

The
Fostering
Network



frequently asked questions about

When I'm Ready

planning transition to adulthood for care leavers

www.fostering.net

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About This Resource

This resource draws on the questions, ideas and suggestions presented through our national consultation work with foster carers, fostering practitioners and staff across Wales.

These questions and answers will be particularly relevant to practitioners and managers in children's social care services, independent reviewing officers, and foster carers and looked after young people. It doesn't endeavour to provide all the answers to WIR planning and support, as the circumstances and needs of every individual will be different.

We hope this resource will assist local authorities to fulfil their duties effectively, assist fostering services to support foster carers to take on the role of WIR carers, and help foster carers and other professionals to understand what is expected of them in relation to WIR.

About The Fostering Network

The Fostering Network was established in 1974 and is the UK's leading charity for everyone involved in fostering, bringing together all those who provide, plan and deliver foster care.

The Fostering Network is the leading charity in Wales representing the voice of foster carers, their families, looked after children and care leavers. We have a strong track record of delivering real improvements for looked after children and those who care for them.

All of our work is designed to improve the lives of children and young people in foster care. We advocate strongly for improved support for children and young people in care, specifically to support their emotional wellbeing, recognising their complex and difficult backgrounds. We provide an extensive range of publications, training, information and advice on all fostering issues. We work with our members to implement good practice, informed by our research and experience, to ensure foster care is improved for children. We campaign to improve the support that foster carers receive and work with fostering services to address the shortage of foster carers. We also ensure that the voice of fostered children is heard at the heart of the foster care system.

Our staff includes foster carers, registered social workers and other experts from across the spectrum of foster care, including those that have been fostered themselves. Together we have many years' experience and unrivalled expertise. That is why we are the voice of foster care.

How The Fostering Network Wales can support the planning and implementation of 'When I'm Ready' (WIR)

The Fostering Network have long advocated for reforms to the care system. Working in partnership with Action for Children, ADSS and WLGA, The Fostering Network established the campaign for 'A Chance to Stay' in 2012. In doing so, we have built a reputation aligned to 'When I'm Ready' that demonstrates:

- Our passion and unrivalled knowledge of WIR.
- Our strong networks with ADSS/WLGA and our ability to work with practitioners through our regional networks.
- Our engagement with foster carers, looked after children, care leavers, the residential sector and the sons and daughters of foster carers.
- Our creativity in developing innovative WIR resources.

We have:

- Acted as a long standing member of the WIR Advisory Group, where we have advised on the development of national practice guidance and local WIR Plans.
 - Been commissioned to undertake specific research and preparation work on WIR by local authorities.
 - Worked at a strategic level with Directors, Heads of Service, Team Managers and Training Managers to inform policy and practice.
 - Developed a WIR Training Programme for local authorities and IFP's.
 - Supported Welsh Government delivery of the national WIR seminars and overseen the development and production of a WIR film on behalf of the Welsh Government.
 - Developed a WIR implementation model for Higher Education in Wales in partnership with Cardiff University and The Reaching Wider Partnership.
 - Supported the implementation in England of 'Staying Put', providing policy advice, local support and developed resources.
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As the leading charity supporting foster carers across the UK, The Fostering Network has unrivalled expertise in consulting with, engaging with and representing the views and ideas of foster carers. We are able to assist the planning, development and implementation of a 'When I'm Ready' scheme by:

- Bespoke WIR consultancy and advice.
- Presentation and reporting of technical information and consultation documents.
- Facilitating community engagement, organising and leading on stakeholder workshops and events such as group discussion, drop-in events, focus groups, visioning exercises.
- WIR Training for staff, foster carers and other stakeholders.

The Fostering Network Wales has an impressive track record of introducing and rolling out transformational programmes and services across Wales. We lead the fostering and WIR agenda, influencing and shaping policy practice at every level. We also develop and pilot new approaches to delivering foster care and training and support to foster carers. This means we are constantly improving our expertise and knowledge, and so our advice, information and support are always up to date and available to you as WIR schemes are developed and implemented.

For more information about our services and training please email maria.boffey@fostering.net

Fosterline Wales- Advice, Information and Support

Fosterline Wales is delivered by The Fostering Network and is funded by the Welsh Government. It is a well-used and respected public service offering advice, information and support. It has helped thousands of people involved in fostering and leaving care in Wales.

