Children's Wellbeing and Schools Bill
Staying Put Amendments 84,86,87,88,90, 91 and 130
House of Lords Committee Stage

Summary
The Children's Wellbeing and Schools Bill is a missed opportunity to provide support for care leavers by extending the Staying Put scheme to enable children in foster care to stay with their former foster carer from the age of 21, to 25.

Currently, the Bill only extends Staying Close support to the age of 25, for any former relevant child – this would only extend residential care up to the age of 25 but not Staying Put for those former relevant children who are living in foster care.

Whilst we welcome the increased support the Bill provides for care leavers, we believe it is at risk of creating a two-tier system for care leavers in residential and foster care. The Bill needs to do more for young people in foster care who want to remain with their fostering family past the age of 21. We want to see entitlement for Staying Put extended up to the age of 25 and properly funded, recognising the long-term cost benefit to the Treasury.

Our organisations are supporting amendments 84, 86, 87, 88, 90 and 91 on Staying Put tabled by Lord Watson and sponsored by Baroness Bennett and Lord Russell and would welcome support from other Peers on this issue. We also support Baroness Tylers amendment 130 which has the same effect, extending Staying Put provision from 21 to 25, that is supported by Lord Storey and Lord Russell.

Amendments 84, 86, 87, 88, 90 and 91 on Staying Put

Clause 7, page 12, line 8
after "support" insert "and staying put support"

Clause 7, page 12, line 17
after "support" insert "or staying put support"

Clause 7, page 12, line 20
after "support" insert "or staying put support"

Clause 7, page 12, line 21
after "support" insert "or staying put support"

Clause 7, page 12, line 24
after first "support" insert "and staying put support"

Clause 7, page 12, line 32

at end insert—

"(4A)"Staying put" has the meaning given by section 23CZA(2) of the Children Act 1989 (arrangements for certain former relevant children to continue to live with former foster parents)."

Member's explanatory statement
This amendment, together with others to this Clause in the name of Lord Watson of Invergowrie, would include staying put support in the support provided by local authorities under this section and extend the provision of 'staying put' for young people to the age of 25.

Amendment 130 on Staying Put

After Clause 11

Insert the following new clause -

"Extending "staying put attangements" to the age of 25
In section 23CZA(6) of the Childrens Act 1989, for "21" substitute "25"."

Member's explanatory statement
This amendment would extended the Staying Put scheme to the age of 25.

Staying Put and positive long term outcomes

Since the introduction of the Children and Families Act 2014 in England, young people in foster care have had the right to stay with their foster family from the ages of 18 to until 21 under a Staying Put arrangement.[1] However, we know many young people and foster carers would like the children they are fostering to stay with them past 21 but cannot, because there is currently no provision in law for this or funding to support it. Our State of the Nations Foster Care Survey 2024 found that three quarters of foster carers are financially worse off in a post 18 foster care arrangement (currently up to 21).

On average, a young person doesn't leave home until the age of 24[2] and the current cliff-edge that care leavers face puts them at a severe disadvantage when navigating adult life. It is widely acknowledged and found by the Independent Care Review that young people experience better outcomes when they remain in family environments such as foster care, in comparison to residential care.[3]

Further, the Independent Care Review found that extending Staying Put and Staying Close up to age 23 and scaling up supported lodgings would have an overall cost benefit to local authorities of £84 million over five years.[4] This is largely from reduced homelessness episodes and reduced use of other types of accommodation. Foster care is also much more cost effective than residential care.[5] Currently only 9% of young people Stay Put over 19 – 21 so the numbers staying from 21 to 25, if this amendment was accepted, are likely to be low and will not incur a huge cost for the Government.[6]

The Centre for Homelessness Impact also found that Staying Put significantly lowers the risk of homelessness for care leavers.[7] If the number of participants in the Staying Put scheme

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[1] The Fostering Network, Staying Put – an Unfulfilled Promise (England)
[2] ONS (2024) Milestones: Journeying through modern life
[3] Alma Economics (2022) Costing and outline CBA of the Independent Review of Children's Social Care recommendations: Modelling assumptions Independent Review of Children's Social Care
[4] Alma Economics (2022) Costing and outline CBA of the Independent Review of Children's Social Care recommendations: Modelling assumptions Independent Review of Children's Social Care
[5] In 2020, the average weekly cost of a residential care placement was £3,830 - approximately £199,160 per year. (The independent review of children's social care, Recommendation Annexes: Additional detail on review recommendations). In contrast, an average foster care placement has been estimated to cost £71,567 per year, comprising £13,274 of staffing costs and £58,293 of placement costs (Children's Social Care Market Study Final Report, 2022; Rodger et al., 2020).
[6] Department for Education (2025 live tables) '17-21 year old care leaver accommodation - NATIONAL' from 'Children looked after in England including adoptions'
[7] Centre for Homelessness Impact (2024) The Impacts of Staying Put on Housing Outcomes for Young People Leaving Care

increased by just 13%, over 300 care leavers could be prevented from experiencing homelessness per year.

