

Section 1

Arrangement for Homeless 16 and 17 year olds

SECTION 1

Guidance and Arrangements for Homeless Young People Aged 16/17

1. Introduction and Purpose

This section of the Joint Housing Protocol aims to ensure that by working together, agencies will prevent youth homelessness and/or young people entering into care wherever possible and where it is safe to do so. This Protocol outlines the joint vision and agreed roles and responsibilities for all parties involved in assessing and supporting homeless 16/17 year olds.

This area of the Joint Housing Protocol takes account of the judgement in the House of Lords, R(G) v Southwark LBC, May 2009 and subsequent guidance jointly issued in April 2010 by the Department for Children, Schools and Families and the Department for Communities and Local Government and the updated joint guidance issued by the Ministry of Housing, Communities and local government and Department for Education issued in May 2018. Both the Judgement and the Guidance emphasise the continuing duty of both Housing and Children's Services to collaborate in the discharge of their duties to vulnerable children and young people.

2. Aims and Principles

This section of the Protocol aims to ensure that young people's needs (aged 16 and 17) are appropriately assessed and services are delivered in line with their identified needs.

The following principles are agreed by all agencies signed up to this Protocol:

- It is in the best interests of the majority of young people aged 16 or 17 to live in the family home, or, where this is not safe or appropriate, with responsible adults in their wider family and friends' network;
- Early identification of need and effective early intervention can reduce the number of children and young people becoming looked after and / or having to manage the challenges of independent living;
- Where young people are unable or unwilling to return to their immediate families, they should be supported to explore wider support network where their needs can be met;
- Although it is recognised that young people are often best cared for within their family home or extended support network, young people should not be left in a situation that places them at serious risk of harm;
- All parties to this protocol will work pro-actively with young people and their families to identify and resolve issues which have led to the homelessness and provide support to prevent re occurrence;
- Bed and Breakfast accommodation is unsuitable for 16 and 17 year olds and should not be used;
- The process should take no longer than 56 days to be completed.
- The views of the young people will be taken into account and will be appropriately considered before any decisions are made;

- All parties commit to responding to requests for information in a timely and appropriate manner, in line with data protection requirements;
- All parties agree to participate in, facilitate and support multi-agency training and ensure that all staff are fully aware of and understand the Protocol, including new starters;
- All parties are committed to valuing equality and diversity and ensuring that services are accessible equally to all, which may include providing an interpreter or ensuring visits are physically accessible to young people;
- All parties commit to having an open, flexible and accountable way of working;
- All parties commit to attending multi-agency meetings and participating fully in Joint Housing Support meetings.