For advice and information call **0800 316 7664** between 9.30 and 12.30 Monday to Friday, or email [**fosterlinewales@fostering.net**](mailto:fosterlinewales@fostering.net)

'When I'm Ready' (WIR)

- Frequently Asked Questions

Introduction

What is 'When I'm Ready'?

The Welsh Government published new guidance for local authorities in April 2015 in order to assist them in developing and implementing 'When I'm Ready' (post-18 living arrangements which allow young people to continue living with their foster carers beyond the age of 18).

It is expected that all local authorities will set up local WIR schemes in line with the guidance during 2015-16, ready for when their new duties under the Social Services and Well-being (Wales) Act come into force in April 2016.

Isn't WIR just an extension of foster care until the young person reaches 21?

In practical terms the intention of the change in the law is "yes it is", because the relationship between the young person and the foster carer(s) will continue just as it would in any other family. However, legally the arrangement is not the same as a foster placement. The "former relevant child" can no longer be a "looked after" child once they turn 18. They are a young adult and a care leaver.

They are entitled to support as a care leaver and will be allocated a Personal Adviser. The foster carer, with whom they were placed immediately before they ceased to be looked after, is no longer acting in the capacity of foster carer for that young adult. They are their "former foster carer". The foster placement becomes a "When I'm Ready arrangement" and is not governed by Fostering Services Regulations.

Is WIR just for young people entering higher education?

No, qualifying for further or higher education is not a condition for entering into a WIR arrangement. The expectation is that the young person is willing to continue developing his or her independent living skills, and that the former foster carer will continue to provide support with this. Preparation for independent living can include a wide range of training opportunities or even volunteering. Being able to remain in a stable family environment, where the young person has built up a good relationship with a foster carer, may provide the security a vulnerable young adult needs as she/he undertakes the transition to adulthood and more independent living. WIR helps a young person to decide when he or she is ready to move on, and should be seen as part of a wider package of support that local authorities provide to their care leavers.

How does 'When I'm Ready' differ from supported lodgings?

The spirit behind the change in the law is intended to be different from supported lodgings or adult care, because there should now be an assumption from the very start of the foster placement that the young person will remain living with their foster carer beyond 18 – if they and their foster carer want to continue, of course. The guidance makes it clear that foster carers should receive financial support, but it cannot specify how much this will be. Foster Carers may also receive income for the young person from other sources, e.g. the young person's housing benefit. The intention is that foster carers should not be made to feel like a "landlord", but rather a parent to a teenager performing the same role as the millions of other parents of teenagers across the country.

Entering a WIR arrangement

If the foster carer and young person want to enter a WIR arrangement, does the fostering service have to agree to it?

Yes. Guidance clarifies that it should only be in exceptional situations that local authorities decide a placement is not in the young person's best interest. The Fostering Network is working to ensure that as many people who want to, are able to take up this new opportunity.

If the local authority decides not to agree to a WIR arrangement, what rights will young people and foster carers have to challenge the decision?

Guidance covers how the foster carer and/or young person can challenge decisions.

How will foster carers know what support, including financial, will be available so that they can make an informed decision about whether they want to be a WIR carer?

The local authority will be required to publicise levels of support to young adults and former foster carers in WIR arrangements so that foster carers can make informed decisions about whether they can offer this.

I'm a foster carer and I'm considering being a WIR carer. What additional aspects should I be thinking about before I make my final decision?

If the young person is expected to claim housing benefit and you are yourself a tenant, make sure you have the right to take in a lodger, before you agree to a WIR arrangement.

If you are an owner-occupier and have a mortgage, check with your mortgage lender that they are happy for you to take on a tenant.

Inform your insurers about the new circumstances and check that any existing insurance arrangements you have will still apply once the young person is no longer a fostered child.

If you have other fostered children in the home, check whether your fostering service will require a DBS check for your former foster child when they turn 18.

If you don't have any other fostered children in your home, check with your fostering service what the impact of a WIR arrangement will be on your registration as a foster carer.

DBS checks

Will young people, staying in a WIR arrangement be required and/or eligible to have DBS checks?

Yes, a WIR arrangement is not the same as a foster placement. The young person in a WIR arrangement, who must be a former relevant child, is no longer a looked after child. They are a young adult and a care leaver. The foster placement becomes a 'WIR arrangement' and is not governed by Fostering Services Regulations. The 'former foster carer' offering a WIR arrangement may at the same time be offering foster placements to children who are looked after. Such placements will continue to be subject to provisions of the Fostering Services Regulations. The former relevant child will, in this circumstance, require a DBS check as they become a member of the fostering household.

