



Staying Put Policy



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Policy Summary: Ensuring stability for young people through staying with their Foster Carers into adulthood

A Staying Put arrangement enables a formerly looked-after young person to continue living with their former foster carers after their 18th birthday—usually until age 21, or up to 25 if in education/training. This includes those with SEND, whose Education, Health and Care (EHC) Plans remain in effect and must be explicitly included in both arrangements and planning.

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1. Purpose and guidance

For the purposes of this policy, the following Department for Education (DfE) Staying Put definition applies to arrangements where:

- A young person looked after immediately prior to their 18th birthday as an 'Eligible Child' continues to reside with their former foster carers.
- The carers were acting as foster carers for the child immediately prior to their 18th birthday i.e. the carers were approved as foster carers in accordance with Fostering Service (England) Regulations 2011, and the child has been placed with either the SCF's in-house or Independent Fostering Agency (IFA) carers.
- The Staying Put arrangement is set out in the young person's Pathway Plan.
- All or part of the allowance paid to the Staying Put carers is paid by SCF under section 23C of the Children's Act 1989 The Staying Put arrangement extends until:
 - The young person leaves the Staying Put arrangement – the young person reaches their 21st birthday (or 25th birthday if involved in full-time education of 16-hours or more per week);
 - If in full time education on their 25th birthday the arrangement will continue until the young person completes their programme of education or training (By 31st July of the academic year);
 - The young person stops living in the household before their 21st birthday.

2. Introduction

Transition into adulthood is often a turbulent time for any young person.

For many young adults, transition to adulthood can be extended and delayed until they are emotionally and financially ready.

Young people who are looked after may not have this option, and many care leavers are expected to cope with independent living too early and without adequate support.

- **The Care Matters White Paper (2008)** contained a significant focus on improving the support for children and young people preparing for adulthood, including a pilot programme, enabling young people to remain with their foster carers beyond the age of eighteen. To meet the commitments in the White Paper and the duties towards care leavers in the Children and Young Persons Act 2008, new guidance and regulations relating to Care Leavers emphasise a more graduated approach to planning transition to adulthood.
- **A new duty on local authorities** in England regarding 'Staying Put' came into force on 13 May 2014, in part 5 Welfare of Children (98) of the Children and Families Act 2014. This requires local authorities in England to facilitate, monitor and support staying put arrangements for fostered young people until they reach the age of 21, with the Slough Children First | Staying Put Policy 5 agreement of all parties – the young person, the foster carer, supervising social worker and the personal advisor.

- **The primary aim of Staying Put** is to promote a gradual transition for young people from care to adulthood and independent living. It focuses on ways to extend this transition within a family setting for young people who are or who have been looked after by SCF. The intention is to ensure these young people can:
 - stay with their former foster carers until they are prepared for adulthood
 - experience a transition like their peers
 - Avoid social exclusion and be supported within a loving family home environment.

3. Statutory Framework

- Act 1989 Vol. 3 (Planning for adulthood) – includes statutory Staying Put duties.
- Children and Families Act 2014, Section 98/23CZA – inserts a legal duty for post-18 living arrangements.
- Care Act 2014 – supports disabled young adults with SEND into adult services.
- Fostering Services Regulations 2011 & Care Leavers Regulations 2010 – maintain informal oversight of carers & safeguarding.
- DWP/HMRC Staying Put Guidance (2013) – governs Housing Benefit/Universal Credit, tax, and NIC arrangements.

4. Eligibility criteria

To qualify as a Staying Put young person:

- Must have been looked after immediately before their 18th birthday/spent at least 13 weeks in care since turning 14.
- Carers must remain approved; independent agency carers are covered too.
- SEND children retain their EHC Plans and continue to receive educational, health, and therapeutic support under adult services.

5. Early planning and pathway integration

- Begin discussions by age 16; include in the first post-16 CLA review.
- Pathway Plans must incorporate Staying Put options by 17½, with explicit reference to SEND-specific transitions (EHC review timing, health, adult social care).
- Six-monthly reviews ensure arrangements remain appropriate for the young adult's evolving needs.

Involvement of young people and carers in the development of this policy

A number of discussions were undertaken to inform the development of this policy with key stakeholder groups.

Some key points from young people's feedback include:

- I can keep focused on my education without worrying about where I am going to be living, so it's good.
- It means I can be stress free, not having to worry and be anxious about where I am going to be living when I turn 18.
- Gives young people a more secure place to live. Other young people have to go and live somewhere, like the YMCA.
- Other young people must look at other places to live, and sometimes on their own.
- The policy is like a tenancy agreement between the young person and the people they live with.
- It will be a relief when it is official; I won't have those scared or anxious feelings.
- I was 17 when 'Staying Put' was proposed and the information was not clear to me, this will help.
- The discussions with young people need to start early so that young people don't have to feel anxious when they are approaching 18.

