

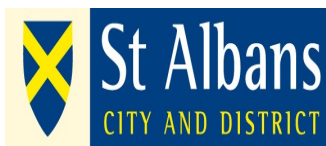
HERTFORDSHIRE JOINT HOUSING PROTOCOL



ARRANGEMENTS FOR

1. Vulnerable Families and Intentionally Homeless Families
2. Homeless 16 and 17 Year Olds
3. Care Leavers
4. Appendices: covering additional groups and issues

Publication Date: June 2021


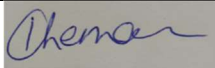

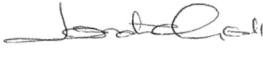


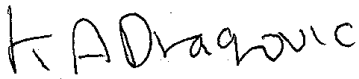


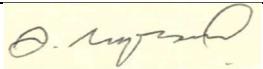

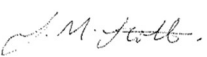


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The Joint Housing Protocol has been authorised in July 2021 by all the participating organisations detailed below

Organisation	Name	Signature
Hertfordshire County Council	Jenny Coles, Director of Children's Services	
Borough of Broxbourne Council	Katy Leman, Interim Head of Housing	
Dacorum Borough Council	Natasha Beresford Senior Housing Manager	
East Herts District Council	Jonathan Geall, Head of Housing and Health	
Hertsmere Borough Council	Hilary Shade, Head of Partnerships, Community Engagement and Housing	
North Herts District Council	Ian Fullstone Director Regulatory Services	
St. Albans City & District Council	Karen Dragovic, Head of Housing	
Stevenage Borough Council	Hannah Morris, Operations Manager Providing Homes	
Three Rivers District Council	Kimberley Grout Head of Housing Services	
Watford Borough Council	Ayaz Maqsood, Head of Housing	
Welwyn & Hatfield Borough Council	Sian Chambers, Head of Housing and Community	
Herts Young Homeless (hyh)	Sally Scott, Director of Operations	

Introduction

This Protocol forms a working agreement between the ten District and Borough Councils in Hertfordshire and Hertfordshire County Council. The Protocol aims to ensure that by working together, agencies will prevent homelessness and/or young people entering the care system where inappropriate. As part of the prevention agenda it also sets out the joint arrangements and services aimed at providing opportunities to help strengthen families and options for young people to move to supported accommodation in a planned manner. The Protocol also sets out the arrangements for young people leaving care to register with the housing authority and access housing. Finally, the Protocol aims to support families with children who are at risk of homelessness or who present themselves as already homeless and those who are deemed intentionally homeless.

The Joint Housing Protocol has been developed in compliance with legislation and guidance which require Housing and Social Care Authorities to work together. It outlines the joint responsibilities of the signatories concerning the assessment of need and provision of accommodation and services to homeless 16/17 year olds, care leavers aged 16-25, families with dependent children who are intentionally homeless or have no recourse to public funds, and how the Duty to Refer under Section 213B of the Housing Act 1996.

This Joint Housing Protocol has been revised following the introduction of the Homelessness Reduction Act 2017. Following this act, a new Code of Guidance was issued in February 2018 prior to the implementation of the Homelessness Reduction Act on 1st April 2018. The Protocol is also based on the responsibilities of Children's Services to safeguard and promote the welfare of children in need as a core statutory function. Section 11 of the Children Act 2004 requires Housing Authorities to co-operate with arrangements established by the Children's Services Authority to safeguard and promote the welfare of children.

The Protocol has, more recently, been informed by the guidance jointly issued by the Ministry of Housing, Communities and Local Government (MHCLG) and the Department for Education (DfE) (May 2018) *"Prevention of homelessness and provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation"*. The guidance notes the negative impact that homelessness can have on people's lives and that its *"essential that children's services and housing services work together to plan and provide services that are centred on young people and their families"*.

This update of the Protocol takes account of the Judgment in the House of Lords, R (G) v Southwark LBC, May 2009 and subsequent Guidance jointly issued in April 2010 by the DfE and MHCLG. The Judgment clarified that the Children Act 1989 has primacy over the Housing Act 1996 in providing services for homeless children in need aged 16 and 17.