1. If a foster carer wants to remain registered as a foster carer, the young person staying will be subject to an enhanced check for DBS Children's Barred List.
2. If a foster carer is agreeing to a WIR placement for an adult who is not classed as vulnerable and they also do not want to remain a registered foster carer, then they do not need any type of DBS check to be carried out.
3. If a foster carer is agreeing to a WIR placement for an adult who is classed as vulnerable where they are providing personal care, then they will be classed as a carer and will be subject to an enhanced check for DBS Adults Barred List.
4. If a foster carer is agreeing to a WIR placement for an adult who is classed as vulnerable where they are providing personal care as a carer, and they are also remaining as a registered foster carer, then they will need a DBS check to cover both the DBS Adults Barred List and DBS Children's Barred List.

Finance

What will WIR carers be paid?

Levels of financial support to former foster carers will be agreed and specified within a local authority's WIR policy. The intention from central government is that foster carers should not be out of pocket as a result of offering a WIR arrangement.

What are the financial considerations for foster carers considering being a WIR carer?

The financial implications for former foster carers who offer care to young people post-18 will depend on their own personal circumstances, whether they receive any benefits or other income, on the type of arrangement they can offer, and on the financial support provided by their local authority.

It is important that carers understand the financial implications of any arrangement fully and get independent expert advice, for example from Fosterline Wales or the Citizens Advice Bureau, before agreeing to a WIR arrangement.

What about Tax and National Insurance with regard to WIR carers?

Like foster carers, WIR, supported lodgings and adult placement carers are all seen, as self-employed for tax purposes and are, therefore, responsible for registering with HMRC and for payment of their own tax and National Insurance contributions. Foster carers are eligible for qualifying care relief and when a former foster child continues to live with their former foster carers (under WIR adult placement or supported lodging arrangements), carers continue to be eligible for Qualifying Tax Relief.

Carers who aren't eligible for qualifying care relief can apply the normal tax rules and get full tax relief for expenses incurred in providing accommodation and support to young people. Alternatively supported lodgings carers can choose to use HMRC's Rent a Room scheme which applies to people who receive rent from letting furnished accommodation, such as a bedroom, in their only or main home. It lets carers earn up to a threshold amount per year tax-free (see the HMRC website for current details).

I am a former foster carer, what about my benefits?

Under a WIR arrangement the young person may be expected by the local authority to claim all the benefits to which they are entitled, and to make a payment to you towards the cost of their board and lodging.

If you don't receive any means tested benefits yourself, the young person's benefit claims are unlikely to have a financial impact on you personally (although the level of fees and allowances you receive from the local authority will factor in the expected contribution from the young person).

However, if you receive means tested benefits, your own benefits can be affected by the benefits the young person receives.

As a foster carer, any payments made to you under Section 23c of the Children Act 1989 (your fees and allowances as fosters carers assessed and approved under Fostering Regulations.) are disregarded by the Department for Work and Pensions for benefit purposes, and this continues to be the case where the young person was formerly in your care, is aged 18 or over, and continues to live with you in a non-commercial family type arrangement.

[Note that if the young person leaves and later returns, the full payment made to the carer for the young adult will be taken into account by the Department for Work and Pensions and will affect your benefits].

However, where a young person contributes financially to the arrangement – ie where payment is coming to you from the young person's own pay or benefits – this is considered payment as part of a commercial relationship, and any element of payment to you that comes from a source other than a section 23C payment is taken into account when calculating your income in relation to a means tested benefit claim.

So before you agree to a WIR, supported lodgings or adult placement arrangement, check that you understand whether the young person will be expected to claim benefits, and how that might impact on your own benefit entitlement. If the young person's benefits will impact on your own entitlements, you can ask the local authority for additional financial support before the arrangement is finalised, to ensure the arrangement will not leave you out of pocket.

It is important to seek specialist financial advice about the implications of any post-18 arrangement on your own financial circumstances, before you agree to any arrangement.

What about benefits for young people who enter a WIR arrangement?

Young people who remain living with former foster carers after they cease to be looked after (and in some cases when aged 16-17) are eligible to claim benefits and should be helped to do so.