6. Agreeing the arrangement

No later than 4–6 weeks before turning 18, convene a multi-disciplinary meeting (SW, PA, carer, young person):

- Complete a Living Together Agreement covering finances, household rules, visits, and move-on planning.
- Finalise a Staying Put Licence Agreement—a private licence that:
 - Defines terms (rent, utilities, privacy, DBS expectations, exit protocol),
 - Enables Housing Element of Universal Credit,
 - Designates the young person as an ⁽¹⁾excluded licensee and the carer as ⁽²⁾“host/landlord”.

7. Financial and benefits framework

- Carers receive a Staying Put allowance.
- Housing costs are covered via LHA/Housing Element of Universal Credit
- Additional support via s.23C Children Act 1989 ensures no effect on carers' means-tested benefits.
- Carers may qualify for ⁽³⁾qualifying care relief (NIC/tax) as self-employed providers.
- Young adults contribute to living costs, proportional to earnings/benefits.
- Tax/NIC status managed via self-employment registration.

8. Legal status, safeguarding & SEND interface

- At 18, the young person holds the status of excluded licensee, and the carer becomes a private landlord—this must be sensitively explained to maintain positive relationships.
- Carers must undergo DBS checks if other foster children under 18 remain in the household.
- For young people who are assessed by adult social care and deemed to be eligible under the Care Act, the planning for their adulthood should explore a shared lives model led by adult social care.

9. Ending the arrangement

- Typically ends at age 21—or up to 25 if the young person remains in education/training.
- Either party may give reasonable notice (14–28 days); breakdowns must trigger an interim planning meeting to secure alternative accommodation. The goal is to avoid a “cliff edge” exit.
- If education continues beyond 21, the Staying Put arrangement may extend, with formal review via Pathway Plans.

10. Policy objectives

This policy sets out the:

- Process for extending a foster care placement beyond a young person’s 18th birthday into a Staying Put arrangement
- Roles and responsibilities of each party involved in a staying put arrangement
- Financial and state benefit arrangements – young people and Staying Put carers
- Contact between local authorities and independent fostering agencies (IFAs)
- monitoring and reviewing an arrangement ⁽⁴⁾complaints and ⁽⁵⁾advocacy

11. Roles and responsibilities

- **Social Worker:** initiate and maintain transition planning; ensure suitability and safety of the agreement.
- **Personal Adviser:** coordinate UC/Housing Element applications, licence completion, financial reviews.
- **Fostering Social Worker/PA/ Staying Put Lead:** manage carer preparation, DBS, safeguarding, training on new expectations.
- **SEND Caseworker:** ensure EHC Plan continuity, liaise with adult services; manage transitions to Shared Lives or adult provision where appropriate.

12. Scope of this policy

The processes outlined in this document apply to all young people looked after by Slough Children First if they are living with their foster carers on their 18th birthday (SCF's foster carers, friends and family carers or Independent Fostering Agency - IFA carers).

The policy provides a framework to allow care leavers at university to return to their former carers during vacation time, and for young people who commence basic training with the armed services to return to their carers during breaks.

The policy also applies to Unaccompanied Asylum-Seeking Children (UASC) who reach the age of 18. However, in circumstances where the young person is awaiting a 'Removal Notice', continued support must be reviewed on a case-by-case basis, working with the Care Leavers' Service and the Fostering Service.

Young people who are in a residential placement are not covered by this policy. It should be noted at this stage that although Staying Put will be the usual way to support care leavers from foster care through the transition to adulthood, it is not the only way to do so. Some young people will prefer other alternatives (which are independent from this Policy), including the following:

- **Supported lodgings/lodgings placement:** Young person aged 16 years plus who has finished Year 11 of their education and moved to live with a specific supported lodgings provider
- **Shared lives placement:** Where young people have an on-going cognitive disability and meet the Adult services – Fair Access to Care Services criteria (Putting People First), foster placements should be converted to adult placements/shared lives arrangements when the child reaches their eighteenth birthday. This needs to be included in transitions planning for young people, as per the Transitions Protocol, so Slough Children First| Staying Put Policy that appropriate decisions are made by Adults Services prior to the young person's 18th birthday.
- **Supported accommodation:** Independent and semi-independent housing provision for former looked after young people which are not linked to family home provision.
- **Other:** To include those placements in which a young person lives with a former foster carer but not as a Staying Put carer or in Supported Lodgings or shared lives placement.

Glossary

- (1) **Excluded licensee** – Young person who continues to live in a foster carer's home with limited legal right to stay there and can be asked to leave with reasonable notice, usually without needing a court order.
- (2) **Host landlord is foster** – Carer who shares their home with the foster child and may provide support, supervision or guidance.
- (3) **Qualifying care relief** – A special tax relief for foster carers in certain types of care or accommodation in their own home. such as shared lives schemes and kinship care.
- (4) <https://www.sloughchildrenfirst.co.uk/who-we-are/complaints-and-compliments/>
- (5) [About Advocacy - Slough Children First](#)