13.1 Housing Benefit

13.1.1 Housing Benefit is administered by the local District Council and can be claimed independently of any other benefit. It is available to help people on a low income to pay their rent.

13.1.2 Eligible and relevant young people aged 16 and 17 are excluded from claiming Housing Benefit; the Leaving Care Service has a duty to pay for the accommodation costs of these young people instead, but only until their 18th birthday, when they will become eligible to claim Housing Benefit if they have a liability to pay rent.

13.1.3 Where someone is renting from a registered social landlord, Housing Benefit can cover up to all of the 'eligible' rent, it will not pay for utility costs or services that are included in the rent, such as electric, gas, water or meals, these are 'ineligible' items. From April 2013 if a tenant of a registered social landlord is 'under-occupied' (they have spare bedrooms)

they could lose 14% of their Housing Benefit for one spare bedroom, and 25% of their Housing Benefit if they have 2 or more spare bedrooms. If someone is renting from a private landlord, the Housing Benefit scheme that applies is called Local Housing Allowance (LHA). The maximum amount that can be claimed is restricted to the LHA rate for a particular property size and geographical area. LHA rates are freely available from local District Council Benefits Offices, and online at www.lha-direct.voa.gov.uk.

13.1.4 The maximum amount of LHA is capped at £250 for a 1 bed property, £290 for a 2 bed property, £340 for a 3 bed property and £400 for a four bed property. Young people leaving care have special rules that apply to them in the calculation of their maximum Local Housing Allowance rate. The rate of Local Housing Allowance that normally applies to single people aged under 35 years old is the shared room rate. However, care leavers are eligible to the rate for a 1 bedroom self-contained property. This is because the single room rent restriction that applies to most single people aged under 35 years old does not apply to care leavers until they are 22 years old. Therefore even if the young person is living in lodgings or shared accommodation the maximum amount of rent that their Local Housing Allowance will cover is that of a self-contained 1 bedroom property.

13.1.5 Housing Benefit is a means-tested benefit, so the amount payable will depend on the young person's income and circumstances. If the young person's income is at or below benefit levels (£57.90 per week for a single person under 25 years old), then Housing Benefit will cover all of their 'eligible' rent (i.e. not utilities and within their allowable LHA rate).

13.2. Council Tax

13.2.1 Young people who are aged under 18 years old are not liable to pay Council Tax. They are also ignored if living in someone else's household, so will not affect the Council Tax Bill.

13.2.2 Once they reach 18 years old however, they do become liable to register for and pay Council Tax if they have their own tenancy. They could also affect the discounts or benefits of the Council Tax payer, where they are living in someone else's household.

13.2.3 There is a Single Person's Discount of 25% if only one adult lives in the property, or if more than one adult lives in the property but all but one are 'disregarded'. Students who are on a full-time or qualifying course of education do not have to pay any Council Tax.

13.2.4 Some other people are disregarded for Council Tax purposes; the list below covers the main categories but it is not exhaustive. People with these circumstances will not impact upon the Council Tax where they are living in someone else's household. If they are living independently and are the only person in their household, they will get a 50% reduction on their Council Tax.

- Apprentices – are not counted if employed to learn a job, and, as part of that learning, are undertaking training leading to a qualification recognised by the Qualification and Curriculum Authority (QCA). They must not be earning more than a set amount per week (before tax).
- Young Persons in Training - will not be counted if they are under 25 years old and are receiving approved training funded by the Learning and Skills Council.
- Severely Mentally Impaired – People who are severely mentally impaired are not counted for Council Tax. A doctor's certificate will be required as evidence, and the person must also be entitled to a disability benefit.
- People in Prison - Prisoners who are on remand or in prison are not counted. However, people who are imprisoned for not paying a fine or the council tax are counted.
- People Staying in Certain Hostels or Night Shelters - A person whose main or only residence is in a dwelling such as a short stay hostel or

night shelter providing communal accommodation for people who have no fixed abode or no settled way of life are not counted.

