

# Peterborough Leaving Care Financial Guidance for Practitioners

This section must be completed for all documents:

Approved by/date	Tbc
Latest revision date	Nov 2012
Review date	Nov 2013
Author	Commissioning (WOW) with consultation with Leaving Care Team Fostering and Finance
Version 1.0	

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## Introduction

The service works with 16 - 21 year olds who have are or have been Looked After by the local authority. Their role is to advise, assist and support young people in their transition to adulthood. The assistance and help they need is managed through a pathway plan and includes accommodation, health education, and employment as well as contact with family members and friends.

Local authority provision of continuing leaving care support must ensure that whilst each care leaver is provided with leaving care services, their needs are subject to ongoing assessment and review, so that the authority's intervention puts them on the pathway to success as they make their transition to adulthood.

All young people in the care of the local authority will be referred to the Leaving Care Team in accordance with the Transfer Protocol between the Children Looked After Team and the Leaving Care Team.

The Pathway assessment and plan must consider the plans for post 18 accommodation and discussions with young people and carers should take place to establish their wishes and feelings regarding post 18 accommodation. The plan for accommodation post 18 should be clearly set out in the Pathway Plan which will be reviewed on a 6 monthly basis.

*The young people referred to in this document are those young people who are eligible, relevant, former relevant and qualifying young people under the Children (Leaving Care) Act 2000 and the Care Leavers (England) Regulations 2010.*

## Legislation

These pieces of legislation created four categories of young people and care leavers who are entitled to support from the Local Authority after their 16th birthday.

- Children Act 1989
- Children (Leaving Care) Act 2000
- Children and Young Persons Act 2008
- Higher Education Bursary Regulations 2009
- Care Leavers (England) Regulations 2010
- Care Planning, Placement and Case Review (England) Regulations 2010
- The Children Act 1989 Guidance and Regulations Volume 2: Care Planning, Placement and Case Review (March 2010)
- The Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers (Oct 2010)

The Children and Young Persons Act 2008 amended the Children Act 1989 so that:

- Looked after children must not move from accommodation regulated under the Care Standards Act 2000 to other arrangements without a statutory review of their care plan chaired by their Independent Reviewing Officer (IRO). A move to other arrangements would include moving to accommodation, often referred to as semi-independent accommodation, which would not be subject to regulatory inspection by Ofsted. [Children do not cease to be looked after just because they are placed in accommodation that is not regulated under the Care Standards Act]
- Local authorities **must** pay a Higher Education Bursary to all eligible care leavers on going to university, or higher education.
- Care leavers under the age of 25 who wish to take up a programme of education or training will have an entitlement to resume support from a personal adviser (PA) appointed by the local authority previously responsible for providing their leaving care support.

Entitlements for care leavers are listed in a Department for Education leaflet attached at Appendix B.

## Definitions

The following definitions are taken from The Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers (Oct 2010)

### Eligible child

Defined in paragraph 19B of Schedule 2 to the 1989 Act, and regulation 40 of the Care Planning Regulations as a child who is:

- (a) looked after
- (b) Aged 16 or 17, and
- (c) Has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after he reached 14 and ended after he reached 16.

The main statutory obligations in relation to 'eligible children' include:

The local authority has the same statutory obligations in relation to eligible children as they do towards other children looked after by them, including a duty maintain their care plan, carry out regular reviews of their case and appoint an independent reviewing officer for the child. In addition they must:

- Prepare an assessment of the eligible child's needs with a view to determining what advice, assistance and support it would be appropriate for them to provide him (both while he is still looked after and after he stops being looked after) [paragraph 19B (4) of Schedule 2 to the 1989 Act; the requirements for carrying out the assessment are set out in regulation 42 of the Care Planning Regulations]
- As soon as possible after the assessment of needs is completed, prepare a pathway plan (which includes the child's care plan) [paragraph 19B(4) of Schedule 2 to the 1989 Act; the requirements for

preparing the pathway plan are set out in regulation 43 of the Care Planning Regulations]

- Keep the pathway plan under regular review [paragraph 19B(5) of Schedule 2 to the 1989 Act]
- Appoint a personal adviser for the child [paragraph 19C of Schedule 2 to the 1989 Act; the functions of the personal adviser are set out in regulation 44 of the Care Planning Regulations].



## Relevant child

Defined in section 23A(2) of the 1989 Act as a child who is:

- (a) not looked after,
- (b) aged 16 or 17, and
- (c) was, before he last ceased to be looked after, an eligible child.

Regulation 3 of the Care Leavers Regulations prescribes a further category of relevant child who is:

- (a) not looked after,
- (b) aged 16 or 17, and
- (c) at the time he attained the age of 16 was detained (i.e. detained in a remand centre, a young offenders institution or a secure training centre, or any other centre pursuant to a court order), or in a hospital, and immediately before he was detained or in hospital he had been looked after by a local authority for a period or periods amounting in all to at least 13 weeks which began after he reached the age of 14.

Regulation 3 of the Care Leavers Regulations also provides that a child who has lived for a continuous period of six months or more with:

- (a) his parent,
- (b) someone who is not his parent but who has parental responsibility for him or,
- (c) where he is in care and there was a residence order in force immediately before the care order was made, a person in whose favour the residence order was made then that child is not a relevant child despite falling within section 23A(2). Where those living arrangements break down and the child ceases to live with the person concerned, the child is to be treated as a relevant child.

