

# Guidance for services on the provision of continuing care

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At the Care Inspectorate, we are committed to working with care services to get the best possible outcomes for all children and young people leaving care. We know that looked after and accommodated children and young people leaving care are particularly vulnerable as they move from care into early adulthood, and may experience loneliness, isolation, or issues with finances. We are keen to be as flexible as possible with innovative care services that support the transition out of care.

### Background

The Public Services Reform (Scotland) Act 2010 sets out the different categories of services that must be registered with the Care Inspectorate. These include services for children and young people who are looked after and accommodated in the following service types:

- Care homes
- School care accommodation
- Secure accommodation
- Fostering
- Adoption

There are other service types that may also support young people over the age of 16 years, each of which must be registered:

- Housing support
- Support service
- Adult placement
- Offender accommodation

There are certain types of care service that cannot by law continue to care for young people when the young person reaches a specific age, or if the young person no longer meets the criteria for being accommodated in that service type. These include:

- Secure accommodation, where no one can be accommodated on reaching their eighteenth birthday or if they no longer meet the criteria for secure care
- Foster care, where the young person ceases to be a looked after child
- Care homes, which may have a restriction placed on the age range of children and young people that can be looked after

Part 11 of the Children and Young People (Scotland) Act 2014 sets out clearly the duty of the local authority to provide the young people whose final 'looked after' placement was in foster, kinship or residential care including school care accommodation with the **same** accommodation or other assistance as was being provided before the young person ceased to be looked after, save from some exceptions. The Act also places responsibility on the Care Inspectorate and other bodies to be corporate parents.

We have identified ways in which we can fulfil this responsibility, particularly around the category of continuing care as set out in Part 11:

- We have increased the age range for children and young people living in a care home to age 21 years to support continuing care.
- We have identified that foster agencies which support young people to remain with their foster family on a continuing care basis can apply at no cost to also register an adult placement service when a child in their care reaches the age of 16. Both services will be combined, with one inspection and one rate of continuation fee.

### Options that providers can consider

Placing authorities, service providers, and other relevant professionals must work together in collaboration with young people to share information and make sound decisions about the suitability of potential placements.

We strongly suggest that providers ask us for advice at an early stage of developing their service. We are committed to supporting diversity and the development of services that will provide good outcomes for children and young people. However, we must do this within the parameters of relevant legislation.

There are examples of very good person-centred and diverse service provision that have developed over many years to support young people in transition.

These include examples for supporting continuing care:

- A care home provider facilitates a young person to access independent advocacy services to support the young person to access their right to Continuing Care. The provider may request conditions of registration which are not restrictive of age to support the young person to 'stay put,' up to the age of 21, through their continuing care status. The statement of aims and objectives should reflect how the provider will achieve good outcomes for all those experiencing the service.
- A provider of a school care accommodation service requests to vary conditions of registration in line with a revised statement of aims and objectives, enabling young people beyond the age at which they must leave secondary education, to continue living in the same accommodation with the same supports up to the age of 21.
- A provider of a foster care service applies to register an adult placement service – continuing care, to enable a young person to remain living with their foster carers (who must be approved as adult placement carers) after they cease to be looked after and up to the age of 21.

And examples for supporting better transitions (these are not continuing care):

- A provider requests a variation to their care home registration to enable additional accommodation (out with the care home) to be used in order to support a young person who wants to live in a more independent way and still

receive the support of the care home. This would support a young person in receipt of Throughcare and/or Aftercare and is not continuing care.

- A provider that aims to offer a service for young people transitioning into young adulthood may request that their care home registration reflects an older age range, for example between age “15 and 21 on admission”. This allows young people to remain living in the service beyond age 21. In order to achieve this the service’s statement of aims and objectives may need to be reviewed.
- A provider requests to vary conditions of registration and their statement of aims and objectives to allow a young person or a group of young people with complex needs to continue to live together beyond age 21.

### **Important points to remember**

It is a legal requirement to register a care service with the Care Inspectorate and this should be considered when trialling any new venture. It can take up to six months to register a new service, so contacting us early is crucial.

There is a registration fee and an annual fee to pay for each registration of a different service type, details of which are published online at <http://www.careinspectorate.com/index.php/fees> Services provided together, for example housing support and support services, can be assessed for a combined service discount (see our fee information on our website).

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