In addition to non-means tested benefits like child benefit (for young people aged 18 plus who have a child of their own) or disability living allowance/personal independence payments (for disabled young people) there are a range of grants and means-tested benefits which young people aged 18 plus may be entitled to claim. These include income support (if young people are aged 18 plus, estranged from their family and in non-advanced i.e. below degree level education); job seekers allowance (for young people aged 18 plus who are looking for work); employment and support allowance (for young people aged 16 plus who are unfit for work); tax credits (for eligible low paid workers); leaving care entitlements (including education bursaries and leaving care grants); and housing benefit (if the young person pays you rent on a commercial basis).

What will be the implications of WIR for the payment of the Leaving Care grant?

Payment of the leaving care grant can be delayed until the young person leaves the WIR arrangement.

If a young person, working full-time at 18, continues to live with a WIR carer, who pays the shortfall to the WIR carer – the young person or the local authority?

This will be for the local authority to determine on a case by case basis, and in agreement with the WIR carer and the young person. Young people should be paying for the arrangement where they can as a part of their preparation for independent living.

What work is being undertaken with local authorities, DWP and Job Centres, prior to WIR implementation, to avoid issues arising over queries relating to benefit claims/tax/pension credits etc?

Local authorities would be well advised to include those agencies when they are writing their policy, and to ensure that they have contact names and numbers for early resolve of any difficulties.

Ending the WIR Arrangement

What happens if the WIR arrangement breaks down? Can the young person return?

The financial framework for tax and benefits put in place by HMRC and DWP for WIR and similar schemes across the UK, only applies for as long as the arrangement is in place. However, if the young person leaves the arrangement and later wishes to return, then he or she could return under a Supported Lodgings arrangement. The former foster/WIR carer would need to agree to this, and the local authority would need to be satisfied that it was in the young person's best interests for them to facilitate this.

If a WIR breaks down while a young person is in university, the university can support the young person. Most universities in Wales offer 52 week accommodation to care leavers, so they are likely to have somewhere to stay at the university during vacation periods. Most universities can also offer emotional support in way of counselling. The care leaver contacts at each university can co-ordinate support and liaise with appropriate departments.

Most universities and colleges in the UK have a dedicated contact for care leavers. In Wales, you can find out who the contact is at each institution by checking the Reaching Wider Further and Higher Education Guide. For universities in England, look out for the Who Cares Trust Guide. As part of the Pathway Planning, you will need to make contact with the Care Leaver Contact in the university as they can help with issues such as accommodation, funding, applying for university etc. Most universities are also open to come out to speak to staff who work with young people in care. Get in touch with your local university Care Leaver Contact, if you are interested.

What happens if the WIR arrangement breaks down through no fault of the young person? Can they continue with WIR?

A WIR arrangement is an agreement between a young person and his or her foster carer, facilitated by the local authority. It assumes that the young person and the foster carer have built up a sufficiently stable family relationship that both parties wish to continue beyond the young person's 18th birthday. If the foster placement is in danger of breaking down before the young person turns 18, and the young person would like to live in a WIR type of arrangement when they have turned 18, the local authority may consider moving the young person to a new placement.

A WIR arrangement is an agreement between adults and may, therefore, be terminated by either party (or, in exceptional circumstances, by the local authority if it considers that it is no longer in the young person's best interests). The Living Together Agreement (which replaces the current fostering records once the young person becomes 18) between the young person and his or her WIR carer should set out the expectations and responsibilities of both parties. The local authority should provide advice and support, as necessary, to ensure that any potential difficulties or concerns are addressed in good time.

If a young person has to leave the arrangement for whatever reason, the local authority will continue to have a duty to support the young person. Although it will not be possible to move to another WIR arrangement (as this only applies to former foster placements), there are other options, such as a Supported Lodgings arrangement.

Higher Education

Can a bedroom be kept for a WIR young person who lives away from home whilst in university?

Bedrooms can be kept available if the young person is going to university. This should be discussed with fostering services to see how this might be possible.

What happens to a young person if they have left or finished their university course? Do they have to leave the WIR scheme?

Entry into a 'When I'm Ready' arrangement does not depend upon a young person moving into education, training or employment. It is an agreement between the young person and his or her former foster carer, facilitated by the local authority. If the young person's plans change – for example, if the young person decides not to take up a university place, or decides not to continue with a particular course of study – this will not necessarily end the WIR arrangement. One of the reasons for WIR is to allow the young person to remain in a stable setting while they try things out and get ready to make the transition to more independent living. The local authority will, however, need to ensure that the WIR arrangement continues to be in the young person's best interest. Any changes in circumstance should be recorded in the young person's Pathway Plan.