The main statutory obligations of the local authority that last looked after the 'relevant children are:

- take reasonable steps to **keep in touch** with the relevant child [section 23B(1) of the 1989 Act]
- prepare an **assessment** of the relevant child's needs with a view to determining what advice assistance and support it would be appropriate for them to provide him (unless they already did so when he was an eligible child) [section 23B(3)(a) of the 1989 Act; the

- requirements for carrying out the assessment are set out in regulations 4 and 5 of the Care Leavers Regulations]
- as soon as possible after any assessment of needs is completed, prepare a **pathway plan** [section 23B(3)(b) of the 1989 Act; the requirements for preparing the pathway plan are set out in regulation 6 of the Care Leavers Regulations]
  - keep the pathway plan under **regular review** [section 23E(1D) of the 1989 Act; the requirements for carrying out reviews are set out in regulation 7 of the Care Leavers Regulations]
  - appoint a **personal adviser** for the child (unless they already did so when he was an eligible child) [section 23B(2) of the 1989 Act; the functions of the personal adviser are set out in regulation 8 of the Care Leavers Regulations]
  - safeguard and promote the relevant child's welfare by **maintaining** him, providing him with or maintaining him in **suitable accommodation** and providing **assistance in order to meet his needs in relation to education, training or employment** as provided for in his pathway plan [section 23B(8) of the 1989 Act and regulation 9 of the Care Leavers Regulations; regulation 9 also makes provision about the meaning of "suitable accommodation"]].

## Former relevant child

Defined in section 23C(1) of the 1989 Act as a young person who is:

- (a) aged 18 or above, and either
- (b) has been a relevant child and would be one if he were under 18, or
- (c) immediately before he ceased to be looked after at age 18, was an eligible child.

The local authority that last looked after the former relevant child must:

- take reasonable steps to **keep in touch** with the former relevant child, and if they lose touch with him, to re-establish contact [section 23C(2) of the 1989 Act]
- continue to keep the **pathway plan** under **regular review** [section 23C(3)(b) of the 1989 Act; the requirements for carrying out reviews are set out in regulation 7 of the Care Leavers Regulations]
- continue the appointment of the **personal adviser** for the child [section 23C(3)(a) of the 1989 Act; the functions of the personal adviser are set out in regulation 8 of the Care Leavers Regulations]
- if his welfare requires it, provide **financial assistance** by contributing to the former relevant child's expenses in living near the place where he is, or will be, employed or seeking employment [sections 23C(4)(a) and 24B(1) of the 1989 Act]
- if his welfare and educational and training needs require it, provide **financial assistance** to enable him to pursue education or training [sections 23C(4)(b) and 24B(2) of the 1989 Act]

- if the former relevant child pursues higher education in accordance with his pathway plan, to pay him the higher education bursary [section 23C(5A) and the Children Act 1989 (Higher Education Bursary) (England) Regulations 2009].
- The duties in section 23C(2), (3) and (4)(b) continue until the former relevant child reaches 21 or, where the child's pathway plan sets out a programme of education or training which extends beyond his 21st birthday, they continue for so long as he pursues that programme.

Care leavers continue to receive a service from Leaving Care Team until they are 21 years old, unless they are in education or training, in which case their Leaving Care Team 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.

Where young people stopped receiving a 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 Team 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.

## **Former relevant children pursuing further education or training**

Defined in section 23CA(1) as a former relevant child who is:

- (a) aged under 25,
- (b) in relation to whom the duties in 23C(2)(3) and (4) no longer apply, and
- (c) he has informed the local authority that he wants to pursue or is pursuing a programme of education or training.

The local authority which owed duties to that former relevant child under section 23C of the 1989 Act must:

- appoint a **personal adviser** for that person [section 23CA(2) of the 1989 Act]
- carry out an **assessment** of the needs of that person with a view to determining what assistance (if any) it would be appropriate for them to provide him [section 23CA(3)(a) of the 1989 Act; the requirements for carrying out the assessment are set out in regulations 4 and 5 of the Care Leavers Regulations]
- prepare a **pathway plan** for him [section 23CA(3)(b) of the 1989 Act; the requirements for preparing the pathway plan are set out in regulation 6 of the Care Leavers Regulations]

- to the extent the person's educational or training needs require it, provide **financial assistance** [section 23CA (4) and (5) of the 1989 Act].

## Persons qualifying for advice and assistance

Defined in section 24 of the 1989 Act as a person who is:

- (a) aged at least 16 but is under 21,
- (b) with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of that order, or
- (c) at any time after reaching the age of 16 but while he was still a child was, but is no longer, looked after, accommodated or fostered.

The relevant local authority (as defined in section 24(5) of the 1989 Act) must consider whether the person needs help of a kind the local authority can give:

- under section 24A - to **advise and befriend** and give **assistance**,
- under section 24B - to give **financial assistance** – see above; or where the person is in full time further or higher education, is under the age of 25 and qualifies for advice and assistance, or would have done if he was under 21, assistance in relation to securing vacation accommodation [sections 24A(2) and (3), and 24B of the 1989 Act].

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 Team will not pay a personal allowance or pay for the accommodation costs for these young people.

All qualifying children aged 16+ who would like a service from Leaving Care Team 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 appropriate, any financial support. The plan will be drawn up by a social worker or suitably qualified person

## Unaccompanied Asylum Seeking Children (UASC)

Asylum seeking young people within the Leaving Care Team, usually have equal access to financial support from Leaving Care Team as detailed within this 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.

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.

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.

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, Leaving Care Team 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.

- This is the most common route for unaccompanied asylum seeking children entering the UK, but there are other possible outcomes of the asylum claim:-
- 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.

On the 9th February 2011 new rules were announced concerning asylum seekers access to Higher Education, From this date only those with a settled status and right of permanent residence will be eligible to 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 1<sup>st</sup> April 2011
- Applied for Student Support before 9<sup>th</sup> February 2011
- Are taking a further education course in England

Plans for transition to adulthood must be in place for all looked after children aged 16 and 17 who have been looked after for at least 13 weeks after they reached the age of 14. The 13 weeks can be continuous or made up of separate episodes of care; they exclude short-term placements made by way of respite care, but must include a period of time (at least 24 hours) after reaching the age of 16.

