



Leaving Care Entitlements

Leaving Care Entitlements

10 Things the law says you are entitled to when leaving care





TEN things the law says YOU are entitled to when leaving care

1

AN ASSESSMENT OF YOUR NEEDS

You have a right to have your needs assessed before you leave care to make sure that you leave;

1. at a time that is right for you
2. knowing what support you will be getting and,
3. understanding what your options are if things don't work out for the best.

For many young people, it is important to know that you can stay in care up until you are 18, unless you agree that you are ready to leave before.

2

A PATHWAY PLAN (or 'Leaving Care' Plan)

You should have a Pathway Plan, started sometime after your 15th birthday, that you have helped to put together and agree with. This should make clear the help you will be getting in preparing to leave care and what support you will receive after you have left.

This should say how your local authority will help you achieve the things you want in life (such as a place of your own, educational achievement, having your own money to spend, going on a training course or getting the job that you want). This is very important to you, as your Pathway Plan says exactly what help you should be getting before, during and after you leave care. Once agreed, it should to be kept to by all those who have signed it.

When the time comes for you to leave care, you should be able to look after yourself, keep yourself healthy, continue with your learning, enjoy and achieve things in life, stay in touch with family and friends, and be confident about who you are.

3

A PERSONAL ADVISER

Children's social services should make sure that you have a Personal Adviser. This could be your current social worker or a worker from the 'leaving care' team. It is their job to keep in touch with you, check that you are alright and help you in getting what you need. To do this they must make sure that your Pathway Plan is followed, reviewed (at least every six months) and kept up to date.

From 1st April 2011, a change in the law means that care leavers up to the age of 25 who tell their council they have returned, or want to return, to education or training, will also be able to have the support of a personal adviser while they are on their course (if the course is agreed in their Pathway Plan). (*'Young People's Entitlements', Department for Education*)

4 A PLACE TO LIVE

Your local authority must make sure that you have somewhere 'suitable to live'. This means that it has to be right for you and, above all, safe. It is important that wherever you prefer to live, you make sure that your local authority puts this into your Pathway Plan. You can decide to return home if this is what you and your family wish.

In deciding whether accommodation is suitable for a care leaver to live in, a council must take into account the care leaver's wishes and feelings about their accommodation, as well as whether the accommodation suits the care leaver's needs and what the landlord is like. (*Young People's Entitlements*, Department for Education)

If the council arranges accommodation for a care leaver, they must do a review after the care leaver has lived there for 28 days – and at least every three months after that. The personal adviser must visit in the first week, at least every two months after that and, also, before each review of the Pathway Plan. (*Young People's Entitlements*, Department for Education)

5 FINANCIAL SUPPORT

Until you are 18, then children's social services must arrange for your financial support to help you pay for the things you need to live on (for example for food, clothing, travel, hobbies and for your accommodation). They have to make sure that you are not any worse off than if you were on benefits. Once you are 18, if not in employment or full-time education, you can claim benefits. However, your local authority should continue to give you financial help (for example towards the costs of your education and training), if that is what they have agreed to do. In order that children's social services keep to their promises, they should make sure that all agreed support is written into your Pathway Plan.

Local authorities must pay the Higher Education Bursary for all eligible care leavers. A new 16-19 Bursary scheme will begin from the start of the 2011/12 academic year. Looked after young people and care leavers are guaranteed a £1,200 bursary if they stay in full-time education (and £2,000 if going to university). Young people should get in touch with their education provider (that is school or college) to find out how to claim the bursary. For advice speak to student support services or your tutor, or go to www.direct.gov.uk/16-19bursary. (*Young People's Entitlements*, Department for Education)

Local authority allocation of setting up home allowances will be crucial in helping young people establish their identity and independence and should be used to ensure that they have appropriate equipment and household items to set up safe, secure and stable accommodation. You can ask your authority for £2,000 for the setting up home allowance. This was the amount that the young people agreed, at the regional meetings for Chairs of Children in Care Councils, to ask their local authorities for. (*Young People's Entitlements*, Department for Education)



6 MAINTAIN RELATIONSHIPS

Your Personal Adviser should help you to keep contact with relatives and also friends that you have met whilst in care. If you would like more information about finding friends that you met whilst in care why not visit; www.careleaversreunited.com

7 INVOLVEMENT IN DECISIONS

You have a right to be involved in all major decisions, including when you leave care, where you go to live and what support you receive.

8 TO HAVE YOUR SAY IF YOU ARE NOT HAPPY ABOUT SOMETHING

Although you have left care you are still entitled to let children's social services know and, if necessary, complain if not satisfied with the support you are getting.

REMEMBER: You also have the right to have an advocate to help you do this.

9 TO SEE YOUR FILES

The law says that you have a right to see information written that is about you. This includes social services files and many young people would like help in getting access to these.

10 TO KNOW ABOUT SERVICES YOU CAN USE

You have a right to be told, and given information telling you, about all the services that you are entitled to used once you leave care (for example, Connexions, children's social services, health, further and higher education courses, housing advice).



FURTHER INFORMATION

If you would like more information about any of your entitlements when leaving care contact any of the following organisations or visit their websites:

- Office of the Children's Rights Director (Tel: 0800 528 0731, website: www.rights4me.org)
- A National Voice (Tel: 0161 237 5577, website: www.anationalvoice.org)
- Who Cares? Trust (Tel: 0207 251 3117, website: www.thewhocarestrust.org.uk)
- Care Leavers' Association (Tel: 0161 275 9500, website: www.careleavers.com)
- Children's Legal Centre (Tel: 01206 877 910, website: www.childrenslegalcentre.com)
- National Leaving Care Advisory Service (Tel: 0207 840 5620, website: www.raineronline.org) or
- Voice (Tel: 0207 833 5792, website: www.vcc-uk.org)

You can also ask your local children's social services or leaving care team for advice.