

**Transition to
Adulthood
(Leaving Care)
Financial Policy
2016 - 2017**

18-21/25

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Transition to Adulthood (Leaving Care) Financial Guidance 2016-2017

Aged 18-21/25

Notes and Implementation Issues

1. All allowances should be based on an assessment of need and be set out in the young person's Pathway Plan. The Plan must also highlight any attached conditions, how payments will be made, the frequency of payments, when they will be reviewed and when they will cease.
2. By the age of 16 all young people should have a National Insurance Number and relevant identity documents with photographic evidence to ensure they can register for housing, bank accounts and claim welfare benefits.
3. Ensure all young people have a bank account and where possible pay all allowances to young people through their account.
4. It is a statutory requirement that allowances are index-linked, reviewed annually and are aligned with annual welfare benefit increases.
5. Depending on an assessment of need, Qualifying Children may be entitled to the same level of support as Eligible, Relevant and Former Relevant Children.

Persons Qualifying for Advice and Assistance (aged 16 to 21, and under certain circumstances aged under 25) [Section 24]

- **Young people aged at least 16, and under 21 who were subject to a special guardianship order and were looked after before the making of that order**
 - **Young people who were previously subject to a private fostering arrangement**
 - **Young people who successfully returned home for six months (aged 16/17) and were previously eligible and/or relevant**
 - **Young people who were looked after for less than 13 weeks between the age of 14 to 18, but were looked after for at least 24 hours aged 16 and 17**
 - **Young people aged 16, and under 21 who were looked after in a series of pre-planned short breaks.**
6. Children looked after who are also unaccompanied asylum seeking children are entitled to the same allowances as any other child looked after (depending on need). Allowances to Former Relevant Children who were asylum seeking children may be affected and limited as a result of their immigration status.
 7. Wherever possible, VAT should be reclaimed on all purchases. A VAT receipt is required for all purchases made with a purchase card. When purchasing with all

other payment methods a receipt with a VAT number is required for items up to £250.00 and a full VAT receipt is required for items over £250.00.

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9. The headings used throughout this document are taken from the Children (Leaving Care) Act 2000 Guidance and the Planning Transition to Adulthood for Care Leavers Guidance and Regulations 2010, revised 2015.

Placement key:

I	Independent Living (responsible for utilities)
SI	Semi-independent (lives independently but not responsible for utilities)
SL	Supported Lodgings
H	Hospital
C	Custody The Pathway Plan and Detention Placement Plan/Placement Plan for young people who are detained should set out the provision of all financial allowances.
SP	Staying Put

Former Relevant Children

Former Relevant children (age 18 to 21, or, until the education or training programme being undertaken on their 21st birthday is completed): [Section 23C (1)]

- A young person who was previously an ‘eligible’ child or a ‘relevant’ child

Former Relevant children (age 21, and under 25) [Section 23CA (1)]

- Young people who inform the local authority that they want to pursue education or training between the age of 21 and 25 and where previously a former relevant child.

- **Section 23 C (1) Former Relevant Children** Care Leavers Aged 18 to 21, or until the completion of the education course being

undertaken on their 21st birthday

- **Section 23 CA (1) Former Relevant Children**

Care Leavers Aged 21 to 25 who return to the authority to resume or commence education or training

Living with parents

Young people that have returned to live with their parents may be entitled to receive the supplementary allowances detailed in this policy, depending on an assessment of need. If it is considered that the young person requires extra financial assistance, the personal advisor would be expected to fully explore all benefit options for the young person and their parents (if appropriate) and other routes for funding. Any financial requests will need to go to the Care Leavers Finance panel.

In order to avoid any inequalities within the family, by the provision of leaving care support, an assessment must be undertaken regarding the need for supplementary allowances. For example, where there are children in the family who have not been looked after, it may be inappropriate to provide any allowances if these allowances create disparities, inequalities and potentially undermine parenting responsibilities.

The provision of a leaving care birthday allowance for one child would potentially create an inequality if other family members do not receive a similar allowance, as such, the leaving care birthday allowance should not be provided and parents therefore take responsibility for the level of all birthday allowances to their children.

The assessment of need applies to 'former relevant' and 'qualifying' young people. The detailed financial and practical arrangements to support the child and parent should be set out in the Pathway Plan. The level of the leaving care financial support should be based on an assessment of need and set out in the Pathway Plan.

Care Order Revocations and Ceasing Financial Allowances

Where an 'Eligible' child has lived with a person with parental responsibility for at least 6 months and they cease to be looked after, due to the revocation of the Care Order, or Interim Care Order they become a 'Qualifying' child (a Qualifying child is a 16 to 21/24 year old subject to Section 24 of the Children Act 1989). The 6 month period living with parents that is required to be deemed a Qualifying child, can include time both prior to and after the revocation of the Care Order.

Welfare benefit legislation relating to 'Qualifying' children sets out that both parents and children are entitled to welfare benefits/tax credits/universal credit in their own right.

'Qualifying' child status does not have any impact on either the child, or parents benefit or tax credit entitlements. Once a child is deemed a 'Qualifying' child and following a financial re-assessment of their financial needs, the majority, if not all, of the leaving care financial support being provided should cease. The primary responsibility for meeting a 'Qualifying' child's financial needs rests with the parent/s.

The detailed financial and practical arrangements to support the child and parent should be set out in the Pathway Plan. The level of the leaving care financial support should be based on an assessment of need and set out in the Pathway Plan.

Residential Care/At Anne's Shared Lives/Supported Living

Young people that are supported by Adults Services should not be disadvantaged financially. Young people are entitled to all allowances that are not provided by Adults Services or through the benefit system. This may include birthday and festival allowance, key documents, equipment/computer grant, driving allowance and Setting up Home Allowance.

When exploring additional financial allowances, the individual circumstances of that young person need to be considered with their Adult social worker. Most young people over the age of 18 will contribute towards their care so extra allowances may have an impact on this.

The level of the leaving care financial support should be based on an assessment of need and set out in the Pathway Plan.

All financial decision will need to be approved by the Care Leavers Finance Panel.

Allowance category

Leaving Care Maintenance Allowance and initial benefit claim

Maintenance and accommodation costs should be met by the young person from their employment or benefits from their 18th birthday. If a young person will be claiming benefits from their 18th birthday, this process should start 4-6 weeks prior to their 18th birthday (6 weeks in advance for Jobseeker's Allowance and 4 weeks in advance for Income Support). Supporting information and identity documents should be obtained prior to a young person's 18th birthday. Leeds Children's Social Work Service can provide up to 3 weeks Leaving Care Maintenance Allowance whilst waiting for the benefit claim to be made, however this is based on an assessment of need. This should only be set up on a week by week basis, as workers should be checking the progress of the claim, and only after it has been established that a short term benefit advance cannot be awarded from the DWP. If the benefits are still not in payment after 3 weeks and the DWP cannot provide any assistance, please see Emergency Payments section. The amount that can be awarded for up to 3 weeks is as follows:

I	£60.00
SI	£50.00
SL	£40.00
SP	No entitlement.
H	£15.00
C	Financial support for young people who are detained in custody is governed by the rules of the particular establishment they are detained in. In general, young people are expected to undertake education or training and are provided with pocket money for engaging in these activities. Additionally, they will often be provided with clothing, or are able to bring clothing with them. As such they will not be provided with any allowances while detained. In exceptional circumstances where education, training or work opportunities are not available or appropriate and no pocket money or remuneration scheme exists, young people can be provided with a £20.00 per month allowance. This needs to be based on an assessment of need and taking into account anything which make cause them to be more vulnerable. This will need to be authorised by the Care Leavers Finance Panel.

