

Joint Housing Protocol for Care Experienced Young People in Derby

Housing Protocol for Care Experienced Young People who are in need of housing and tenancy related support

January 2023.
Reviewed March 2025



Contents

Section		Page
1	INTRODUCTION	3
2	WHO QUALIFIES AS A CARE EXPERIENCED YOUNG PERSON?	3
3	GOVERNANCE	3 - 4
4	A CONSISTENT, CO-ORDINATED RESPONSE	4
5	PRINCIPLES UNDERPINNING THIS PROTOCOL	5
6	MONITORING, EVALUATION AND REVIEW OF THIS PROTOCOL	5 - 6
7	INFORMATION SHARING	6
8	PREPARING CARE EXPERIENCED YOUNG PEOPLE FOR INDEPENDENT LIVING	6 - 7
9	HOUSING OPTIONS FOR CARE EXPERIENCED YOUNG PEOPLE	7 - 11
10	CARE EXPERIENCED YOUNG PEOPLE LEAVING CUSTODY	11
11	CARE EXPERIENCED YOUNG PEOPLE LIVING OUTSIDE THE LOCAL AREA	11 - 12
12	WORKING TOGETHER TO SUSTAIN TENANCIES FOR CARE EXPERIENCED YOUNG PEOPLE	12 - 13
13	ESCALATION	13
14	SIGNATURES	13-14
	APPENDIX A - DEFINITION OF CARE EXPERIENCED YOUNG PEOPLE	15
	APPENDIX B - LEGISLATION AND GUIDANCE	15 – 18
	APPENDIX C – NATIONAL PROBATION SERVICE CARE EXPERIENCED YOUNG PEOPLES PROTOCOL	18 - 18
	APPENDIX D. HOUSING PATHWAY PANEL TERMS OF REFERENCE.	19

1. INTRODUCTION

- 1.1 This protocol has been developed to ensure that all care experienced young people in Derby City are supported in accessing somewhere safe and suitable to live. Derby City are Corporate Parents for our young people who are leaving care and embarking on the journey to independence. Corporate parenting means local authorities doing the most they can for looked after children and care experienced young people, to give them the same opportunities as other children and promote the best possible outcomes.
- 1.2 Children's Social Care and Derby Homes, delivering Housing Options and Homelessness services on behalf of Derby City Council, have statutory duties to young people leaving care and other statutory and voluntary agencies provide a range of services to support them.
- 1.3 This protocol sets out how Children's Services and Derby Homes will work together to provide an effective, consistent and co-ordinated response to care experienced young people in order to meet their housing and support needs to make a successful transition into adulthood.
- 1.4 This protocol will also help to promote and safeguard the wellbeing of young people, ensuring that their housing needs are met and that they have the skills, knowledge, help and support to sustain their accommodation.

2. WHO QUALIFIES AS A CARE EXPERIENCED YOUNG PERSON?

- 2.1 This protocol relates to young people who are owed a duty by Derby City under the Children (Leaving Care) Act 2000.
- 2.2 The Act is to ensure that care experienced young people are supported in making well planned moves and that, when they have left care, they receive the support they require.
- 2.3 Children's Social Care has a duty towards eligible, relevant or former relevant children to provide support which includes appropriate housing (see **Appendix A** for definitions).
- 2.4 The DfE guidance on Corporate Parenting Principles to Looked After Children and Care experienced young people stresses the importance of joint working in supporting care experienced young people to navigate their way through the transition to adulthood:
([Applying corporate parenting principles to looked-after children and care experienceds \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/67222/corporate-parenting-principles-to-looked-after-children-and-care-experienced-young-people.pdf))

3. Governance

- 3.1 This Protocol has been developed and agreed by Derby City Children's Social Care and Derby Homes. It describes the joint working arrangements which have been

agreed to ensure that, in Derby City, we provide a consistent and co-ordinated response to care experienced young people, who are in need of accommodation and tenancy related support.

3.2 It will be signed by the Director of Early Help and Children's Social Care for Derby City Council and the Director of Housing for Derby Homes.

3.3 Governance remains in host agencies, but the implementation of the protocol will be overseen by Children in Care Commissioning Group and via Corporate Parenting Committee for scrutiny.

