

## Young person's entitlements when leaving care

### Question

*I am leaving care soon and would like to know what support I am entitled to from my local authority as a care leaver.*

### Answer

When you leave care you will have to manage more things on your own, but your local authority has to continue to support you.

Local authorities' legal responsibilities are detailed in the Statutory Guidance and Regulations called *Children Act 1989: Vol.3 'Planning transitions to adulthood for care leavers'*. See:

[http://leavingcare.org/?page\\_ID=171](http://leavingcare.org/?page_ID=171)

### 'Category' of care leaver

The level of support your leaving care service should give you depends on your status, i.e. are you 'eligible', 'relevant', 'former relevant' or 'qualifying'? Your status depends on your age, when you were in care and for how long.

The different categories and what support each group should get are detailed on the next page. You can also go to Voice's online tool for care leavers. It asks some short questions about your situation and clarifies your entitlements, see: <http://www.voiceyp.org/young-peoples-zone/are-you-care-leaver>.

### What am I entitled to?

The basic rules are that from 16 you should have a **Personal Adviser**, an **assessment** of the support you need and a **Pathway Plan** that sets out how the local authority will support you, including **financial support**. They should also **keep in touch** with you until you are at least 21.

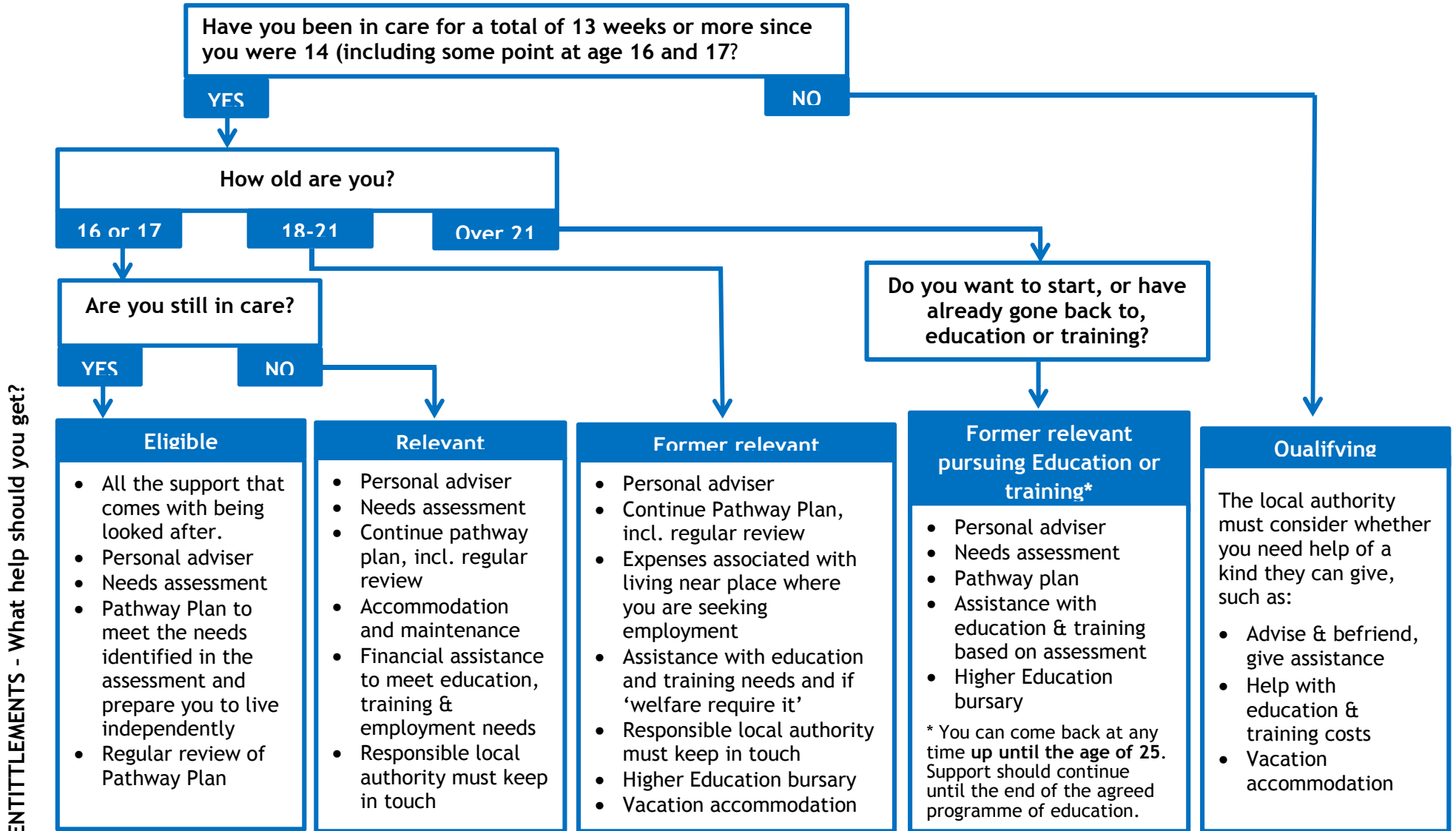
**If at age 21 you are already in education or training** then leaving care support continues until the programme of education or training, which has been agreed in your Pathway Plan, ends.

