

**ANGUS COUNCIL**

**CHILDREN AND LEARNING COMMITTEE – 16 AUGUST 2018**

**CONTINUING CARE ALLOWANCES AND A REVIEW OF FEES FOR SUPPORTED LODGINGS PROVIDERS**

**REPORT BY MARK ARMSTRONG, STRATEGIC DIRECTOR – PEOPLE**

**ABSTRACT**

The purpose of this report is to advise members of the implications for the Council of legislation relating to “continuing care” for looked after children and young people and review the fee for supported lodgings providers. Report 413/13 highlighted implications of a number of legal changes, including the introduction of continuing care. Specifically, members are asked to consider recommendations relating to the following: the fee structure for foster carers and kinship carers providing continuing care placements for looked after children, an increase in the level of fee for our Supported Lodgings providers, and to note the potential for additional budget pressures arising from young people’s entitlement to remain in placements for longer.

**1. RECOMMENDATION**

It is recommended that Children and Learning Committee:

- (i) Note the introduction of continuing care for care leavers in Angus in line with the requirements contained in the Children and Young People (Scotland) Act 2014 and note that this is an additional responsibility in the local authority’s role as corporate parents.
- (ii) Agree the fees for Foster Carers and Kinship Carers providing continuing care placements.
- (iii) Agree the increase in fees for Supported Lodgings Providers as detailed at 4.2 below.
- (iv) Note the potential for additional budget pressures caused by the legal right of young people to remain in placements, including residential placements.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN**

2.1 This report contributes to the following outcome contained within the Tayside Plan for Children, Young People and Families 2017-2020:

- Our children and young people who experience particular inequalities and disadvantage will achieve health, well-being and educational outcomes comparable with all other children and young people.

**3. BACKGROUND**

3.1 Part 11 of the Children and Young People (Scotland) Act 2014 places local authorities under a duty to provide continuing care in certain circumstances. Effectively it offers eligible young people the entitlement to remain in their care setting up to their twenty first birthday.

3.2 Scottish Government guidance indicates that Continuing Care is an opportunity to gradually plan increasing independence at a rate and stage that suits the young person. The aim of the provision is to ensure that where it does not significantly adversely affect their welfare, then all eligible looked after young people are encouraged, enabled and empowered to stay in an existing care placement until they are able to demonstrate their readiness and willingness to move onto interdependent living.

- 3.3 The term Continuing Care refers to a local authority's duty under section 26A of the 1995 Act to provide, subject to a welfare assessment, young people born after 1 April 1999 and who are aged at least sixteen but have not reached the higher age (as specified by Ministerial Orders) and whose final "looked after" placement was in foster, kinship or residential care with the same accommodation and other assistance as was being provided by the local authority, immediately before the young person ceased to be looked after.
- 3.4 Scottish Government guidance also advises local authorities to carefully consider the financial implications for a carer offering a Continuing Care placement to ensure that a lack of financial support is not a barrier to the continuation of the placement. Guidance also states that local authorities are expected to work collaboratively with providers of foster care to fulfil their obligation to provide Continuing Care. There is a requirement to report to ministers on how the role of corporate parent has been fulfilled.
- 3.5 In order to provide authorities and carers with adequate time to plan and prepare, continuing care is being introduced gradually. In the first year (2015/2016) only sixteen year old children (leaving foster, kinship or residential care on or after 1 April 2015) were eligible. In subsequent years the Scottish Government has and will continue to extend entitlement to Continuing Care by amending legislation to increase the "higher age" for eligible persons a year at a time.
- 3.6 Supported Lodgings provide accommodation and support to young people, aged 16-21 years, who have previously been looked after and accommodated but who have not requested Continuing Care; our Supported Lodgings Provider service has been in place since before continuing care duties came into effect.
- 3.7 In the process of considering the appropriate level of remuneration for Continuing Care, it was noted that the level of remuneration for Supported Lodging Providers had not been reviewed since the pilot supported lodging scheme for care leavers was considered on 8 November 2012 (Report 634/12 refers) and is low compared to schemes run by other local authorities.
- 3.8 To ensure that we have a range of options available locally to meet the needs of our young people, we need to continue to invest in our Supported Lodgings provision.

#### **4. PROPOSALS**

- 4.1 In line with Scottish Government guidance, it is proposed that foster carers and kinship carers providing continuing care receive equitable financial support to ensure they are not "financially disadvantaged" if they offering a continuing care placement up to a young person's 21st birthday. To reflect the growing financial independence of our young people at this stage of life, it is proposed that a minimum £30 of this will be a contribution from the young person for the duration of their placement.
- 4.2 It is proposed that the weekly rate for Supported Lodgings Providers is increased by £20 to £170 per week to bring payments in line with other authorities.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The Council received additional funding from the Scottish Government to support the implementation of continuing care at the point of implementation. These proposals can be met from within the existing revenue budget.
- 5.2 The funding provided by the Scottish Government is, however, unlikely to be sufficient to meet the costs of a request for the continuation of externally commissioned placements. There will be on-going scrutiny operationally to assess the potential financial impact of young people remaining in residential placements and a further report is brought to members if any additional cost cannot be met from within the available revenue budget.

## **6. OTHER IMPLICATIONS**

- 6.1 An Equality Impact Assessment has been completed and there were no issues arising. These proposals seek to further enhance the Council's provision for care experienced young people.

## **7. CONSULTATION**

- 7.1 In addition to the internal consultation arrangements with finance and legal colleagues, there has been consultation with a group of foster carers and supported lodgings providers and the response to the proposals was positive.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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