

Nottingham City Homeless 16/17 Year Old Joint Protocol



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1. Introduction

This protocol sets out how we will work together to prevent homelessness and to ensure that young people only enter care when it is their best interest to do so and there are no safe alternatives.

This protocol also outlines the agreed roles and responsibilities for assessing and supporting homeless 16/17-year olds.

An accompanying Flow chart is attached to this protocol to summarise the process for referring, assessing and supporting homeless 16/17 year olds.

2. Impact of Homelessness on Young People:

AT RISK AND EXHAUSTED: No home, no bed, no security and no stability – being homeless is exhausting and affects every part of a vulnerable young person's life. They have to take risks to find somewhere to sleep.

MENTAL HEALTH: The physical toll of sleeping outside is one issue but sleeping on a bus or ever-changing network of sofas and floors can be just as challenging. Mental health issues like depression, anxiety or anorexia are easily made worse under these conditions.

POOR HEALTH AND NUTRITION: Homeless young people often don't have access to enough affordable, nutritious food. Young people skip meals, slept hungry and eaten less because they couldn't afford to eat.

DISRUPTED EDUCATION: A disrupted education is a common issue for homeless young people that drastically affects their chances of achieving qualifications. And without education or training, it's even harder to find sustainable employment.

VIOLENCE AND ABUSE: Young people out on the streets are often victims of assault or verbal abuse and increased risk of exploitation. These experiences, and fear of them, leave many young people feeling very vulnerable.

3. Aims

Nottingham City Children's Integrated Services (CIS) and Nottingham City Housing Aid (HA) aim to ensure that services to young people who have housing needs or are at risk of homelessness are as effective and appropriate as possible.

Through working together and implementing this protocol our objectives are:

- to clarify the statutory duties and agreed responsibilities of each other and partner agencies if appropriate;
- to deliver a seamless service to vulnerable young people, irrespective of which service they present to first;
- to promote co-operation and joint working between the services;
- to enable reconciliation between young people and their family/carers to be achieved where it is safe to do so via appropriate intervention;
- to enable parents to maintain appropriate living accommodation to ensure good outcomes for their children.

We will work together to:

- ensure that all young people approaching our services for help are treated fairly, with respect and with sensitivity to their age, understanding and individual backgrounds or circumstances;
- thoroughly assess a young person's circumstances without prejudice;
- seek the best outcome for young people by listening to what they have to say, working collaboratively with them and in their best interests;
- enable young people to remain living at home with their parents/carers wherever it is safe to do so;
- ensure young people have a clear understanding of the housing offer and the range of options available to them;
- ensure that support and accommodation provided to young people is of a good quality and meets individual needs
- listen to young people's views and feedback about their experiences.

4. Principles

The key principles underpinning this protocol are:

- Where possible young people are best placed living with their families. Where this is not possible or safe (eg. due to domestic abuse), attempts will be made to secure suitable accommodation with wider family or with friends.
- Where a young person is assessed as homeless and is unable to return home, CIS are the lead service.
- We will ensure that early indication of housing needs for young people are identified and shared as early as possible.

5. Case Law and Statutory Guidance for 16/17 Year Olds

In May 2009, the House of Lords made a landmark judgment in the case of R (G) v London Borough of Southwark. Known as the 'Southwark Ruling', the judgment clarified the law, making clear that if homelessness cannot be prevented, local authority children's services should provide accommodation and support to homeless 16 and 17 year olds under the Children Act 1989.

The Lords ruled that the legal duties under the Children Act 1989 take precedence over duties within the homelessness legislation. Therefore, the ongoing duty to accommodate and assist should normally fall to children's services not the housing services of a local authority.

The judgment also clarified that the specific duty owed under section 20 of the Children Act 1989 takes precedence over the general duty owed to children in need and their families under section 17 of the same Act.

In April 2010, statutory guidance was issued on how councils should consider 16 and 17 year olds at risk of homelessness. This was up-dated in April 2018 to reflect new duties introduced through the Homelessness reduction Act 2017 and other relevant up-dates.