Can it be reasonable to expect local authorities to double fund university accommodation?

The Children (Leaving Care) Act 2000 24(B) 5 states that if a former relevant young person in full time further or higher education needs accommodation during a vacation because his term-time accommodation is not available to him then, they shall give him assistance by:

- (a) Providing him with suitable accommodation during the vacation; or
- (b) Paying him enough to enable him to secure such accommodation himself.

LA are not expected to "double fund" accommodation because the WIR scheme will be their vacation accommodation, so there will no need to pay for other accommodation.

What can we do to early identify care leavers who are struggling at university?

If you are concerned about a young person struggling in university, get in contact with the care leaver contact at the university. With the young person's permission, they can liaise with other departments within the university including their personal tutor, study skills support, counselling, mental health advice and other disability related advice.

As the young person will be over 18, universities have to follow data protection rules. If the young person gives consent, the university can share information. The university can't share information with a local authority if the young person doesn't give consent. However, if you have concerns about a young person, make the Care Leaver Contact aware, as support can still be put in place.

Information for Independent Fostering Providers (IFPs) and IFP foster carers

What if I am an IFP carer?

There will need to be consideration given as to how local authorities and IFPs work together with IFP foster carers who want to offer WIR arrangements to a young person they are fostering. The WIR Put arrangement is not a foster placement, so can be negotiated separately to the fostering agreements and contracts, although some frameworks are including reference to WIR within their tendering processes. However, the IFP will need to be fully involved in the negotiations, as decisions made will have an impact on that carer's availability and the assessment of their ongoing suitability to foster, as well as having financial implications for all involved.

Where an IFP has a continuing role in supporting foster carers who are providing a WIR arrangement it would not be unreasonable for a fee for this support to be agreed. Commissioning frameworks will need to take this issue on board.

Will 'When I'm Ready' discriminate against independent fostering placements converting to WIR arrangements?

No, the new duty on local authorities under section 108 of the Social Services and Well-being (Wales) Act does cover all children and young people who are in foster placements, regardless of whether this is provided directly by the local authority or under agreement with an independent fostering provider. They must ascertain whether the young person and foster carer wish to enter into such a WIR arrangement and, if so, then they will have to provide advice and support to facilitate this.

It is too soon to know what the uptake of WIR will be. Welsh Government is encouraging local authorities to monitor take-up rates and to identify any issues such as any variation between local authority and independent fostering placements converting to WIR arrangements.

Will the rates of WIR allowances for IFP's be regulated or banded?

The rates of allowances for WIR carers are set by individual local authorities. The Welsh Government recommends that the allowances should be at least the same as the national minimum allowance for foster carers.

Is there an example of a suitable retainer cost for IFP's? Will this mean duplicate funding for university too?

This is a matter for local discretion. It will depend upon a number of factors, including how the local authority is financially supporting the young person at university and the financial situation of the WIR carers. Any retainer paid to the carer would need to be proportionate to the amount that they would be paying the carer if the young person was living in their home full time. It could mean duplicate funding depending on how the local authority is financially supporting young people in university; the local authority would have to consider this in order that young people have a base to return to during the holidays. A retainer would

need to be proportionate to the amount that they would be paying the WIR carer if the young person was living in their home full time. It is also worth noting that young people in higher education are not entitled to housing benefit.

There are concerns regarding WIR and IFPs regarding the differing cost of placements and the support for carers – who will provide it? Are local authorities likely to be funding IFP arrangements in the same way that they fund their own WIR arrangements?

If there are children in the placement, it is possible that the IFP includes the WIR arrangement as part of their support remit, however, if there are issues requiring intervention/response the IFP will inform the responsible local authority who will take this over; This will be on a case to case basis and will more than likely be defined over time.

Monitoring WIR schemes

What are the monitoring arrangements for WIR?

A 'When I'm Ready' arrangement is an agreement between adults, facilitated and supported by the local authority. The arrangement will be governed by a Living Together Agreement, drawn up by the young person and the carer, and setting out the expectations and responsibilities of each party to the agreement. The agreement can be terminated by either party, or in exceptional circumstances the local authority can stop supporting it where it considers it no longer to be in the young person's best interests.

