

# Planning Transition to Adulthood for Looked after Children Guidance and on the amended Children (Leaving Care) (England) Regulations 2001

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**Barnardo's**

For further information contact:  
Enver Solomon, Assistant Director Policy,  
[enver.solomon@barnardos.org.uk](mailto:enver.solomon@barnardos.org.uk)

## Enquiries

Contact details for questions relating to the policy content of the consultation via email to Mark Burrows – [Mark.Burrows@dcf.gov.uk](mailto:Mark.Burrows@dcf.gov.uk) or Claire Humphreys

[Claire.HUMPHREYS@dcf.gov.uk](mailto:Claire.HUMPHREYS@dcf.gov.uk)

Contact details for enquiries related to the consultation process in general should be sent to [[consultation.unit@dcf.gov.uk](mailto:consultation.unit@dcf.gov.uk)]

## Overarching Consultation Questions.

**Q1. We are interested in your views about whether we have identified the right priorities so that care leavers are provided with the support they need to make a positive transition to adulthood.**

Barnardo's welcomes the degree of clarity with which the Government's expectations are set out in paragraph 1.6. The statement that 'no child should be made to feel they should 'leave care' before they are ready, in paragraph 1.9 could be strengthened to ensure there is no misinterpretation.

On further reading of the guidance the focus in expectations conveyed in paragraph 1.6 and 1.9 is not reflected in the detailed guidance which will in turn affect practice.

A cultural and operational shift will be required to allow real choice and engagement for young people leaving care.

Based on the experience of Barnardo's fostering services we are concerned that the guidance does not give sufficient weight to the importance and value to young people of having positive and lasting relationships with a carer or another significant person. At present many supportive relationships continue well into adulthood.

**Q2. We are also interested in what is helpful about this guidance overall, and what is unhelpful?**

The guidance needs to achieve a balance between being prescriptive and ensuring entitlements and levels of service are maintained, and on the other hand allowing professionals some discretion. We recognize this is a challenge as the guidance needs to work for all young people

including those who, for example, regard their foster carers as their family and who wish to remain with them for longer.

However it is essential that the guidance requires local authorities to make explicit the arrangements they have for supporting young people who remain with their foster carers, including arrangements for fees, allowances, supervision and training.

The evidence from research and from the views expressed by young people is that it is the quality of their relationship with key people that is critical in influencing how they manage the transition to adulthood. For young people in foster care, this relationship is often with their foster carer: for other young people it may be their social worker, residential worker or personal adviser. The guidance needs to recognise that these important relationships must be supported and encouraged by the planning process and must influence the Pathway Plan. Relationships are seldom mentioned in the guidance at present and we make suggestions as to how greater emphasis can be given to them.

We can see no reason why it would not be possible and more appropriate to refer throughout to young people rather than children.

**Q3 We are interested in your views on whether the general direction of travel within the Regulations and Guidance is right. Is it helpful to include the provision for eligible children within the Care Planning, Placement and Case Review Regulations and guidance or should the requirements set out in Regulations 42-46 of those Regulations<sup>1</sup> be included in specific Regulations concerned with support for all care leavers aged 16-25.**

It is important that early attention is given to transition and that there is a continuum of care planning. It does seem appropriate that eligible children are included within care planning regulations and guidance but that there is cross referencing between the regulations. Also clarity is required within the IRO guidance.

## **The Proposals**

### **Chapter 2 - The Legal Framework: categories of children entitled to leaving care support .**

**Q4 Is the information in this chapter clear. Is the information about potential “leaving care” support for qualifying children and children easy to understand and helpful?**

The definition chart is very helpful and could usefully be included elsewhere e.g. – as an appendix to the care planning guidance and in the IRO handbook.

There is still an issue concerning children adopted from the looked after system where relationships break down between aged 16- 21. Clearly such young people can apply for support under the Adoption Support regulations but they should be also eligible to the framework of support laid set out in the guidance. We would suggest therefore that consideration is given to including them alongside children under Special Guardianship. Even if technically the support is

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<http://www.dcsf.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1678&external=no&menu=1>

provided under the adoption regulations this would ensure some consistency of support for the young person based on assessed transition need rather than on legal status.

### **Chapter 3 - Assessing Transition and Pathway Planning.**

#### **Q5 Is the information about pathway planning for relevant children clear?**

There could be greater clarity that the “pathway plan” is the “care plan” for a young person over 16 and we request that this is clearer in the guidance.

We question whether it is helpful and proportionate that every pathway plan should include an assessment as to the suitability of each care leaver’s accommodation. For many young people it will not be appropriate for them to be prepared or to consider accommodation at the age of 16. As part of their care plan provision should be in place to consider the skill and potential support which may be required as the young person approaches 18.

We also question whether the list of professionals who should be consulted to contribute to the assessment of needs to inform the pathway plan include all those who should usually be involved in the pathway planning process. The main care provider such as the foster carer, support worker, or residential carer should always be consulted.