The Protocol has also been aligned to the arrangements for Integrated Practice (IP), Working Together to Safeguard Children (which incorporated and superseded the Assessment of Children in Need and their Families), the Common Assessment Framework (Early Help Assessments) and the Team Around the Family (TAF) framework. This document should be read in conjunction with Hertfordshire Social Work Procedures Manual, CAF, family e-CAF and TAF guidance.

The Legal Framework for working together

The following legislation provides the wider framework for the work of the agencies party to this Protocol, the majority of which specifically emphasise the need for joint working between Housing Authorities, Children's Services and other statutory, voluntary and private sector partners in tackling homelessness more effectively.

- Housing Act 1996
- Homelessness Reduction Act 2017
- Homelessness Act 2002
- Homelessness Code of Guidance for Local Authorities 2018
 - Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012
- Localism Act 2011
- Local Government Act 2000
- Children Act 1989
- Children Act 2004
- The Children and Young Persons Act 2008
- Working Together to Safeguard Children 2013
- Care Planning, Placement and Case Review, Regulations and Guidance 2010 (revised 2015)
- Planning Transition to Adulthood for Care Leavers, Regulations and Guidance 2010 (revised 2015)
- National Health Services and Community Care Act 1990
- Human Rights Act 1998
- Immigration and Asylum Legislation
- Immigration Act 2014
- Criminal Justice Act 1991
- Youth Justice Board National Standards
- Health and Social Care Act 2012
- Legal Aid, Sentencing and Punishment of Offenders Act 2012
- United Nations Convention on the Rights of the Child
- National Health Service & Community Care Act 1990
- Data Protection Act 1998
- Sex Discrimination Act 1975, 1979, and 1986
- Race Relations Act 1976 and Amendment Act 2000
- Disability Discrimination Act 1995 and 2005
- Equality Act 2010
- Mental Capacity Act 2005
- Children and Families Act 2014
- Case law including M vs. LB Hammersmith and Fulham 08 and G v Southwark 2009
- Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation - DfE/DCLG, issued April 2010
- Hertfordshire Multi-Agency Protocol for working with Vulnerable Adolescents (2015)
- Meeting the Needs of Children and Families in Hertfordshire (2014)

The Vision

The vision of the Joint Housing Protocol (JHP) is that by working together, agencies will provide an effective and coordinated service to prevent homelessness amongst families and young people, enable care leavers to move to appropriate accommodation in a planned manner and to enable these groups to access a range of services which enhance their life chances and ensure they can sustain independent accommodation.

The Protocol is based upon a common commitment to a partnership approach and collaborative working to ensure that all Hertfordshire councils give every child the opportunity to thrive:

- In their families;
- In their schools;
- In their communities.

It is recognised as essential for all members to communicate clearly and in a timely way with colleagues, responding to requests for information and queries regarding referrals within the spirit of collaboration and co-operation.

Monitoring of Working Arrangements under the Joint Housing Protocol

Children's Services, Local Housing Authorities and **hyh** (Herts Young Homeless) Liaison and Steering Groups have been established in order to ensure that difficult cases can be discussed.

Steering Group meetings will be held quarterly in order to address strategic development issues regarding the JHP and to ensure these are placed on the agenda of the Strategic Partnership Accommodation Board. Agenda items will include:

- Agency updates;
- Information sharing;
- Issues and successes for homeless 16 – 17 year olds (including the effectiveness of operational practice);
- Issues and successes for care leavers;
- Issues and successes for homeless families;
- AOB.

JHP Liaison Groups will be held six weekly. These will be held at local level and will address issues or difficulties experienced at a local level and take any broader developmental issues to the JHP Steering Group. Agenda items will include:

- Agency updates;
- Information sharing;
- Issues and successes for homeless 16 – 17 year olds (including specific case discussion around Housing Support meetings and outcomes);
- Issues and successes for care leavers;
- Issues and successes for homeless families;
- AOB.