Deposits and rent in advance

I	<p>If a young person cannot access Local Authority housing AND L.C.C Housing Options cannot offer financial assistance then Leeds Children's Social Work Service may be able to provide assistance towards a deposit. This would be based on an assessment of need, the young person being in employment/training/education and the young person being able to provide at least half of the deposit. The deposit would need to be placed in a Rent Deposit Scheme and the young person must commit to repaying any monies that Leeds paid upon ending the tenancy. This assistance would only be available in exceptional circumstances and upon authorisation from the Care Leavers Finance Panel.</p> <p>When a young person is moving into their first independent tenancy, they are not entitled to claim Housing Benefit on that property until they have moved in. To help support young</p>
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	<p>people in preparing their new home, Leeds Children's Social Work can cover the cost of the new accommodation for up to 2 weeks depending on an assessment of need. This will ensure that the young person does not accrue rent arrears.</p> <p>Leeds Children's Social Work Service cannot pay rent in advance for privately rented properties.</p>
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Birthday Allowance- payable for 19th, 20th and 21st birthday- £50.00 towards a gift

I SI SL SP	<p>Depending on an assessment of need the birthday allowance can be used to purchase a gift or paid directly to the young person. Alternatively, the allowance can be given to a previous foster carer/keyworker or personal adviser to purchase a gift/gifts or contribute towards the cost of a celebration. All young people should receive a card up to a maximum of £2.00.</p> <p>Depending on an assessment of need it may be appropriate to take the young person out for a birthday celebration meal for their 21st birthday. This is up to a maximum of £15.00.</p> <p>The Birthday Allowance will only be paid to young people who remain in contact with Leeds Children's Social Work Service and are actively engaged in the pathway planning process.</p>
H	<p>Depending on an assessment of need the birthday allowance can be used to purchase a gift or paid directly to the young person. Alternatively, the allowance can be given to a previous foster carer/keyworker or personal adviser to purchase a gift/gifts or contribute towards the cost of a celebration. This should be provided in consultation with the hospital to ensure their regulations are adhered to and the young person is not placed in a vulnerable financial position. All young people should receive a card up to a maximum of £2.00.</p> <p>The Birthday Allowance will only be paid to young people who remain in contact with Leeds Children's Social Work Service and are actively engaged in the pathway planning process.</p>
C	<p>All young people should receive a card up to a maximum of £2.00.</p>

Christmas/Festivals. Payment for 18th, 19th and 20th year- £50.00

I SI SL SP	<p>Depending on an assessment of need the Christmas/festival allowance can be used to purchase a gift or paid directly to the young person. Alternatively, the allowance can be given to a previous foster carer/keyworker or personal adviser to purchase a gift/gifts or contribute towards the cost of a celebration. All young people should receive a card up to a maximum of £2.00.</p> <p>Young people who are non-Christians will be given a choice as to when their festival allowance is to be provided. If they do not have a preference, the allowance should be made available at Christmas to ensure that they receive their entitlement. Additionally, they should also be offered the choice of having a proportion of their allowance at their festival of choice and a proportion at Christmas.</p> <p>The Christmas/festival allowance will only be paid to young people who remain in contact with Leeds Children's Social Work Service and are actively engaged in the pathway planning process.</p>
H	<p>Depending on an assessment of need the Christmas/festival allowance can be used to purchase a gift or paid directly to the young person. Alternatively, the allowance can be given to a previous foster carer/keyworker or personal adviser to purchase a gift/gifts or contribute towards the cost of a celebration. This should be provided in consultation with the hospital to ensure their regulations are adhered to and the young person is not placed in a vulnerable financial position. All young people should receive a card up to a maximum of £2.00.</p> <p>Young people who are non-Christians will be given a choice as to when their festival allowance is to be provided. If they do not have a preference, the allowance should be made available at</p>

	<p>Christmas to ensure that they receive their entitlement. Additionally, they should also be offered the choice of having a proportion of their allowance at their festival of choice and a proportion at Christmas.</p> <p>The Christmas/festival allowance will only be paid to young people who remain in contact with Leeds Children's Social Work Service and are actively engaged in the pathway planning process.</p>
C	All young people should receive a card up to a maximum of £2.00.

Further education, training and employment equipment grant- £400.00

I SI SL SP	<p>Young people who are undertaking full time (in excess of 12 hours) further education courses, apprenticeships or are engaged in employment are entitled to a grant of up to £400.00 per year.</p> <p>The Grant is available for equipment, software, stationary, books, interview needs (i.e. clothing/travel costs) and educational visits related to a course of further education. This should be based upon an assessment of need and set out in the young person's pathway plan.</p> <p>Where appropriate and depending on an assessment of need Leeds Children's Social Work Service will consider funding extra tuition and related expenses in order to assist young people with education goals.</p> <p>Based on an assessment of need, young people who require interview clothing/shoes can receive a one off payment of up to £75.00. This should not be given as cash and should be guided spending with the personal advisor/social worker</p>
H C	Not applicable

Computer Grant, further and higher education- up to £300.00

I SI SL SP	<p>Depending on an assessment of need young people in full time Further Education (in excess of 12 hours) and Higher Education will be provided with a one off Computer Grant of up to £300.00. This allowance includes the provision of a home/student software package (word, excel, PowerPoint etc).</p> <p>The Grant is provided as a one off payment between the end of school year 11 (age 16) and ceasing to be a former relevant child at the age of 21 or beyond.</p> <p>Subject to an assessment of need and approval by the Care Leavers Finance Panel a second computer grant can be provided.</p>
H C	Not applicable

ET (Education, Employment, Training) Top-Up payments

Leeds Children's Social Work Service provides EET Top-Up payments to encourage care leavers to undertake education, training or employment opportunities and/or in order to help young people prepare to access opportunities. Please see section on Further Education for young people that are requesting financial support due to non- entitlement to welfare benefits.

I SI	<p>Young people who are undertaking a full time (minimum of 12 hours direct contact time) education/training course or an agreed activity in preparation for education, training or employment will receive a £20.00 per week Leeds EET Top-Up payment. Young people who are undertaking a part time (less than 12 hours of direct contact time) education/training course or an agreed activity in preparation for education, training or employment will receive a £10.00 per week Leeds EET Top Up Payment. The activity being undertaken must be approved by a team manager and be set out in the young person's pathway plan.</p> <p>The EET Top Up payments are subject to young people maintaining 85% attendance and having satisfactory reports from the college. Personal advisers will be required to liaise with colleges on a 6-weekly basis to ensure satisfactory attendance and progress. In practice this will often be at the end of the half term. If the attendance falls below 85% or the level of attendance cannot be verified due to non-compliance from the young person, then the EET Top-Up payment will have to be paid weekly upon confirmation of 85% attendance. Once this has been maintained for a month payments can be reinstated as above.</p> <p>Earnings from employment are not taken into account.</p> <p>If a young person is doing a work-based apprenticeship then an EET Top Up payment can be made. In addition, an extra amount can be paid to cover rent/Council Tax charges once any benefit entitlement is established (i.e. the young person has to have made a complete claim for any benefits that they may be entitled to before a top up is considered). Any extra payments that Leeds Children's Social Services make would be disregarded for benefit purposes.</p> <p>Unaccompanied Asylum Seeking Children (not eligible for the 16 – 19 bursary) who are undertaking full time education courses or unpaid training courses will receive the Leaving Care Maintenance Allowance and a Leeds Children's Social Work Service EET Top Up payment of £20.00 (full time) or £10.00 (part time) per week.</p> <p>The Leeds EET Top-Up payment can be paid over a vacation period in circumstances where a young person, a) hasn't completed a course and will return to the education/training course at the end of the vacation, b) where they have been accepted on to a course and will be commencing the course in the next academic year.</p>
H C SP SL	Not applicable

Vulnerable Young Person's Bursary.

Young People aged between 16 & 19 who are in care, care leavers or claiming income support or getting both ESA and DLA/PIP will be guaranteed an education/training bursary of £1,200.00 spread over the academic year, for those attending college or sixth form (payments of £40.00 per week over a 30 week teaching year).