**If at age 21 you are not in education or training** then support from leaving care services will usually stop around your 21<sup>st</sup> birthday. You should have a final meeting with your Personal Adviser who will talk to you about other services you may be able to get help from.

However, if, up until your 25<sup>th</sup> birthday, you return, or want to return to, education or training, you can go back to your local authority and ask for support.

The local authority that is responsible for you is the one who took you into care.

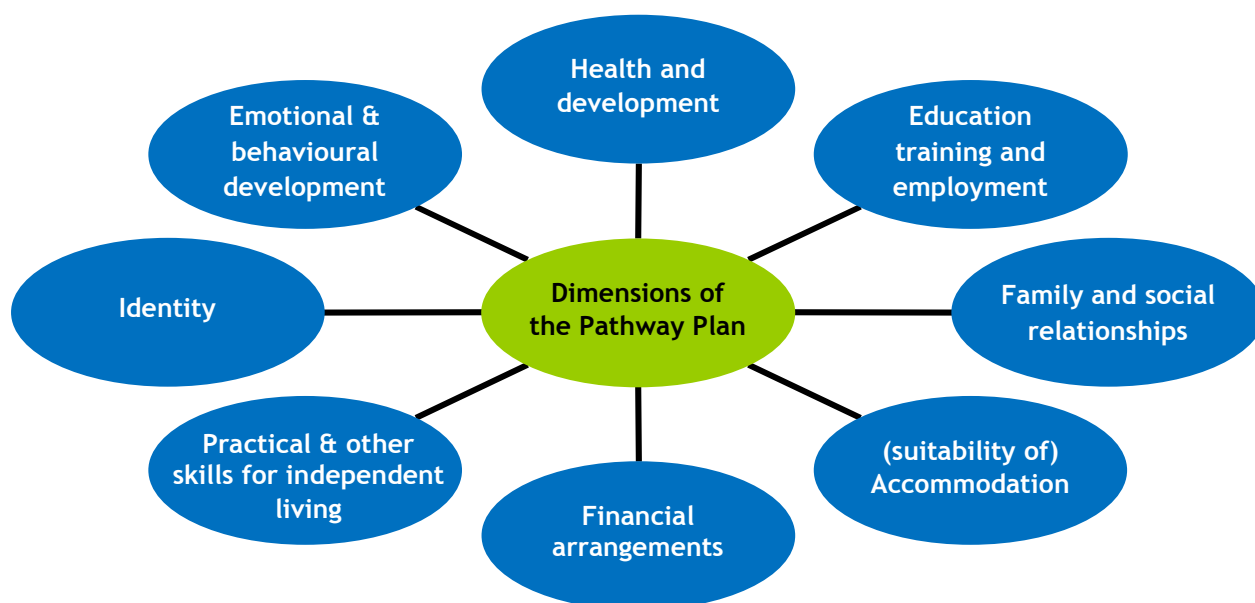
Are you a care leaver? Categories of care leavers and entitlements



## Pathway Plans

Your Pathway Plan is important because it is a document that the local authority has to draw up legally. If a local authority has said they are going to give you certain support and they have recorded it in the Pathway Plan, this can be used to challenge them if they haven't done what they have said they would.

