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Regional Summary of Costs of Implementing Children (Leaving Care) Act (Northern Ireland) 2002

1.1 Introduction

The Children (Leaving Care) Act (NI) 2002 received Royal Assent in November 2002 and is due to come into effect from September 2005. The Act provides a new legal framework for leaving and after care services. Its purpose is to improve the life chances of young people who are looked after by Health and Social Services Trusts as they make the transition to independent living. To do this, the Act amends the Children (Northern Ireland) Order 1995 **to place new and enhanced duties on HSS Trusts to support young people leaving care.**

The main aims are to prevent premature discharges from care, improve preparation, planning and consistency of support for young people, and to improve arrangements for financial assistance. At its heart, are new duties to assess and **meet young people's individual needs**, provide personal advisors and develop pathway planning for young people up to the age of 21 (or beyond if continuing in education). Pathway plans are to be co-ordinated by the personal advisors, and subject to regular review.

Pathway planning should identify immediate need and look forward to longer-term future care needs, whether or not a young person continues to be looked after by Social Services. Every young person will have a pathway plan as soon as practicable after they reach the age of 16.

The legislation is modelled on what a good parent would do and support packages, are not bound by Social Security rules for 16 and 17 year olds, and **“the value of the package should generally be well above the level which would have been supplied through the benefits system”**.

1.2 Purpose of this paper

The information contained in this paper sets out the legislative requirements of the Children (Leaving Care) Act (NI) 2002, identifies current service provision for each Board area and highlights projected budgetary requirements over a 5 year period (2005-2010) to implement the Act as required by each Board.

- This calculation is based on the best information available for the service needs of this population of young people
- Information sought from costings of support packages from 10 Local Authorities in England who operate under a similar legislative framework has been considered.
- Best practice locally and regionally on interventions and support arrangements to care leavers, inclusive of mandatory and discretionary requirements, has been taken into account.

1.3 Terminology used in the legislation

Eligible Child

A young person aged 16 or 17 who has been looked after by an HSS Trust for a period of 13 weeks since the age of 14, and is still in care.

Person Qualifying for Advice and Assistance

A young person aged under 21 who, after reaching the age of 16, but whilst still under 18, was looked after by a HSS Trust, accommodated in a voluntary children's home or privately fostered.

Relevant Child

A young person aged 16 or 17 who has left care and before leaving care was an eligible child.

Former Relevant Child

A young person aged 18-21 (or beyond if, being helped with education or training) who, before turning 18 was either an eligible or relevant child or both.

Personal Adviser

A person appointed by the responsible Trust for each eligible, relevant and former relevant child who will have responsibility for overseeing the pathway plan and ensuring the young person receives the support he / she is entitled to in a co-ordinated and easily accessible way.

Pathway Plan

A document drawn up by the responsible Trust with the young person which sets out; the manner in which the Trust proposes to meet the young persons needs, when the Trust might cease to look after the young person, and the date by which and by whom the plan will be implemented.

Responsible Trust

The HSS Trust which last looked after an 'eligible' or 'relevant' child.

1.4 Summary of the Primary Duties and Good Practice Outlined in the Legislation



Summary of the Primary Duties and Good Practice Outline in the Children (Leaving Care) Act (NI) 2002

DUTY: 1 To assess and meet the care and support needs of eligible, relevant and former relevant young people	
PRACTICE IMPLICATIONS	Requirement to have dedicated, suitably trained and skilled workers in place to fulfil assessment and support functions. Staff skill mix comprising of social workers, youth and community, nursing, training/employment etc (Para 6.15 Regulations and Guidance – social workers, teachers, youth workers, foster carers).
SERVICE STANDARDS	Ratio of: 1 Personal Advisor to 25 young people (mixed caseload). Supporting evidence can be provided to explain this ratio based on caseload weighting models and practice and on Supporting People