Young people who were previously eligible and have returned home and become relevant and subsequently qualifying, will revert to being relevant if this arrangement breaks down before their 18<sup>th</sup> birthday.

## **Young people in Education**

### **Young people in education - 16 and 17 year olds**

#### **Education Provision**

The Education and Skills Act 2008 increased the minimum age at which young people in England can leave learning, requiring them to continue in education or training until the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015. (See Appendix A for further information on the implications for the LA)

#### **Personal Allowance – For Young People Living Independently/Semi Independently/Supported Lodgings**

The Leaving Care Service has a duty to provide a personal allowance for young people who are Eligible and Relevant, in line with benefit rates. The allowance is to cover food, household bills, toiletries, clothes and any other personal expenditure.

The leaving Care service may provide discretionary financial assistance in the form of a mega rider to assist them with travel expenses. This will only be provided if the young person has no other form of transport or financial assistance available to them. This is to be detailed in a young person's pathway plan.

#### **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 Team to pay this.

#### **Treatment of earnings**

Young people who receive a personal allowance from the Leaving Care Team 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. So if a young person earns £70 per week their personal allowance will be reduced by £20

#### **16-19 Bursary Fund**

The 16-19 Bursary Fund entitles young people in care and care leavers in further education to receive a bursary of £1,200 per year if they stay in full-time education. The Bursary is managed by the education provider (school/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.

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 18 years and older

For further information and the most up to date information on the 16-19 Bursary, please see the [Department for Education's website](#)

### **Clothing allowance**

Where an Eligible or Relevant young person is living independently, semi independently or supported lodgings and is in education they will receive a clothing allowance of £200 per year paid in two instalments (April, September).



## **Young people in education wishing to remain with their foster carer beyond the age of 18**

For students 16 - 18 years of age completing an apprenticeship, further education, A level courses or courses equivalent to A levels funding for their foster care placement will continue until the September following the completion of their course (this may mean young people will have attained the age of 19). This will allow stability until they commence higher education or give time to make a transition into independent living. Personal Advisers from the Leaving Care Team and fostering support workers will assist the young person to negotiate how the carer and young person deals with clothing allowances and personal allowances.

This arrangement will only apply up to the age of 19 and will cease prior to 19 if the course finishes before then.

Once young people have completed the course of study that took them beyond their 18th birthday, and wish to undertake a further course of education of at least 16 hours per week they can with the agreement of carers remain in placement but the placement becomes a Supported Lodging placement. Young people over 18 in further education can claim benefits and will be expected to do so.

If the young person wishes to stay with their carers beyond their 19th birthday the department are not obliged to provide continued financial support. This will be a private arrangement between the young person and their former carer **unless there are exceptional circumstances and these circumstances would need to be presented at the Peterborough Access to Support Panel (PASP).**

## **Further Education (Non-Advanced)/Training - 18 years and older**

**The Children (Leaving Care) Act 2000 states that 'it is the duty of the local authority to give former relevant child assistance...to the extent that his welfare and his education or training needs require it'**

### **Definition**

A person attending a secondary, comprehensive or grammar school is in non-advanced education. If a person is attending some other type of educational establishment, such as a college of further education, the type of course being undertaken will determine whether it should be accepted as non-advanced.

Examples of non-advanced education are courses leading to the:

- 1) Ordinary national diploma
- 2) BTEC national diploma
- 3) Scot VEC national certificate
- 4) GCE (advanced level)
- 5) Scottish certificate of education (higher grade)
- 6) Scottish certificate of sixth year studies<sup>1</sup>
- 7) NVQ levels 1-3
- 8) GNVQ.
- 9) Certificate of achievement from college

### **Benefits Entitlement/Personal Allowance**

On April 1st 2012, there was a significant change to benefit entitlement for 16-20 year olds who are in education - usually entitled because they are estranged from parents and living independently. Up until this date they were entitled to income support up until their 21st birthday in those circumstances, but must have started the course before their 19th birthday. Benefit entitlement also stopped in the week of the 21st birthday, which was frustrating for some students. There was also a problem with people doing modular or progression courses, as DWP often took the view that an NVQ Level 2 course was a 'new' course when the person had just finished a Level 1 for example. If the new course started after age of 19, income support was then denied.

## **Income Support Amendment**

Amendments should have resolved most if not all of above concerns.

On the IS regs, the relevant change is in Part 3 para 11 of the Social Security (Miscellaneous Amendments) Regs 2012. It is effective from 1 April 2012 and brings in the following three amendments:

- the age 19 qualification is removed, so it becomes anyone up to age 21 or 21 and "attained that age whilst undertaking a course of full-time, non-advanced education";
- the course of study can be continuous from, say, GCSE to A Level; the end date is effectively the end of the academic year in which the student becomes 21 - so it could actually be up till 22.
- someone who is estranged, currently 19/20 and who has previously been barred from income support because they started a course after their 19th birthday is now able to go back to the DWP and make a fresh claim if still in relevant education.

## **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 and 21 years old. If they are still in full time further education when they reach their 21st birthday, their entitlement to Housing Benefit will continue until the end of the academic year.

## **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, 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.

## **Financial Support from Local Authority**

### **Course Fees**

Where all avenues for the funding of course fees have been explored, but the young person has been unsuccessful, the local authority may provide some discretionary financial support. This will be based on the assessed needs of

the young person, including the appropriateness of the course, whether the course that meets the young person educational need is the closest to their home, 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 agreed by the Manager and recorded in the young person's Pathway Plan.

