

WBSCB PPP
When I'm Ready – Post 18 Living Arrangements

This is short briefing with links to further information in respect of a new duty under the Social Services and Wellbeing (Wales) Act 2015 (the Act). It is based on information provided in the [Welsh Government's Draft Code of Practice – Part 6](#) and should not be considered legal advice.

What are these arrangements and who do they apply to?

[Section 108](#) of the 'Act uses the term 'post-18 living arrangement' to describe a situation where a care leaver who has turned 18 years old continues to live with his or her foster parent/s in an arrangement facilitated by the local authority.'¹

The arrangements are only available to Category 3 care leavers (known currently as former relevant children) who are in the following circumstances.

Category 3 young person—

(i) who is under the age of 21, and

(ii) who was being looked after by a local authority when he or she reached the age of 18 and, immediately before ceasing to be looked after, was a category 1 young person, and

(b) a person (a "former foster parent") who was the young person's local authority foster parent immediately before he or she ceased to be looked after,

The arrangements must also be identified by the Local Authority as being consistent with the young person's wellbeing – even though it is not a 'placement.' See below.

Are these still foster placements and it's the Local Authority 'placing' the young adult there?

'It is important to note that these arrangements differ from foster placements.'²

'Once a young person has turned 18 and is an adult, they are no longer legally 'in care' or 'looked after', fostering arrangements and legislation relating to children placed with foster carers no longer applies, and the legal basis on which a young person live in the foster carer's home changes. The local authority is no longer making a 'placement', but facilitating a 'post-18 living arrangement' for that young person. In Wales, these are known as 'When I am Ready' arrangements.'

Current and proposed guidance regarding When I'm Ready schemes suggests that former foster carers should receive payment during these arrangements. However Local Authorities have raised concerns that guidance is open to interpretation regarding the amount to be paid.

What is the aim of these arrangements?

'When I am Ready' arrangements allow a young person to continue living in a stable and nurturing family environment after they turn 18, up to the age of 21 or until they have completed an agreed programme of education or training. 'When I am Ready' helps ensure that young people do not experience a sudden disruption to their living

¹ <http://gov.wales/docs/phhs/consultation/150505pt6codeen.pdf> p130

² <http://gov.wales/docs/phhs/consultation/150505pt6codeen.pdf> p131

arrangements which can have a negative impact upon their education, training or employment, or upon their developing independent living skills.

The overall **outcome** of 'When I am Ready' is that the young person will have the time and support to develop the necessary skills and resilience to make a successful transition to independent living.³

When do Local Authorities have to implement the scheme and what guidance do they work to?

Local Authorities should have schemes in place to facilitate these arrangements by April 2016. However the Welsh Government issued non statutory guidance to assist Local Authorities to begin developing 'When I'm Ready Schemes. It included aspects like – assessing the suitability of the arrangement, what payments former foster carers might receive, preparing the young person, monitoring the arrangements.

It is understood that this guidance will be replaced by the guidance contained within Part 6 Code of Practice – Looked After and Accommodated Children which is due to be finalised in November 2015. Some Local Authorities may have been waiting for this guidance to be finalised before progressing with their arrangements in case any significant changes have been made as a result of consultation. The draft guidance on When I'm Ready can be found in Chapter 6 of the draft Code of Practice <http://gov.wales/docs/phhs/consultation/150505pt6codeen.pdf> .

³ <http://gov.wales/docs/phhs/consultation/150505pt6codeen.pdf> p131