13.2.5 Council Tax Benefit / Localised Support Schemes

Council Tax Benefit has been replaced by 'localised support' through local councils from April 2013. Under this new scheme each council is being put in charge of setting the Council Tax rates, collecting payments and providing financial support to residents to pay Council Tax. Each council is operating their own version of the localised support scheme, and in most cases, working age adults on low incomes are no longer eligible for 100% Council Tax Benefit, as existed under the previous Council Tax Benefit scheme. As each District Council operates their own unique version of the Localised Council Tax Support scheme, it is necessary to check with the relevant District Council what help each individual person may be entitled to, depending on the area in which they live. The Council's website would be able to supply a good source of information.

13.3 Benefit Cap

13.3.1 There is a limit on the total amount of benefit that most people aged 16 to 64 can get. This is called the Benefit cap. The cap applies to the total amount that a benefit claimant (and their family) get from the following benefits:

- Bereavement Allowance
- Carer's Allowance
- Child Benefit
- Child Tax Credit
- Employment and Support Allowance (except where it is paid with the support component)
- Guardian's Allowance
- Housing Benefit

- Incapacity Benefit
- Income Support
- Jobseeker's Allowance
- Maternity Allowance
- Severe Disablement Allowance
- Widowed Parent's Allowance (or Widowed Mother's Allowance or Widows Pension if received before 9 April 2001)

13.3.2 The level of the Cap is:

- £500 a week for couple (with or without children living with them)
- £500 a week for single parents whose children live with them
- £350 a week for single adults who don't have children, or whose children do not live with them

13.3.3 The cap will not apply if the person qualifies for Working Tax Credit or gets any of the following benefits:

- Disability Living Allowance
- Personal Independence Payment
- Attendance Allowance
- Industrial Injuries Benefits
- Employment and Support Allowance, if paid with the support component

14. Universal Credit

14.1 Universal Credit is one single monthly payment of benefit that replaces:

- the means tested part of Jobseeker's Allowance
- the means tested part of Employment and Support Allowance
- Income Support
- Child Tax Credits
- Working Tax Credits

- Housing Benefit
- Social Fund Budgeting Loans

14.2 The process of rolling this out has begun so some claimants may receive this instead of the above named benefits.

15. Short Term Benefit Advances

15.1 From April 2013 Crisis Loan alignment payments and other Crisis Loans paid due to issues with delayed benefit payments were replaced by a new national scheme of Short Term Advances. These are administered by the Department for Work and Pensions (DWP). They are available to people claiming any contributory or means-tested benefit. The claimant must have made a new claim and show that they are in financial need whilst waiting to receive their first payment. They can request a Short Term Benefit Advance payment from the Jobcentre Plus contact centre or an adviser in the local Jobcentre.

16. Health Costs

16.1 The NHS health costs scheme helps people who are on a low income to pay for the following chargeable NHS services:

- NHS prescriptions
- NHS dental treatment
- NHS Sight tests
- Glasses and contact lenses
- Necessary costs of travel to receive NHS treatment under the care of a consultant, or through a referral by a doctor or dentist
- NHS wigs and fabric supports

16.1 If the young person is a student or in receipt of certain benefits then they can provide evidence of this to claim help with these health costs. Eligible and relevant young people who receive a personal allowance from the Leaving Care Service , will need to complete a HC1 form to claim

help with these costs, as will over 18 year olds who are working and are on a low income. HC1 forms can be obtained from Jobcentre Plus offices, NHS hospitals and from some doctors, dentists and opticians. A form can also be obtained by contacting the NHS Forms order line on 0845 610 1112 or by email from the following address: nhsforms@spsl.uk.com.

17. Additional funding available from the Leaving Care Service

17.1 Rent Deposits and Rent in Advance

17.1.1 Where a young person's accommodation needs have been identified within the Pathway Plan as private rented accommodation (for example, where they have no access to social housing), there will usually be a requirement for the young person to pay a rent deposit and rent in advance.

17.1.2 Where there is a rent deposit guarantee scheme available in the area, the young person will be supported by their worker to access funding from this scheme. If other funding streams are not available to assist young people to secure privately rented accommodation, the Leaving Care Service may provide discretionary financial support with deposits, advance rents and fees where appropriate, to eligible, relevant and former relevant young people who require it. This will be guaranteed by the relevant service manager in Suffolk County Council.