	ratios.
DUTY: 2 To stay in touch	
PRACTICE IMPLICATIONS	<p>The extent and demands of “Staying in Touch” will be determined by the assessed needs and the willingness of young person to engage with service. However Leaving/After Care services will be required to demonstrate how they have made efforts to stay in touch with young people.</p> <p>It will be delivered primarily through dedicated workers, young people’s access to and use of a Drop-In service, befrienders/mentors, ex foster carers etc.</p> <p>Alternative, innovative ways may be developed, such as, access to texting, email etc.</p>
SERVICE STANDARDS	Minimum standard of 1 contact per 3 months for ‘hard to reach’ young people - extending to possibly daily contact through designated worker and/or access to Drop-In with other young people.
DUTY: 3 To ensure Pathway Plans are in place for all eligible, relevant and former relevant young people	
PRACTICE IMPLICATIONS	<p>This is a primary function of the staff/Personal Adviser role and is developed from the multi agency needs assessment which should be completed in respect of each eligible and relevant young person within three months of his/her 16th birthday. Pathway planning and Needs assessment frameworks and process will be integrated into policies / procedures</p>
SERVICE STANDARDS	Ratio of 1 Personal Advisor to 25 young people (mixed caseload).

DUTY: 4 To appoint a Personal Advisor to all eligible, relevant and former relevant young people	
PRACTICE IMPLICATIONS	<p>Requires Trusts to have appropriately trained, skilled staff in place to fulfil the functions of the Personal Adviser. In practice this would translate as the appointment of a named Personal Adviser to a specific number of young people.</p> <p>Given that the Regulations and Guidance in Para 6.15/6.16 indicates that Trusts should try to accommodate the young person's choice of Personal Adviser, there may be training, supervision and support requirements where this person is not an employee of the Trust.</p>
SERVICE STANDARDS	Ratio of 1 Personal Advisor to 25 young people (mixed caseload).
DUTY: 5 To maintain and accommodate all relevant young people	
PRACTICE IMPLICATIONS	<p>This requires the provision of</p> <ul style="list-style-type: none"> • Weekly maintenance allowance for all relevant young people who are not in training/employment and for eligible young people who have exited their care placements and who are not in training/employment. • Rent costs – in respect of all relevant young people who live in alternative accommodation in the community and those eligible young people who have exited their care placements and who are living in alternative accommodation in the community. • Support Costs linked to accommodation provision in respect of relevant young people who reside in some form of supported accommodation. These costs will also include those eligible young people who have exited their care placement and are residing in supported accommodation in the community. • Given the increased level of administration and monitoring associated with the Trust assuming financial responsibility for accommodation and

	<p>maintenance payments there are practice and operational implications for the delivery of these responsibilities. (Paragraph 6.20 P35 Regulations and Guidance – In order to avoid setting up conflicts of interest, Personal Advisor should not be the budget holder for the support package provided for the young person: Financial systems need to be flexible and responsive, absolute clarity required about how and when payments will be made, finance systems must deliver to ensure that young people have security and that hardship is not caused).</p> <ul style="list-style-type: none"> • Setting up home allowances to provide for furnishings and home-making (Paragraph 8.19 P46 Regulations and Guidance). • Provision of birthday and Christmas gift allowance.
<p>SERVICE STANDARDS</p>	<p>As a minimum standard, weekly maintenance allowance must be set at equivalent Income Support level (minimum subsistence standard). Paragraph 8.22/8.23 Regulations and Guidance: “Since package will not be bound by the Social Security rules for 16 and 17 year olds, the value of the package should generally be well above the level which would have been supplied through the benefits system.”</p> <p>Additional funding should be available to deal with loss or theft of young person’s money: Paragraph 8.26 P48: Loss/Theft of Money – Emergency Provision.</p> <p>Rent costs are variable, often determined by locality and nature of accommodation, i.e. private rented, supported accommodation, NIHE. Single rent supplement is calculated by NIHE. An analysis of local rent costs identifies range of rent costs: £40 - £85 per week.</p>