Aims and Objectives

By working together the participants of this protocol aim to:

- Enable children and young people to remain living within their family wherever possible;
- Provide young people and families with the support and services they need to achieve positive outcomes;
- Treat young people and families with respect and understanding of their situation;
- Ensure young people and families have the right to freedom from abuse, neglect and hardship;
- Ensure young people and families have equal access to services, which meet their individual needs, whatever their race, gender, religion, disability, sexuality or family background;
- Ensure young people and families have their needs met, including their needs for housing, support, food, education and leisure;
- Ensure that young people in care make a successful transition to independent living;
- Ensure young people and families are aware of their responsibilities with regard to their behaviour to abide by the rules and regulations governing any accommodation that is provided;
- Ensure young people are not subjected to numerous assessment processes and that they do not have to negotiate their own way through the broad range of agencies that support them.

Prevention of homelessness

Hertfordshire County Council and Hertfordshire's ten local housing authorities are committed to working together with their partner agencies to prevent families and young people becoming homeless. Early intervention may enable homelessness to be prevented, or delayed sufficiently to allow for a planned move to appropriate accommodation to be arranged.

Underlying causes of homelessness can take a long time to build up: for example a loss of employment which can lead to tensions within households as well as difficulties paying rent or a mortgage.

A number of different personal and social factors can also contribute towards people becoming homeless. These may include one or more of the following (although this list is not exhaustive):

Lack of qualifications;

Lack of social support;

Debts – particularly rent or mortgage arrears;

Poor physical and mental health;

Relationship breakdown;

Involvement in criminality at an early age;

Difficult family backgrounds including family disputes, sexual and physical abuse in childhood or adolescence;

Living in families with drug or alcohol problems;
Previous experience of family homelessness;
Having an institutional background including having been in care, the armed forces
or a young offenders institute or prison.

Tackling these problems can be very complex and can require support from a variety of different agencies, friends and family, combined with work from the individual, family and/or associated support services. Support may include intervention, advice, counselling, training or provision of alternative accommodation by a local authority where appropriate.

Prevention of homelessness should involve advice and assistance for people threatened with homelessness before they reach the point of crisis.

Co-operation and flexibility is required between services to work holistically to meet housing and support needs.

Within Hertfordshire there are many resources available to support children, young people and their families prior to a crisis point.

Procedures for Disputes

All staff involved in delivering services set out within this Protocol should be aware that it is everyone's responsibility to work positively together in the best interest of the child, young person or families concerned. By all staff working together to deliver the Joint Housing Protocol, it is hoped that disputes over roles and responsibilities will be minimised. However, it is recognised that on occasions, there will be a difference of professional opinion regarding the implementation of the Protocol or its recommendations. These disagreements could arise from any professional working with the young person, including **hyh** or other supported accommodation providers.

Such differences should, where possible, be resolved through further discussion between those staff directly involved. However, if a resolution cannot be agreed within two days, the reason for the disagreement should be put in writing and then escalated to the relevant manager.

Relevant contacts for escalation for all agencies signed up to this Protocol can be found at Appendix 4.1.

Participating Agencies

The participating agencies to the Joint Housing Protocol are listed below. It is widely acknowledged that children/young people, wherever possible, are best cared for within their families. Where young people leave home as a result of crisis, abuse, family breakdown, or poverty it is often unplanned. In order to improve outcomes for this group of young people and for families who present as homeless, it is vital that all agencies

work together to provide appropriate services to address family difficulties and where appropriate provide access to suitable accommodation.

Below is a brief description of each agency's responsibilities as they apply to this protocol.

Children's Services

Hertfordshire County Council Children's Services have a duty to promote the welfare of children in need, including the provision of services to prevent homelessness, to assess need and ensure plans are in place for those assessed needs to be met.

Children's Services functions may be carried out on their behalf by other agencies such as **hyh**. However, an assessment of need under the Children Act 1989, including those relating to homelessness can only be finalised by the statutory Children's Services authority. Information and tasks pertinent to the assessment may be undertaken by agencies on behalf of Children's Services (**hyh**).