### **Education related costs – books / materials / laptop**

Once other sources have been exhausted, young people in further (non advanced), education can request discretionary finance assistance to purchase essential reading, uniform and equipment necessary to support the successful completion of the course. These details will be agreed by the Leaving Care Manager and recorded and agreed upon in the young person's Pathway Plan. This discretionary finance will be limited to £300 per young person for the duration of the course.

### **Financial Support from the Leaving Care Service**

#### **Travel**

Where a young person remains in further education post 18 and are living independently the leaving care service may provide some discretionary financial support to assist with independent travel to support the continuation of their course of study/training. Any financial support offered to young people will be based on their assessed need. This will include detail of how far they live from the college, current financial circumstances, what other means of transport are available. These details will be agreed by the Leaving Care Manager and recorded in the young person's pathway plan

## **Advanced education (University)**

**Definition:** 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 Ed Excel, a general certificate of education (advanced level), or a Scottish national qualification at higher or advanced level.

The Thomas Coram research unit, in association with the Frank Buttle Trust, undertook an action research project, tracking three successive cohorts of care leavers entering higher education. The 'By Degrees: The First Year' document, published in 2003 stated:

"The long term neglect of the education of children in care has resulted in the fact that scandalously few have had the benefit of a university education. The national target is that one in every two people should enjoy this opportunity but all the indications are that one in 50 might be an over optimistic estimate where care leavers are concerned. The need for action is underlined by the fact that the population of care leavers has the same range of talent and intellectual potential as their more fortunate peers."

### **Planning**

As part of the ongoing support offered to young people by the leaving care service in relation to their education, students completing A levels or equivalent courses should be provided with full information about the bursaries and support available from the department and given the list of universities that have achieved the Buttle quality mark for their bursaries and support available to care leavers when they begin their A' levels or equivalent courses.

### **Personal Allowance**

Young People in Higher education do not receive a weekly personal allowance from the leaving care service.

### **Student loans/grants/bursaries**

Young people will be entitled to claim a range of student loans, grants and bursaries whilst they are studying full-time at an advanced level, the following can be applied for

	Repayable
• A loan for tuition fees	Yes
• A loan for maintenance	Yes
• Local Authority HE Bursary	No
• University Bursary	No

- A Maintenance Grant

No

To qualify for the university bursary young people must identify themselves as a care leaver to the university to ensure that they access the full range of funds.

### **Local Authority Higher Education Bursary**

The Local Authority 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 Bursary offered by Peterborough is £2000 for the duration of the course. This bursary can be paid in monthly instalments or paid in four instalments, as follows;

1st instalment – to be paid one month before the start of the course, to enable the young person to pay for pre-course expenses as required.

2nd instalment- after successful completion of the first year of the course

3rd instalment-after successful completion of the second year of the course

4th instalment-one month prior to the completion of the third year of the course.

### **Travel**

The leaving Care service may pay for the travel expenses for young people to visit up to 5 prospective universities.

The leaving care service may purchase a travel card to enable cheaper travel.

### **Accommodation**

Research has found that students with accommodation in halls had a markedly better experience than those living independently in their first year. Students should be given help in applying for halls. If their application is rejected the decision is to be challenged by the leaving care service.

### **Deposits**

On receipt of the tenancy agreement, the local authority will pay deposits necessary to secure university accommodation. The Social Worker will ensure that any deposits paid are returned to the Local Authority when young person leaves the accommodation.

### **Higher Education Accommodation Costs**

If the University of choice does not provide accommodation to care leavers as part of its support, the Local Authority will meet the cost of the first year of university accommodation in an effort to support former relevant care leavers going into higher education.

### **Vacation Accommodation**

It is important that each young person has somewhere that offers the stability of 'home' to which they can return during vacations. Where possible young people, should be aware of their vacation accommodation prior to starting their course and wherever possible this should be somewhere they are familiar with.

Financial support will be provided for vacation accommodation for care leavers in higher education. This will be to a maximum of the single persons rent level for the area where the young person wishes to spend their vacation.

### **Treatment of earnings**

Young people are encouraged to participate in part-time work whilst studying at University, their student loans, grants and bursaries are not affected by any earnings.

### **Post Graduate Study (e.g. Masters / PHD/ Teaching Qualification**

The Local Authority 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.

## **Former relevant Young People Who Wish to Take Up Education After the Age of 21 and Before the Age of 25**

The Children and Young Person's Act 2008 extends Local Authority duties when they are informed by former relevant young people of their wish to take up full-time education after the age of 21 and before the age of 25.

In relation to these young people, the Local Authority has a duty to:

- Appoint a **Personal Adviser**;
- Carry out an assessment of the needs to determine what assistance (if any) it would be appropriate to provide;
- Prepare an education focused **Pathway Plan**;
- Give assistance to the extent that the young person's educational or training needs require it.

The kinds of assistance are;

- Contributing to expenses connected with his education and training.
- Making a grant available to him to meet expenses connected with his education and training.

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

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

### **Peterborough Access to Support Panel (PASP)**

Once an education based needs assessment and pathway plan has been drawn up, details of the financial assistance being requested will be presented at the Peterborough Access to Support Panel (PASP) for consideration.



## **Young people in Training**

### **Young people in Training - 16 and 17 year olds**

#### **Personal Allowance – For Young People in Independent, Semi Independent or Supported Lodgings**

The Leaving Care Service has a duty to provide a personal allowance to young people who are Eligible or Relevant in line with benefit rate.

The Leaving Care Service may provide young people living independently, semi independently or in supported lodgings with a weekly mega rider to assist them with travel expenses. This is discretionary assistance and is available if the young person has no other form of transport or financial assistance available to them. This is to be detailed in a young person's pathway plan.