It is for local authorities to determine how best to monitor WIR arrangements. As the young person is no longer looked after by the authority, and this is an agreement between adults rather than a foster placement, there are no set requirements in the regulations or the code of practice.

The local authority's WIR policy will need to include provisions for monitoring and reviewing arrangements. This should include:

- A system for reviewing and approving the WIR arrangement and the carer/s to ensure that the arrangement complies with local authority expectations and the intended outcomes.
- Regular supervision and support from the local authority's fostering/WIR social work team, particularly during the first year of the arrangement.
- Safeguarding and risk assessment checks on household members and regular visitors, as appropriate.
- Arrangements for ensuring that health and safety requirements are met (as a minimum this should comply with landlord and licensee/tenant requirements).
- Clear guidance for the fostering/WIR carers, including opportunities to attend appropriate training or access support.

There is a suggested framework for monitoring WIR at Annex 4 of the WG Guidance.

Who will be responsible for monitoring the WIR carers and WIR arrangements?

Local authorities will want to ensure that the WIR arrangements they are supporting are working in the best interests of care leavers. Their local 'When I'm Ready' policies should set out what monitoring arrangements are in place.

Local authorities will be expected to monitor WIR – see Annex 4 of the WG guidance for details of who should be included in the monitoring.

Who will chair reviews? Who will be required to attend them?

Local authorities' policies will set out their expectations about reviews of 'When I'm Ready' arrangements. The expectation is that reviews will be a three-way conversation between the young person, carer and the local authority. The young person's personal adviser should also be included, where the young person wants this.

Training and Support for WIR Carers

Who will support and give advice to WIR carers?

If the WIR carer is also a foster carer for other looked after children, the structure of the supervision and support for that carer will include the WIR arrangement and the carer will also be subject to an annual review. If there are no looked after children in the household, the local authority will agree the appropriate structure for supervision/support and also ongoing registration.

Annex 3 of the WG guidance describes in detail the different roles and responsibilities of the carer, personal adviser, social worker, supervising social worker and the role of the IRO.

If there are LAC children placed with the WIR carer, the structure of the supervision/support will include the WIR arrangement and the carer will also be subject to an annual review. If there are no LAC children the LA will agree the appropriate structure for supervision/support and also ongoing registration.

Will WIR carers be supported so that they can meet the needs of young people who have experienced trauma in childhood?

The arrangements a local authority puts in place to meet a young person's care and support needs will depend upon the individual's assessed needs and will be recorded in his or her care and support plan. Where the young person is going to need continuing care and support beyond the age of 18, we would expect children's and adult services within the local authority to work together, with the young person and all those involved with their care and support, to ensure that those assessed needs continue to be met. This will be part of the pathway assessment and planning process. This will include deciding the most appropriate living arrangements once the young person has turned 18.

Depending on the level and type of need, the local authority may wish to consider whether an adult placement (i.e. Shared Lives) is the best long term option. Shared Lives might be particularly appropriate for vulnerable young adults who are likely to need a stable long-term arrangement. This could be with the former foster carer/s, if they are willing to become a Shared Lives provider, or with a different provider.

Alternatively, if the arrangement is likely to be for a shorter period, until the young person is able to move on to more independent living, a 'When I'm Ready' arrangement may be the best option. Where the foster carer has been providing higher levels of support, and this has been reflected in the fee paid to the carer, the local authority may wish to continue paying the 'When I'm Ready' carer the same amount for as long as the young person needs that additional support during the arrangement. The primary consideration must always be the best interests of the young person involved, and what best meets his or her needs.

How do we ensure that everyone who works with young people are aware of what support is available and how to contact the right services?

Those who work with the young person will more than likely be included in their annual LAC reviews as well as being contributors to the Pathway Plan. They should, therefore, be aware of the possibility of a WIR arrangement or other suitable arrangements for young people approaching leaving care.

As foster carers are no longer registered as foster carers on the WIR scheme, who will provide them with training?

This will be down to the discretion of the local authority. A training need may be communicated by the WIR carer or the Personal Advisor, and it would be hoped that the local authority would respond to this positively.

This information should be included in the local authority's guidance for the carers as the WG guidance states that there should be opportunities for the carers to attend appropriate training or access support (WG 11.1)

Recruitment of WIR Carers

Could WIR carers be recruited so that young people can move on to them when they reach 18? Or will young people need to move into a WIR arrangement before they reach 18?