An extension of Staying Put to age 23 was proposed by the Independent Care Review and was committed to in the previous Government's 'Stable Homes Built on Love' strategy, and the Fostering Network were disappointed not to see this extension included in the Children's Wellbeing and Schools Bill.

Perspectives from foster carers

We know from our work with foster carers and young people how important proper support for post-foster care is. In our 2024 State of the Nations' Foster Care survey, where we heard from more than 3,000 foster carers, former foster carers, and fostering services, three quarters of foster carers said they are worse off financially as a result of offering post-foster care.

As part of the survey, foster carers also had the opportunity to share anything else they would like to say about how well post-foster care arrangements are working for the young people they foster. The most common themes were:

- Finances (34%) – including challenges accessing financial support; the effect of finances on decisions about post-foster care; and the financial impact of entering a post foster care arrangement.
- Timings (21%) – covering young people's readiness to move into independence, issues around planning, feeling pressured or rushed, and delays.
- Benefits of post-foster care (12%) – including the continuity and stability it gives young people.

One foster carer told us that post-foster care: *"Does not last long enough. Social services usually want the young person to move on to independent/ supported living because they don't have the money or staff to allow them to stay with us for longer. This is always against our wishes because we know that the young person is not ready to move from the family environment."*

Another foster carer told us that: *"The increase in the age for staying put would be of amazing benefit to care leavers. At the age of 21 many who have had the opportunity to go to university are just obtaining their qualification and have to face negotiating the next huge step, the job market, and to find that they are possibly homeless due to leaving their placement is a catastrophic step backwards."*

Another foster carer said: *"The cost of living is at its peak and to be able to secure decent accommodation in a safe area is way out of most young people's reach, let alone at the age of 21, which is why so many young people are still living with their parents at that age. Care leavers, in a majority of cases, do not have that choice unless their foster parents are prepared to continue to provide them with a home with no financial support from the state."*

Staying Put support and the Children's Wellbeing and Schools Bill

The Bill does extend Staying Close provision, which provides enhanced support for those leaving care to stay in children's homes or other forms of residential care and extends this up to 25. We are aware the Government has stated that Staying Close support will be available for those in supported lodgings, residential care and foster care, although this isn't made clear in the Bill and we would like to see this clarified.

According to the Department for Education, Staying Close provides an offer of move-on accommodation, alongside a package of practical and emotional support.[8] Supported lodgings, which is one of the kinds of move-on accommodation offered, allows young people age 16 plus to live with a 'host' who provides them with emotional and practical support but who is not an approved foster carer.

However, we know that foster carers are often best placed to prepare the young people in their care for independence as they are the most trusted adult known to them. We believe that young people should have the same opportunities to stay in the environment they feel most comfortable in as those living in residential care, and the Bill needs to enable this by extending the offer of Staying Put to young people up to 25 so they can stay with their former foster care if they wish.

An amendment to extend Staying Put support for young people up to the age of 25 in line with Staying Close support was tabled in the Commons (amendment 12) by Ellie Chowns MP (Green) and supported by Lib Dem Children's Spokesperson Munira Wilson MP.

The amendment was discussed at Committee Stage on 23rd January 2025 but was refused by the Government. They stated that they recognise the case made but need to prioritise young people in residential care, who often have the most complex needs.

It is well evidenced, however, that young people in foster care also have complex needs and many young people are only placed in residential care because there are not enough foster placements available for them.[9]

Our State of the Nations survey found that the needs of children in foster care are becoming more complex and challenging, particularly mental health and special educational needs. 45% of foster carers said at least one child they foster is either receiving mental health or wellbeing support or is on a waiting list for support. The proportion fostering a child who is receiving support fell very slightly from 29% in 2021, to 28% in 2024. Half (53%) of foster carers said at least one of the children they foster receives additional support with their learning.

We do not believe young people should be subject to such a two tier system when they are essentially the same group of young people and it is well evidenced that it is in a young person's best interests to live in foster care and a family environment post-18 to improve outcomes as they transition into adulthood.[10]

Therefore, we urge Members of the House of Lords to support these amendments to the Bill to ensure parity with Staying Put and Staying Close, given the Government's widespread acknowledgement that foster care and a family home has the best long-term outcomes for young people transitioning into adulthood.

For more information, please contact Natalie Williams, Head of Policy and Campaigns: Natalie.Williams@fostering.net 020 7620 6433

[8] Department for Education, Staying Close, Application Guide for Local Authorities (January 2023)
[9] One third of children in residential care had foster care on their care plan when they came into care Ofsted Why do children go into children's homes (2022)
[10] On average, a young person doesn't leave home until the age of 24. The current cliff-edge faced by care leavers puts them at a significant disadvantage when navigating adult life, with poorer outcomes in accessing higher education, becoming homeless and entering the youth justice system (Josh MacAlister (2022) The Independent Review of Children's Social Care: Final Report.)