In Hertfordshire, assessments of homeless young people are carried out by the Specialist Adolescent Service Hertfordshire (SASH) and assessments of parents 16 & 17 year olds are carried out by the area Assessment Teams in conjunction with SASH. The assessment of Intentionally Homeless Families is undertaken by the Homeless Prevention Team within Families first. The assessment of families with no recourse to public funds is completed by either the Family Safeguarding Teams or Families First depending on the needs of the household.

Family Safeguarding and Assessment Teams, 0-25 Together Teams, Children Looked After Teams and Care Leaver Teams

The Family Safeguarding and Assessment Teams, 0-25 Together Teams, Children Looked After and Care Leaver Teams provide support to a range of children in need and children looked after. From the age of 16 any child who has been looked after for the pre-requisite 13 weeks (from their 14th to 18th birthday), plus 24 hours aged 16 & 17 is deemed an 'Eligible' child. All 'Eligible' children are required to have a Leaving Care Assessment of Need and Pathway Plan which sets out the individual arrangements for leaving care, making the transition to adulthood and accessing housing authority accommodation.

The Social Worker and Leaving Care Personal Adviser, with assistance from the Housing Brokerage Team, will assist the young person to make an application to the housing register of the appropriate Local Housing Authority, as detailed in Section 2.

All Eligible and Relevant young people are the responsibility of the local authority Children's Services and should be provided with safe and appropriate accommodation, the costs of which will be paid for by the local authority Children's Services until the young person has turned 18.

Housing Brokerage Services

The Housing Brokerage Team within Children's Services facilitates and monitors the move on of Care Leavers from their care placements and into social housing through Section 2 of the Joint Housing Protocol. They are responsible for tracking young people

as they apply and making sure that applications have the right supporting documentation. They also mediate disputes and support care leavers when needed.

16+ Accommodation Commissioning Team

The 16+ Accommodation Commissioning Team are responsible for the commissioning and monitoring of a range of contracts central to the work of the Joint Housing Protocol. This includes the Prevention of Homelessness Contract, through which **hyh** are commissioned to support young people. They are also responsible for commissioning the Supported Accommodation in the County through the Housing Related Support funding, as well as the Semi-Independent Accommodation Framework.

Specialist Adolescent Services Hertfordshire (SASH)

The Specialist Adolescent Service aims to improve the lives of young people and their families. Using the skills and experience of its own staff and through a wider partnership it will deliver intensive multi-agency support through which vulnerable young people and their families are provided with effective, child-centred safeguarding interventions, underpinned by a practice model that support trauma informed practice.

- For young people aged 11 to 17 in families at risk of breakdown or on the edge of care.
- For young people who go missing from home or those that are at risk of, or experiencing, child criminal exploitation, including gangs and county lines.
- For young people in the Youth Justice system to prevent offending and re-offending; and to support victims of youth crime and their communities
- For young people aged 16 to 17 years old who are homeless, or high risk of homelessness.

The SASH service is responsible for supporting the initial triage and completing C&F Assessments for 16/17 young people who are homeless. The Service has two dedicated Social Workers for 16/17 homelessness who are co-located within the Homeless Hub, although assessments will still be undertaken by the Service's Areas Teams when required due to leave/limited capacity. Following an assessment young people who require continued support as a Child In Need will progress to the SASH Area Teams. Those who become accommodated under Section 20 will progress to the Child Looked After and Care Leaver Service and will then be considered under Section 2 of the Protocol (Care Leavers) when appropriate.

Leaving Care Service

The Leaving Care Service sits in the same department as the Children Looked After Teams, but stands as a separate service. They are made up of teams of Personal Adviser's that support Care Leavers post 18. They start being involved in a young persons support from 17 ½ and pick up the work of the Social Workers once the young person becomes an adult. They will often be the case holder for care leavers when they are applying for social housing through the district and borough authorities, and will support them in accessing both social housing as well as other accommodation depending on the needs of the young people.