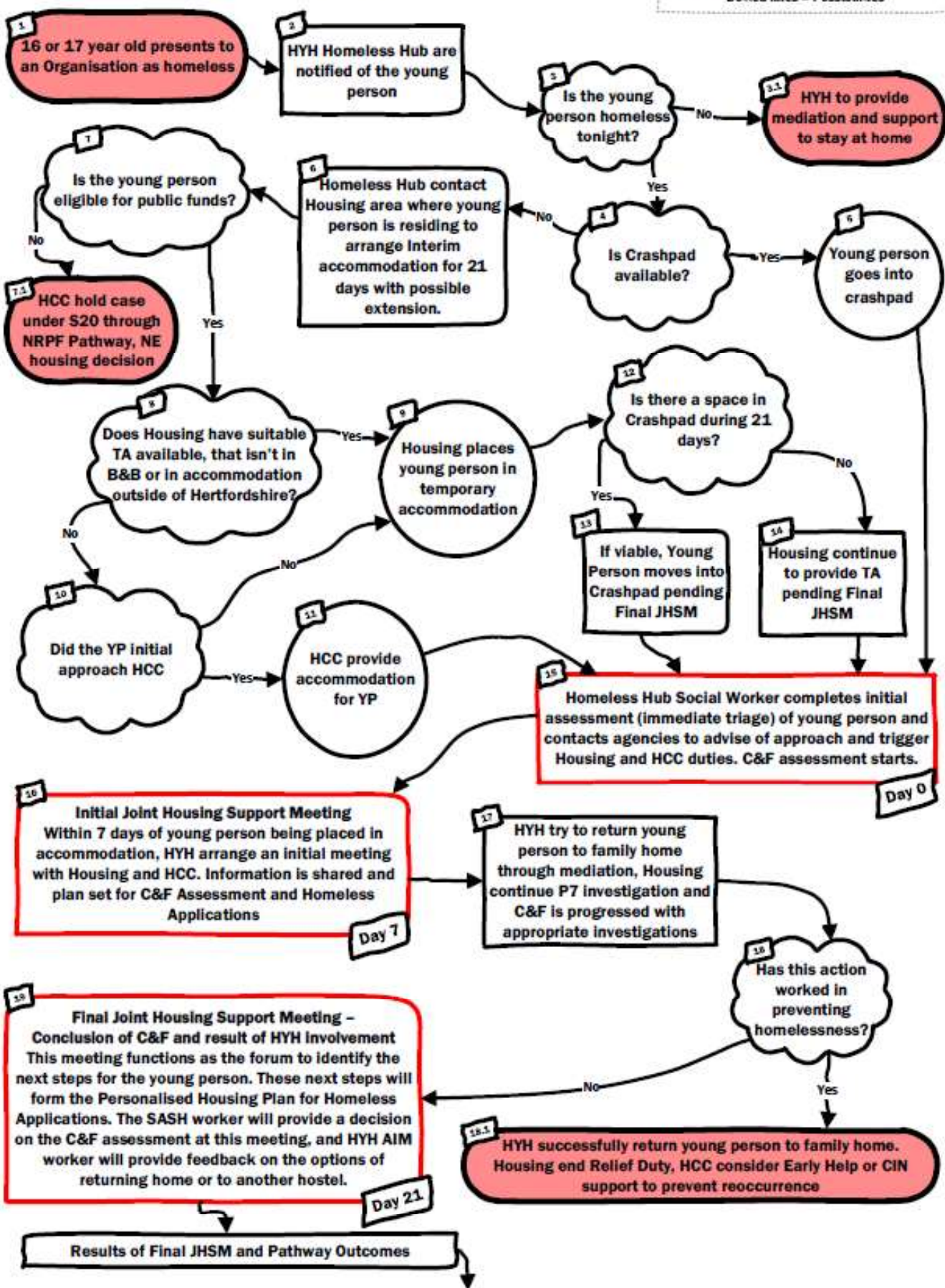
16 and 17 year old Process Maps

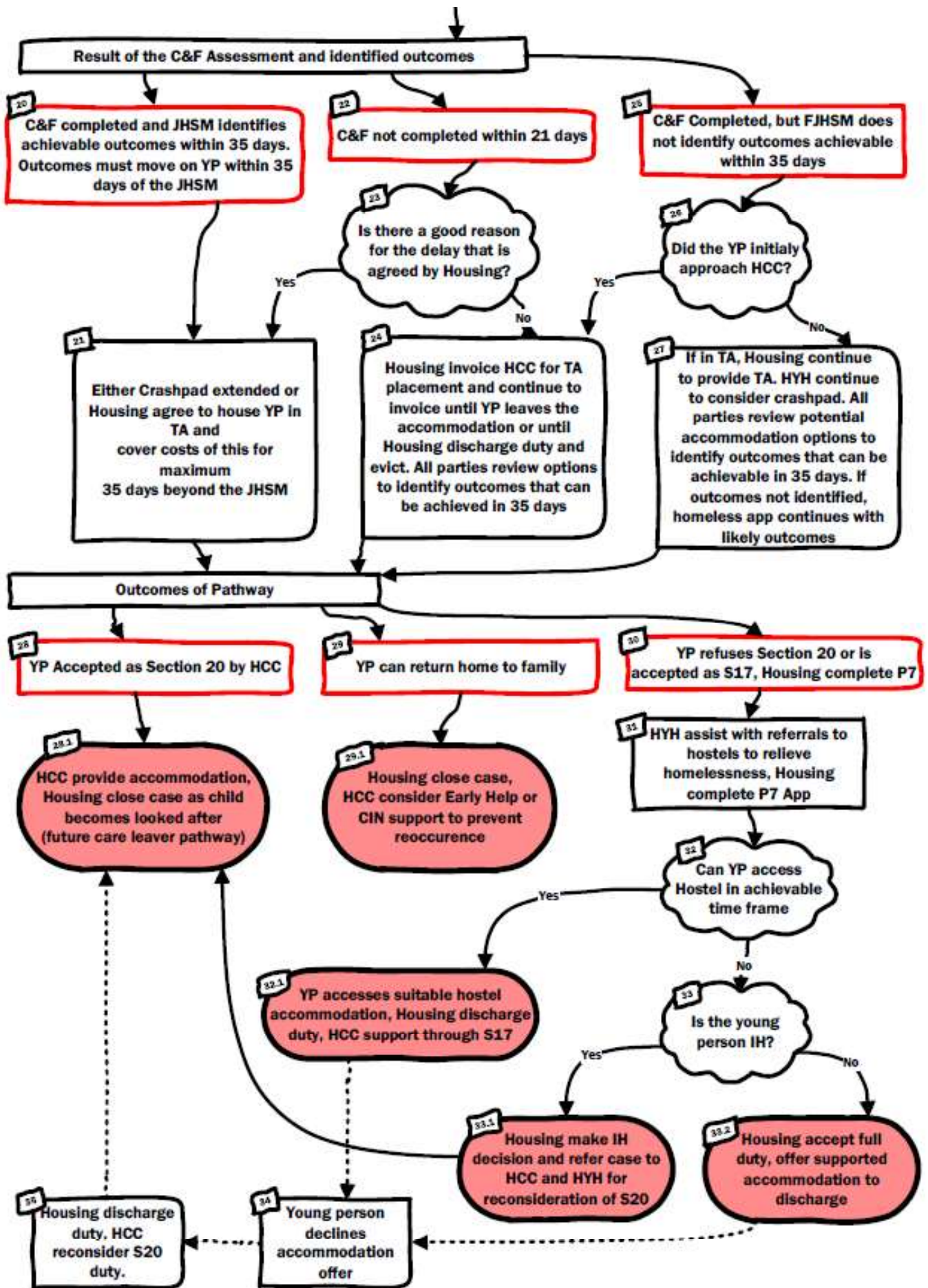
The 16/17 Homelessness Section of the Joint Housing Protocol will be based around one main Process Map.

