

Care leavers: Guidance

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Introduction

A care leaver is a young person who has been in the care of a:

- local authority, or
- health and social care trust

Under DWP regulations, to be regarded as a care leaver, the claimant must have been in care for at least a total period of 13 weeks in England and Wales, or 3 months in Scotland, from the age of 14 and the care is either:

- ongoing at the age of 16-17, or
- came to an end after turning the age of 16

Identifying a potential care leaver

Care leavers are usually identified when the:

- local authority or Local Health Trust (in Northern Ireland) Leaving Care Team notifies the Care Leaver SPOC that the young person is approaching 18 and will be making a claim for Universal Credit
- young person aged under 18 provides this information on their account in preparation for a Universal Credit claim (but the claim cannot be submitted until they are aged 18)
- young person provides this information when making an online claim
- young person provides this information when discussing their circumstances with an agent

In some cases, it will not always be obvious to an agent that the claimant is a care leaver. They may often be reluctant to 'self-identify' themselves due to previous traumatic experiences or a perceived 'stigma' of being in care.

A young person who has left care will not have received the kind of care and support that we can expect to have been provided by a parent, for example in providing stable accommodation as well as financial and emotional support. Those who have been in care for an extended period may:

- feel isolated and unprotected
- be mistrustful and see the agent as an authority figure
- feel unsettled and be disorganised having lived in many different places whilst being in care
- have a chaotic lifestyle which causes them to miss appointments on a regular basis
- not have any formal identification

This is not a complete list.

Therefore, it is essential that agents engage cautiously and sensitively with the young person and avoid making any assumptions. This is to ensure that if they are identified as a care leaver, they can access the appropriate level of support.

Confirming the care leaver status

To establish the care leaver status, the young person must provide written confirmation from the local authority or Local Health Trust (in Northern Ireland) Leaving care Team, for example:

- an official letter on headed paper
- a Pathway Plan from a personal advisor on the Leaving Care Team

If the young person provides evidence that does not originate from the Leaving Care Team, this will not be acceptable on its own. The agent must contact the local authority or Local Health Trust (in Northern Ireland) to request confirmation of care leaver status which can be forwarded either in writing or by email. Evidence provided by phone is not acceptable.

If the young person does not provide written confirmation or identifies themselves as a care leaver at the pre-claim appointment or later, the Leaving Care Team must be contacted and confirmation requested as above.

Support for care leavers

Care leavers are young people who will usually have complex needs which means that they may require access to additional support.

Children enter residential or foster care for many reasons and their past experiences can very often have a negative impact on adult life. Therefore, care leavers are more likely to be at risk of:

- poor educational outcomes
- unemployment
- being homeless
- drug and alcohol dependency
- offending
- mental health issues

It is important that care leavers are identified as soon as possible to ensure that they receive the correct support and for the switching-off of requirements (easements) to be applied.

The Government is committed to improving the outcomes for care leavers, particularly with regard to engaging in education and employment.

Claimants who are identified as care leavers must be made aware at the Initial Evidence Interview of all the relevant support that is available to them whilst receiving Universal Credit. This includes:

- Advances when making a new claim
- Money guidance and Alternative Payment Arrangements at any point during their claim
- undertaking full-time non-advanced education
- Recoverable Hardship Payments
- help with accommodation costs if they are under 25 years old

Claimants who are care leavers must also be informed of the availability of a range of additional support whilst receiving Universal Credit. This support includes:

- undertaking full-time non-advanced education known as Second Chance Learning
- access to the Civil Service Care Leaver Internship Scheme - DWP also provides paid work experience opportunities in the Civil Service for care leavers through the Department for Education Care Leaver Employment Scheme (National Employer and Partnership Account (NEPT) help with the recruitment) and this is available up to the age of 30
- Staying Put arrangements – local authority provision for supporting former foster children
- Shared Accommodation Rate – a single person leaving care who is aged 18 to 24 will be exempt from the Shared Accommodation Rate

New claim preparation for care leavers

Care leavers can prepare their claim to Universal Credit up to 28 days before and including their 18th birthday. Local authority (Local Health Trust in Northern Ireland) Leaving Care Teams can assist young people to make their claim using the Service.

