

# **PARTNERSHIP AGREEMENT BETWEEN STOCKPORT HOMES AND STOCKPORT COUNCIL TO RESPOND TO YOUNG PEOPLE WITH ACCOMMODATION NEEDS.**

## **1. Introduction**

- 1.1 This protocol outlines the way that Stockport Homes Group (SHG) and Stockport Council work together to meet the needs of young people leaving care and 16 and 17 year olds facing homelessness.
- 1.2 There is a clear legal framework for co-operation between social care and housing services to meet the needs of children and young people. This protocol commits to a mutually agreed vision, systems and procedures to ensure effective action to prevent youth homelessness and, where it cannot be prevented, relieve it through accommodation and support that meets the needs of young people.
- 1.3 It recognises that these young people are particularly vulnerable and require an enhanced level of service, with accommodation a central element of a wider holistic approach towards meeting their needs.
- 1.4 While the primary services involved in this protocol are the Housing Options Team (HOT) at SHG and Stockport Family (SF) at the Council, it should also be stressed that both organisations have a 'corporate parenting' responsibility towards looked after children and care leavers. This means that SHG and the Council should act as a 'good parent' in all its interactions with these young people and in the provision of services towards them.
- 1.5 The Protocol has been drawn up in accordance with:
  - Children Act 1989,
  - Transitions Guidance 2015
  - Children (Leaving Care Act) 2000
  - Children acts 2004 & 2008
  - Social work Act 2017
  - Housing Act 1996
  - Homelessness Code of Guidance 2018
- 1.6 Part one of the agreement outlines the systems and processes for helping care leavers in their transition towards independent living, and part two focuses on the assistance available to 16 and 17 year olds who are threatened with homelessness.

## **2. YOUNG PEOPLE LEAVING CARE**

**Vision: To provide a supported transition into accommodation that is responsive to the young person's strengths and needs and is a sustainable step forward in their journey towards living independently.**

- 2.1 SHL and SF propose to work together to help provide accommodation for looked after children leaving care (care leavers) that is suitable for their needs as part of a structured and supported move into, or towards independent living. Accommodation issues will be addressed as part of each young person's pathway plan, with their full involvement in deciding what options are best for them on an individual basis. As part of this process young people, and where relevant their families / carers, will be put at the heart of planning and delivery.
- 2.2 One element of this approach may be to provide the option to care leavers of a direct offer of a social housing tenancy. While these properties are in very high demand and usually not an available option to most young people, it is recognised that the security they offer can provide a stable and supportive move on into independent living for many care leavers. This part of the Protocol outlines how direct offers of a tenancy may be made to young people leaving care as part of this, with the key underlying objectives of:
  - Ensuring a young person is ready to live independently
  - Offering choice so a young person is living in a property they are happy to call home
  - Providing tailored support to ensure a tenancy is sustainable
  - Promoting social inclusion and addressing care leavers needs in a holistic way
  - Providing swift and effective interventions where tenancy issues arise or a young person is struggling
  - Recognising the 'Corporate Parenting' obligations towards young people, and that transition into independent living may not always run smoothly.
- 2.3 The number of properties made available through this protocol is not fixed. However, any significant variation in likely numbers will be flagged up to SHG at the start of the financial year to ensure there are not likely to be any supply issues. The majority of properties will be one bedroom or studio flats, however care leavers with children may also be referred for family size accommodation.
- 2.4 Successful planning for leaving care begins at an early stage within the pathway planning process. Between the ages of 16 and 17 the Housing Options Officer (HOO) designated to work with care leavers will be invited to become actively involved where a young person may be moving towards independent living through this protocol. The HOO will also act as a point of contact where they require advice on housing issues, and will provide training on related issues for SF where requested. They will also attend the fortnightly 16+ multi agency

accommodation panel convened by SF which monitors and oversees move on decisions. A weekly 'drop in' advice session will be held by the HOO within the Leaving Care Team (LAC) for any young person or worker wishing to seek advice or discuss accommodation matters.