Key Documents

I SI SL	Leeds Children's Social Work Service will purchase a provisional driving license for ID purposes.
H C SP	Based on an assessment of need, Leeds Children's Social Work Service will purchase a passport (including the check and send facility) and 1 birth certificate for each young person. Young people are eligible for one passport renewal or 1 passport application

	<p>between the ages of 16 to 21/25. Up to £115.00 including passport photographs.</p> <p>Leeds Children's Social Work Service will purchase a travel document for Unaccompanied Asylum Seeking Children dependent on an assessment of need. The amount is dependent on what document is required- up to £382 for a certificate of travel.</p> <p>Leeds Children's Social Work Service will cover the full cost of the nationality and citizenship process for young people who gain citizenship (£936.00 for 16 & 17 year olds - £1236.00 for young people aged 18 and above).</p> <p>To be granted citizenship or indefinite leave to remain some young people may have to prove their English language skills via IELTS. Upon an assessment of need, Leeds Children's Social Work Service can cover the cost up to £150.00. In addition to this young people will have to prove their knowledge of life in the U.K by passing the Life in the UK test. Upon an assessment of need, Leeds Children's Social Work Service can cover the cost up to £50.00.</p>
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Introduction to Driving

I SI SL SP	<p>Depending on an assessment of need, Leeds Children's Social Work Service will provide the funding for one provisional driving licence See key documents section, one theory test, one practical test and the cost of 10 (1 hour) motor car driving lessons to introduce young people to driving.</p> <p>The allowance is conditional on the young person having the funds for 10 lessons or having paid for 10 lessons. Once the young person has evidenced this Leeds Social Work Service can fund a further 10 lessons up to £250.00.</p> <p>As an alternative, if the young person would like to do an intensive course and has evidenced that they have the funds to cover the remainder of the costs, Leeds Social work Service can provide a lump sum amount of £250.00. Where possible a VAT receipt should be obtained.</p> <p>This is only available to young people who have been continuously engaged in education, training or employment for 3 months and do not have any driving convictions. Depending on circumstances, lone parents and sick and disabled young people may be exempt from the 3 months in education, training or employment condition.</p> <p>Additionally, Leeds Children's Social Work Service will pay for one practical driving test. This is dependent on an approved driving school recommending that the young person is ready to take the test.</p> <p>The Introduction to Driving Allowance will only be paid to young people who remain in contact with Leeds Children's Social Work Service and are actively engaged in the pathway planning process.</p>
H C	Not applicable

Health

I SI SL SP H	<p>Leeds Children's Social Work Service will assist young people to access services to meet their health and developmental needs via the 'looked after' children health provision and via universal health services using NHS HC1 Form. Young people should also be assisted to explore the minor ailments scheme (if entitled to free prescriptions).</p> <p>Based on an assessment of need Leeds Children's Social Work Service may be able to provide financial assistance towards unexpected health costs. These may include emergency dental treatment.</p>
C	Not applicable

Cultural, religious and special needs

I SI SL SP H	Where appropriate, and dependent on an assessment of need, Leeds Children's Social Work Service will fund services in relation to a young person's cultural, religious, special needs.
C	Not applicable

Child care costs

I SI SL SP	<p>Lone parents, who wish to return to education, start a traineeship/apprenticeship or take up employment opportunities, will be assisted to identify funds from universal services to cover or contribute to child care costs. In the first instance, the Care to Learn Fund, individual colleges, Sure Start, HMRC (through working tax credits), the Job Centres Flexible Support Fund and other universal services must be approached as sources of potential child care funding. Where appropriate and dependent on an assessment of need, with all options having been explored without success, Leeds Children's Social Work Service may contribute towards the costs of child care. The young person needs to provide proof that all avenues have been explored.</p> <p>The Care to Learn Fund provides financial support to assist young parents under the age of 20 to undertake education.</p> <p>From April 2009 the majority of Unaccompanied Asylum Seeking Children who have applied for asylum and have an initial decision such as Humanitarian Protection or Discretionary Leave can apply for a Care to Learn Fund grant.</p> <p>For young people over the age of 20 they may receive financial support towards childcare through Discretionary Learner Support- https://www.gov.uk/discretionary-learner-support/overview</p>
H C	Not applicable.

Child Maternity/Paternity Grant

I SI SL SP H	<p>Leeds Children's Social Work Service will provide a one- off £200.00 maternity grant. This is available from 8 weeks before the baby is due. This is intended to assist young people with preparing for the birth of their first baby and should be used to purchase essential equipment. The PA/support worker must accompany the young person to obtain the required items and obtain a receipt.</p> <p>Once benefit entitlement has been established the young person may be able to claim the Sure Start Maternity Grant of £500.00 which is available from the DWP. This may be payable prior to the birth of the baby (please seek advice from a welfare rights worker). This is only available for the first child or if there is no other child living with them. Asylum seeking lone parents who are not eligible to claim the Sure Start Maternity Grant will be provided with the equivalent amount for their first child.</p> <p>A voucher or gift to the value of £20.00 is available when a young person has a new baby.</p> <p>Subject to the above criteria, the grant and the voucher/gift are available for all new parents (whether male or female). This would be based on an assessment of need and if both parents were eligible it would only be paid once.</p>
C	<p>If a young person is in custody when they give birth and the baby remains with them until release, they are entitled to the grant once they are released. Please see box above for criteria.</p>

Personal Luggage- up to £35.00

I SI SL SP	<p>Luggage – all young people moving to independence or between placements must have appropriate personal luggage. At least two items of appropriate personal luggage.</p>
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Emergency Payments for those in independent/semi independent accommodation

<p>Principles:</p> <ul style="list-style-type: none">• All avenues for DWP support should be explored and exhausted initially, for example hardship payments/short term benefit advance.• Each office will maintain a stock of First Day travel vouchers (off peak).• Where a young person requests emergency payments their Pathway Plan will require immediate amendment to include an agreed piece of work to address budgeting. The initial stages of this work should be completed within the first two weeks of the request being made.• Where a young person requests an emergency payment their PA/SW should explore education/training options and refer to Connexions (if not already done so). <p>When a young person presents for assistance with emergency payments the following Steps should be followed:</p> <p>Step A:</p> <p>A young person can access this from any office (whichever may be closer to where they live) though the assistance has to be authorised by the appropriate team manager.</p> <p>Assistance would cover the immediate need (1-2 days). Support can be given for food, utilities and</p>
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travel (day ticket). The amount is set at £10.00 per week, for gas and electricity and the young person can receive this 3 times in a 6 month period. The PA/SW must add the credit to the young person's card/key. Cash payments can only be made up to a maximum of £5.00 and the young person can only receive 3 in a 6 month period.

If the need is likely to go beyond 1-2 days then an ASDA delivery can be arranged (up to 2 weeks-worth of food). This can be delivered to the young person's home or to the (convenient) office. Only 2 parcels can be provided in a 6 month period.

Step B:

If, after the above provision has been made, the young person is still in need then a referral to a food bank would be completed and ticket issued, if appropriate. Refer to the list of food banks in your area.

Step C:

If the young person is assessed as still being in need then the social worker or personal adviser should support the young person with an application to the Local Welfare Support Scheme or give them the claim number.

The final option, after all of the above steps are exhausted would be referral to St George's Crypt, or other provider of food, though only if the young person is not placed at risk by attending.

When a young person presents in an emergency on the first occasion, the above steps should be followed. If a young person returns on a separate occasion, please consult the flow chart.

This emergency payments policy should be followed in order to support young people with everyday living expenses (food/gas/electric/bus travel) in an emergency.

Exceptional Needs payments are not for emergency, everyday living expenses.