#### **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.

#### **Training related costs – books / material/ equipment**

Once other sources have been exhausted, the Leaving Care Service may provide discretionary finance to purchase essential reading, uniform and equipment necessary to support the successful completion of their training course. This will be based on the assessed needs of the young person, including the appropriateness of the training course, how it will help them to achieve their ambitions, and what other options are available to that young person. These details will be agreed by the Leaving Care Manager, recorded and agreed upon in the young person's Pathway Plan. This discretionary finance will be limited to £300 per young person for the duration of the course.

#### **Clothing allowance**

Where an Eligible or Relevant young person is living independently, semi independent or in supported lodgings and is in training they will receive a clothing allowance of £200 per year paid in two instalments (April, September).

#### **Treatment of earnings**

Young people who receive a personal allowance from the Leaving Care Team can earn an amount 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. So, if a young person earns £70 per week their personal allowance will be reduced by £20.

## **Young people in Training - 18 years and over**

### **Benefits Entitlement**

Young people aged over 18 years old who are attending a training course may be entitled to claim Income Support. Any training allowance that they receive from the training provider will be deducted from this amount.

### **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.

### **Training related costs – books / material/ equipment**

Once other sources have been exhausted, young people in Training can request discretionary finance assistance to purchase essential reading, uniform and equipment necessary to support the successful completion of their training course. This will be based on the assessed needs of the young person, including the appropriateness of the training course, how it will help them to achieve their ambitions, and what other options are available to that young person. These details will be agreed by the Manager and recorded and agreed upon in the young person's Pathway Plan. This discretionary finance will be limited to £300 per young person for the duration of the course.

## **Young people in work**

### **Young people in work - 16 and 17 year olds**

#### **Personal Allowance – For Young People Living Independently, Semi-Independently or in Supported Lodgings**

The Leaving Care Service has a duty to provide a personal allowance for young people who are Eligible or Relevant in line with benefit rates.

#### **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. Any earnings will not affect these rental payments.

#### **Treatment of earnings**

Young people who receive a personal allowance from the Leaving Care Service can earn an amount 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. So, if a young person earns £70 per week their personal allowance will be reduced by £20.

#### **Clothing Allowance**

The cost of interview clothes or special clothing may be paid for, this would be agreed by the Leaving Care Manager and recorded and agreed upon in the Young Person's Pathway Plan.

## **Young People in Work - 18 years and older**

### **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.

### **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 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.

Further advice can be sought from the Benefits Service at Peterborough City Council on 01733 452241.

### **Back to work bonuses**

A young person may be able to apply for a Job Grant if they are moving directly from benefit into work of at least 16 hours a week. This could be starting a new job, increasing the hours of work in an existing job or having a combination of jobs.

They may also get a Job Grant if their partner starts working at least 24 hours a week and as a result their benefit stops. The work must be expected to last for at least five weeks, and they must notify Jobcentre Plus within 21 days of starting work.

A young person must also have been claiming one or a combination of the following benefits for at least 26 weeks immediately before moving into work:

- Jobseeker's Allowance
- Income Support
- Employment and Support Allowance
- Incapacity Benefit
- Severe Disablement Allowance
- Jobcentre Plus/New Deal Allowance payments where the allowance is based on Jobseeker's Allowance, Income Support, Employment Support Allowance, Incapacity Benefit or Severe Disablement Allowance

- Employment Zone payments where the allowance is based on Jobseeker's Allowance

Any period where they are not entitled to one of the above benefits does not count towards the 26 week qualifying period.

They will not get a Job Grant if:

- they have been signing as unemployed to receive your National Insurance contributions only
- they have been sending in medical evidence to receive your National Insurance contributions only

If a young person has been unemployed and claiming benefits for 26 weeks or more, they may be eligible for some additional financial help through the benefits system if they start employment, such as:

- Four week extended payments of Housing Benefit and Council Tax Benefit,
- A Job Grant if single or part of a couple with no children,
- A Job Grant if a lone parent or part of a couple with children.

For more information see the website at [www.direct.gov.uk](http://www.direct.gov.uk)

## **Young people not in employment, education or training (NEET)**

### **Young people NEET - 16 and 17 year olds**

#### **Personal Allowance – For Young People Living Independently, Semi Independently or in Supported Lodgings**

The Leaving Care Service has a duty to provide a personal allowance to young people who are eligible or relevant in line with benefit rates.

#### **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.

#### **Travel**

Where a young person is living independently and is not in employment, education or training The Leaving Care Service may provide a weekly Mega Rider to allow them to attend appointments and interviews. If a young person fails to attend a connexions appointment his/her Personal Adviser has made the personal advisor will arrange another appointment and accompany them. If they fail to attend 3 meetings their mega rider will still be provided but will be deducted from their allowance.

#### **Clothing Allowance**

Where a young person is living independently, semi independently or in supported lodgings and is not in education employment or training they will receive a clothing allowance of £200 per year paid in two instalments (April, September).

## **Young people NEET - 18 years and older**

### **Benefits Entitlement**

Young People who are aged over 18 years and unemployed can claim Job Seekers Allowance from their local Job Centre.

### **Rent/Housing Benefit**

Young people who are over 18 years old and unemployed can claim Housing Benefit to help them to pay their rent. For further details contact the Benefits Service on 01733 452241

### **NEET and living in Foster Care/ Supported Lodgings**

Young people not in education, employment or training can remain with their foster carers; however this would be a private arrangement.

## **Young people unable to work due to sickness/disability - 16 and 17 year olds**

### **Personal Allowance**

If the young person is not entitled to Employment Support Allowance (see below) the Leaving Care Team has a duty to pay them a personal allowance in line with Benefit rates.