3.4 The protocol will be reviewed annually and when changes in legalisation determine.

3.5 Staff from Children's Services and Housing will receive initial training on the protocol. This will occur face to face, online and through podcasts. It will be part of mandatory induction training and will be refreshed annually.

4. A CONSISTENT, CO-ORDINATED RESPONSE

4.1 It is essential that Children's Social Care and Derby Homes play a full and active role in assessing, assisting, and supporting care experienced young people, and that the housing needs of care experienced young people are addressed and planned for before the young person leaves care.

4.2 To meet care experienced young people's housing and support needs, Children's Social Care and Derby Homes will work collaboratively and proactively with housing and support providers to ensure there is an adequate range and supply of accommodation to meet the assessed needs of relevant children and other care experienced.

4.3 Young people in different situations will need different types of housing and support. There is a duty to review individual young people's needs through the pathway plan and to ensure appropriate oversight of accommodation support. As every young person develops at their own pace, and some young people will need more time than others, it is not assumed that all young people will be ready to live independently when they reach the age of 18.

4.4 This Protocol aims to build upon existing good practice and will:

- Improve the way in which care experienced young people experience the transition from being looked after to independence and how they are referred to, and access, housing and support services
- Improve working relationships between organisations and assist their understanding of one another's roles and responsibilities
- Ensure that Derby City meets its statutory duties towards care experienced young people
- Standardise processes and procedures and ensure they are easy to follow
- Achieve greater consistency with support plans and access to services

- Fully utilise the skills, knowledge and resources of Children's Social Care and Derby Homes to deliver effective and sustainable solutions for care experienced young people

5. PRINCIPLES UNDERPINNING THIS PROTOCOL

5.1 All the signatories to this Protocol have agreed the following principles:

- The safety and welfare of the young person leaving care is paramount
- Every effort will be made through a joined-up response to identify any risk of homelessness as early as possible and to intervene to prevent it. Through effective multi agency working a quick, safe, joined up response will be provided for care experienced young people who do become homeless
- Agencies will work together to assess and meet the needs of care experienced young people, and they will share information effectively
- Young people leaving care will be kept informed of all progress and decisions made
- Bed and Breakfast accommodation will not be used to house any 16- and 17-year-olds. Children's services have a duty alongside housing and will therefore ensure children are provided with suitable accommodation that meets their needs.

5.2 Bed and Breakfast accommodation for over 18-year-olds should only be used as a last resort and in emergency situations and should be viewed as temporary. Children's Social Care and Derby Homes will actively work together to resolve such situations at the earliest opportunity to move the Care experienced on into suitable accommodation. Bed and Breakfast is deemed as unsuitable accommodation. (Children looked after by local authorities in England Guide to the SSDA903 collection 1 April 2020 to 31 March 2021 – version 1.2).

5.3 Support to young people will be in line with the Care experienced young people Accommodation and Support Framework. There are four stages to the framework which reflect the journey of a young person as they leave care:

- Prepare for the reality of housing options upon turning 18
- Involving care experienced young people in planning their accommodation
- Reducing the impact of the housing crisis
- Assisting care experienced young people to find long term suitable accommodation

6. MONITORING, EVALUATION AND REVIEW OF THIS PROTOCOL

- 6.1 To ensure that it remains relevant and effective, this Protocol will be reviewed 6 months after the date that it comes into effect, and then annually. Protocol review dates will be shared with governance teams accordingly.
- 6.2 Children's Social Care and Derby Homes will jointly be responsible for the monitoring and evaluation of the Protocol. If there are any changes to legislation, roles and responsibilities, the Protocol will be reviewed, amended, and agreed by all parties.
- 6.3 Organisations and services involved with this Protocol are asked to provide feedback and performance information that can be collated and shared to improve services and inform and support collective commissioning intentions in Derby City.
- 6.4 The Protocol can also help gather evidence to show, for example, the number of care experienced young people in Derby who are homeless or threatened with homelessness in need of housing, and the number of care experienced whose tenancies break down. This evidence may highlight the need for new services and/or the remodelling or replacement of existing services.