The Pathway Plan should be written together with you after assessing your needs around your 16<sup>th</sup> birthday (or when you come into care if this is later). The Pathway Plan should then be regularly reviewed, since your circumstances will change and you will need different support as you get older. This should happen at least every six months or more often if needed, including if you ask for it to be reviewed. The below diagram shows the areas a Pathway Plan should cover.



## Support

The authority also has to appoint a Personal Adviser (sometimes these are called leaving care workers, pathway workers or have other titles) to advise and support you and keep in touch with you to see how your doing.

The local authority should be looking at all the support you need to manage living independently around all the areas covered in your Pathway Plan. This includes helping you think about career planning and what you need in terms of education, training, work experience etc. in order to get to where you want to be in the future. They should also help ensure that you are in suitable accommodation.

## Financial assistance

Different local authorities have different policies but, if you meet the eligibility criteria they should:

- Provide or pay for your accommodation and give you help with living costs until 18.
- Help with the **costs associated with education and training** and this duty continues after 18.

- Provide support if your ‘**welfare requires it**’. It is a bit unclear what this means, but the general intention is that it is a safety net for care leavers, so, if you are having particular difficulties, this could be what applies.
- Provide or pay for **vacation accommodation** if you are in residential further education or in higher education.
- Pay a **Higher Education Bursary** of £2,000 if you are at university (but many local authorities provide more assistance than this).

As different local authorities have different priorities there are some differences in the support they provide or how they provide it. You should ask your local authority for their financial policy setting out what they do. The *Planning transitions to adulthood for care leavers guidance* says that this should be available to young people. Your local authority may have special leaflets for young people that outline what you would be entitled to and how they will support you.

## More information

You can contact the NCAS enquiries service if you have any questions relating to leaving care, just email [ncas@catch-22.org.uk](mailto:ncas@catch-22.org.uk).

Or, if you would like an advocate, contact Voice ([www.voiceyp.org](http://www.voiceyp.org)) or the National Youth Advocacy Service (NYAS) [www.nyas.net](http://www.nyas.net), that both run national helplines.

## Useful websites and resources

**Leaving Care Entitlements** - 10 things the law says you are entitled to when leaving care

[www.rights4me.org/en/home/library/rights/right-leaving-care-entitlements.aspx](http://www.rights4me.org/en/home/library/rights/right-leaving-care-entitlements.aspx)

**Get ready for adult life**

<http://www.getreadyforadulthood.org/>

**Voice - young people's zone**

[www.voiceyp.org/young-peoples-zone](http://www.voiceyp.org/young-peoples-zone)

**SCIE Info 4 Care Kids**

[www.info4carekids.org.uk](http://www.info4carekids.org.uk)

**Department for Education (DfE)**

**leaflets** on entitlements for children in care and care leavers

[www.education.gov.uk/childrenandyoungpeople/families/childrenincare/a00208882/leavers](http://www.education.gov.uk/childrenandyoungpeople/families/childrenincare/a00208882/leavers)

**Leavingcare.org**

[www.leavingcare.org](http://www.leavingcare.org)

**Who Cares? Town**

[www.thewhocarestrust.org.uk/who-cares-town/](http://www.thewhocarestrust.org.uk/who-cares-town/)

Please note that, although the information in this briefing is correct to our best knowledge, NCAS does not give legal or benefits advice and we recommend that you seek separate legal advice as necessary. For further information and resources please go to our website [www.leavingcare.org](http://www.leavingcare.org) or contact:

National Care Advisory Service (NCAS)

Catch22 Office, 3rd Floor, Churchill House, 142-146 Old Street, London, EC1V 9BW

T 020 7336 4824, F 020 7336 4801, E [ncas@catch-22.org.uk](mailto:ncas@catch-22.org.uk)

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