

# Anti-Poverty Spotlight: Care Leavers and Care Experienced People

## How does poverty impact care leavers and care experienced people?

As part of our anti-poverty campaign, the British Association of Social Workers (BASW) will be focusing on a different part of social work practice and the impact of poverty.

### 1. Background

Social workers have a range of legal responsibilities in relation to children and young people who are in care, or 'looked after'. Differing legislation is in place in England, Scotland, Northern Ireland and Wales to cover these responsibilities. Once young people leave the care system at 18 there are a range of legal responsibilities in place to support these young people into full independence. (See below for more details).

More recently the term 'care experienced' has come into use. This term has been used to describe recent care leavers, children and young people in care as well as people who may be much older but who were once in the care system. For this reason, this briefing refers to 'care leavers' in describing those who have recently left care and from whom there are still specific legal duties in place.

Care leavers are expected to be financially independent from the age of 18 – whereas young people more generally are now not leaving the family home until the age of 24 [Catch 22, 2022]

Care leavers are over-represented in the population of young people who are NEET – Not in Education, Employment or Training. There are complex reasons behind this statistic including underachievement at school (which impacts on formal qualifications), previous trauma, higher occurrences of mental health issues, and sometimes the legacy of previous experiences, for example, permanent school exclusions. All of these factors interact to prevent some care leavers securing and retaining a job. Consequently, a significant number of care leavers rely on benefits. As the benefits system has become increasingly harsh (for example, demonstrating availability for work, sanctions) some care leavers have been excluded from their entitlements. All these factors contribute to pushing many care leavers into poverty.

Care leavers often do not have family that they can rely on if they encounter difficulty. Some local authorities have introduced policies to help care leavers with costs that they are responsible for, such as exempting care leavers from paying council tax, or lowering the percentage that they must pay.

Many 16- and 17-year-olds who have been 'looked after away from home' by the local authority cannot get universal credit (or income support, income based jobseeker's allowance or housing benefit). Instead, the local authority which last looked after them is responsible for providing financial and housing support. Local authorities often call this help 'after-care', 'after-

care services' or 'leaving care services'. These special rules also affect 16- and 17-year-olds who are in 'continuing care'. [Child Poverty Action Group, October 2022]

Social workers, care leavers and care experienced people can see what their local authority offers by visiting <https://www.careleaveroffer.co.uk/>

## **2. What legislation covers care leavers and care experienced people?**

UK-wide:

- Human Rights Act 1998, which includes fundamental rights that impact directly on service provision in the health and social care sector
- Equality Act 2010 which guides anti-discriminatory practice which is fundamental to the ethical basis of care provision

In England

- Children and Social Work Act 2017, which outlines that local authorities have a duty to support care leavers until the age of 25
- Children's Act 1989, which stipulates social workers duty to children in care

In Scotland:

- Social Work Act (Scotland) 1968, which places the responsibility of social work services with local authorities
- Children (Scotland) Act 1995, which provides the main legal framework for child welfare and protection in Scotland

In Northern Ireland:

- Children's Services Co-operation Act (Northern Ireland) 2015 , which requires public authorities to co-operate in contributing to the wellbeing of children and young people

In Wales:

- Children Act 1989, which stipulates social workers duty to children in care
- The Social Services and Well-being Act (Wales) 2014, which provides the legal framework for improving the well-being who need care and support.

## **3. How do social workers work under this legislation on this issue?**

Social workers work under this legislation by adhering to roles and responsibilities stipulated under law to provide resources and support to children pre and post going into care. This applies to courts, within education, medicine, and at home.

Care-leavers are now entitled to leaving care support up until the age of 25. In some local authorities this is a 'leaving care social worker' or in others a support worker can fill this role.

Social workers support care-leavers to achieve their potential across all areas of life and should use the Equality Act 2010 to act against any discrimination they may face.

Local authorities are corporate parents of children in care and care leavers under the age of 25. This means that local authorities have duties such as:

- Acting in the young person's best interests and promote his/her physical and mental health and well-being
- Help those young people gain access to services provided by the local authority
- Prepare them for adulthood and independent living

#### 4. How does poverty affect this issue?

- [Almost half of foster carers](#) were considering quitting the profession due to the cost of living crisis. This is an emergency given the pre-existing shortage of foster carers across the country, and risks more children, especially those aged 16/17, going into unregulated accommodation. Once in unregulated accommodation, children are often at risk of extreme poverty as they are responsible for paying bills, managing budgets (whilst still children!) and facing financial exploitation. Children in these settings do not have the financial safety net a parent/carer can provide in the case of an emergency.
- At least [one third of care-leavers experience homelessness](#) within the first two years of leaving care.
- Also, care-leavers are hampered by a lack of social mobility, less likelihood of entering university compared to peers ([13% compared to 43% of the population](#)). The cost of living will exacerbate all of the above pre-existing inequalities.
- [25% of the homeless population](#) are estimated to have been in care

In Wales, care leavers can take part in the basic income pilot which means recipients get a set amount of money from the government to cover basic needs. Care experienced young people are a group that the Welsh Government has consistently chosen to invest in, for example, the top up of the Child Trust Fund payment; additional Council Tax exemption and establishment of the St David's Day Fund. It is recognised that, compared with their peers, care-experienced people are disproportionately disadvantaged and are statistically more likely to experience issues such as homelessness, addiction and mental ill-health. [gov.Wales, 2022]

#### 5. Case Study

*Andy is 23, a care leaver, and lives in a one-bedroom flat in West London that he shared with his former partner. They broke up recently and his partner has moved out. He works full-time as a Teaching Assistant in a school in another borough. He wants to train to be a*

*teacher but doesn't have the qualifications needed due difficult experiences he had in childhood that meant he missed a lot of school and didn't go to University.*

*Andy's landlord has increased his rent, and Andy is now struggling to afford to pay for rent as well as the increased cost of utilities and food. Andy also has to drive to work, and fuel costs have gone up.*

*Andy can't find any other cheaper accommodation. Even if he could, he wouldn't be able to afford the deposit on a new place before getting back his current deposit. His local authority will only help if the rent falls within the Local Housing Allowance rate – which most private accommodation does not.*

*Andy doesn't have any family to rely on for support and feels unsupported and alone.*

### **Sources**

Care Experienced young People and Benefits, October 2022, <https://cpag.org.uk/sites/default/files/files/resource/CPAG-scot-factsheet-Care-experienced-young-people-benefits%20October%202022.pdf>

Catch 22, April 2022 <https://www.catch-22.org.uk/news/young-care-leavers-set-for-grave-financial-struggles-as-cost-of-living-soars/>

Office for Students, 2022 <https://www.officeforstudents.org.uk/advice-and-guidance/promoting-equal-opportunities/effective-practice/care-experienced/>

Barnardos, 2020 <https://www.barnardos.org.uk/sites/default/files/2021-05/No-Place-Like-Home-Report-IKEA.pdf> .

Welsh Government, 2022 <https://www.gov.wales/basic-income-pilot-care-leavers-overview-scheme>