### **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 Team to pay this.

### **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.

If a young person is aged between 16 and 20 (or under 25 if they were in education or training at least three months immediately before turning 20), they must:

- have been too ill to work because of an illness or disability for at least 28 weeks (this limitation only applies to contribution-based Employment and Support Allowance, but you may still be eligible for income-based Employment and Support Allowance)
- have been too ill to work before you turned 20 (or 25 if you were in education or training at least three months immediately before turning 20)

Additionally, if a young person has an ongoing disability or a condition which affects their daily life they should consider making a claim for Disability Living Allowance (DLA). DLA 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 DLA.

Further information about Employment Support Allowance is available at [www.dwp.gov.uk/esa](http://www.dwp.gov.uk/esa) or contact the local Benefits Service, on 01733 452241



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

## **Young people unable to work due to sickness/disability - 18 years and older**

### **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](http://www.dwp.gov.uk/esa) or for local advice and information contact the local Benefits Service on 01733 452241.

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

### **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.

### **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.

## **Young parents and pregnant women - 16 and 17 year olds**

### **Personal Allowance – For Young people Living Independently, Semi-Independently or in Supported Lodgings**

Leaving Care Service has a duty to provide a personal allowance to young people who are eligible or relevant at a rate that is in line with Benefit rates.

### **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. Income Support will be paid instead of the personal allowance, which should be stopped once the Income Support claim is in payment.

### **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.

There is a Specialist scheme in Peterborough which is the Healthy Vitamins scheme. Locally the vitamins can be sourced from the midwife/Children's Centres or the Health Visitor.

For more information the Healthy Start website is [www.healthystart.nhs.uk](http://www.healthystart.nhs.uk) and the phone number is 0845 607 6823.

### **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, and only if they then claim Income Support as a lone parent, they need to claim this grant before the baby is three months old.

From 11 weeks before the baby is due, up to £500 may be paid from the Leaving Care Service via section 17 budget. This is discretionary financial support and will be spent with the young person's personal advisor on essential items.

For further information visit the Direct Gov website:  
<http://www.direct.gov.uk/en/index.htm>

### **Child Benefit**

Child Benefit can be claimed for the child once it is born Child Benefit is not means tested. Further information at [www.hmrc.gov.uk/childbenefit](http://www.hmrc.gov.uk/childbenefit), their telephone helpline is 0845 302 1444.

### **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. Further information, including an online calculator is available at [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits) . Their telephone helpline is 0845 300 3900.

### **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. Further information including an online calculator is available at [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits) . The telephone helpline is 0845 300 3900.

### **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 Team to pay this.

### **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](http://www.dfes.gov.uk/caretolearn).

## **Young parents and pregnant women - 18 year olds +**

### **Income Support**

From 11 weeks before the baby is born, the single pregnant young person may be able to claim Income Support. If they are working 16 hours per week or more they will not be able to claim income support until they stop working or unless they are working less than 16 hours per week. They may be eligible for Statutory Maternity Pay (SMP) from their employer or Maternity Allowance from the Department of Work and Pensions instead.

The weekly rate of Income Support for a single person (aged under 25) rises to after the baby is born. If the lone parent is entitled to SMP or Maternity Allowance, these payments will reduce their income support award by £1.00 for every £1.00 of maternity pay.

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.

A couple (both aged over 18) would not generally be able to claim income support. If the non pregnant partner is not working they can claim jobseekers allowance at the couple rate.

### **Healthy Start Vouchers**

The Healthy Start scheme has replaced the "Welfare Food Scheme" – instead of milk tokens parents will get healthy start vouchers. These can be exchanged for milk, fresh fruit, fresh vegetables and infant formula at healthy start registered retailers. 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](http://www.healthystart.nhs.uk). Their telephone number is 0845 607 6823.

Parents can also get free vitamin supplements. Babies are entitled to free vitamins from aged 6 months to their 4th Birthday. Women are entitled to free vitamins during pregnancy and until their baby is one year old.

There is a Specialist scheme in Peterborough which is the Healthy Vitamins scheme. Locally the vitamins can be sourced from the midwife/Children's Centres or the Health Visitor. To find out more information on this please contact one of the above if you require further information on Vitamins contact your local Children's Centre

For more information the Healthy Start website is [www.healthystart.nhs.uk](http://www.healthystart.nhs.uk) and the phone number is 0845 607 6823. Alternatively speak to a midwife, health visitor or registered doctor or nurse or visit: midwife, health visitor or registered doctor or nurse to sign it.

<http://www.direct.gov.uk/en/index.htm>

### **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 on 01733 452241. 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.

### **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. Child Benefit is not means tested. Further information is available at [www.hmrc.gov.uk/childbenefit](http://www.hmrc.gov.uk/childbenefit), their telephone helpline is 0845 3021444.

### **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. Further information is available at [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits) . Their telephone helpline is 0845 300 3900.

### **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. Further information including an online calculator is available at [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits) . The telephone helpline is 0845 300 3900.

### **Rent**

Housing Benefit can be claimed from the local 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.

**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](http://www.dfes.gov.uk/caretolearn)

## **Young people on remand or imprisoned**

### **Young people on remand or imprisoned - 16 and 17 year olds**

Young people who are remanded in custody for a period of time will have their personal allowances suspended.

In line with welfare benefits rules, young people who are convicted of an offence and imprisoned will not be eligible to any personal allowances. Leaving Care Service however may provide them with small gifts or cash payments as appropriate to their needs, and as identified in their Pathway Plan and agreed by the Leaving Care Manger.

### **Young people on remand or imprisoned - 18 years and older**

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.



## **Young people who live at home with parents**

### **Young People who live at home with parents - 16 and 17 year olds**

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). 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.

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).

Leaving Care Service has 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.