Although the claim details must not be submitted until the claimant's 18th birthday, they can be viewed and checked in advance of submission to help get the claim ready. This helps to ensure that support is in place as early as possible.

The care leaver can also make a pre-claim appointment to confirm details such as:

- identity
- bank account details
- confirming they are a care leaver (see Confirming the care leaver status)

The Initial Evidence Interview and Commitment Interview can be booked at the pre-claim appointment provided that they take place on, or as soon as possible after, the claimant's 18th birthday.

A social worker or support worker can attend with them.

There are rare circumstances where young people leave care after the age of 18 and in these cases, the new claim preparation facility must still be offered.

Full-time non-advanced education for care leavers

Care leavers are able to undertake full-time non-advanced education whilst receiving Universal Credit:

- up to the age of 21, or
- until the end of the academic year in which they reach the age of 21 (or at the end of the course if earlier).

This is known as Second Chance Learning.

For further information about 'Young people up to age 21 in full-time non-advanced education only', see Students: Eligibility, conditionality and student income: Guidance.

Meaning of non-advanced education

Non-advanced education is any qualification up to General Certificate of Education Advanced level (A level) or equivalent. This includes:

- National Qualification Framework level 3 or the Scottish Qualification framework level 6
- A Level or Scottish equivalent
- AS Level or Scottish equivalent
- Advanced Diploma
- National Diploma certificate or award
- Level 3 National Vocational Qualification (NVQ) award, certificate or diploma

Whilst in non-advanced education, the care leaver will be in the No Work-Related Requirements regime.

During the summer vacation, they are placed in the Labour Market regime based on their individual circumstances (as if they were not in education or training at that time).

Accommodation costs

The local authority must provide support for 16 or 17-year old care leavers with housing costs until they are 18 years old.

Care leavers aged 18 to 24 are exempt from the Shared Accommodation Rate. For more information, see the Size criteria for renters: Guidance.

Staying Put

Staying Put arrangements are available to help care leavers who are in foster care to transition from stable and secure homes to independence when they are ready and able. It also helps them to enter adult life with the same opportunities and life prospects as their peers.

Local authorities can provide Staying Put arrangements to care leavers. They have a legal requirement and a specific duty to advise, assist and support the young person (and their former foster carers) when they wish to remain in the foster home after the young person reaches their 18th birthday.

Under the Staying Put policy, former foster children can continue to live in the foster home as boarders and lodgers and may be eligible to claim housing costs. See Eligibility for housing support.

This arrangement must not be seen as a contrived tenancy, because it follows on from fostering which is a commercial arrangement. There are equivalent schemes, in devolved areas. In Scotland, this is 'Continuing Care' and in Wales 'When I'm Ready'.

Staying Put agreements are treated like any other Private Rental Sector case if a commercial agreement exists and the occupation, liability and payment criteria are met. Depending on their circumstances, young people who remain in a staying put arrangement may claim Universal Credit for their personal needs and housing costs (where appropriate) from their 18th birthday to the age of 21.

Care leavers aged 16 and 17

It is possible for a young person to claim Universal Credit at the age of 16 if they are without parental support.

If the young person is 16, without parental support and is also a care leaver, they will not usually be entitled to Universal Credit until they become 18.

A young person who was previously in local authority care can get a certain amount of ongoing support after they leave care at the age of 16. This occurs in the same way as it would be for any other young person being supported by his or her parents.

The definition of a care leaver for young people aged 16 and 17 is different in England, Scotland and Wales.

There are further exceptions as to whether a young person will be classified as a care leaver. These exceptions can also differ depending on whether the young person is living in England, Scotland or Wales. For more information, see the Under 18s: Guidance.