	<p>Support costs in line with preliminary benchmarking work undertaken by Supporting People identifies continuum: £552.00 - £63.80. Cost is determined by nature of supported accommodation i.e. high, shared supported – self-contained supported housing (low).</p> <ul style="list-style-type: none"> • Administration of financial support requires: <ul style="list-style-type: none">  1 wte Administrator  1 financial computer programme • Setting up home allowances: amount determined by assessed needs, type of accommodation etc. Maximum limit in line with Regional Good Practice guidelines: £2,500 per young person. • Birthday gift allowance should be the equivalent that is paid to eligible young people. • Christmas gift allowance should be the equivalent that is paid to eligible young people.
<p>DUTY: 6 Duty to assist young person in full-time further, higher education with vacation accommodation</p>	
<p>PRACTICE IMPLICATIONS</p>	<ul style="list-style-type: none"> • Rent costs: Placement in temporary accommodation for 2/3 week period during Christmas and Easter vacation excluding Summer term (ref. 7.12/7.13 P40 and 9.20/9.21/9.22/9.23 P52/53 Regulations and Guidance). • Support costs: Placement during qualifying vacation periods may be with ex-foster carers who provide recognised level of day-to-day, direct support • Emergency provision for set up costs for vacation accommodation (exceptional circumstances), for example, one off purchase of basic household items in certain circumstances. • Provision for Summer vacation for those young people in higher education and in receipt of student loan, will be provided for through accessing £100 per week maintenance/rent allowance from ELB.

SERVICE STANDARDS	<ul style="list-style-type: none"> • Rent costs variable but within range of £40 - £50 per week. • Payment of support component to ex-foster carers at £76 per week. • Emergency budget of £50 per young person for purchase of one off items for vacation accommodation.
<p>DUTY: 7 To assist former relevant young people with costs associated with employment to extent that his/her welfare requires it</p>	
PRACTICE IMPLICATIONS	<ul style="list-style-type: none"> • Travel • Clothing, e.g. for interview, uniform etc • Rent top up – if wages are low and maintain young person in poverty trap • Specific equipment/tools associated with nature of employment • Accommodation, e.g. rent deposit if required to move to location near place of employment • All funding arrangements and eligibility criteria need to be defined within written protocols
SERVICE STANDARDS	<ul style="list-style-type: none"> • Projected funding implications: <ul style="list-style-type: none"> • Travel: Cost determined by distance, nature of transport etc. Cost range: £5 - £20 per week • Clothing: Cost based on assessed need. Cost range: £50 - £200 one off payment • Rent Top Up: Cost determined by individual circumstances, level of income and rent cost. Cost range: £5 - £30 per week • Specific equipment/tools: Cost: £50 - £300 one off payment • Accommodation/rent deposit: Cost: £100 - £150 one off payment and returnable to Trust
<p>DUTY: 8 To assist with costs of education up to end of agreed programme</p>	
PRACTICE IMPLICATIONS	<ul style="list-style-type: none"> • Applicable to young people pursuing higher/further education. • Applicable to target group of 19 year olds who, if in further/higher education courses on a full-time basis, lose all entitlement to benefits on reaching

	<p>19 years of age. Trust becomes responsible for maintenance and accommodation costs. (Paragraph 9.22 P53 Regulations and Guidance).</p> <p>In determining practice and financial implications for this key area, account needs to be taken of:</p> <ul style="list-style-type: none"> • Young people’s entitlement to student bursaries, grants and student loans. Entitlements determined by course of education (Paragraph 9.20 Regulations and Guidance). • Location/place of studies, i.e. England, Wales, Scotland, Belfast, Derry as location often incurs higher costs. • Young people who remain with carers or return to ex-foster carers at weekends and dual costs associated with this in recognising the supportive role that ex-carers provide to such young people. • The following potential costs associated with programmes of education: <ul style="list-style-type: none"> → Travel (inclusive of flights) → Accommodation inclusive of rent and deposit → Weekly maintenance allowance → Purchase of textbooks and stationery → Special equipment → Membership of Special Interest Group/Sports Clubs → Computer line installation → Maintaining family contact → Course fees/exam fees
<p>SERVICE STANDARDS</p>	<ul style="list-style-type: none"> • All alternative sources of funding to which young person is eligible are explored and secured including: <ul style="list-style-type: none"> → Student Bursary → Student Grant → Student Loan

- All costs associated with course of education are offset against student bursary/loan and Trust makes up any shortfall.
- Recognition is given to supportive role of ex-foster carers who accommodate and support those young people who return on a weekend basis (dual costs) or continue to reside with them on a full-time basis whilst undertaking higher/further education.
- Trust provides a bonus incentive of up to £3,000 to each young person who successfully completes education up to end of agreed programme to help young person secure accommodation and employment in the absence of natural family support networks to fall back on.