The guidance underlines that:

- Children's services should be the lead agency with regard to assessing and meeting the needs of 16 and 17 year olds who seek help because of homelessness.
- Where a 16 or 17 year old seeks help from children's services as homeless or are at risk of homelessness, children's services must assess whether the young person is a 'child in need' and determine whether any duty is owed under section 20 of the Children Act 1989 to provide accommodation.
- Where a 16 or 17 year old has nowhere to stay that night then children's services must secure suitable emergency accommodation for them.
- Bed & breakfast (B&B) accommodation is unsuitable for 16 and 17 year olds. (In August 2015 the LGO reiterated that B&B is never suitable to house young homeless people, even in an emergency.)
- Young people can still approach housing departments for help but, if it is clear that the young person is homeless or at risk of homelessness, a referral must be made to CIS as well as a homelessness investigation being triggered.

6. Joint Interview Process – Initial Contact

Whilst the assessment will be jointly undertaken by a Social Worker and a Housing Aid Officer, the Social Worker will take the lead in determining whether the need for accommodation is as a result of any of the criteria within Section 20:

- No one has Parental Responsibility for the young person;
- The young person is lost or abandoned;
- The person who has been caring for the young person is unable to provide suitable care and accommodation; or
- We consider the child's welfare would be seriously threatened if accommodation is not provided.

A 16/17-year old not willing to live with parents is not sufficient on its own to warrant homelessness, but incompatibility and a breakdown in the relationship between parent and young person may be.

Approach to the Housing Aid Services:

If 16/17 year olds approach HA, they will be triaged by the Housing Aid Officer. If the young person advises that they are homeless or at risk homelessness, basic information such as name, date of birth, address history, will be taken and a referral will be made to the Multi-Agency Safeguarding Hub (MASH) to ensure the young person is seen as soon as possible that day.

The Housing Aid Officer will, if there are no immediate safeguarding concerns, seek consent from the parent/carer, or in the absence of parent/carer consent, from the young person, to refer to the MASH to request a Social Worker attendance at the initial interview. The referral is made via MASH phone line: 0115 8765600.

Approach to Children's Integrated Services:

If an approach is made to CIS, either by the young person, or by another agency on their behalf, the MASH will screen all contacts received and make enquiries with the young person and their parents/carers regarding the child's needs.

If it is established that the young person is either homeless, or at risk of homelessness, the MASH will co-ordinate the response as follows:

- If the young person is open to CIS the allocated social worker will be notified and will provide an appropriate response including assessing immediate need that day.
- If the case is not open to CIS, the Duty Team will be notified and will provide the immediate response that day.
- The relevant social worker will approach Housing Aid to request their attendance at a joint interview. This request will be made by e-mailing Housing Aid at housing.aid@nottinghamcity.gov.uk and marking the e-mail for the attention of the Duty Manager.

Joint Interview

Unless there is a risk of harm to the young person or other extenuating circumstances, the family should be contacted to ensure the young person can remain at home until a joint interview can be carried out by the relevant Social Worker and the Housing Aid Officer.

The joint interview must be carried out within 48 hours.

If the young person is facing imminent homelessness, and regardless of which team were approached first, the outcome for both teams is to ensure an initial Joint Interview is carried out on the day of approach by the Housing Aid Officer and the relevant Social Worker

The aim of the Joint Interview is to determine the young person's immediate housing situation, any immediate support needs and to prevent homelessness wherever possible.

During the interview, the Housing Aid Officer and the relevant Social Worker will explain to the young person that the aim of the interview is to identify and address their housing needs, and that:

- The priority is to help them to remain at or return home, and they will only be accommodated when homeless prevention has been explored and found not to be possible.
- The team will attempt to work closely with their parent/carer to support this.
- The team will work closely with other departments, services and agencies relevant to them

The Joint Interview will cover the following general areas in addition to any other specific needs/issues in relation to that young person's circumstances;

- Establish whether the young person is actually homeless or threatened with homelessness (as defined by Part 7 of the Housing Act 1996).
- Check whether they have a local connection and are in Nottingham City's area for the purposes of s17 of the Children Act 1989.
- Make immediate attempts to verify the situation and prevent the homelessness occurring by contacting and talking to their parent/carer.
- Background history including accommodation history.
- Their family situation and support networks.
- Vulnerability, including disability and mental health.
- Other agencies working with the young person.
- Employment, education and training status.
- Whether they are open to youth offending service.