This map is supported by supplementary information linked to the numbered boxes throughout.

Homeless 16 and 17 year olds

Key: Days = Actual days not working days
 Red boxes = Start or End of process
 Clouds = Questions Circles = Other Processes
 Dotted lines = Possibilities





1. Presentation

A 16 or 17-year-old may present as homeless to any agency including Children's Services, a housing authority or **the hyh Homeless Hub**. All homeless young people will be supported to access the Homeless Hub where it will be noted to which organisation the young person initially presented. If it is unclear where the information has come from, this will be recorded, however the assumption will be that it comes under Children's Services.

It is important that the young person and their family receive a consistent message from all parties involved regarding the process that will take place following their approach and that prevention and a planned move will be fully explored by all agencies. As part of the joint approach, it is also important that the young person and family fully understand the role that each agency plays. At the heart of this Protocol is the intention to achieve good outcomes for all young people by working closely together to minimise the need for the young person to reiterate their circumstances to several agencies.

2. Referral to hyh Homeless Hub

When a young person first presents as homeless or at risk of being homeless to any agency, it is the responsibility of that agency to make initial enquiries into their situation, clarify if they are street homeless and refer to **the Homeless Hub**.

3. Is the young person homeless tonight?

3.1 No: If the young person is not street homeless that night, they will still be supported by **the hyh Homeless Hub** (including the dedicated SASH Social Workers) so that they can assess the stability of their housing situation and, where appropriate they will refer and assist them to access the full range of prevention services, which the Homeless Hub will co-ordinate. This may include a referral to Children's Services. The young person may be staying with family or friends or sofa surfing, and if they are likely to become street homeless in the near future, then **hyh Homeless Hub** may conclude following its initial triage that the process should begin and a C&F started.

Housing may need to continue to provide a homeless application and administer a Prevention Duty in partnership with **hyh**, but this would sit outside this pathway. (*Exit from 16/17 Process Flow*)

Yes: If the young person is street homeless, progress to question point **4**

4. Is Crashpad available?

Crashpad provides a setting for the young person (for up to six weeks) where **the hyh Homeless Hub**, Children's Services and the housing authority are able to undertake the Joint Housing Support Meetings process in order to determine what support is required for the young person. See appendices for the Crashpad referral form, details

of all partner agency responsibilities, the escalation process, if there are issues that need resolution and the eviction procedure agreed by all providers.

There is currently no crashpad provision for couples or parents and temporary accommodation will need to be considered with each district on a case by case basis while assessments take place. The C&F Assessment would be completed within 21 days.

When a young person is made a Child Looked After (CLA) it is not appropriate for them to return to Crashpad and this accommodation is for emergency use only at the point of homelessness.

