

**ROCHDALE METROPOLITAN BOROUGH COUNCIL
CHILDREN'S SOCIAL CARE SERVICES
PROTOCOL & PROCEDURE**

HOMELESS YOUNG PEOPLE - AGED 16 & 17

INTRODUCTION

1. For the purposes of this guidance the term 'homeless' should be taken to mean 'homeless and / or requiring accommodation'. The term 'young people' should be taken to mean 16 and 17 year old children.
2. This guidance is solely concerned with the functions of Children's Social Care Services and Housing Services when young people seek help from, or are referred to, local authorities because of homelessness.

JOINT WORKING PROTOCOL

1. The purpose of this protocol is to provide an overarching framework that identifies the housing and support needs of young people, through use of an agreed assessment process, which can be completed by Housing and Social Care Staff.
2. The protocol will:
 - Enable Social Care and Homelessness to continue to develop a shared understanding of the statutory priorities, and promote closer joint working relationships.
 - Ensure that the response to young people who present as homeless is consistent across Services
 - Ensure that information gathered will identify young person's needs to enable appropriate support and placement. This protocol covers the following Services where a young person may present as homeless
 - Children's Social Care
 - Homelessness Advice Services Centre RMBC
3. This protocol is a flexible working document and will be reviewed and updated as and when necessary in line with changes and developments within the developments of services and ongoing legislation and guidance.

WHO DOES THIS PROTOCOL APPLY TO?

1. Homeless young people aged 16 and 17 who are:
 - In need
 - Vulnerable
 - Have a housing need
 - Homeless
2. Young people aged 16 to 21, who have a housing, social care or support needs and are leaving the care of the local authority.
3. Young people must also have a local connection.

DEFINING VULNERABILITY

Identification of vulnerable young people requires an understanding of what constitutes risk, and assessment is integral to this process. Young people may be identified as vulnerable through exploring a range of possibilities:

- Young person is pregnant - has dependant children;
- Experienced mental health problems;
- Been abused;
- Financial exploitation;
- Sustained physical disability;
- Learning difficulties;
- Serious physical illness;
- Involvement in domestic violence;
- Experienced violence / harassment;
- Problems with substance misuse;
- Involvement with Police, Probation or Youth Offending Team;
- Victim of racial or other forms of harassment.

This list is a guide only and is not an exhaustive list.

DEFINITION OF LOCAL CONNECTION

- Have lived in Rochdale Borough for 6 out of the last 12 months OR
- Have lived in the borough for 3 out of the last 5 years OR
- Have a close member of the family in Rochdale (i.e. mother, father, brother, sister), from whom the young person has been receiving close support and requires ongoing support. The family member must have lived in Rochdale Borough for 5 years.

ROCHDALE'S APPROACH

Rochdale MBC seeks to apply the above legislation in a way which recognises that different young people have needs requiring different responses. For some a return to their parent's home is possible and can be assisted by the involvement from Children's Services. For others it is neither possible nor desirable. As a first course of action the Local Authority will deal with a young person's immediate need for accommodation. At the same time it will also look at the possibility of a return to the parent's home as the best and most desirable outcome.

When a return to home is found not be possible then the Local Authority will help young people find and retain accommodation elsewhere.

Homelessness Advice Services Centre RMBC and Children's Services work closely together in trying to help young people. However, they do have different powers and duties and often young people may need to deal with both departments and secure a full service.

PROCEDURE	TASK ALLOCATION
<p>1.6 If a decision of intentionally homeless is made by homelessness then they should inform Children’s Social Care Services in writing.</p>	
<p>2. YOUNG PERSON AGED 16 & 17 PRESENTS AT CHILDREN’S SOCIAL CARE SERVICES</p>	
<p>2.1 If the young person presents to CSC and is at risk of being homeless a contact / referral will be taken by the Mass at Children’s Services.</p>	<p>Children’s Services</p>
<p>2.2 Children’s Services will in the first instance liaise with the Homelessness Officer and agree on a course of action which will be:-</p> <ul style="list-style-type: none"> a) advice given and no further action; b) liaise with the Homelessness Officer and arrange a time to undertake a joint assessment with the young person if it is uncertain whether a young person is homeless/child in need/requires accommodating under Section 20; c) refer to agencies who will provide short term services d) Homelessness will assist Children’s Services in finding suitable temporary accommodation whilst investigation is pending. 	<p>Children’s Services / Homelessness Officer</p>
<p>2.3 It is also the responsibility of the Children’s Services to work together with the Homelessness Officer to complete the assessment of the young person.</p>	<p>Children’s Services / Homelessness Officer</p>
<p>2.4 If it is deemed that the young person is a child in need then appropriate services to be put in place or ensure they are in place to meet that need.</p>	
<p>2.5 If it is assessed at this point that the young person needs to be temporarily accommodated by Children’s Services, this would need to be discussed with the young person to ascertain their wishes and feelings. Information regarding the loss of their accommodation due to their own actions and a decision of intentionally homeless under Housing legislation would be outlined to the young person.</p>	
<p>2.6 As a Social Care we are obliged to offer the young person foster care as per the recommendation of The Southwark Judgement, made by the Law Lords in May 2009. (see below for case details) However at all times the young person must be provided with their options and it is their decision.</p>	
<p>2.7 In the majority of situations a return to home would be the favoured option and in this instance work will be undertaken for those who are 16 years old by the Children’s Services/ Mass/ Out of Hours Team to provide family support. This will provide</p>	