7. INFORMATION SHARING

- 7.1 The success of this Protocol is dependent on the efficient and effective sharing of information between organisations, particularly Children's Social Care and Derby Homes. The young person's written permission must be sought before the exchange of information can take place and this permission should be obtained at the earliest opportunity and forwarded to Derby Homes for their records as part of the young person's housing pathway. This permission may be withdrawn at any time.
- 7.2 It is expected that the care experienced will give their permission for all relevant information to be shared.
- 7.3 Although all care experienced young people must be asked for their permission to have their details shared, all staff need to be aware of their information sharing obligations in relation to the safeguarding of young people and be familiar with GDPR processes and protocol.

8. PREPARING CARE EXPERIENCED YOUNG PEOPLE FOR INDEPENDENT LIVING

- 8.1 Children's Social Care will actively encourage young people to remain in a protective environment until they have developed appropriate life skills, at their own pace, and are ready to move to independent accommodation, rather than at a specific age.
- 8.2 Social workers and Personal Advisors will discuss accommodation options with care experienced young people as a central part of the Pathway Planning process from the age of 16. The Pathway assessment and Planning for Care experienced starts when they reach the age of 15 $\frac{3}{4}$ or no later than 3 months after becoming a Looked after Child.
- 8.3 The Social Work and Leaving Care Team will work alongside each young person and other professionals and services, such as residential workers, foster carers and support workers to help them plan for their future, help them develop confidence in their ability to live independently, and help them develop the skills required to

successfully maintain their own tenancy. This work will be recorded in the young person's Pathway Plan.

8.4 Looked after Child Reviews, chaired by independent reviewing officers (IRO), take place 6 monthly to monitor a young person's Care/Pathway plan. Ideally the young person will be present at the meeting because the views of the young person must be taken into consideration. The IRO may however speak to the young person before the meeting. The review is to ensure that all actions are completed by professionals/ significant adults who are involved with the young person.

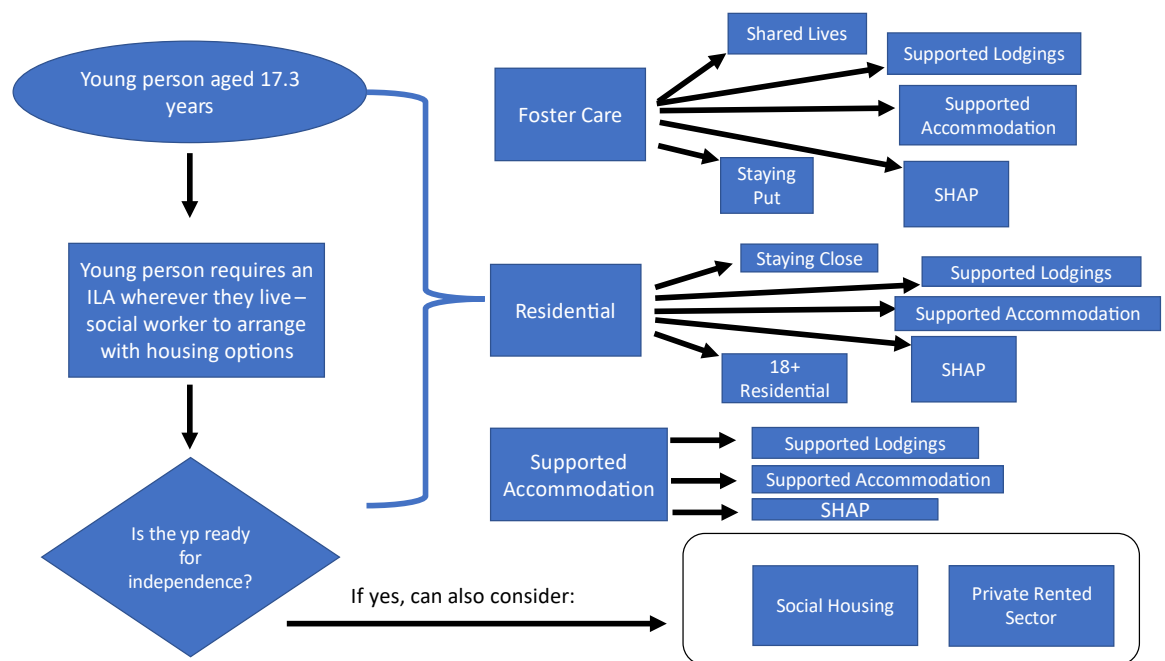
8.5 For Children in Care/ Care experienced young people transition planning oversight is undertaken jointly between Children in Care Team Managers and the Leaving Care Team Manager and takes place bi-monthly. Also present, when required, is the Leaving Care Homelessness Prevention Officer. This process starts at age 16 and continues until the young person reaches 18 years of age.