During the Joint Interview the relevant Social Worker will make sure that the young person has a clear understanding of the process.

The relevant Social Worker is responsible for clearly explaining to the young person their accommodation options and understanding the young person's wishes and feelings regarding such provision.

This discussion must cover the difference between being accommodated under Section 20 of the Children Act 1989, including the support they would receive as a care leaver, and being accommodated under Part VII of the Housing Act 1996, and the services and support that the young person will be entitled to if they choose either of these options.

There **must** be compliance with the Ministry of Housing, Communities and Local Government and DfE Joint Guidance which states:

3.43 Children's services should also ensure that the young person receives accurate information about what assistance may be available to them if they do not become looked after, including from housing services under Part 7 of the 1996 Act. This will include any entitlement for assistance under Part 7. In particular the considerations a young person needs to be made aware of are:

- a. duties on housing services to undertake an assessment, develop a personalised housing plan and to take steps to help the applicant retain or secure accommodation (sections 195 and section 189B of the 1996 Act),
- b. the requirement on the applicant to cooperate and for applicants to take steps themselves as set out in a personalised plan (section 193B and section 193C of the 1996 Act),

- c. the 'accommodation offer' under the relief duty – suitable accommodation which has a reasonable prospect of being available for occupation for at least 6 months (section 189B and section 195 of the 1996 Act),
- d. the implications of turning down offers of accommodation that are suitable (section 193A of the Housing Act 1996),
- e. the possible risk of being found or becoming homeless intentionally in the future (section 191 of the 1996 Act),
- f. their right to request a review of decisions (section 202 of the 1996 Act).

3.44 This information should be provided in a 'young person friendly' format at the start of the assessment process and be available for the young person to take away for full consideration and to help them seek advice. (**MHCLG, April, 2018**).

The relevant Social Worker must contact the Placement Team at this stage, even if it is unclear that placement will be required, in order to provide early notification that accommodation could be required imminently.

If, following the Joint Interview, it is decided that homelessness cannot be prevented a Placement should be considered, with placement authorisation for either a S.17 placement or a S.20 placement request being provided from the Director of Children's Services in line with existing operational procedures.

When the Joint Interview has been completed and the Housing Aid Officer and the relevant Social Worker are confident that they have the information needed to make a decision, one of the following outcomes will be chosen:

- The young person can remain at home or return home.
- The young person can remain at home or return home with on-going support.
- It is accepted that the young person cannot return home and that accommodation is required.

Wherever appropriate, contact must be made with the young person's parent or guardian in order to prevent homelessness. If homelessness cannot be prevented, and it is safe to do so, attempts should immediately be made to locate family and friends with whom the young person can stay.

The Housing Aid Officer will use this interview to make enquiries to support a homeless application, which will be triggered at the time of approach, will issue relevant legal duties under Part VII, as amended and will issue an initial Personalised Housing Plan which will be reviewed along with the relevant Social Worker as the situation develops.

Where the young person is able to remain at home after the Joint Interview an appropriate package of support will be considered. (See Section 7)

The relevant Social Worker will initiate a Children's Assessment which considers the holistic needs of the young person including the housing needs identified. The assessment (completed within 45 working days) will reflect the Housing Aid Personalised Housing Plan outcomes.

7. Keeping families together – Specialist Services

In Nottingham City we work on the principle that it will be in the best interests of most young people to live in the family home, or, where this is not safe or appropriate, with responsible adults in their wider family and friends' network. When a 16 or 17 year old is seeking support because they are homeless or threatened with homelessness, we will work pro-actively with young people and their families to identify and resolve the issues which have led to the homelessness crisis, supporting them to build a positive family life. We also recognise being homeless is a frightening and unsettling experience and increases a young persons' vulnerability and brings risks.