Subsistence

I SI SL SP Living With Parents H	Depending on an assessment of need personal advisers can purchase refreshments to enable a keywork session to be inclusive. The subsistence allowance is for the young person's refreshments, refreshments for staff should be processed through the standard staff subsistence route and subject to the standard subsistence conditions. Young people that attend Care Leaver's Social Groups will be entitled to a payment of £4.00 for each time they attend.
C	Not applicable

Consultation with Young People

I SI SL SP Living With Parents C H	Expenses and remuneration related to enabling young people to participate in consultation exercises will be provided following an assessment of need.
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Exceptional Needs Payments

I SI SL SP C H	Where appropriate, and dependent on an assessment of need, Leeds Children's Social Work Service may provide funds for exceptional needs grants and one off payments. Examples of exceptional needs include costs associated with family bereavement. Any requests for exceptional needs payments that are not required immediately need to be authorised by the Care Leavers Finance Panel.
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Setting Up Home Allowance

Setting Up Home Allowance – Payment Process

The amount of the Setting Up Home Allowance available to individual young people is set by the budget for the year the Setting Up Home Allowance is first used. For example, the amount available to young people who first access their Setting up Home Allowance during 2016-2017 is the rate prevailing in that year (£2290.50).

The rate set for those first accessing their Setting Up Home Allowance in:

- 2015-2016 is £2250.50
- 2014-2015 is £2250.50
- 2013-2014 is £2130.50
- 2012-2013 is £1662.50

This amount is the total they can access up until the point they cease to be a Former Relevant young person.

In most instances, the Setting Up Home Allowance will be used by the time that the young person reaches aged 21, or once they have completed an education programme extending beyond aged 21 (whether that be further or higher education).

In situations where part, or all of the Setting Up Home Allowance is unused by the age of 21 (or the completion of the post 21 education programme) a list of requirements should be included in the final Pathway Plan. The Pathway Plan should set out a timescale for obtaining the items and this information should be noted in the case closure letter that is sent to the young person. The Setting Up Home Allowance cannot be accessed after the young person's 25th birthday.

If a young person returns to the authority between the ages of 21 and 25 and wish to access the remainder of their Setting up Home Allowance, they are entitled to do so without having to be engaged in training or education.

The Setting Up Home Allowance should always be used to purchase household items and the initial spending should be for the young person's first permanent home or for items that are transferable (i.e. furniture/white goods).

Young people must be supported by staff to purchase items via guided spending. Young people should not be given money to purchase items on their own. VAT must be reclaimed on all purchases. Original receipts must be kept by Leeds Children's Social Work Service.

Depending on an assessment of need, an additional Setting Up Home Allowance (or part Allowance) may be available; this would be subject to agreement of the Care Leaver Finance Panel and alternative options, such as charity grants should be considered.

£145.50 Not Transferable	For TV licence. (First licence paid for by Leeds Children's Social Work Service and subsequent ones paid for by young person).
£1800.00	To be spent on items for equipping accommodation. The allowance will always be spent collaboratively between the personal adviser and young person. Original receipts should be retained by social workers/personal adviser for audit purposes, reclaiming VAT and in case defective items need to be returned.
Plus	
Up to £80.00 Not Transferable	One years contents insurance. <ul style="list-style-type: none"> This is provided for the first year of independent living age 18 plus (Check level of cover required)
Up to £45.00 Not Transferable	Health and safety pack <ul style="list-style-type: none"> Two smoke detectors, one carbon monoxide detector, door security chain, chub lock, fire blanket and first aid kit.
Up to £100.00 Not Transferable	Decorating grant – This must only be awarded based on an assessment of need and is subject to the condition of the property. This should not be used to decorate temporary accommodation or those with a short-hold tenancy if the décor is appropriate (unless the Landlord stipulates that it is the tenant's responsibility to decorate). If required this grant can be provided in addition to decorating vouchers from Local Authority Housing Departments/Housing Associations.
£120.00: £60.00 for 1 st Winter £60.00 for 2 nd Winter Not Transferable	For the first and second winter of independent living (where they are responsible for utility bills) young people will be provided with a £60.00 utility allowance. This should be paid in instalments of £20.00 for the months December, January and February and should be paid directly to the utility/ies provider or added to the young person payment card/key.
Separate Budget	Removal and transport costs which are based on an assessment of need.
Separate Budget	Cooker and washing machine connection cost.
Up To £2290.50	Total Amount

Further Education

Leeds Children's Social Work Service is committed to assisting and supporting young people to maximise their potential through educational and training opportunities.

- All requests for financial assistance will need to be presented at the Care Leaver Finance panel and details of the below criteria will have to be evidenced.
- From the age of 18 to the end of the academic year following their 21st birthday, care leavers who have to live away from their parents (or anyone acting in their place), and who are studying full time (over 12 hours or more of 'guided learning') should be able claim Income Support and Housing Benefit on the grounds of being in 'Relevant Education' (please seek advice). Young people can start or change courses at any point up until their 21st birthday.
- Where young people aged 21 to 25 wish to commence or resume education or training after their 21st birthday, and cannot claim welfare benefits (seek advice) funding will be considered following an assessment of need and of the motivation of the young person to undertake, sustain and complete the course. As young people are likely to be on a low income, personal advisers should support their students to apply for reduced rate fees. Personal advisers should support young people with making timely applications for discretionary learner support funds- ensuring that the college are aware that the young person is a care leaver as this

places them in a priority group- <https://www.gov.uk/discretionary-learner-support/overview>

- For those young people studying full time (over 12 hours), and who cannot access financial support through the college, they may be provided with a Maintenance Allowance of up to £60.00 per week. This would be dependent on whether they have responsibility for utilities/food and would track the Maintenance Allowance rates for 16/17 year olds. They may also be supported with a Registration & Fees Grant of up to £200.00.
- The Maintenance Grant should only be set up once the young person has provided their worker with confirmation of enrolment on the course and only set up for the period of the course or until the end of the academic term (whichever comes sooner).
- The Education Top Up payment may be payable, depending on an assessment of need and will only be considered for young living independently/semi-independently.
- These grants are subject to young people maintaining 85% attendance and having satisfactory reports from the college. Personal advisers will be required to liaise with colleges on a monthly basis to ensure satisfactory attendance and progress. If the attendance falls below 85% or the level of attendance cannot be verified due to non-compliance from the young person, then the Education Top Up payment will be stopped. This will not be reinstated until the young person has successfully met the 85% target for a calendar month.
- Leeds Children's Social Work Service may be able to assist with accommodation costs based on an assessment of need and of the motivation of the young person to undertake, sustain and complete the course. This should be based on the Local Housing Allowance rate for the area where the young person lives.
- Part time courses – One off grants will be made following an evaluation of the course and an assessment of need of the young person and their financial circumstances. Grants will typically involve amounts ranging from £20.00 to £500.00 towards registration fees and equipment costs.
- Full and part time grants will be based on need, motivation to gain educational qualifications and whether the candidate has any existing education qualifications.
- Where young people aged 21 to 25 wish to resume or commence education or training the following principles will apply;
 - Young people should contact the duty worker for the thirteen plus team that supported them up to their 21st birthday (or, up to the end of their previous education/training course if completed after 21).
 - An assessment of need will be undertaken by a leaving care personal adviser.
 - Funding will be considered based on the motivation and commitment of the young person.

Higher Education

Student Finance

The level of fees, loans, grants, and bursaries for higher education student's change each academic year. The most accurate and up to date information is available via the following link:

<https://www.gov.uk/student-finance>

Tuition Fees and Tuition Fee Loans

From September 2016 the maximum tuition fees and tuition fee loan per year is:

- | | |
|---|----------|
| • New full-time students | £9000.00 |
| • New full-time students at private university or college | £6000.00 |
| • New part-time students | £6750.00 |

- New part-time students at private university or college £4500.00

You may be able to get a Tuition Fee Loan if your part-time course has a 'course intensity' of 25% or more.

'Course intensity' measures how much of your course you complete each year compared to an equivalent full-time course. Check course intensity with your university or college.

The tuition fee loan is provided by Student Finance England and is paid directly to the university to cover the full cost of the course.

Maintenance Grant/ Special Support Grant

From September 2016 there is no longer a Maintenance or Special Support Grant. These will be replaced with a maintenance loan.

Maintenance Loans

The maintenance loan is provided by Student Finance England and is paid directly to the student, normally in three instalments and is provided to help with living costs such as rent, food, bills and equipment and books.