8.6 Housing pathway meetings take place six weekly and involve a Senior Homelessness Advisor, Homeless Prevention PA from Leaving Care Services, Derby Homefinder and Registration Advisor and supported accommodation providers. This meeting is to discuss those care experienced young people who are 'new', 'complex' and also any situations where there are any barriers to individual housing pathways.

9. HOUSING OPTIONS FOR CARE EXPERIENCED YOUNG PEOPLE

9.1 When a young person reaches the age of 18 years they are no longer 'in care' and they can access their own accommodation, including holding a tenancy. Children's Social Care's duty to provide the care experienced young people with regulated accommodation will end at this time.

9.2 Children's services and Derby Homes want to ensure that care experienced young people do not need to go through the homeless route on exiting care accommodation and, therefore, have a planned approach to post 18 housing. Housing for individual care experienced young people will be discussed at the Housing Pathway meeting held by Children's services, Derby Homes and 'in care' housing providers. This process will start, preferably, from the care experienced young person's 17th birthday. A care experienced young person, for whom independent accommodation may be a possibility, will be made an appointment with Derby Homes as soon as possible after they reach 17 and 3 months to carry out an Independent Living Assessment. The care experienced young people will be supported at this meeting by their Social Worker, if under 18 or Personal Advisor, post 18.



9.3 Depending on whether the young person is ready to live independently, there are a number of accommodation options available for young people who are aged 18 or over including:

- Remaining with former foster carers under a 'Staying Put' arrangement
- Supported lodgings scheme.
- Staying Close scheme.
- SHAP scheme.
- Moving into supported housing
- Moving into social rented housing
- Private rented accommodation
- Moving into other independent living situations such as shared accommodation with other young people.
- Shared Lives arrangements
- Where a young person remains in full time education or is at university, Children's Social Care will support the young person to access adequate funds to secure accommodation suitable to their needs during term time and will support them to access accommodation during the holiday periods.

9.4 For those young people who are aged 18 or over and are not yet ready for independent living, remaining with foster carers or moving into supported housing may offer the best options for meeting their housing and support needs.

Staying Put

Some young people may wish to remain living with their foster carer(s) when they reach the age of 18 and are no longer 'in care'. Under Staying Put, the young person and foster carer will need to be accepting of the arrangement. It is essential that they both understand the implications of the agreement into which they are entering. Staying Put can provide the young person with the time they need to develop their independent living skills or complete their studies.

The Leaving Care team will plan with the care experienced young person and the foster carer for move-on to secure, suitable accommodation. They will consider the needs and wishes of the young person and liaise with Derby Homes regarding housing options.

Supported Lodgings

A young person will live with a family/ couple/single person, sharing their home.

The young person is provided with safe and appropriate accommodation, guidance and support to help prepare them for living independently. The Supported Lodgings carers work alongside and in conjunction with others working with the young person promoting their practical, social and emotional development in keeping with their Care/ Pathway Plan.

It is envisaged that the young person will progress, developing new skills and confidence and the level of support offered by the carer/provider will reduce as the young person moves towards greater independence and the eventual move to independent living.

Staying Close

This is solo accommodation provided for those who have lived in residential care. It provides housing with 'wrap around' support to enable care experienced young people to develop independent living skills.

Supported Housing

Some care experienced young people will need supported housing to meet their needs. Supported housing is provided in various forms, including houses or flats where young people share all or some of the facilities and individual, self-contained housing units. Residents of supported housing are provided with on-site or floating support. During their stay in supported housing, the young person can practice budgeting, cooking, cleaning and maintaining daily routines. Support that they will receive will be included in their support plan and Pathway Plan.

The experience of living in supported housing plays an important role in building the young person's confidence and ensuring that they are prepared and ready for independent living when they move into their own accommodation. It also helps Children's Social Care to identify any specific needs that the young person has and to determine how these needs can best be addressed and met.