Specific costs/practice standards to be agreed:

- **Travel:**

- ✎ Minimum of 3 return flights per academic year: Total cost: £300.00.
- ✎ Purchase of Student Travel Card – provides for reduced student travel rates: Total cost: £80.00 per academic year.
- ✎ Travel to/from place of study: variable: Average Cost: £15 - £25 per week.

- **Accommodation:**

- ✎ **Halls of Residence:** Cost £75.00 per week per term.
- ✎ **Student Accommodation:** Cost £60.00 per week X 52 weeks (England): £45.00 per week X 52 weeks (Belfast): £40.00 per week x 52 weeks (Derry)

- **Weekly Living Allowance:** Equivalent of Income Support rate for 42 weeks.

	<ul style="list-style-type: none"> ● Books/Stationary: <ul style="list-style-type: none"> ▪ Purchase of stationery/photocopying costs: Cost £50.00 per academic term. ▪ Purchase of textbooks: Variable, need to allow for an allowance for purchase of essential textbooks. Cost: £150.00 per academic year. ● Special Equipment: (dependent on course of education, e.g. medicine, joinery, hairdressing, catering, computer installation line etc) however where stipulated as part of course requirements allowance of £200.000 per academic year. ● Membership of Gym/Special Interest Club: <ul style="list-style-type: none"> 📖 Where encouraged by place of study or recommended as part of review process to promote particular interest/talent or to assist young person develop social networks: Cost: £75.00 per term. ● Computer/Laptop: <ul style="list-style-type: none"> 📖 Where stipulated as part of course requirements: Cost: £800 - £1,000. ● Clothing Allowance: <ul style="list-style-type: none"> 📖 Where deemed appropriate and in keeping with assessed needs: Cost: £300.00 per academic year.
<p>DUTY: 9 To assist former relevant young people to extent his/her welfare requires it – in kind/in exceptional circumstances, in cash</p>	
<p>PRACTICE IMPLICATIONS</p>	<ul style="list-style-type: none"> ● Staying in touch. ● Emergency payments (Para 9.16, 9.17). ● Flexible working arrangements.
<p>SERVICE STANDARDS</p>	<ul style="list-style-type: none"> ● Adequate ratio of staff to young people to maintain Personal Advisor role and fulfil function and flexible working arrangement – 1 Personal

	<p>Advisor to 25 young people, i.e. out-of-hours support/evenings/weekends (mixed caseload).</p> <ul style="list-style-type: none"> • Emergency payments – in certain circumstances and based on assessed need, may need to provide time-limited financial assistance for example, weekly maintenance allowance – whilst awaiting processing of benefits claims/top up of rent where in private rented, assistance in relation to young parenthood etc. • Other requirements, for example, education, training, employment, vacation accommodation are covered elsewhere in this document.
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DESIRABLE GOOD PRACTICE	
1.	<p>Travel Costs associated with education, attending reviews etc</p> <p><u>Practice implications:</u> Educational costs are adequately covered in previous section under Duties.</p> <p>Financial assistance needs to be considered for travel associated with attending reviews.</p>
2.	<p>Educational materials/special equipment</p> <p><u>Practice implications:</u> Educational costs are adequately addressed in previous section under Duties.</p>
3.	<p>Other educational costs</p> <p><u>Practice implications:</u> Educational costs are adequately addressed in previous section under Duties.</p>
4.	<p>Costs associated with special needs (such as pregnancy or disability)</p> <p><u>Practice implications:</u> Access to skilled communicators/interpreters, Specialist programmes.</p> <p>Support for young parents and young people who are pregnant such as family aide support workers, purchase of specific equipment.</p>

5. Costs of childcare
<u>Practice implications:</u> Access to financial support to enable young parent to pay for childminding to enable him/her to attend training/education/counselling/personal development programmes etc where this is not readily or freely available.
6. Clothing
<u>Practice implications:</u> Provision of financial assistance for clothing for relevant young people. Clothing provision related to job interviews, training etc.
7. Contact with family or other significant relationships
<u>Practice implications:</u> Maintaining contact with family, siblings may incur travel, subsistence costs.
8. Religious/cultural needs
9. Counselling/therapeutic needs
<u>Practice implications:</u> Access to independent counselling services, specialist support, personal development programmes.
10 Hobbies/holidays/recreational and sporting activities
<u>Practice implications:</u> Promoting young people's involvement in networks to combat isolation, divert from unsuitable peers, development of healthy interests and activities.