PROCEDURE	TASK ALLOCATION
<p>the support required to sustain living at the parent's home. Within this a discussion will take place regarding a strategy to avoid homelessness in the future.</p>	
<p>2.8 Also with regard to the young person not wishing to take up the offer of accommodation or if they are staying with friends, then Children' Services will notify Homelessness Advice Services who will complete their assessment under the Housing Act 1996 and Homelessness Priority Need Order 2002 depending on the housing circumstances surrounding their situation.</p>	<p>Housing</p>
<p>2.9 Housing will continue to work with those young people who are deemed homeless and are 17 and half old to assist them to secure appropriate housing when they reach 18 years old, where ever possible.</p>	<p>Housing</p>
<p>2.10 Children's Services to provide support in the form of independent living skills for young people who are deemed Homeless.</p>	<p>Children's services</p>
<p>2.11 If a young person wishes to become a Looked After Children child and becomes a LAC child then LAC procedures to be followed and completed by Children's Services</p>	<p>Children's services</p>
<p>3. FINANCIAL AND ADMINISTRATIVE DETAILS – HOMELESS YOUNG PEOPLE</p>	
<p>3.1 Homelessness accommodation is paid for direct from (Homelessness Advice Centre RMBC/) Children's Services to the establishment.</p>	
<p>3.2 The young person must immediately fill in application form to claim relevant benefits to cover the cost of accommodation and living costs if s/he has not already done so.</p>	
<p>3.3 Children's Services will consider financial assistance under section 17 (Children Act 1989) to support the young person assessed as homeless during emergency periods when the young person does not have an income, by giving him/her cash or equivalent alternatives to cover any or all of the following:</p> <ul style="list-style-type: none"> • Food • Toiletries • Travel expenses necessary to secure benefits or employment <p>(Emergency packs of toiletries/essentials will be provided to Great Howarth Street by Children's Services for Young people who are homeless and placed there in emergency)</p>	
<p>3.4 Young people who become accommodated will be financially supported by Children's Services.</p>	

PROCEDURE	TASK ALLOCATION
4. FOLLOWING THE ASSESSMENT OF A HOMELESS YOUNG PERSON	
4.1 The contents of the assessment will be shared with the young person and appropriate services will be identified to meet needs the assessment highlights.	Homelessness Officer / Children's Services
4.2 The Homelessness Officer will be informed of the outcome of the assessment in writing by Children's Services.	
4.3 It is anticipated that the support needs of the young person will initially be significant and varied, but these will reduce and taper over a period of time as they are supported by staff towards independent living. The support will be provided to the young person until s/he no longer requires the support or until s/he turns 18 years old (whichever comes first).	
4.4 If the young person is not deemed to be homeless and vulnerable then one of the following two will take place: <ul style="list-style-type: none"> • mediation to be offered for the young person and their family from short term services such as Child & Family Support Team / OOH • Advice given, no further action 	

“The case

G was a 17-year-old who had fallen out with his mother and was made homeless. He was sleeping on the floors of friends. After seeking legal advice, he demanded that Southwark Council's children's services department provide him with accommodation and support under section 20 of the Children Act 1989

Although the council accepted that G was a “child-in-need” and was homeless, it did not accept that he “required” accommodation. Instead, it held that, because he was a resourceful teenager, he simply needed “help with accommodation”, such as assistance to find a flat of his own and to claim housing benefit.

G appealed against this decision but the Court of Appeal agreed that the council's decision was not unreasonable

Process Summary