- 2.5 Where a young person is being considered for a move into their own tenancy in line with their pathway plan, their personal advisor will make a referral to the Accommodation Panel. This may be when they are approaching the age of 18, however may be later as the key objective is to ensure the young person is only rehoused when they are ready and able to manage a tenancy. The expectation would usually be the young person has completed Leaving Care 12 week SKILLS (Stockport Key to Independence Learning and Life Skills) programme and engaged with SHG's tenancy ready training. If the referral is accepted by the Panel (including the SHG representative), then an appointment will be set up with the young person and the HOO after completing a housing application. This is both to discuss the areas of preference for rehousing, associated practicalities and ensure that the young person is fully informed and understands the rehousing process.
- 2.6 At the point the HOO meets the young person, they will be asked to give written consent for any information regarding rent balances, anti-social behaviour or other problems relating to their new home to be shared with the LAC. This will result in a 'flag' on SHGs Northgate database advising staff to contact SF whenever there are any issues with the tenancy. This will enable any problems to be identified at an early stage so appropriate support can be provided. It will also enable reports to be run identifying where rent arrears may be accruing or housing benefit not in payment. However, while encouraged to share information to ensure the maximum support is provided, it is not a condition of being rehoused and may be retracted at any time.
- 2.7 When any agreed 'tenancy ready' work has been completed, the HOO will seek a property within SHG, but may liaise with other social housing providers where appropriate. While every effort will be made to ensure any offer is in an area of a young person's choice, they will be advised where limitations of supply will make the wait for a property untenable. Offers will be made according to a standard offer letter from the area housing team, but with details confirmed by the HOO with the young person and their social worker/ personal adviser.
- 2.8 There is no penalty for care leavers refusing an offer as it considered important they are moving into a property they are happy with that will maximise the likelihood of the tenancy being sustainable. However if multiple refusals are made then on a case by case basis the Accommodation Panel may limit further offers.

- 2.9 Tenancies will be issued in line with SHG's usual practices, although will be 'equitable tenancies' where a young person is aged under 18 at the point of rehousing. These have essentially the same terms and conditions as a 'normal' introductory/secure tenancy, and will convert to one when they reach the age of 18. For legal reasons a child cannot however hold an introductory or secure tenancy.
- 2.10 The LAC will ensure that young people are accompanied at viewings and sign up by their personal advisor or suitable adult to ensure they understand the process and that the move into the tenancy is well co-ordinated. SHG will inform the LAC of these appointments.
- 2.11 The support needs of each young person will be individually assessed by their social worker/ personal adviser and the pathway plan put in place to ensure they are addressed.
- 2.12 Where any problems are identified with a tenancy then SHG staff will be alerted by a system flag to contact SF. The HOO will also have their contact details given as a point of liaison if needed. While it is anticipated that most issues can be resolved at this level, if possession or other serious enforcement action is a possible outcome, then the HOO will be contacted to arrange a formal meeting with the relevant social worker/ personal adviser and any other involved agencies. The objective of the meeting being to agree a way forward to ensure the tenancy does not fail, or to look at alternative options where it is clear a young person is not coping. SHG reserves the right to take possession or enforcement action if needed as a last resort.

## **PART TWO**

### **3. HOMELESS YOUNG PEOPLE AGED 16 & 17 YEARS**

**Vision; to work flexibly and collaboratively to prevent homelessness for young people and to relieve homelessness where necessary through ongoing support and creative solutions for independent living.**

- 3.1 The central objective of both SHG and SF is prevent homelessness amongst young people. Where it is safe to do so, every effort will be made to enable a young person to remain in a family environment, with additional support where needed to ensure they can thrive. Where this is not possible, case law<sup>1</sup> and the 2018 Homelessness Code of Guidance published by MHCLG outlines that in almost all circumstances a 16 or 17 year old who is homeless would be a child in need. As a result, the primary responsibility for providing accommodation rests with SF under Section 20 of the 1989 Children Act.