17.2 Rent Guarantee

17.2.1 Additionally, as above, where young people have an identified need to access privately rented accommodation they may be disadvantaged in accessing this accommodation if they do not have someone to act as a rent guarantor.

Suffolk County Council would consider acting as a rent guarantor for former relevant young people where the findings of their needs assessment are that they are motivated and able to maintain their own

independent accommodation, and there are no other accommodation options available to them, and they have no other person to act as a guarantor.

17.2.2 The Rent Guarantee period would be limited to the first 3 months of a tenancy, unless the young person is at University, in which case it could be considered for up to one academic year. The request for a Rent Guarantee would need to be agreed by the relevant service manager in Suffolk County Council.

17.3 Setting Up Home Allowance

17.3.1 The Leaving Care Service has a duty to provide eligible, relevant and former relevant young people a Setting Up Home Grant when they leave care and move into independent or semi-independent accommodation. This grant will be based on the young person's assessed needs, taking into account the items that are already available to them, and those that are included with their accommodation. The maximum amount of the grant is £1500 for those young people who were eligible before January 2015, and £1750 for young people who become eligible from 1st January 2015.

17.3.2 The grant will be administered by the young person's worker, and will be used to ensure that the young person has the appropriate equipment and household items to set up safe, secure and stable accommodation. The young person will be able to help to choose the essential items that they need within this overall budget. These will include:

- essential items of furniture (e.g. bed, sofa, wardrobe),
- essential items of furnishings (e.g. bedding, towels, curtains),
- carpets or floor coverings,
- kitchen appliances, such as a fridge, cooker and washing machine, and the installation of appliances as necessary,
- kitchen equipment (e.g. pans, cutlery, utensils, crockery),

- contents insurance,
- television,
- a television licence,
- cleaning products / decorating materials if required

17.4 Clothing Allowance

17.4.1 Young People aged 16 and 17 will receive a clothing allowance of £400 per year for young people living independently or in supported accommodation. This will not be paid directly to the young person, the social worker will accompany the young person to buy clothes twice a year.

17.5 Identification Documents

17.5.1 The Leaving Care Service may provide discretionary financial support to ensure that all young people have a copy of their birth certificate, paying the fees to obtain a new one where necessary. Discretionary financial support for a provisional driving licence may also be provided where a young person requires it for identification purposes, or training and employment.

17.5.2 The fees for obtaining new and renewal passports will not be met by The Leaving Care Service where the young person is requesting this for identification purposes only. Please see below the Travel Documents section (17.10.) for details of when passport fees will be met for the purposes of foreign travel.

17.6 Birthday Gifts

17.6.1 Young people aged 17 and 18 who are living independently or semi independently will receive a birthday present to the value of £100, which will be purchased by the Social Worker.

17.6.2 Young people aged 19 and 20, and young people in education to the age of 25 will receive a gift to the value of £10.

17.6.3 All young people aged 21 will receive a gift to the value of £23.

17.7 Christmas / Festival Gifts

17.7.1 Young people aged 17 and 18 who are living independently or semi independently will receive a Christmas gift to the value of £100, which will be purchased by the Social Worker.

17.7.2 For those young people who do not celebrate Christmas, they can choose to have their gift at another date throughout the year.

17.7.3 Young people will not receive this gift if they are living in foster care, residential care, or at home with parents. Qualifying Children (Sec 24) are also excluded from this payment, as are the children of any young people who are parents.

17.8 Education Top Up allowance

17.8.1 All 16 and 17 year old young people who are living independently or semi independently and who are in education (including college and apprenticeships) will be paid £10 per week when they attend education as an incentive. This will not be paid in summer holiday.

17.8.2 The Leaving Care Service may provide discretionary financial support to assist with the cost of travel where it is reasonable and related to a young person's education or training. The guidelines around travel costs are that the journey must be planned with the young person's worker, taking into account public transport and fare discounts available, and balancing cost efficiency with convenience.

17.8.3 Where a private car is available for the journey (e.g., friends, carers, former carers or the young person's own car), and it is agreed that this is the best option for travel, the Leaving Care Service may provide discretionary financial support to contribute towards the cost of the agreed journey at the rate of 45 pence per mile.