Only an existing foster placement can be converted into a WIR arrangement when the young person turns 18. However, local authorities can place a looked after child (young person) into a new foster placement at any stage up to the age of 18 if they consider this to be in the young person's best interests. They may wish to do this, for example, if the existing foster carer cannot (for whatever reason) commit to a WIR arrangement. It is important that discussions about WIR take place as early as possible, and the Act and Regulations require this to happen as part of the pathway assessment and planning process which begins as a young person turns 16.

Local authorities should have a variety of options to care leavers. These may include identifying foster carers who are willing to take older young people with a view to entering into a WIR arrangement. These may also include Supporting Lodgings, as an alternative to WIR where this is in the young person's best interests.

Residential Placements

England is considering extending residential placements to the 'Staying Put' scheme. What are the plans for Wales? Is it reasonable to expect young people to move on from their residential homes to carer's homes? The UK Government's Department for Education (DFE) commissioned research into various options for allowing young people placed in children's homes to 'stay close' when they turn 18. This was a scoping study, and DFE has yet to respond formally to its recommendations. The Welsh Government will follow developments in England with interest.

Looked after children are placed in children's homes because this is the best type of placement for them. They are entitled to the same support from a local authority as any other looked after child and care leaver, and will have an entitlement under the new Regulations to be informed about WIR as part of the needs assessment leading to the Pathway Planning process. The Regulations also require a local authority to inform looked after children about alternatives to WIR. It will be the young person's choice whether they wish to enter into a WIR arrangement when they turn 18. Where they make this choice, the local authority

should ensure that arrangements are put in place to find them a suitable foster placement which could be converted to a WIR arrangement when the time comes.

Young People Not in Education (NEET)

What happens if the young person is not engaged in education or employment – are they still eligible for the WIR scheme?

Yes, there is no requirement for a young person to be engaged in education, training or employment in order to enter a 'When I'm Ready' arrangement with his or her former foster carer. The only requirement is that the young person and the foster carer are both willing to enter into such an arrangement, the young person is in a foster placement with that carer when they turn 18, and the local authority considers the arrangement to be in the young person's best interests.

There is an expectation that the young person will commit to developing their independent living skills, and that the carer will support them in this during the arrangement. For the majority, this will mean that they are in some kind of continuing education, training or employment, or are at least undertaking some kind of volunteering.

Pathway Planning

Some stakeholders feel that some Pathway Plans are not being completed in a timely manner, and that young people are not able to access personal advisors until just before 18. What are the requirements for WIR?

From April 2016, local authorities will be expected to comply with the requirements set out in the regulations and code of practice relating to Part 6 of the Social Services and Well-being (Wales) Act. This requires them to undertake a needs assessment, for each looked after child to be completed by the time of the review preceding the child's 16th birthday and the pathway plan to be completed by the time the young person is 16.3 years. The local authority must also appoint a personal adviser for the child as part of this process.

Are there any plans to address Pathway Plan issues? (For example, some stakeholders consider the plans to be non- young person friendly, too lengthy or merely completed as a tick box exercise).

Effective Pathway Planning is essential if a young person is to achieve a successful transition for young people leaving care. This message will be reinforced through the code of practice relating to Part 6 of the Social Services and Well-being (Wales) Act. Pathway Planning must begin when the young person approaches age 16 (or earlier if possible), and must fully involve the young person. Indeed, we would expect the young person to take increasing responsibility for the Pathway Plan as he or she matures.

Responsibility for ensuring that the pathway planning process is undertaken effectively rests with local authorities, which will be expected to comply fully with the provisions in the regulations and code.

Supported Lodgings

What about young people currently being accommodated under Supported Lodgings arrangements? Can they be transferred to the WIR scheme?

No, only existing foster placements can be converted to 'When I'm Ready' arrangements when a young person turns 18. Young people who are currently living with their former foster carers under Supported Lodgings arrangements can continue to do so for as long as this achieves the outcomes set out in their Pathway Plan. Supported Lodgings will continue to be an option for young people leaving care. The various options, and their pros and cons, should be discussed with the young person and his or her foster carers as part of the pathway assessment and planning process.

Special Guardianship (SGOs)

Some foster carers are worried that they will be forced into SGO arrangements in order to avoid supporting young people in WIR schemes. Is anything being done about this?