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<sup>1</sup> (R (G) v Southwark [2009] UKHL)

- 3.2 However, there remain circumstances where SHG will have a duty, primarily where a young person, aware of the implications of doing so, declines to accept SF support. This is more likely to be where a young person is more ready for independent living and approaching the age of 18.
- 3.3 A young person can either approach SF or SHG if homeless or threatened with homelessness. However, unless they have an open case with SF, they should be signposted to the Housing Options Team at SHG at its central location Cornerstone, 2 Edward Street, SK1 3NQ. Young people already open to SF will be referred to their designated social worker.
- 3.4 Where a young person presents as homeless and they are not known to SF the following steps will be followed:
- Mediation by SHG
  - Joint assessment between SF and SHG
  - Accommodated by SF if they are deemed to be a child in need
  - Supported by SHG under homelessness legislation if they are not a child in need or the young person has decided that they do not want to be accommodated under Section 20 (with appropriate advice and full capacity to reach this decision)

This process is detailed below.

- 3.5 The Mediation Service at SHG (or a HOO in their absence) will make initial attempts to return the young person home where safe to do so or make alternative longer-term arrangements with other relatives/friends. In most instances homelessness will be able to be prevented with parents or other family, but in some instances more intensive work will be needed through the use of home visits or family mediation. Where homelessness is prevented through mediation and there are no underlying concerns around the young person's welfare or other over-riding safeguarding concerns then the case will be closed. In such instances the Multi-Agency Safeguarding Hub (MASH) at SF will be notified by telephone so that other services who may be involved with the young person can be made aware ensuring a more joined-up approach.
- 3.6 Where it is clear that a young person is homeless, there is an ongoing threat of homelessness, or there are other concerns around the young person's welfare, then an online referral will be made to the MASH outlining the situation and requesting a joint assessment. The assessment will again seek to resolve the situation, and if homeless cannot be prevented will determine if the duty to house and support the young person will be led by SF or SHG.

- 3.7 A joint assessment with a social worker and housing options officer will take place within 48 hours with the expectation that parent(s)/guardians will be seen to inform the planning process and where practicable this should be at the young person's home. If interim accommodation is required while an assessment takes place, the most appropriate placement will be sought. This would usually be through SHG, however would take the needs of the young person into account and may need provision through SF.
- 3.8 The joint assessment is still geared towards ultimately returning the young person home where appropriate and safe to do so, and identifying any future support needs or services that would facilitate this. Support levels will vary depending upon the level and complexity of the young persons requirements.
- 3.9 Where estrangement cannot be prevented, a care planning meeting should be held within 10 working days to determine the next course of action.
- 3.10 If the meeting decides the young person is:
- a) considered to be 'in need' (and the expectation is that almost all homeless young people would be);
  - b) homeless due to their parents being unable or unwilling to accommodate them; and
  - c) is agreeable to be accommodated by SF
- then a duty will exist under s.20 of the 1989 Children Act for Social Care to arrange accommodation. In some instances where it is deemed appropriate SHG can assist SF in providing accommodation, and these discussions will take place at with the Locality Services Leader in an emergency, or at Accommodation Panel.
- 3.11 If a young person's homelessness is not linked to a parental exclusion or inability to accommodate (i.e. not 'in need'), or a young person does not wish to be looked after by Social Care (having been made fully aware of what that entails), then a duty to accommodate a young person would rest with SHG under the 1996 Housing Act. It should be noted however that the duty under homelessness legislation may be limited if the young person is considered to be intentionally homeless or loses accommodation made available to them. In these cases, a further joint assessment may be needed, however SHG will be as flexible as possible in exploring re-housing options jointly with SF.
- 3.12 Although disputes between services are likely to be rare, where this does occur then initially discussions should take place with relevant line managers, and escalated to Service Manager level where needed.

**The Agreement**

This document is a formal agreement of arrangements, between Children’s Social Care and Stockport Homes Ltd. The agreement addresses the key principles and issues. This agreement will be reviewed in full at the request of either partner.

**Signatures & Dates**

**Stockport Homes Group**

**Stockport Family**

Name: Geoff Binns

Name: Jeanette Warburton

Signature:.....

Signature:.....

Date Signed:.....

Date Signed:.....

Key Contact: Joanne Buckley

Key Contact: Karen Bazell

Signature:.....

Signature:.....

Date Signed:.....

Date Signed:.....