Social Housing

If a care experienced young person is assessed as being ready for independent living, they will be supported by their Social Worker or supported housing worker to complete an online housing application for Derby City's joint, choice-based allocations scheme, Derby Homefinder.

Care experienced young people will be given reasonable preference in the allocations policy and applications will be registered in the corporate needs band.

Care experienced young people can apply and bid for properties prior to the age of 18 but not before the age of 17.

If a care experienced young person is successful in bidding for a Derby City Council owned social housing property prior to their 18 birthday, Derby Homes will allocate the property to the young person to allow them to have a planned transition to independent living.

In addition, an application for a discretionary offer of housing from Derby City Council's housing stock will be completed and considered by Derby Homes once the care experienced young person has been assessed for being ready for independent living.

This one offer of suitable accommodation will, as far as possible, consider the wishes of the young person and their support needs. Support from the Derby Homes Local Housing Office will also be offered to care experienced young people who become Derby Homes tenants to help in maintaining their tenancies.

Private Rented Housing

Private rented accommodation is also an option for a care experienced young person and can include individual or shared housing. Care experienced young people up to the age of 25 are eligible for the one-bedroom Local Housing Allowance rate, rather than the shared room rate, if they are entitled to housing benefit or the housing element of Universal Credit.

Derby Homes Private Rented Sector Access Team will inspect any property to ensure it is safe and in good condition prior to the tenancy being agreed. They also offer a 'Call B4 You Serve' service to support both tenant and landlord where there is a risk of a private tenancy breakdown, this could be mediation between tenant and landlord, helping to resolve rent arrears issues and ensuring all parties are aware of their rights and responsibilities.

A Private Rented Sector Caseworker from this team would ensure any tenancy is affordable and ensure the tenants income is maximised through a financial assessment. Derby Homes and Children's services may also be able to assist with the start-up costs of a tenancy including the deposit and rent in advance.

Other Independent Living Accommodation

This will include accommodation where some facilities are shared with other young people but there is no accommodation-based support.

Shared Lives

Shared Lives provides support to vulnerable adults over the age of 18 in a home environment. This involves sharing family and community life and is provided by Shared Lives carers who can be single people, couples, or extended families. This help can be:

- for a few hours during the day
- a weekend break
- someone living in the home for a short or long period.

Homelessness Approach

If a care experienced young person approaches housing services for accommodation or help with obtaining accommodation, this will be an application under Part 7 of the 1996 Housing Act. Enquiries under Section 184 must be made if the housing authority has reason to believe the care experienced young person may be homeless or threatened with homelessness to determine what duties, if any, are owed to them.

If the young person is eligible and there is reason to believe they are or may be homeless the housing authority will have an immediate duty to secure interim accommodation (Section 188(1) of the 1996 Housing Act).

If an eligible care experienced young person applies or is referred to a housing authority and is not homeless but threatened with homelessness within 56 days, a prevention duty will be owed.

If the eligible care experienced young person is already homeless or they become homeless, a relief duty will be owed.

Under the prevention and relief duties the housing authority need to undertake an assessment, develop a personalised housing plan, and take reasonable steps to prevent homelessness (for applicants who are threatened with homelessness) or relieve homelessness (for applicants who are already homeless).

If the young person remains homeless after 56 days under a relief duty, a decision will be made as to whether a main housing duty will be owed (section 193(2) of the 1996 Housing Act).

If Derby Homes are minded to make an intentionally homeless decision (see appendix B) for a care experienced young person, the case must be discussed with the Homelessness Manager. A multi-agency meeting which includes the leaving Care service, Housing Options and other relevant agencies will be held to explore all housing options available. The final decision must be authorised by the Director for Housing Services and The Director of Early Help and Children's Social Care.

The HRA (Homelessness Reduction Act) also introduced a duty on some public bodies, of which children's services are one, to notify a housing authority of a service user they consider may be homeless or threatened with homelessness. This is known as the Duty to Refer (sec 213B of the HRA). (For details see appendix B).

10. CARE EXPERIENCED YOUNG PEOPLE LEAVING CUSTODY

10.1 Care experienced young people leaving custody will need additional support to secure suitable accommodation on release. Care experienced young people under the age of 21 will have a personal advisor who will be expected to visit the young person every 8 weeks and will create or amend an existing pathway plan setting out details of any support. Care experienced young people between 21 and 25 years old can request support from the Leaving Care Team and may have a pathway plan which will be reviewed every six months as a minimum. The pathway plan will include future housing needs.