In paragraph 3.13 we recommend that the main carer be provided with a copy of the plan if this is agreed by the young person.

There could be greater focus on supporting the career planning for care leavers. In line with all LAC Outcomes it must be essential that career and education planning are at the centre of the care leavers plan. We would welcome greater detail and focus.

We recognize that the timescale for reviewing pathway plans is necessary and that young people can trigger their first review. However we question whether there should be “trigger” events always leading to a review and whether the suggested triggers for review are the right ones.

### **Chapter 4 - Personal Advisers**

A personal adviser should generally possess a sound understanding of human growth and development (in particular being competent in understanding the insecurities faced by looked after children as they make their transition to adulthood). The personal adviser will also require a working knowledge of the legal framework affecting care leavers (in particular the Children Act 1989 and Children (Leaving Care) Act 2000 and related Regulations, and relevant legislation concerned.

#### **Q6 Does the Guidance clearly describe how the personal adviser is expected to carry out their functions?**

The guidance doesn’t specify expected qualifications of the Personal Advisor and yet the quality of direct work is crucial. This may require further detail. We also welcome the inclusion of foster carers and residential workers as Advisors; however greater clarity on the balance of interest for the commissioning Local Authority and the young person must be clearer to avoid misinterpretation.

**Q7 Is the requirement that a care leaver must be visited in their accommodation within 7 days, after 28 days (prior to the first pathway plan review) and thereafter at least two monthly proportionate in specifying the minimum frequency for personal adviser contact with the care leavers?**

The minimum requirement is sufficient however it must be acknowledged that some young people may require greater frequency.

#### **Chapter 5 - Care leavers aged 18-24**

**Q8 Does the Guidance offer sufficient information about how support should be delivered to 18-24 year olds care leavers? Are the requirements for supporting care leavers up to age 25 who resume a programme of education and training clear to understand and proportionate?**

Yes, however in reality many training courses offered can be short term and consideration need to be given to the impact of benefits balanced with Local Authority budgets. In paragraph 5.6 it states that the “duty” to provide accommodation and maintenance ends at 18 which is not in line with the overall objective.

#### **Chapter 6 - Care leavers who require additional specialist support.**

**Q9 Is the information in this chapter outlining how leaving care services should be delivered to the above groups of care leavers who have specialist support needs clear and helpful?**

We request greater detail relating to the needs of disabled young people whose requirements are often lost in the transition to adult services. We request that paragraph 6.5 is clearer in relation to person centred planning and a requirement that these principles are in place in adult services.

One group which must be recognized are young parents. Increasingly they are in foster placements and continue to require support and guidance.

#### **Chapter 7- Planning and arranging suitable accommodation for the transition to independent living.**

As already noted there should be greater recognition of the significance of foster/carer relationships and that of family members.

**Q10 Is the information about the necessity of strategic planning to respond to secure a range of accommodation options and respond care leavers’ housing needs clear and helpful?**

Yes, however, paragraph 7.7 does not reflect the element of choice for the young person and if they are ready to move.

Paragraph 7.10 does not reflect a “joint working” relationship/agreement between Local Authorities. Therefore if a young person wishes to remain in another Authority they may still access leaving care services. For example, this may benefit those in residential or out of area foster provision.

Paragraph 7.21 should be clearer with reference to not having to move in the young person's GCSE year with the staying put placement being considered by all concerned from the young person's 16th birthday.

Paragraph 7.24 does not reflect the personal and care relationships which form when a young person is in a foster placement. The guidance should reflect the importance of these and other close relationships.

Paragraphs 7.26 and 7.27 provide welcome clarity about reviews but greater detail on the annual check requirements would be helpful in recognition that the young person will be over 18. For example, CRB checks which are carried out on all adult members of a fostering household.

**Q 12 Is the information in this chapter and the Annex about the assessment of “suitable accommodation” for care leavers sufficiently clear and relevant to assessing the suitability of accommodation when working with individual care leavers?**

In the Annex questions should also be included relating to the young person's views.

## **Chapter 8 – Finance Matters.**

**Q13 Is the information about how local authorities should develop financial policies sufficiently clear, to assist authority to develop sound policies relevant to young people; are the funding priorities listed the right ones?**

Barnardo's greatest concern is about the flexibility and willingness of agencies such as the DWP/ housing associations to respond in a timely and responsive manner. In some authorities there is a willingness to process claims in advance of 18 so that finances can be in place when needed. 8.15 Local Authorities must be required to provide all personal documents such as birth certificate etc for the young person.

**Q 14 What measures might all local authorities reasonably put in place to make sure that where relevant and former relevant children live outside of the responsible authority's area they are enabled to access financial assistance in emergencies?**

Based on the personal advisor model there needs to be recognition by neighbouring Local Authorities of the importance of providing on going support via this model in terms of the cost and cross boundary flexibility.