It may be possible to prevent a 16 or 17 year old from having to leave home at all, or it may take much longer to work through significant family tensions and problems. Our services will enable this family focus to begin on day one and continue throughout the processes of assessment. Prevention work will not delay the provision of accommodation if a duty is owed.

16 and 17 year olds who are at risk of homelessness may likely benefit from support from our 'Edge of Care' Services:

Edge of Care Hub

The Edge of Care Hub provides intensive and assertive community-based support to children and families that are on the edge of care proceedings and on Child Protection Plans. They work on a family's capacity to change; focusing our intervention on parental motivation, rules and boundaries, emotional warmth, stimulation of child, parental ability to protect, Domestic abuse, substance misuse, poor parental mental health, and environmental

factors such as poor living conditions and hygiene. Work with children from birth until 18, and their families.

Targeted Support Team

The Targeted Support Team provides intensive support to young people and their families. This is a brief intervention over 6 weeks, grounded in Solution Focused Brief Therapy. The Targeted Support Team work's with young people and their families to coproduce danger statements and safety goals. The next steps are set out that will bring the family toward the safety goal and address the danger statement. The Targeted Support Team work on prevention of family breakdown and diversion from care, supporting transition from residential or fostering to home, stability in placement, and family network meetings.

MST Standard

MST (Multi-Systemic Therapy) is an intensive, community-based treatment programme that works with the primary care giver. The intention is to address issues in multiple environmental systems and ecologies such as home, school, neighbourhood and peer group. The work identifies drivers behind the issues the family is experiencing and sets goals in accordance with them.

MST CAN

MST CAN is an intensive intervention for families who have recently been reported to Child Protection Services for physically abusing or neglecting children. The intervention aims to improve parenting by identifying strengths within various ecologies to overcome risk factors that contribute to the maltreatment. (e.g. drug misuse)

8. Children's Social Care Assessment

The social work assessment carried out by the relevant Social Worker will be initiated at the first point of contact with the young person when the young person is saying that they are at risk of homelessness.

Where a young person is not previously known to CIS this will be carried out by a Duty Social Worker. Where a young person is already known to the Fieldwork teams, the responsible Social Worker will complete the assessment.

Social workers must ensure young people have a clear understanding of the housing offer and the range of options available to them. This information should be shared at the Joint Interview, with the support of the Housing Aid Officer.

The outcome of the single assessment should be completed within appropriate timescales, to a maximum of 45 days and will conclude one of the following:

- The young person is able to remain at home with a level of support, either under s.17 with a Child in Need plan or non-statutory services such.
- The young person is homeless and as such is a Child in Need and requires ongoing support from CIS, therefore they will be Looked After under s.20.
- The young person is homeless, as such is a Child in Need and following assessment the young person has made an informed choice to receive accommodation and ongoing support from CIS under S.17, rather than being Looked After under s.20.
- The young person is homeless, and either refuses the support of s.20 from CIS or refuses the support of S.20. They are assessed under homelessness legislation to be priority need for Housing. The young person is likely to still to require ongoing support from CIS, either through non-statutory services, such as the Targeted Family Support Team, or under S.17 CIN.

9. Key contacts

NB: All e-mail addresses follow the following format:

firstname.surname@nottinghamcity.gov.uk

Area	Team	Name	Role
CIS	MASH/Duty/EDT	William Hose	Interim Service Manager
CIS	MASH	Suzanne Eastwood	Team Manager
CIS	MASH	Kirsty Davison	Team Manager

CIS	MASH	Grace Gunn	Team Manager
CIS	Duty	Sam Vallee	Team Manager
CIS	Duty	Richard McCrea	Team Manager
CIS	Duty	Karen Maxted	Team Manager
CIS	Duty	Dawn Patterson	Team Manager
CIS	EDT	Robin Bradbury	Team Manager
HA	Housing Aid	Debbie Richards	Service Manager
HA	Housing Aid	Emma James	Team Manager

MASH, Duty & EDT Contact Number: 0115 8765600

Housing Aid: 0115 8761116