17.9 Contact

17.9.1 There may also be assistance with travel costs available to enable young people to have contact with significant people as identified as an assessed need and agreed within their Pathway Plan. As above, the journey should be planned in advance taking into account the availability of fare discounts.

17.9.2 If a family member is traveling to an agreed contact in a private car, the Leaving Care Service may provide discretionary financial support towards the cost of this journey. The mileage rate in these circumstances will be as per the Foster Care Handbook, which is currently 15 pence per mile.

17.10 Travel Documents

17.10.1 Discretionary financial support for passports and travel documents (that may be required by unaccompanied asylum seeking young people) will only be funded by Leaving Care Service where the young person's Pathway Plan identifies a specific need for one. This will usually be where it is a compulsory requirement linked to education or training.

17.11 Support with Leisure Activities

17.11.1 Financial support to enable young people access leisure activities may be provided to 16 and 17 year olds living in independent accommodation. Young people are encouraged to make use of leisure facilities and to pursue sports and hobbies. Where the Pathway Plan identifies these activities and the young person shows a continued commitment the

Leaving Care Service may provide some discretionary financial support to contribute towards related costs for eligible and relevant young people who are living independently (i.e. not in foster care or residential care).

17.12 Transition Payments at 18 years old

17.12.1 When a young person reaches their 18th birthday, their personal allowance from the Leaving Care Service will end. If a young person has an entitlement to benefits, they need to ensure that they make the claim in a timely manner, provide the information and documents that are required to complete their claim, and attend any appointments that they are required to as part of the benefit claiming process. Advice on this procedure can be obtained from the Social Worker and Young Persons Advisor.

17.12.2 The Leaving Care Service can provide discretionary financial support for up to 2 weeks additional personal allowance if the young person has no other resources whilst waiting for their benefit claim to be processed.

17.12.3 The young person can also access the national scheme of Short Term Advances. This is administered by the Department for Work and Pensions (DWP)

17.13 Payments and Emergencies

17.13.1 Personal Allowances will usually be paid weekly directly into the young person's bank account. For some young people, where there are concerns about their welfare or budgeting abilities, they may be paid in person by their worker at the Leaving Care Service Offices..

17.13.2 Rent will usually be paid directly to the landlord.

17.13.3 Other Items. The Leaving Care Service will be flexible at administering the payments to or on behalf of young people. Where possible the payment will be made directly to the provider / supplier of goods or services. In some cases, where this is not possible, the young person can purchase the items themselves and provide receipts for reimbursement.

17.14 Criminal Injuries Compensation Authority Payment

17.14.1 Young people who receive a Criminal Injuries Compensation Authority (CICA) payment will be assisted to seek independent financial advice regarding the use of their award and how, for example, by establishing a Discretionary Trust Fund, they may retain entitlement to means tested benefits. Means tested welfare legislation sets out that a CICA payment is disregarded in terms of calculating benefit entitlement for the first 52 weeks after receipt of the award.

17.15 Payments to young people – grants / loans

17.15.1 In line with provisions from the Children (Leaving Care) Act 2000 and the Children Act 1989 any payments made by the Leaving Care Service to young people are in the form of a grant rather than a loan which means that the young person should not be asked to repay them.

17.16 Staying Put

17.16.1 Young people remaining in a Staying Put arrangement can and are expected to be in employment or claim means-tested benefit for their personal needs from the 18th Birthday. These earnings or benefits replace the pocket money, clothing allowance and personal element previously contained in the basic fostering allowance. The young person now has the financial responsibility for these aspects of their care provision. For example, if the foster carer was receiving £242, they would expect this to

be reduced by £57.90, the current amount of income support/maintenance. In this example, the carers would therefore receive £184.10 per week which would be made up of an amount for rent (from housing benefit or young person's earnings), an £11 contribution towards utilities and food (from the young person) and a S.23c payment from Children's Services.

17.16.2 Full details of financial arrangements for young people in Staying Put arrangements, and for their carers, can be found in the Staying Put Policy which is accessible online at: <http://dreams.suffolk.gov.uk/existing-carers/fostering/useful-links-and-information-for-existing-foster-carers/>