The maximum maintenance loan for 2016/2016 (per year) for young people is set out below:

- Students studying in London £10,702.00
- Students studying outside of London £8,200.00
- Students living at home £6,904.00

Loan Repayment

Graduates repay the combined tuition fee and maintenance loan when they have finished studying and are earning over £21,000.00 per year. The monthly repayments are linked to the person's income and the interest charged is linked to the retail price index (RPI). After a certain amount of time (30 years), any outstanding loans are likely to be written off, if the money has not been repaid.

Support From Individual Universities

In addition to the financial support provided by Student Finance England, most Higher Education Institutions will offer their own financial support. Each university will have its own eligibility criteria and any awards may only be available to a limited number of students:

- Bursaries
- Scholarships
- Fee Waivers

Bursaries and Scholarships will generally not have to be repaid and Fee Waivers are applied to part, or all of the course costs.

University and College Hardship Funds (previously Access to Learning fund)

The Access to Learning Fund has been replaced. The young person should be supported to contact the university or college to find out if they are eligible for extra money. The amount is decided by the university or college. It's paid in a lump sum or instalments.

Usually the extra money is not repayable, but in some cases you'll get a loan that you have to repay.

To get further information, contact the student services department at the university or college - they'll decide if you qualify.

You'll need:

a copy of your letter from Student Finance England showing how much student finance you'll get
documents about your finances e.g. bank statements and rent details

National Scholarship Programme (NSP)

The National Scholarship Programme has now ended.

The Care Leavers Higher Education Bursary

The Care Leavers Higher Education Bursary (C&YPA) is provided by the student's local authority (Leeds Children's Social Work Service) and is provided as a minimum grant of £2000.00 throughout the length of the whole course.

Unite Foundations Scholar

A Unite Foundation Scholarship means a free university home for all years of a degree. Every Unite Foundation Scholar also receives an annual allowance of £3,000, rising to £4,000 in London. We also bring you other opportunities through our sponsors, such work placement opportunities, mentoring and university starter packs. There are specific universities that offer the scholarships and any enquiries need to be directed to the university directly.

Grants and Awards From Charitable Trusts

Trusts and charities provide financial grants and awards to students. Advice about what may be available is available through individual universities.

Public libraries should have directories of charitable trusts that provide grants and awards:

- The Educational Grants Directory
- The Charities Digest
- The Grants Register
- The Directory of Grant Making Trusts

Disabled Student's Allowance

Disabled Students' Allowances are grants to help meet the extra course costs students can face as a direct result of a disability, mental health condition or specific learning difficulty. They are aimed at helping disabled students to study on an equal basis with other students. Full-time, part-time and postgraduate students can apply for Disabled Students' Allowances. The amount you get doesn't depend on your household income. Disabled Students' Allowances are paid on top of the standard student finance package, and don't have to be paid back.

What they are for -

Disabled Students' Allowances can help with:

Specialist equipment you need for studying - for example, computer software

A non-medical helper, such as a note-taker or reader

Extra travel costs you have to pay because of your disability

Other costs - for example, tapes or Braille paper

Eligibility

You can apply if you are doing:

A full-time course that lasts at least one year (including a distance-learning course).

A part-time course that lasts at least one year and doesn't take more than twice as long to complete as an equivalent full-time course (can include an Open University or other distance-learning course).

Checking if you're eligible for student finance.

To apply for financial help through Disabled Students' Allowances, both you and your course must

be eligible. It's worth checking this before you make your application. Information is available at: http://www.direct.gov.uk/en/DisabledPeople/EducationAndTraining/HigherEducation/DG_10034898

General Information

Care leavers considering attending university should check with the universities that they are thinking about applying to, for information about the support that each institution will provide. This information can then assist when making a final choice about which university to apply for as a first, second or third choice.

The students' support service should be able to provide information on both the practical and financial support that may be available.

Many universities are now accredited under the Buttle Trust Quality Mark Award Scheme. The Quality Mark acknowledges and highlights additional support that establishments provide to young people leaving public care. <http://www.buttleuk.org/pages/quality-mark-for-care-leavers.html>

Information about additional support to care leavers can be found via the Fair Access Agreements that each institution is required to have. Information can be found on the web site of each institution or via:

<http://www.offa.org.uk>

Young people considering attending university should make use of :

- The Who Cares? Trust – H.E. Handbook via - <http://www.thewhocarestrust.org.uk>
- The North Class – Care Experienced North England University Guide

Welfare Benefits

The majority of young people who undertake higher education courses are ineligible for welfare benefits such as Income Support and Housing Benefit. Certain limited groups of young people who undertake higher education courses such as lone parents and sick and disabled young people may remain, or be eligible for welfare benefits while studying. If a young person is entitled to welfare benefits (Income Support, Employment and Support Allowance, Housing Benefit) they are not eligible for the full Leeds Accommodation and Living Expenses Grant, Equipment or Travel Grant.

Lone Parents and Sick and Disabled Students who are in receipt of Welfare Benefits should check with the Department for Work and Pensions regarding the rules about student finance. Being in receipt of student finance may cause disqualification for welfare benefits. Generally, lone parents and sick and disabled young people will be required by the DWP to take out Student Loans and apply for the Special Support Grant. Their level of welfare benefit will be calculated by taking into account the loans and grants as income whether applied for or not. Leeds Children's Social Work Service will replace the welfare benefit deducted amount instead of providing the Higher Education Living Expenses and Equipment Bursary/Grant and Higher Education Term Time and Vacation Accommodation and Living Grant.

Leeds Children's Social Work Service will also continue to provide the Government's Higher Education Bursary (C&YPA) of £2000.00 which is provided as part of the Higher Education and Bursary Allowance.

Childcare Grant/Parent's Learning Allowance/Disabled Student's Allowance

Lone Parents may be eligible for the Government's childcare grant (up to £155.24 per week for one child and up to £266.15 per week for more than one child 2016-2017 rates) and/or Parents' Learning Allowance (up to £1573.00 per year 2016-2017 rates). Disabled students may be eligible for the Disabled Students' Allowance. Students who have adult dependents may be eligible for an Adult Dependents' Grant (ADG) (up to £2757.00 per year 2016-2017).

Leeds Children's Social Work Service Higher Education Financial Support

Courses must commence prior to a young person's 25th birthday to qualify for financial support from Leeds. Financial Support can continue after the age of 25 to enable the young person to complete the course.

Higher Education Bursary and Maintenance Allowance

Leeds Children's Social Work Service will provide a Maintenance Allowance to young people who are undertaking full time higher education. This comprises of the Higher Education Bursary and an allowance to support young people with their everyday living and equipment costs.

The Maintenance Allowance is dependent on their accommodation. If a young person's accommodation is inclusive of utilities and food, for example in they are remaining with a Staying Put carer, catered halls of residence or Supported Lodgings, the amount per week is £40.00.

If a young person's utility payments are included in their accommodation costs but they have to provide their own food, for example self-catering halls of residence, the amount is £50.00 per week.

If a young person is responsible for utilities and their food costs, for example they have their own or a shared tenancy, the allowance is £60.00 per week.

Payments for vacations may be different depending on the type of accommodation. This may result in a higher Maintenance Allowance being paid during term time than in vacations if a young person returns to their previous Staying Put carer.

Young People that are 'Appeal Rights Exhausted' will not be able to access Student Finance nor bursaries from individual universities, therefore £100.00 per week will be payable.

The Maintenance Allowance can be paid during all vacations but the rate will be dependent on the type of accommodation (see above). The Maintenance Allowance can continue for 4 weeks following the course end date in the final year, depending on an assessment of need

Transitional payment arrangements

If a young person is receiving a Maintenance Allowance at a higher rate than they would be entitled to under this current policy, this will continue until the 31st August or the end of the course date (whichever is sooner). For example if a young person is in their first year of university and is in self-catering halls of residence, they may be receiving £97.90. This will continue until the end of the academic year.

If a young person is entitled to a higher amount due to the change in policy, this will take immediate effect. For example, if a young person is receiving £57.90 this will increase to £60.00 from April.

