

APPENDIX B



Adoption and Fostering

Central Bedfordshire Council
and Bedford Borough Council

working together

Policy on Residence Order Financial Support

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Date agreed:	October 2009
Agreed by (e.g. council):	Assistant Director, Children's Specialist Services
Date to be reviewed:	April 2011

1. ***Policy Statement - Support to holders of Residence Orders where they are a former foster carer of the child.***
- 1.1 Schedule I (15.1) of the Children Act 1989 states “*Where a child lives or is to live with a person as a result of a Residence Order, a local authority may make contributions to that person towards the cost of the accommodation and maintenance of the child*”. This does not apply if the child is to live with a parent or step-parent.
- 1.2 In Central Bedfordshire, where foster carers apply for a Residence Order in respect of a child they have been fostering and the Local Authority supports this plan, the carers will receive a Residence Order allowance at the rate equivalent to Central Bedfordshire’s fostering allowance (less additional payments for holidays, birthdays, clothing, travel and festivals, etc) until the child is 18, minus any welfare benefits that become payable to the foster carer on obtaining a Residence Order.
- 1.3 Financial support ceases to be payable to a carer if:
 - a) the child ceases to have a home with them or dies
 - b) the child ceases full-time education or training and commences employment
 - c) the child qualifies for Income Support or Jobseeker’s Allowance in his or her own right, or
 - d) the child attains the age of 18 unless he continues in full-time education or training, when it may continue until the end of the course or training he is then undertaking.
- 1.4 All other financial support/ongoing support packages in respect of a Residence Order as requested by a former foster carer will be subject to an assessment by Family Support Services, a means test and decision by the Bedfordshire Allocation Panel (BAP) where the case meets the criteria for referral to BAP (see BAP policy/procedure). This includes requests by foster carers, who are intending to apply for a Residence Order, and who ask for help with court fees/legal fees.
- 1.5 All other requests for support when a Residence Order is to be / has been granted in respect of a looked after child and where the proposed Residence Order holder is not a former foster carer of the child will be subject to an assessment of need and means testing and decision by BAP.
- 1.6 In cases where the child is not known to the authority and a prospective applicant for a Residence Order makes an enquiry about support services, then this will be subject to an initial assessment by Intake and Assessment, followed by a core assessment. If it is deemed that without financial support the child is likely to become looked after, a request to undertake a financial assessment can be made to the Assistant Director, Children’s Specialist Services.

- 1.7 Prospective applicants for a Residence Order and those holding a Residence Order who request financial support will have to provide the local authority with full details of their finances when they are assessed for financial support and when their financial support is reviewed annually.

2. Outcomes

- 2.1 By offering support, including financial support, to people applying for Residence Orders where children would otherwise be looked after, the local authority supports children to be cared for within a legally secure family environment.

3. Legislation

- 3.1 The legislation relating to Residence Orders and support is as follows:
- Children Act 1989
 - Adoption and Children Act 2002