Services for Young People and Learning Disability and Difficulty Teams

Services for Young People provides youth work services, information, advice, guidance and support for young people aged 13 and 19 (up to 25 for young people with learning disabilities). It also provides support for young people leaving care, up to the age of 21-25, through the Services for Young People One Stop Shops. A Services for Young People One Stop Shop (OSS) is a venue where local partners come together to deliver a wide range of services for young people. The benefit is that young people can gain access to a number of professionals on one site providing a seamless service across agencies. Specific services include sexual health, condom provision, chlamydia testing and pregnancy testing; jobs and careers guidance including preparing for interview, writing applications, apprenticeships and job matching; opportunities to undertake own research or be signposted to specialist agencies.

Services for Young People One Stop Shops are an initial point of access for housing advice in Stevenage, Watford, Hatfield, Hemel Hempstead, Cheshunt and Borehamwood and can support young people who are homeless or threatened with homelessness by:

- Providing space for local Housing Associations to meet young people;
- Supporting contact with the Job Centre Plus for those young people applying for benefits;
- Providing support for new tenants to access money advice, budgeting and life skills information;
- Providing information and supporting young people with living independently;
- Supporting contact with **hyh**, and supporting young people to access their services;
- Referring young people for more detailed housing advice to the Housing Authority.

Specialist and Safeguarding Teams

In circumstances where a family is deemed intentionally homeless or where they have no recourse to public funds, then the local housing authority doesn't have a duty to provide accommodation. A referral will be made to the relevant Assessment Team via the Customer Service Centre. Information and advice will be offered to the family, in order to prevent homelessness. An assessment of need will be made if the family remains homeless at a point seven days prior to the end of the housing authority housing duty.

District (and City) and Borough Councils

There are ten District and Borough Councils in Hertfordshire, whose housing and homelessness duties are set out in the Housing Act 1996 and which have been amended by the Homelessness Reduction Act 2017 and subsequent legislation and guidance.

Part 7 of the Housing Act details the duty's local housing authorities have towards those that are homeless. These duties include owing a prevention and/or a relief duty to those households that are homeless or threatened with homelessness and eligible for assistance. A temporary accommodation duty is owed to those households that may be homeless or threatened with homelessness and in priority need.

Part 6 of the Housing Act governs the allocation of social housing through a local authorities housing register. Each district and borough operates its own housing register

and each housing register will have different criteria depending on local decision making. However, each district has agreed through this protocol to award priority to care leavers who meet the criteria in the Joint Housing Protocol.

Certain functions of some housing authorities may be carried out by a partner housing association acting as registered social landlord. However, the housing authority will remain responsible for the discharge of its duties under the relevant housing legislation, and in their assistance to Children's Services in the execution of its duties in relation to homeless young people aged 16 & 17 under the Children Act 1989

Homeless Hub

One YMCA and Herts Young Homeless (**hyh**), are working in partnership to deliver the Homeless Hub.

The Homeless Hub acts as a 'front door' to homeless prevention services. They will prioritise 16 & 17 year olds and have a primary function of enabling families/carers with Young People to stay together by working intensively with them before the point of crisis and those already in crisis, in order to prevent homelessness.

The Homeless Hub will operate a triage system on all referrals. The options for each Young Person will be as follows:-

- Offer Advice/Information whilst continuing to live at home, this could include making a homelessness application to the local Housing Authority;
- Offer Advice/Information and arrange for Mediation whilst continuing to live at home;
- No possibility at initial stage to remain at home will result in a referral within 2 hours (during normal office hours) to a Supported Accommodation Crashpad bed with intensive support services including Mediation with the aim of returning the Young Person home. This will start the Joint Housing Support meeting process, this includes a referral to SASH for a Children and Families (C&F) assessment and a referral to the local Housing Authority for a homelessness application.

The Specialist Adolescent Service Hertfordshire (SASH) Social Workers will be involved in the initial triage of referrals that come in to the Homeless Hub, and where the presenting concerns are high the SASH Practice Manager (16/17 Homelessness Lead) will review whether Section 20 (Children Act 1989) is the most appropriate action over an initial stage within Crashpad or Temporary Accommodation.