Accommodation Grant

A Higher Education Term Time and Vacation Accommodation Grant is payable. If the young person is living in halls of residence then the Accommodation Grant should be set at this rate. If the young person is not in halls of residence the rate of the Accommodation Grant is set at the Local Housing Allowance rate for that area (with the exception of London, where the Accommodation Grant is set at the average rate of halls of residence even if they are not actually residing in halls). The total combined Accommodation Grant and Maintenance Allowance may amount to approximately £9000.00 per year. The actual amount each young person receives will depend on the cost of their accommodation and generally will be paid on a weekly or monthly basis and dependent on continued attendance. Young people do not receive the payment as a lump sum.

Refer to 'Staying Put' policy for details of payments to the previous 'Staying Put' carer if the young person returns during vacations.

Details of Local Housing Allowance rates can be found via: <http://www.direct.gov.uk> by following the links to Local Housing Allowance and individual council areas.

Higher National Certificate and Higher National Diploma courses are defined as Higher Education Courses. Both HNC and HND courses often attract a bursary and/or a grant from the individual university.

The Maintenance Allowance and Accommodation Grant should be used by young people to pay for all costs associated with undertaking a higher education course and for vacation accommodation. Based on an assessment of need, the grant will continue to be paid for four weeks after the completion of the course.

Payment Process

The frequency and amount of each payment as well as the method of paying the allowance should be set out in the young person's Pathway Plan. As a general principle, and in order to assist young people with their first year at university, Leeds Children's Social Work Service will pay directly for three terms in university halls of residence and provide a summer accommodation allowance at the end of the academic year. Arrangements for paying the remaining amount should be set out in the Pathway Plan. Where this principle needs to be adjusted and for subsequent years the Pathway Plan should set out all arrangement. All payments are dependent on, and subject to young people agreeing to the following arrangements:

- Maintaining regular and ongoing contact with Leeds Children's Social Work Service, by phone, e-mail and one to one meetings.
- Attending all pre-arranged meetings with Leeds Children's Social Work Service and undertake/complete all actions and agreed tasks.
- To identify a suitable contact within the university staff/support service in order to take part in joint meetings to ensure educational goals and targets are met and appropriate practical, educational, pastoral and financial support is being provided. To agree to regular liaison between the university and Leeds Children's Social Work Service to monitor progress, attendance and attainment.
- To inform Leeds Children's Social Work Service of any change of circumstances (contact details, course details) as soon as possible.

Employment Whilst Studying

Young people should focus on educational activities by not undertaking excessive hours of employment during term time.

Post Graduate Courses

Leeds Children's Social Work Service will assist young people to identify financial support and resources to undertake post graduate courses. Generally, vocational post graduate courses are funded by secondment from an employer, or by individual universities providing a bursary to cover course/tuition fees. Leeds Children's Social Work Service may consider a contribution to post graduate courses following a needs assessment and all avenues of funding being explored. This would need to be considered by the Care leavers Finance Panel.

Education & Training (21 to 25)

Financial Support and Traineeships and Apprenticeships

Apprenticeships

The majority of apprenticeships are classed as employment with a study component. These types of apprenticeships are generally secured by young people gaining employment with a company or organisation that is a registered apprenticeship provider. The young person is employed and also undertakes a study component towards a:

- National Vocational Qualification (NVQ)
- Technical Certificate
- Functional Skills (Mathematics, English)
- Personal Learning and Thinking Skills (PLTS)
- ERR (Employment Rights and Responsibilities) Workbook
-

From the 1st October 2015, the minimum wage rate is £3.30 per hour for apprentices aged 16 to 18 and those aged 19 or over who are in their first year. All other apprentices are entitled to the National Minimum Wage for their age and can be found on www.gov.uk/national-minimum-wage-rates

As the apprenticeship is deemed employment, young people will be eligible for a range of benefits, including Housing Benefit and Tax Credits depending on their circumstances. If the apprenticeship is deemed employment, the young person would not be covered by the age 21-25 Education and Training Care Leaver entitlements, unless otherwise stated.

Traineeships and Programme Led Apprenticeships

These types of traineeships and apprenticeships are provided by a training provider or college, with work experience provided at the establishment site, and are therefore deemed education/training rather than employment. Young people may be eligible for benefits and tax credits depending on their age and circumstances. In general young people aged 22 to 25 will not be able to access benefits or tax credits (unless they are parents or have a disability). Young people undertaking these courses are eligible for the 21-25 Education and Training Care Leaver entitlements, subject to an assessment of need and the conditions above being met.

Financial Support

Access to financial support will always be dependent on an assessment of the young person's financial circumstances. Where appropriate; young people will be provided with practical support to help them access education, training or benefits funding, rather than with the provision of direct grants. The level of practical support and financial support should be set out within the young person's pathway plan and highlight any conditionality to the support being provided.

Qualifying young people

Section 24 (advice and assistance) of the Children Act 1989 [as amended by the Planning Transitions to Adulthood for Care Leavers 2010 Guidance and the Care Leavers (England) Regulations 2010] covers 'Qualifying Young People'.

Depending on an assessment of need, Leeds Children's Social Work Service has a responsibility to provide practical and financial support and assistance to Qualifying Children and Young People over 16. Individual young people may be given practical support and financial assistance (Children Act 1989 (Section 24A (5)) and Section 24B) with priority being given to support relating to education, training and employment opportunities. Leaving care social workers/personal advisers should assist young people to maximise financial support available from employment, benefits and education allowances and opportunities.

Leeds Children's Social Work Service has a duty to provide vacation accommodation, or the means to secure it, to any care leaver qualifying for advice and assistance, who is between the ages of 16 and 25, who is in higher education or in residential further education and who needs it.

Depending on an assessment of need Qualifying Children and Young People may require, and should be provided with the same level of service as Eligible, Relevant or Former Relevant young people. All financial decisions will have to be approved by the Care Leavers Finance Panel.

See Volume 3 Planning Transition to Adulthood for Care Leavers Guidance – Care Leavers (England) Regulations 2010 – Para 2.6 to 2.11 Page 10 & 11. Para 8.43 to 8.51 Page 67 to 69.

Young people deemed Qualifying Children and Young People over 16

- Young people aged 16 & 17 who are subject to a Special Guardianship Order
- Young people aged 18 to 21, or up to 25 who were previously subject to a Special Guardianship Order.
 - The young person must have been looked after immediately prior to the making of the Special Guardianship Order.
- Young people who were privately fostered
- Young people who were looked after for less than 13 weeks between their 14th and 18th birthdays, but for at least 24 hours aged 16 or 17.
- Young people who returned home and are subject to a Section 31 Care Order and were looked after for a minimum of 13 weeks (age 14 or 15) become an 'Eligible' child on reaching their 16th birthday. If they live at home successfully for 6 months or more and their care order is revoked they become Qualifying on the revocation of their order.
 - If the arrangement at home breaks down before the age of 18, they automatically become 'Relevant' children.
- Young people aged 16 or 17 who are deemed 'Eligible' and are Accommodated under Section 20 cease to be looked after and become 'Relevant' children on returning to parents or those with parental responsibility. After a stable and settled six month period as 'Relevant' children this group become Qualifying.
 - If the arrangement at home breaks down before the age of 18, they automatically revert to being 'Relevant' children.
- Young people subject to respite care arrangements do not become Eligible or Relevant even where their period of being looked after exceeds 13 weeks between their 14th and 18th birthday. The respite periods must all be planned periods with no individual period exceeding 4 weeks. This group are deemed Qualifying.

Special Guardianship Orders– Qualifying Children and Young People over 16

Responsibility for providing a Leaving Care Services

The local authority responsible for the provision of leaving and aftercare services for the first three years after the making of the Special Guardianship Order is the local authority that last looked after the young person. The Special Guardianship Order can be made at any age, however the child/young person must have been looked after prior to the Special Guardianship Order being granted and must be over 16 when requesting leaving and aftercare services. If financial support is being provided, the responsibility remains with the 'originating' local authority until the young person has lived in the 'host' local authority for three years and no financial support has been provided for at least three years. Thereafter, in general the local authority where the young person (previously subject to a special guardianship order) is living is deemed the responsible authority.