1.5 Underpinning assumptions

- i These costs have been calculated from an analysis of the numbers and needs of the current “**In care**” population who will become eligible or relevant over the 5 year period. Given that it is unlikely that this population will remain the same over this period, corresponding adjustments will need to be made to the costings on an annual basis
- ii The additional costings relate only to those young people who will become relevant or eligible young people as and from the implementation date. It is assumed that young people currently receiving a service (qualifying young people following implementation) will continue to do so from existing funding

- iii Account has been taken of the reduction in numbers in the qualifying category over the 5-year period, the increase in numbers of former relevant eligible young people and the re-direction of existing numbers to this category. Explicit detail is provided on funding required for what will be essentially new responsibilities. The projected budgetary requirements for service provision are offset against current investment
- iv The criteria adopted under Supporting People to determine levels of need i.e. high, medium, low support needs – has been applied to the eligible and relevant population to assist with the costing of support packages. This reflects the continuum of need likely to present with this population.
- v Packages of support have been costed in line with the entitlements identified for each category of young people as specified under the Legislation. The essential issues which the responsible Trust should address during an assessment are:
 - The young person’s health and development.
 - The young person’s educational, training or employment needs.
 - The support available from family, friends or other relationships.
 - The young person’s financial needs.
 - The extent to which the young person possess the practical and other skills necessary for independent living.
 - The young person’s care, support and accommodation needs.

The individual needs of young person who may need more specialist assessment in areas such as disability, sense of identity, self-esteem, or parenting skills should also be considered at the same time as this assessment is being carried out.

- vi Monies due to be transferred from the Social Security Agency to provide for relevant 16-17 year olds in respect of Income Support, Job Seekers Allowance have **not** been included in this analysis. Clarification from DHSS&PS is required about the total transfer of investment for this group

- vii It should also be noted that ***additional responsibilities are identified under the new Legislation for young people aged 16 plus and for qualifying young people in university who are entitled to vacation accommodation.*** These have been reflected in these costs.
- viii All Trusts are endeavouring to ensure clear and separate budget lines for after care services, making it easier to establish accurate figures in relation to expenditure. Current support payments made to or available for young people leaving / who have left care are often made out of budgets other than Article 35 (for example model scheme allowances). Such costings have been deducted for the overall figures.

2.0 Summary of Projected Budgetary Requirements 2005 - 2010

- 2.1 Western Health and Social Services Board**
- 2.2 Northern Health and Social Services Board**
- 2.3 Eastern Health and Social Services Board**
- 2.4 Southern Health and Social Services Board**

2.5 Regional Investment Required

Estimated regional annual costings:

2005/06 - £3,880,395
2006/07 - £4,823,763
2007/08 - £5,051,826
2008/09 - £5,127,359
2009/10 - £5,456,504

The costings for Personal Advisors and administration staff are based on the relevant mid-point salary (2004/05) for both.

3.0 Conclusion

This paper sets out:

- The main aims of The Children (Leaving Care) Act (NI) 2002.

- A summary of the primary duties and good practice implications outlined in the legislation.
- The estimated regional costings implementation of this Act will involve.

It should be noted that young people who leave care are not a homogenous group, they have a range of needs, which require a variety of responses. Research shows for example that care leavers experience a variation in the type and quality of support available and as such should not be used as a benchmark against which to gauge future services.

Care leavers are a very vulnerable and diverse group with complex needs. It is recognised that work with care leavers often consists of a large element of crisis work in addition to the provision of practical and emotional support. Currently, services to this group are under resourced; the implementation of this Act should provide an opportunity to set an acceptable threshold for the minimum standard at which support will be delivered. The provision of contingency funding acknowledges the difficulties many young people experience in living independently and the potential for crisis, and the need to have arrangements in place to make it easy for young people to return for additional support. However unless sufficient funding is forthcoming it is difficult to foresee how Trusts will be in a position to meet the challenge presented and thus ensure better services for care leavers.