The SASH social workers will be co located with **hyh** to ensure consistency of approach. There will be 3 monthly meetings with the Service Manager MASH and Team Manager from the Adolescent Hub and **hyh** to ensure the JHP pathway is consistently applied.

The Homeless Hub will:

- Liaise and work with SASH and refer Young People to other aspects of Hertfordshire County Council where there are risks, concerns and apparent significant needs beyond those of accommodation and support;
- Consider all accommodation and support options at the preventative stage;
- Seek alternatives to commissioned accommodation and ensure the Young People/family/carers have explored these options fully.
- Ensure that the Young Person is registered on relevant housing and supported accommodation lists from time of referral (as required);
- Liaise and work alongside a range of statutory and voluntary agencies (including Hertfordshire County Council and the Borough/District Council Housing Departments) and family/carers, to complete comprehensive assessments resulting in realistic, achievable prevention plans;
- Be responsible for arranging and monitoring Joint Housing Support Meetings as and when required, inviting relevant Professionals etc. to attend in order to establish a move on plan for Young People;
- Liaise and gather data from all supported accommodation providers to maintain a 'live' picture and ensure maximum usage of bed spaces across Hertfordshire;
- Monitor 30% bedspaces across Hertfordshire (see appendix 2.3 A-C);
- Liaise with CSOOHS regarding Crashpad availability.

Supported Housing Providers

Hertfordshire has a comprehensive range of supported housing providers (registered social landlords) who provide support and accommodation to young people aged 16 to 24, or 18 to 24, including Catalyst Housing Group (formerly Aldwyck), One YMCA, Paradigm Foyer, Hightown Praetorian, and Sapphire Independent Housing. They provide supported accommodation to which some District and Borough councils have all nomination rights depending on a local connection, eligibility and a referral. A small number of these supported accommodation provisions can be accessed by young people without a local connection within a given area.

Several of the provisions will provide placements to children looked after and care leavers aged 16 & 17 and vulnerable 16 & 17 year olds, following a referral from the Brokerage Team, **hyh** or the Housing Authorities.

Supported accommodation providers are responsible for ensuring that young people are supported so that they do not have to leave the accommodation in an unplanned manner. Every effort will be made to ensure that all appropriate actions are taken to support young people to maintain their tenancy. They have a role in alerting Children's Services staff where a young person is at risk of losing their tenancy, in order that additional support can be provided.

Housing Related Support Provision

Housing Related Support (previously Supporting People) provides funding to a range of organisations that provide housing related support services to a range of vulnerable people in the community in order to improve their quality of life through greater independence. Housing related support can prevent problems that may lead to homelessness and can help young people moving to independent living after leaving care.

Housing related support includes:

- Advice and guidance on managing independent accommodation;
- Helping to develop life and social skills;
- Support in resolving or preventing debts;
- Guidance about safety and security in the home.

Contracts for agencies commissioned to provide housing related support are held, and monitored, by the 16+ Accommodation Commissioning Team.

Information Sharing Agreement

The County Council has the responsibility for the welfare of certain vulnerable children and young people and for certain vulnerable adults; their partners in this work are housing authorities or registered supported and general needs housing providers all of whom have responsibilities in respect of the provision of housing and/or the prevention of homelessness.

As part of the Joint Housing Protocol, the signatories to this document also agree to the terms and conditions of the JHP Information Sharing Agreement. All organisations involved in the Protocol are processing and handling Personal Data of vulnerable children and adults.

The Lawful basis for processing:

- For Personal Data the lawful basis for processing is GDPR article 6 (1)(e) *Task in the public Interest and in line with official authority.*
- For Special Category Data the lawful basis for processing is GDPR article 9(2)(b) *processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law...*

The Information Sharing Agreement is found in Appendix 4.2 at the end of this document and explains the responsibilities of all signatories regarding the appropriate handling and processing of this data.

Groups covered by this Protocol

The Joint Housing Protocol applies to all groups listed below. For each group there are specific statutory functions that apply, which each agency must fulfil.

Section 1

- Homeless 16 – 17 year olds

Section 2

- Care Leavers

Section 3

- Homeless families with children