Financial support will be provided as agreed in the original SGO Support Plan. Any variation of that support should be agreed within a review of the SGO Support Plan.

Vacation support will be provided to the level of the Local Housing Allowance within the area that the young person is residing during the vacation period. This level of support will be provided to young people who were subject to a Special Guardianship Order and are subsequently deemed a Qualifying Child and Young Person and become the responsibility of Leeds Children's Social Work Service.

Please refer to the Special Guardianship policy and Special Guardianship leaflets for further details.

Unaccompanied Asylum Seeking Children (UASC) Eligible and Relevant Children

Key Guidance

Social Workers and Personal Advisers must ensure an UASC has applied to extend their leave to remain and their application is submitted to the UK Border Agency before their leave expires. In the majority of UASC cases the leave expires at the age of 17½, or, on the 18th birthday. If this task is completed and submitted within time the young person is eligible to claim means tested benefits on their 18th birthday.

Access to Public Funds and Welfare Benefits

Young people must apply to extend their leave to remain status six weeks before their immigration leave status expires. If this task is completed by a young person's eighteenth birthday (or before their status expires, if before their 18th birthday) and they have proof that the Home Office has received their application the young person is eligible to apply for benefits at 18.

Personal Advisers should obtain a letter from the young person's solicitor that includes details of the young person's immigration status; the date of the application to extend the leave to remain was submitted. The solicitor submits the renewal/extension by recorded post. The recorded post item will have a tracking number that can be used to verify that the Home Office received the application. The letter from the solicitor, a print out of the Post Office tracking statement and a copy of their initial Immigration Status document should be submitted with the young person's benefit claim.

Not all young people will be entitled to Legal Aid in order to apply for extensions of Leave to Remain. If the young person does not have a solicitor and are therefore unable to obtain a letter confirming their legal entitlements, Leeds Children's Social Work Service Legal Department can provide a letter to this effect.

Unaccompanied Asylum-Seeking Children (UASC) are covered by the Children Act 1989 and the provisions of the Care Planning, Placement and Case Review Guidance and Regulations 2010 [16 & 17 year olds] and the Planning Transition to Adulthood for Care Leavers Guidance 2010 and the Care Leavers (England) Regulations 2010 [16 to 21/25 year olds] in exactly the same way as other children in this country. However they will also have an immigration status: applying for asylum, accepted as a refugee, granted exceptional leave to remain [divided into a) Humanitarian Protection and b) Discretionary Leave], indefinite leave to remain or refused leave to remain which will need to be taken into account when undertaking their Leaving Care Assessment of Need and developing their subsequent Pathway Plan.

It should be noted that from September 2005, applicants who are granted refugee status may not automatically receive indefinite leave to remain. Applicants granted refugee status will be given limited leave to remain for five year periods. At the end of each five year period their circumstances will be reviewed and if the conditions in their home country have improved they may be expected to return.

Most Eligible and Relevant unaccompanied asylum-seeking children will receive the same entitlements as any other young person. However, there may be some differences in entitlement, which will need to be acknowledged in their Pathway Plan. For example, unaccompanied asylum-seeking children who are applying for asylum and are awaiting an initial decision, or have been granted exceptional leave to remain may not be entitled to the education/training bursary.

When developing Pathway Plans with Eligible and Relevant (UASC) particular attention must be paid to their immigration status and contingency plans developed which take account of their possible status options at the of age 18.

Unaccompanied Asylum-Seeking Children (UASC) reaching age 18 and who become Former Relevant Children

Where young people have an immigration status that means they have permission to work and/or recourse to public funds will be expected to be working or claiming benefits like other Former Relevant Children. Additionally, Leeds Children's Social Work Service will apply all of the aspects of the Former Relevant Children section of the leaving care financial policy with some exceptions to the Higher Education and Further Education sub-section.

Young people wishing to access higher education

Where young people have limited leave to remain, exceptional leave to remain or are appealing an adverse decision they are eligible for a Leeds Children's Social Work Service Higher Education Grant for higher education courses that finish in the academic year prior to their status expiring.

Leeds Children's Social Work Service will provide a Higher Education Grant to unaccompanied asylum seeking young people if all of the following circumstances are met:

- a) they have been offered a higher education place
- b) the Student Finance England has awarded them a maintenance loan and grant
- c) they are classified as a home student.

If a young person has not been granted Leave to Remain for the duration of their course, upon an assessment of need, a finance application should be completed in order to highlight the young person's financial needs in regards to enabling them to attend higher education. Any decisions for additional financial support will need to be approved by the Head of Service.

Leeds Children's Social Work Service will work with education establishments and training providers to ensure that young people who have limited leave to remain have access to purposeful activities such as short education courses, training opportunities and courses and voluntary activities.

Young people who have no further Leave to Remain in the U.K

Young people who have exhausted all avenues and rights regarding appealing an adverse asylum decision, and/or are unable to extend their exceptional leave to remain, and/or lose access to public funds and the right to work are deemed 'appeal right exhausted (ARE)'. At this point the young person may receive a removal directions notice. Where young people lose access to welfare benefits and are deemed 'ARE' Leeds Children's Social Work Service will provide an allowance commensurate with benefits until, either their 21st birthday or, their removal from the U.K (whichever comes sooner). In addition, the provision of an allowance and accommodation is dependent on the young person remaining in contact with their personal adviser and actively engaging in the pathway planning process.

Should a young person reach their 21st birthday and remain 'ARE' a Human Rights Assessment should be completed. The decision to continue with support or close the young person's case will be made by the Head of Service.

(See London Borough of Barking and Dagenham [2010] EWCA Civ 1101 - Case Law)

Council Tax

UASC who are over the age of 18 and have no recourse to public funds may still be liable for Council Tax (for example if they do not meet the criteria to be an exempt student). Leeds Children's Social Work Service can make a payment towards Council Tax commensurate with the level of Council Tax Support that the young person would otherwise be entitled to. This is likely to be a proportion of the Council Tax liability so the young person will still have an amount to pay.

Pathway Planning Guidance

When undertaking the Leaving Care Assessment of Need with unaccompanied asylum-seeking children at age fifteen and, subsequently developing their Pathway Plans, personal advisers must take account of young people's immigration status and how this may limit access to public funds and services at age eighteen. Every effort must be made to clarify young people's immigration status as soon as possible in order to develop clear plans for their future e.g. ensure that extensions to Discretionary Leave and Humanitarian Protection are applied for within timescale i.e. six to eight weeks before expiry.

Pathway Plans should explore how an unaccompanied asylum-seeking child's immigration status may limit future support and financial opportunities. Pathway Plans for unaccompanied asylum-seeking children should always incorporate a dual plan approach. For example, Pathway Plans should highlight what support would be given if the young person gains indefinite leave to remain, and an alternative Plan should highlight what support would be available should they be granted limited leave to remain or are refused altogether and receive removal directions. Pathway Plans should also explore the 'Voluntary Assisted Returns programme' and the implications of staying in the UK without leave to remain.

Summary

Unaccompanied Asylum Seeking Children (UASC) making the transition from care to adulthood have both a leaving care status and an asylum and immigration status in addition to their placement and accommodation, education, health, financial and religious and cultural needs.

Planning transition to adulthood for UASC is a particularly complex process that needs to address young people's care needs in the context of wider asylum and immigration legislation and how this changes over time. Pathway planning to support a UASC's transition to adulthood should cover all areas that would be addressed within all young people's plans as well as any additional needs arising from their specific refugee and immigration issues.

The majority of young people making the transition from care to independence, will, with support and assistance develop a settled life in the U.K. Whilst this may be the case for some UASC this may not

apply to others due to the outcomes of their asylum claim. Planning may have to be based around short term achievable goals whilst entitlement to remain in the UK is being determined.