### **Young People who live at home with parents - 18 years and older**

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 if they are unemployed and available for and actively seeking employment.

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 their 21st birthday.

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.

## Benefits

### Housing Benefit

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

16 and 17 year old eligible and relevant young people 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 18<sup>th</sup> birthday, when they will become eligible to claim Housing Benefit if they have a liability to pay rent.

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.

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 Council Benefits Offices, and online at [www.lha-direct.voa.gov.uk](http://www.lha-direct.voa.gov.uk).

The rate of Local Housing Allowance that normally applies to all 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.

So, 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.

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, then Housing Benefit will cover all of their 'eligible' rent (i.e. not utilities and within their allowable LHA rate). If the young person is working, the first £5 per week that they earn is disregarded. For every £1 that they earn over this amount their Housing Benefit will be reduced by 65 pence.

## **Council Tax**

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 any Council Tax Benefit or discounts that the householder may be receiving.

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.

### **Council Tax Benefit**

If the young person is on a low income, they can claim Council Tax Benefit and could get a reduction in their bill of up to 100%.

Council Tax Benefit is means tested and is calculated in a similar way to Housing Benefit. If the young person's income is at or below benefit levels, then Council Tax Benefit will cover all of their Council Tax Bill. If the young person is working, the first £5 per week that they earn is disregarded and still be entitled to maximum Council Tax Benefit. For every £1 that they earn over this amount their Council Tax Benefit will be reduced by 20 pence.

### **Second Adult Benefit**

Where a young person is living in someone else's household, e.g. with family or friends, they may affect the householder's entitlement to Council Tax Benefits or discounts. The householder could claim a Second Adult Rebate in respect of the young person, if the young person is on a low income.

The Second Adult Rebate could reduce the householder's Council Tax Bill by up to 25%. It cannot be claimed as well as Council Tax Benefit, and if the householder is entitled to both (Second Adult Rebate and Council Tax Benefit) a better off calculation will be done, by the Council's Benefits Department, to see which would result in the biggest reduction.

Second Adult Rebate cannot be claimed in respect of someone who is living with the householder on a commercial basis, such as a paying lodger.

### **Discounts**

Some people are disregarded for Council Tax purposes; the list below covers the main categories.

Single Person's Discount of 25% if only one adult lives in the property.

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.

Students - will not be counted if a student on a full-time or qualifying course of education.

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.

This list is an example of the main categories, and is not exhaustive.

## **Health Costs**

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

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 Team, will need to complete a HC1 form to claim help with these costs, as will over 18 year olds who are working and 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](mailto:nhsforms@spsl.uk.com)

## **Criminal Injuries Compensation Authority Payment**

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.

## **Additional Funding Available from Leaving Care Service**

### **Rent Deposits and Rent in Advance**

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.

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, agreement may be given to pay for deposits, advance rents and fees where appropriate, to eligible, relevant and former relevant young people who require it. The Social Worker is responsible for ensuring rent deposits are returned to the Local Authority when the young person leaves the accommodation.

### **Setting Up Home Grant - 16 and 17 year olds**

Leaving Care Service have a duty to provide eligible and relevant young people a Setting Up Home Grant when they leave care and move into independent or semi-independent accommodation, before their 18th birthday.

This grant will be based on the young person's assessed needs, and will be up to a maximum amount of £1500.

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 choose the essential items that they need within this overall budget. These will include essential items of furniture, furnishings, bedding, and kitchen equipment, the installation of gas / electrical appliances as necessary and removal costs.

### **Setting Up Home Grant - 18 year olds +**

The Leaving Care Service setting up home grant will continue to be available to former relevant young people up until their 25th birthday who move into independent or semi independent accommodation after their 18<sup>th</sup> birthday. However, Former Relevant young people may be eligible to claim a Community Care Grant to assist them with the cost of setting up home. It is expected that personal advisors support their young people to claim a community care grant, particularly for goods such as carpet or decoration which a young person may not be able to take with them to subsequent properties. These can be applied for online at [www.direct.gov.uk](http://www.direct.gov.uk). Any money awarded will be deducted from the setting up home grant available to them from the Leaving Care Service. This grant will be administered by the worker,

and the young person will be able to choose the essential items that they need within the overall budget.

The first television licence fee required for eligible, relevant and former relevant young people will be purchased from their setting up home grant. It will then be an expectation that young people will budget for subsequent licences.

## **Christmas / Festival Gifts/Birthdays**

The Leaving Care Service may provide financial support by way of a small Christmas gift to all young people within the service who are living independently or semi independently. For those young people who do not celebrate Christmas, they can choose to have their gift at another date throughout the year. The amount of the gift will be decided by 1st December each year.

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.

All young people Eligible, Relevant and Former Relevant young people will receive a birthday card from the Leaving Care Service. This is the responsibility of the young person's Social Worker or Personal Advisor. Those who are living independently will receive a birthday card and a small gift up until their 21st birthday.

<b>Age</b>	<b>Amount ( £ )</b>
16	10
17	10
18	25
19	10
20	10
21	25

## **Emergency Support for 16/17 year olds**



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 their Personal Advisor.

The Leaving Care Service can provide discretionary financial support for up to 2 weeks if the young person has no other resources whilst waiting for their benefit claim to be processed once they turn 18.

This support is limited to one food parcel per week (up to the value of £20), plus up to £12 per week towards the costs of fuel if required for the young person's accommodation (e.g. gas and electric, to be paid directly to pre-payment meter where available).

## **Emergencies**

In an emergency the young person should initially contact their worker, or in their absence the duty worker at the Leaving Care Offices.

If an emergency occurs out of office hours then the Emergency Duty Service can be contacted on 01733 234724, they are open 365 days a year, Monday to Friday 17.00 hrs to 09.00 hrs and 24 hours Saturday and Sunday .

