



## CONTINUING CARE POLICY AND ALLOWANCES

Report by Chief Social Work Officer

### PURPOSE

- 1.1 To seek approval from the Comhairle to provide a Continuing Care Allowance for carers of young people between the ages of 18 – 21 where they have opted to remain living within the same foster or kinship placement.

### EXECUTIVE SUMMARY

- 2.1 In October 2023, the Scottish Government introduced a Scottish Recommended Allowance in relation to children who are cared for in qualifying foster and kinship care placements. The Scottish Recommended Allowance is the minimum level of allowance which local authorities can pay to support children in foster and kinship care.
- 2.2 Too few children in foster and kinship remain in their care setting after their 18<sup>th</sup> birthday and the introduction of a Continuing Care allowance is designed to increase this number and as a direct result, improve the outcomes for care experienced young people. If the Service deems this to be in their best interest, these arrangements are converted to a “continuing care” placement. Young adults can remain in these new arrangements until they reach the age of 21.
- 2.3 The Scottish Government has not set a Scottish Recommended Allowance for the maintenance of young adults in continuing care. This report recommends that the Outer Hebrides set the maintenance allowance at the rate of £200 per week, recognising young adults have independent income. In preparing this report, research was undertaken in terms of looking across Scotland for what other local authority policies relating to Continuing Care were. Typically, there is a variety of different approaches taken although all local authorities do pay a Continuing Care allowance. The recommended rate and policy are in keeping with what many local authorities provide.
- 2.4 It is proposed that the provision of a Continuing Care Allowance for 18–21-year-olds is funded from existing Fostering and Adoption budgets without the need to allocate any additional financial resource.

### RECOMMENDATIONS

- 3.1 It is recommended that the Comhairle:
  - (a) agree the payment of a maintenance allowance for young people in continuing care who reach the age of 18 at the rate of £200.00 per week and that the rate will be paid up to the young adult's 21<sup>st</sup> birthday if they remain in the continuing care placement.
  - (b) agree that the rate of allowance will increase in percentage terms at the same rate at the recommended national foster care allowance; and



- (c) agree that for young people studying or training and having to live away from their Continuing Care placements, the carers will get a pro rata payment for when the young person returns to their Continuing Care placement (during holidays and visits between holidays), that an additional weeks' payment will be made each academic/training term to carers to use in a way that benefits the young person, and that with prior agreement from social work, young people will have the costs associated with their travel to and from their Continuing Care placement covered.

**Contact Officer:** Jack Libby – Chief Officer for Children’s Services/CSWO  
**Appendix:** None  
**Background Papers:** [Scottish Recommended Allowance: Information for Carers & Professionals](#)

## IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	The setting of the continuing care rate will add an additional pressure in the current financial year of £14,000, assuming the young person in Higher Education return to the Continuing Care placement for the duration of holiday periods. It is difficult to project figures beyond this point as children can enter and leave care without any prior notice or expectation. As things stand, there will be no additional continuing care placements in 26/27, two additional in 27/28 and one additional in 28/29, assuming that young people do not move on from their foster or kinship placements despite best efforts of carers and staff to persuade them otherwise. The Fostering budget has sufficient funds to meet the anticipated Continuing Care payments. In keeping with the Comhairle’s aspiration to deliver on The Promise, there are fewer vulnerable children living in residential, foster or kinship care, with more vulnerable children being supported to remain living at home with their parents. This has allowed for the Fostering budget to meet the payments of Continuing Care.
Legal	n/a
Staffing	n/a
Assets and Property	n/a
Strategic Implications	Implications/None
Risk	n/a
Equalities/Child Rights	n/a
Corporate Strategy	The Promise and Integrated Children’s Services Plan
Environmental Impact	n/a
Consultation	

## BACKGROUND



- 5.1 The Children and Young People (Scotland) Act 2014 amended the Children (Scotland) Act 1995 to create a right to continuing care for young people looked after out with the care of their parents. Continuing care applies only to young people who are looked after in foster, kinship or residential care and allows them to remain in their current care arrangement until they turn 21 if this is in their best interest.
- 5.2 Any eligible young person ceasing to be looked after away from home, when they turn 16 can request Continuing Care. In the Outer Hebrides young people who are in foster and kinship care continue to be “looked after” until the age of 18 as this status gives additional protection to them. As a result, the application of the continuing care status will be applied when the eligible young person reaches their 18<sup>th</sup> birthday and is no longer 'looked after'. Continuing Care ensures the young adult receives the same support as they did when they were looked after as a child. When Continuing Care ends the young person is then eligible for ‘Aftercare’ support until they turn 26.

## DETAIL

- 6.1 Foster carers and kinship carers receive a maintenance allowance for the children they care for. This allowance is set by the Scottish Government and is known as the Scottish Recommended Allowance. Local authorities can pay a higher allowance but cannot pay a lower one. The Comhairle pays the Scottish Recommended Allowance for children in foster and kinship care. The allowance is paid to ensure that the child’s care needs are met and includes an allowance for “pocket money” and clothing.
- 6.2 The Scottish Government has not set a recommended rate for a maintenance allowance payment in continuing care. Officers have been considering the rate to be recommended to elected members in relation to the payment of a maintenance allowance for young adults in continuing care. The purpose of the maintenance allowance is to provide support to allow the young person to remain in the foster or kinship care arrangement as they work towards independent living.
- 6.3 There is an expectation a young adult in continuing care arrangements will be in education, employment or training and they are supported to do so by their carer and staff in Children’s Services. For those in Further or Higher Education, they will either receive the care experienced bursary or wage. If the young adult is not in education, training, or employment, they are entitled to claim state benefit. Given that young adults in continuing care will have a degree of independent income it is recommended the maintenance allowance be reduced to reflect this. In removing the pocket money element and clothing allowance officers consider a maintenance allowance of £200 per week is the appropriate level. This is the same level of payment paid by Renfrewshire Council who were consulted with in the development of this proposed policy.
- 6.4 Should the service be successful in delivering on The Promise and more Care Experienced Young People do continue in their placements beyond their 18<sup>th</sup> birthday, then there will be additional pressure on the fostering and kinship budget in coming years, and the budget should be kept under review.



- 6.5 A policy on level of payment for carers when the young person is living and studying away from home needs to be established as again there is no nationally agreed or prescribed rate. Council Officers have considered what would be an appropriate amount and the recommendation made is based on pragmatism and the realities of what a 'good parent' would do when a child was living and studying away from home. Receiving the sum of £200 per week when the child is back at their placement is an obvious arrangement to make. Good parents would also send money to their child periodically to help their child pay for essentials with the odd treat and excursion. An additional payment of £200 per term would allow for this arrangement to happen.

## CONCLUSION

- 7.1 It is critically important to incentivise both carers and young people in terms of care experienced young people remaining in their placement into adulthood. For young people who do not attend Further or Higher Education on mainland Scotland, they will achieve better outcomes when they remain with their existing cares into their 20s, just as their non care experienced peers generally do. For those care experienced young people who do travel to mainland Scotland to study, they, just like their non care experienced peers, the Service would be expecting and encouraging them to return to their carers/their home for holiday periods. The relationships care experienced young people make with their carers are amongst the most important and enduring relationships they will have experienced, and these relationships need to be promoted and protected.