Planning for a return home may be difficult but care and pathway plans should include contingencies for durable and best interest plans for UASC and young people who are likely to have to return to their country of origin. It will be essential that arrangements for returns should be managed in a sensitive and consistent way.

Transition to adulthood planning and pathway planning for UASC who do not have permanent immigration status should initially take a dual or triple planning perspective which over time should be refined as the final outcome becomes known:

- Longer term perspective plan in the United Kingdom should the young person be granted Refugee Status or Indefinite Leave to Remain.
- A transitional plan during the period of uncertainty when they are in the United Kingdom without permanent immigration status.
- A return to their country of origin at any appropriate point or at the end of the process should that be necessary due to their immigration status.

Claiming asylum can be a complex process and social workers/personal advisers should work with the young person's legal representative and the dedicated case owner at the UK Border Agency to ensure that the young person understands the process of claiming asylum, the possible outcomes and to provide them with necessary support.

Pathway plans should always consider the implications for the young person if their application to extend their leave to remain or their appeal against refusal of that application is dismissed. In such circumstances the person will be expected to make plans for return to the country of origin or face an enforced removal by the UK Border Agency. Pathway plans should highlight the risks associated with young people disappearing ('going underground') to avoid returning and the difficulties associated with returns that occur quickly with little or no planning.

Schedule 3 of the Nationality, Immigration and Asylum Act 2002

It is important that Personal Advisors and others working with the young people understand that their immigration status may affect their eligibility to leaving care support after they turn 18 because of the provisions of Schedule 3 of the Nationality, Immigration and Asylum Act 2002.

This is especially the case for any of the young people who are "unlawfully present in the UK" – which includes those who have been refused asylum and have either not applied for an extension of further Discretionary Leave to remain or have applied for an extension but that application and any appeal has been rejected. Liaison with the legal adviser may be required to establish whether Schedule 3 applies in a particular case, as refusal of asylum does not necessarily indicate that a young person is 'unlawfully present in the UK'.

In these cases, the young people can generally only be supported to the extent necessary to avoid a breach of their human rights (under the European Convention of Human Rights).

Criminal Compensation Payments

The rules on Criminal Injuries Compensation Award (C.I.C.A.) payments have recently changed and allow a young person a 52 week 'grace period' regarding an eligibility for benefit entitlement after receipt of the award. The following guidance should still be followed.

Housing Benefit, Income Support, Jobseekers Allowance and Employment and Support Allowance legislation sets out that a C.I.C.A. payment is disregarded in terms of calculating benefit entitlement for the first 52 weeks after receipt of the award.

Young people who receive a C.I.C.A. payment should be assisted to seek independent financial advice regarding establishing a Discretionary Trust Fund. Additionally, young people should be made aware of the implications of the C.I.C.A. payment for any benefit claim they may make after the 52 week disregard period. Young people should visit the Citizen's Advice Bureau and choose an independent solicitor and financial adviser to explore opportunities to use their award in a positive manner.

Generally, young people will receive their C.I.C.A. payment on their eighteenth birthday. If young people establish a 'Discretionary Trust Fund' prior to, or within 52 weeks of receiving their payment they continue to be eligible for benefits. Establishing a 'Discretionary Trust Fund' results in their award payment being 'tied up' until they reach the age of twenty-one.

If a C.I.C.A. is less than £6000.00 fifty-two weeks after receiving the payment it will not affect a claim for benefit. If the award is between £6000.00 and £16,000.00 52 weeks after the receipt of the award, it will result in a reduced benefit payment and an award of over £16,000.00 will disqualify a young person from benefit. Strict benefit rules apply in regard to spending the award after the 52 week disregard period, consideration should be given to the DWP rules on the inappropriate disposal of 'capital'. It is important that young people are given independent advice regarding C.I.C.A. payments and that social workers/personal advisers are not responsible for choosing who gives advice.

Where a young person has been awarded a sum in compensation for a criminal injury, Leeds Children's Social Work Service is required to disregard that capital entirely. See page 62 para 4 - Children (Leaving Care) Act 2000 Guidance.

Benefit advice

Please seek individualised advice, however young people may be entitled to the following, dependent on their circumstances.

Former Relevant Young People can claim the following benefits and payments, depending on their circumstances:

- From 1st February 2016 Universal Credit started to be rolled out in Leeds. It replaces Income-based Jobseeker's Allowance, Income-related Employment and Support Allowance, Income Support, Working Tax Credit, Child Tax Credit and Housing Benefit. The only people that can make a claim for Universal Credit at this point are those that are single, newly unemployed and pass the 'gateway conditions' (please seek advice on these).

Two of the main changes to Universal Credit are that payments are made monthly and any housing costs (rent payments) are paid directly to the person and not to the rent account. There is an option for vulnerable people to request fortnightly payments and to have the rent paid directly to the landlord- this is called an Alternative Payment Arrangement and needs to be requested.

Those people already on one of the above benefits won't have to make a claim for

Universal Credit at this point (but will do at a future date).

- From the age of 18 young people who are undertaking non-advanced full time education courses (in excess of 12 hours contact time) and are estranged from their family may be able to claim Income Support. The basic rate for 16/17 for a single person is £57.90. This is available from the young person's 18th birthday (care leavers) until the end of the academic year following his/her 21st birthday. Income Support is available where young people change courses and/or return to education as long as they commence a course prior to their 21st birthday.
- From the age of 18 young people who are sick or disabled and unable to work may be able to claim Employment and Support Allowance providing they have a valid medical certificate. This is paid at different levels starting at £57.90 (16/17).
- At any point, disabled young people can claim Personal Independent Payment for care and mobility needs. It is not affected by other income or savings, care status or accommodation (unless the claimant is in hospital or residential accommodation). See below.
- From the age of 18 young people are eligible to claim Housing Benefit/Universal Credit for housing costs and Council Tax Support. Housing Benefit/Universal Credit for housing costs is generally paid where young people live in council or housing association accommodation and Housing Benefit based on the Local Housing Allowance is paid where young people live in private accommodation. Where young people live in situations where meals are provided, such as Staying Put arrangements Housing Benefit can still be claimed and will be based on the local reference rent and claim related rent level.
- From April 2013 Council Tax Benefit has been replaced by a Council Tax Support Schemes that reflect individual local authority priorities and will be administered through local rules.
- Young people leaving care are exempt from the Shared Accommodation Rate of LHA up to their 22nd birthday. Single young people aged 16 to 35 are only eligible for housing benefit up to the LHA Shared Accommodation Rate.
- Section 24 and Section 23 leaving care payments are not counted as income for benefit purposes and therefore do not affect care leavers' benefits.
- Financial provision for over eighteen year olds who have a disability transfers to Adult Care Services when they complete statutory education - their Statement of Special Educational Needs and Disabilities ends . Young people with disabilities should not be disadvantaged by the Leaving Care Financial Policy, the Adult Service Financial Policy or the benefits system. Young people with disabilities have differing entitlements from all of these options and clarity must be sought as to which elements of each Policy replace the others. Young people leaving care who also have a disability should primarily have their financial needs met through the benefits system.

Charity/Grant applications

There are various charities that may be able to provide financial assistance for young people that are experiencing hardship. To search for possible grants- <https://grants-search.turn2us.org.uk/>

These include:

- The Care Leavers Foundation- http://www.thecareleaversfoundation.org/About_Grants
- British Gas Trust Fund- <http://www.britishgasenergytrust.org.uk/>
- Capstone Care Leavers Trust- <http://www.capstonecareleaverstrust.org/home>
- Yorkshire Water Community Trust- <https://www.yorkshirewater.com/watersure>
- N Power Energy Fund- <http://www.npowerenergyfund.com/index.php?page=grantsindhow>
- Leeds Community Trust- <http://www.leedscommunitytrust.org/whatdowedo.html>
- Leeds and Moortown Furniture Store- <http://leedsandmoortown.org.uk/>
- St Jude's Furniture Store- 0113 245 0800