## **Identification Documents**

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.

### **Birth Certificate**

The Leaving Care Service will ensure that all young people have a copy of their birth certificate, paying the fees to obtain a new one where necessary.

### **Provisional Driving Licence**

The Leaving Care service will provide financial support for a provisional driving licence. This will be provided where the young person requires it for identification purposes, training or employment.

### **Passports**

The Leaving Care Service will provide young people subject to a care order with a passport. For Eligible young people who are accommodated under s20 of the Children Act 1989 and Relevant young people, The Leaving Care Service may provide discretionary financial support to purchase a passport should they require one, if their parents are in receipt of state benefits and do not have the financial means to purchase one. If a passport is required and agreed, the details of this passport must be recorded in the Pathway Plan. If the young person had a passport obtained prior to the age of 11, which expires before the age of 21, one renewal may be paid for by The Leaving Care Service. The Leaving Care Service will not fund a passport after the young person has reached 21 years of age.

## **Appendix A- Raising the Participation Age – Important information for local authorities**

Raising the Participation Age (RPA) will come into effect from summer 2013. LAs will be subject to new duties to support all young people to participate.

### *What is RPA?*

- The Education and Skills Act (2008) places a duty on all young people to participate in education or training until their 18th birthday.
- From summer 2013, young people will be required to continue in education or training until the end of the academic year in which they turn 17. From 2015, they will be required to continue until their 18th birthday.

This doesn't necessarily mean staying in school. Young people will be able to choose how they participate post-16, which could be through:

- Full-time education, such as school, college or otherwise; an Apprenticeship;
- Part-time education or training if they are employed, self employed or volunteering for 20 hours or more a week.

### *What does this mean for local authorities?*

The Education and Skills Act places duties local authorities, in relation to RPA. LAs will be required to:

- Promote the effective participation in education or training of all 16 and 17 year olds resident in their area; and
- Make arrangements to identify young people resident in their area who are not participating.

These complement the existing duties to secure sufficient suitable education and training provision for all 16-19 year olds and to encourage, enable and assist young people to participate<sup>2</sup>, and the processes in place to deliver the 'September Guarantee' and to track young people's participation. LAs will be supported by duties on learning providers to notify them when a young person leaves learning.

Latest figures<sup>3</sup> show that 96.1% of 16 year olds and 87.2% of 17 year olds are engaged in education or work based training. However, the small group of young people not participating includes some of the most vulnerable. We want

- RPA will take effect from the last day of the academic year in summer 2013 – young people with an offer of a place, are not expected to participate until the start date of their course i.e. in most instances the September following the summer break.
- Local authorities are required to secure sufficient suitable education and training provision for all young people aged 16-18 (inclusive) in their area (under sections 15ZA and 18A of the Education Act 1996 (as

inserted by the ASCL Act 2009)) and to make available to young people age 19 and below support that will encourage, enable or assist them to participate in education or training (Section 68, Education and Skills Act 2008).

- Figures released in June 2011, based on data from end of 2010. to give all young people the opportunity to develop the skills they need for adult life and to achieve their full potential.

Work is already underway to prepare:

- 35 local authorities are currently delivering 22 local delivery projects, to develop approaches to increasing participation and delivering RPA.
- These projects are intended to give local authorities the opportunity to test different approaches to delivering RPA and to share their learning, so that other areas can build on it in preparation for 2013/15.
- Local areas are continuing to operate the September Guarantee process, which aims to ensure that all 16 and 17 year olds received an offer of a place education or training.
- We are developing destination measures to show what young people do when they leave school or college. Destination measures will provide clear and comparable information on the success of schools and colleges in ensuring all their students have the best opportunity to progress and complete the transition on to a positive destination.
- More information, including a list of the areas involved in the local projects and the tools they have developed, is available at

Source:

<http://education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa>

<http://www.communities.idea.gov.uk/welcome.do>

## **Appendix B - Entitlements**

(taken from [Department for Education leaflet](#))

### **Education**

- Local authorities must pay the higher Education Bursary of £2,000 to all eligible care leavers going on to university, or higher education
- A new 16-19 bursary scheme began in 2011. Looked after young people and care leavers should get a guaranteed £1,200 bursary if they stay in full-time education

### **Accommodation**

- In deciding whether accommodation is suitable to meet a care leaver's needs, a council must listen to their views about the accommodation they want. What the local authority needs to consider are listed in the Regulations.
- If the council has itself arranged the accommodation for a care leaver, they must review it after 28 days – and at least every three months after that. The care leaver's personal adviser must visit them within a week, and at least every two months after that, or whenever their Pathway Plan is going to be reviewed.

### **Staying in touch**

- Alongside giving advice and support, and helping the care leaver to get services they need, a care leaver's personal adviser to get services they needs, a care leaver's personal adviser must also take part in any Pathway Plan reviews, stay in touch with the council about sticking to the Pathway Plan until the young person is 21, or older if they are still in education.
- A care leaver must be given a copy, and full explanation, of their assessment and Pathway Plan.
- Pathway Plans must be reviewed at least every six months. They must also be reviewed whenever the care leaver asks for one (their personal adviser or the council can also decide to call a review whenever they think one is needed).

### **Personal Advisors**

- The law changes to say that care leavers up the age of 25 who tell their council that they have returned, or want to return, to education or training, will also be able to get support from a personal adviser while they are on their course (if the course is agreed in their pathway plan)

### **Care leavers grant**

- Setting up home allowances (also known as 'leaving care grants'), that are given out by local authorities, will be crucial in helping young people establish their identity and independence. These should be used to make sure that care leavers have what they need to set up safe, secure and stable accommodation.