Foster care and special guardianship are two different ways of meeting the needs of a child who cannot be looked after by his or her parent. They are distinct and are regulated by different legal provisions. Where a person has been approved as a foster carer, and a local authority has decided to place a looked after child with that foster carer (as the best possible placement for that child), there should be no question of the local authority putting any pressure on the foster carer to change his or her status by seeking a Special Guardianship Order; pressure is unacceptable, although it could be argued that SGO is a better permanence arrangement for young people and in many cases preferable to the child/young person remaining as a looked after child. Children under SGOs are not eligible for WIR arrangements, SGOs end when the young person reaches 18.

WIR carers, legal protection and membership of The Fostering Network

Does being an individual member of The Fostering Network and its legal protection insurance cover WIR carers?

The legal protection insurance provided with membership of the Fostering Network provides cover in the case of an allegation made by a young adult about a situation or event that happened both before and after that young adult reached the age of 18. Members who are former foster carers who offer WIR arrangements and are no longer registered foster carers must take out retired foster carer membership before their registration as a foster carer ends, in order to ensure continuity of cover. For more information please email membership@fostering.net

Miscellaneous

Is there funding to support the implementation of the WIR legislation?

There are no additional resources available to local authorities specifically to support implementation of WIR.

There is implementation funding available to local authorities for implementation of the Social Services and Well-being (Wales) Act, which is being channelled through the regional collaboratives. It will be for the regional collaboratives to determine how they use the available funding to support implementation.

It is hoped that, over time, the costs of implementing WIR will be off-set by savings elsewhere in the costs of leaving care, as young people will have been supported to move to more independent living only when

they are ready to do so – for example, there should be fewer tenancy breakdowns and a reduction in the associated costs.

What has the take up been for WIR so far?

WIR has been piloted in three local authority areas in Wales: Merthyr Tydfil, Rhondda Cynon Taf and Gwynedd. During the pioneer year (June 2013 to June 2014), the take up was as follows:

Merthyr Tydfil	10 young people in foster care turned 18 Four took up WIR
Rhondda Cynon Taf	18 young people in foster care turned 18 13 took up WIR
Gwynedd	11 young people in foster care turned 18 Eight took up WIR

How will WIR be positively implemented?

From April 2016 local authorities will have clear duties set out in section 108 of the Social Services and Well-being (Wales) Act and in the Regulations made under it. The Regulations require local authorities to make information about WIR available to young people and foster carers, so that they can make an informed choice. Local authorities will also need to implement the statutory Code of Practice relating to Part 6 of the Act, which contains a chapter on WIR. This sets out what a local authority must and should do to implement the scheme.

The Welsh Government issued guidance to local authorities in March 2015, to encourage them to develop and begin implementing their local WIR schemes during 2015-16 so that they are ready for their new duties. The Welsh Government has also held two seminars for local authorities and other key stakeholders in April and May 2015 to launch the scheme, and will organise two further seminars early in 2016 to share good practice and address any difficulties before the new duties come into force. The Welsh Government is also commissioning a good practice guide to sit alongside the statutory code, and materials which local authorities can use to promote the scheme among young people and foster carers.

Implementation of WIR will be taken forward within the context of the transformational agenda for social services set out in the Social Services and Well-being (Wales) Act. This includes promoting positive outcomes for children and young people, and investment by local authorities in a wider range of preventative and early intervention services. WIR should be seen as a positive intervention in the lives of vulnerable young people, to enable them to make a successful transition to adult life and independent living.

Additional Resources

The Fostering network has produced a WIR film, on behalf of the Welsh Government, focusing on WIR young people and carers experiences.

Visit: www.fostering.net/wales/when-i-am-ready#.Vgp6tvI8Hcs

Training from The Fostering Network

When I'm Ready - In Practice

Aim:

- To be aware of the potential cost and resource implications for a local authority creating a WIR scheme.

Objectives:

- Understand the structure of payments being made under a WIR scheme.
- Identify all the resources and associated costs required to administer and run a WIR scheme.
- Recognise costs already being incurred for the provision of 18+ placements.
- List the benefits that Young People are entitled to post-18 and be aware that these can reduce the overall cost of a WIR scheme.
- To accurately cost a WIR scheme over a three year period.

For more information please contact

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The Fostering Network

The Fostering Network is the UK's leading fostering charity. By working with foster families, and the services that support them, we help everyone who is fostered to achieve the very best they can.

To find out more about our work in Wales, please contact:


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