10.2 Derby Homes, the Leaving Care Team, youth secure estate, prisons, the Probation Service and the Youth Justice Service will work together to ensure adequate pre-planning is in place to provide suitable accommodation as required on release of the care experienced from custody. (See appendix C and link to HMPSS Care Experience Matters). A referral, with the care experienced young person's consent, should be made to Derby Homes under the duty to refer within the Homeless Reduction Act 2017. This should preferably be at least 56 days before release, if the care experienced is likely to need accommodation on release from custody. The referral can be from within the Criminal Justice System or from the Personal Advisor. Derby Homes will, if possible, carry out a telephone or video interview to take a homeless application and complete a personal housing plan with the care experienced.

11. CARE EXPERIENCED YOUNG PEOPLE LIVING OUTSIDE THE LOCAL AREA

11.1 Care experienced young people may be living outside the children's services authority area for several reasons including,

- residing in a foster or residential placement out of the area
- being at risk or a risk to others in the local area
- wanting to live near family or former carer
- accessing training or employment

11.2 If the care experienced young people wishes to remain out of area, the Homeless Prevention Personal Advisor will usually contact the housing authority where they currently reside to enquire about housing options within that area.

The Homeless Reduction Act amended the local connection assessment so that care experienced young people up to the age of 21 have a local connection with a local authority area where they have lived for at least 2 years including some time before their 16th birthday. This is in addition to the local connection with Derby City for care experienced young people where the city looked after them.

For Children in Care/ Care experienced young people transition planning oversight is undertaken jointly with Children in Care Team Managers and Leaving Care Team Manager and takes place bi-monthly. Also present, when required, is the Leaving Care Homelessness Prevention Officer. This process starts at age 16 and continues until the young person reaches 18 years of age. For those living outside of Derby City and residing in other local authority areas, early post 18 planning is essential and is addressed during these transition meetings.

The HPPA will contact other local authorities to establish post 18 housing options in that area ideally no later than 6 months ahead of the young person turning 18.

Every effort is and should be made to avoid reliance on the homelessness route and secure suitable accommodation for when the care experienced young person turns 18.

12. WORKING TOGETHER TO SUSTAIN TENANCIES FOR CARE EXPERIENCED YOUNG PEOPLE

12.1 To ensure that care experienced young people get the best start in life and achieve a smooth transition to independent living, it is essential that Children's Social Care, the local Housing Options Service and other social landlords communicate well, work proactively and collaboratively to sustain the tenancies of young people. They will also ensure that the young person is supported in applying for benefits or the housing element of universal credit where appropriate. Support for Care experienced young people in all housing sectors is kept under constant review.

12.2 Before a care experienced young person is rehoused, Children's Social Care and Housing will ensure that the young person is aware of their tenancy obligations such as paying the rent and service charges, keeping the property in a good and clean condition, and behaving in a reasonable manner, understanding what constitutes

anti-social behaviour and the likely consequences of breaching their tenancy conditions.

- 12.3 As part of their preparations for independent living, a care experienced will have a bank account, a birth certificate, passport and National Insurance Number.
- 12.4 All care experienced young people are entitled to a Leaving Care Grant of £2,000 (for those Care experienced young people who have turned 18 on or after 1st April 2023 the Leaving Care Grant is £3,000) to help them set up home when they have secured an offer of independent accommodation. The grant can be used to purchase household furniture, bedding, a cooker, a fridge, and other essential items. Although the money may not be paid directly to the young person, their Personal Advisor will work with them to ensure that their needs are met.
- 12.5 If in social housing, the Housing Officer will be asked to be part of the support plan put in place at the start of the tenancy.
- 12.6 The Housing Officer will be included in any support plan and the success of a tenancy will be monitored. Any potential difficulties will be identified and dealt with promptly, involving the young person. If there is evidence that a tenancy is unlikely to be sustained, prompt communication between agencies is essential and a review of the pathway plan will be undertaken to identify current and future need. A multi-agency agreement may be appropriate in addition to the pathway plan.
- 12.7 If a Care experienced young person is housed in the private rented sector they will be supported by their Personal Advisor. A referral can be made into the Private Rented Sector Housing Team if they are experiencing tenancy difficulties.

13. ESCALATION

- 13.1 In situations where operational dispute occurs between agencies, resolution must first be attempted at practitioner level. If the issue cannot be resolved at this level, the matter should be referred jointly to the Homelessness Manager and the Leaving Care Team Manger.
- 13.2 Disagreements over policy and procedures should be referred to the Head of Housing Options and Homelessness and the Head of Service with responsibility for Leaving Care for joint resolution.

14. SIGNATURES

Suanne Lim | Director of Early Help and Children's Social Care | People Services Directorate

Signed: 

Date: 28.04.2025

Clare Mehrbani | Director of Housing Services | Derby Homes Limited.

Clare Mehrbani

Signed:

Date: 14.03.2025

APPENDIX A

DEFINITION OF CARE EXPERIENCED YOUNG PEOPLE

The Local Authority has a duty towards eligible, relevant, former relevant and qualifying children:

- **Eligible children** a young person still in care aged 16 and 17 who have been looked after for (a total of) at least 13 weeks from the age of 14.
- **Relevant children** a young person aged 16 or 17 who have already left care, and who were looked after for (a total of) at least 13 weeks from the age of 14 and have been looked after at some time while 16 or 17.

The leaving care provisions of the Children Act require that relevant children are provided with, or maintained in, suitable accommodation unless the local authority is satisfied that their welfare does not require it. To be suitable, accommodation must be reasonably practicable for the young person given their needs and the local authority must be satisfied as to the suitability of any landlord. These arrangements should be detailed in the young person's active pathway plan.

Generally, it would not be appropriate for 16 or 17 year olds to be given the responsibility of sustaining their own tenancy without appropriate support, nor would bed and breakfast accommodation be considered suitable

- **Former relevant children** a young person aged 18-25 who have been **eligible** and/or **relevant** children in care - young people who are looked after by a Local Authority either through a compulsory care order or remanded or accommodated by voluntary agreement including accommodation under section 20 of the Children Act.

Social services have a duty to assist a former relevant child, to the extent that their welfare or education/training requires it, by contributing to the expenses of living near the place where they are working, looking for work, or receiving education or training **Persons qualifying for advice and assistance** a person who is aged at least 16 but is under 25, with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of that order, or at any time after reaching the age of 16 but while he was still a child was, but is no longer, looked after, accommodated or fostered.

APPENDIX B

LEGISLATION AND GUIDANCE

Children (Leaving Care) Act 2000

This has 2 main aims

1. To ensure that Young People do not leave care until they are ready.
2. To ensure that they receive more effective support once they have left care.

The Act includes a duty for a local authority to provide personal advisors and pathway plans for care experienced young people to assist in preparing them for independent living and to support them.

Children & Social Work Act 2017

The Children and Social Work Act 2017 includes the intention to improve support for looked after children and care experienced young people and promote the welfare and safeguarding of children. It also sets out the corporate parenting principles for the council as a whole to be the best parent it can be to children in its care. Local authorities are required to publish their support offer to care experienced young people known as the local offer.

The Act extends the offer of support to care experienced young people up to the age of 25 through the Leaving Care Team.

Housing Act 1996 Part 6 (Allocations)

Care experienced young people will be given reasonable preference in the allocations policy.

Homeless or Threatened with Homelessness

A person is threatened with homelessness if they are likely to become homeless within 56 days.

A person is homeless if they have no accommodation that is available for their occupation, in the United Kingdom or elsewhere that they have a right to occupy, and which is reasonable for them to occupy.

The Housing Act 1996 (Part 7) as amended by the Homelessness Reduction Act 2017

Statutory provision for Housing Authorities to intervene earlier and support all those affected (not just those in “priority need”) to:

- Provide information and advice about homelessness, prevention, and rights of those affected

Where there is reason to believe a person is homeless or at risk of homelessness to enquire whether a duty is owed under Part 7 of the 1996 Act as amended by the Homelessness Reduction Act 2017:

1. To prevent homelessness within 56 days, which includes:
 - a. Help to stay in current accommodation
 - b. Find new accommodation prior to becoming homeless
2. Relieve homelessness by providing support for 56 days for those who are actually homeless
 - a. Helping to secure accommodation
 - b. Providing interim accommodation, if in priority need

3. Agree a Personal Housing Plan, following assessment, including reasonable steps/ actions for the applications and housing authority to take to prevent or relieve homelessness
4. Main Housing Duty for those that are:
 - a. Eligible
 - b. In priority need
 - c. Not intentionally homeless
5. Duty ends (discharged) usually through the offer of a settled home including.
 - An offer of a suitable secure or introductory tenancy with the local authority
 - An offer of accommodation through a private registered provider (housing association)
 - An offer of a suitable tenancy for at least 12 months from a private landlord made by arrangement with the local authority.

The duty can also be ended for other reasons, such as the applicant turning down a suitable offer of temporary accommodation or because they are no longer eligible for assistance.
6. Intentional Homelessness because of a deliberate:
 - a. Action – a decision to leave accommodation where it was reasonable to continue living there
 - b. Omission – non-payment of rent where the rent was affordable

If in priority need and intentionally homeless, advice and assistance to find accommodation will be given and accommodation for a reasonable period.

Local Connection for Care experienced young people

A young person owed leaving care duties under [section 23C of the Children Act 1989](#) will have a local connection to the area of the children services authority that owes them the duties. If the children services authority is a county council and not a housing authority, the young person will have a local connection with every housing authority district falling within the area of the children services authority. This applies whilst the care experienced young person is owed section 23C duties.

Where a care experienced young person is aged under 21 and normally lives in a different area to that of a local authority that owes them leaving care duties and has done so for at least 2 years including some time before they turned 16, the young person will also have a local connection in that area.

Duty to Refer

The Homeless Reduction Act introduced a duty on specified public authorities to refer service users who they think may be homeless or threatened with homelessness to local authority homelessness/housing options teams.

The duty to refer is to ensure that services are working together effectively to prevent homelessness by ensuring that peoples' housing needs are considered when they encounter public authorities. It is also to encourage local housing authorities and other public authorities to build strong partnerships which enable them to work together to intervene earlier to prevent homelessness through, increasingly integrated services.

The specified public authorities subject to the duty to refer are (in England only):

- prisons
- young offender institutions
- secure training centres
- secure colleges
- youth offending teams
- probation services (including community rehabilitation companies)
- Jobcentres in England
- social service authorities (both adult and children's)
- emergency departments
- urgent treatment centres
- hospitals in their function of providing inpatient care
- Secretary of State for defence in relation to members of the regular armed forces

The duty to refer only applies to the specified public authorities in England and individuals can only be referred to a local housing authority in England.

The duty requires the specified public authorities to identify and refer a service user who is homeless or may be threatened with homelessness, to a local housing authority of the service user's choice.

The service user must consent to the referral being made. The consent can be made in writing or given orally although the person referring should follow the agreed processes set out in their agency's internal guidance.

A person is considered homeless if:

- they do not have any accommodation which is available for them which they have a legal right to occupy; or,
- it is not reasonable for the person to occupy their current accommodation, for example, because they would be at risk of domestic abuse
- Someone is defined as being threatened with homelessness where they are likely to become homeless within 56 days, or have been served with a valid notice under [section 21 of the Housing Act 1988](#) by their landlord, which expires within 56 days.

APPENDIX C.



NPS.Care Leavers
Protocol.docx

APPENDIX D. Housing Pathway Panel Terms of reference.



terms of reference
housing pathway mee

Links:

[duty-to-refer-form .docx](#). Please send duty to refer forms via email to dutytorefer@derby.gov.uk

The following is a list of statutory guidance that this document refers to:

- ☐ Homelessness code of guidance.

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>

- ☐ Applying corporate parenting principles to looked after children and care experienced young people

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683698/Applying_corporate_parenting_principles_to_looked-after_children_and_care_leavers.pdf

- ☐ Children Act 1989: care planning, placement and case review

<https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review>

- ☐ Children Act 1989: transition to adulthood for care experienced young people

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1051441/CA1989_Transitions_Guidance.pdf

- ☐ Local offer guidance.

[Local offer guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

HMPSS Care Experience Matters. [Care experience matters - GOV.UK \(www.gov.uk\)](https://www.gov.uk)