5. Yes, Young Person goes into Crashpad

Hyh Homeless Hub co-ordinate placement into Crashpad. When a young person is placed in Crashpad, **the hyh Homeless Hub** will engage with the family, offer advice, information and mediation as appropriate and arrange a Joint Housing Support Meeting which will take place within 7 days. All agencies will share all relevant information and agree an action plan of support.

Crashpad accommodation is not provided to fulfil a section 20 duty. The accommodation costs are not covered by Children Services. The accommodation is paid for by Housing Benefit, with Children Service paying for the additional support costs.

6. No, hyh Homeless Hub contact Housing area where young person is residing to arrange Interim Accommodation for 21 days

Hyh Homeless Hub make contact with the Local Housing Authority where the young person currently resides to inform them that there is no Crashpad availability. Contact is to arrange interim accommodation for 21 days until the Final Joint Housing Support Meeting, with the possibility of extending the temporary accommodation placement beyond this if no Crashpad has become available.

7. Is the young person eligible for public funds?

During a Homeless Application a Local Housing Authority must consider whether the applicant is eligible for housing assistance by the Government. This is often referred to as being 'Eligible for Public Funds' but isn't just around eligibility to receive benefits. For the young person to be assisted with temporary accommodation in an instance where no crashpad is available, the Local Housing Authority will need to make enquiries into whether the young person is eligible. For information on Public Funds [click here](#).

7.1 No: HCC hold case under S20 through NRPF Pathway, Not Eligible Housing Decision

If the Local Housing Authority conclude that the young person is not eligible for housing assistance, they need to make this section 184 decision on the young persons homeless application, and notify **hyh** Homeless Hub and HCC of this outcome.

In this instance, the Local Housing Authority have no duty to provide any

accommodation assistance and their involvement is ended. HCC will need to conclude that the young person is owed a Section 20 duty as a result of their assessment, and provide accommodation. The young person will be able to access social housing through the Leaving Care Move On Pathway once 18.

8. Does Housing have suitable accommodation?

The offer of temporary accommodation by Housing will be made as long as the housing authority has suitable accommodation available. Law states that Housing Authorities must not place any 16 or 17 year old in bed and breakfast/hotel accommodation. It has also been agreed by the Local Housing Authorities and Children's Services that any accommodation outside of Hertfordshire would not be deemed suitable.

Local Housing Authorities are often limited in the temporary accommodation that is available to them and will usually only know on the day what accommodation is available for us. All Local Housing Authorities are committed to ensuring they have access to an appropriate supply of temporary accommodation.

9. Yes, Housing Places young person in temporary accommodation

The accommodation available to each Local Housing Authority will differ. There is no requirement for the accommodation to be near education, training or employment, and the Local Housing Authority will have the decision on what accommodation would be appropriate in the situation. This accommodation may only be for a short period of time pending availability in Crashpad, which is recognised to be more appropriate.

10. Did the young person initially approach HCC?

This should be recorded by the **hyh Homeless Hub**, as the initial approach agency has funding implications. If a young person approached **hyh** first, then this counts as an approach to HCC.

No: If the young person didn't approach HCC first, but instead approach a local housing authority first, then go to point **9** above.

11. Yes, HCC provide accommodation for young person

HCC will provide accommodation for the young person pending the results of the final Joint Housing Support Meeting (Final JHSM).

12. Is there a space in Crashpad within 21 days?

The **hyh Homeless Hub** will monitor the availability of Crashpad and consider all young people in temporary accommodation for a place when Crashpad becomes available.

13. Yes, If viable, young person moves into Crashpad pending Final JHSM

Temporary accommodation provide by the local authority is almost always going to be unsupported and likely to present some challenges for young people. In almost all cases

it is recognised that Crashpad is much more suited to the circumstances that young people find themselves in. The **hyh Homeless Hub** will monitor crashpad and when a spaces becomes available, will consider moving young people out of temporary accommodation and into Crashpad.

It is recognised that in some situations this move may not be suitable for the young person. If the young person is in Temporary Accommodation the question of whether they should move into Crashpad should be discussed at the Initial Joint Housing Support Meeting.

If a young person is to remain in temporary accommodation pending the outcome of the process, then this needs to be agreed by the Local Housing Authority as the accommodation provider

There could be a number of reasons why a Crashpad placement may not be suitable and a stay in temporary accommodation should be extended, for instance safety concerns if the young person where to move to the area of the Crashpad. However, it needs to be recognised that the suitability of temporary accommodation for a young persons circumstances is not reason enough for a Local Housing Authority to agree to their continued stay there. A move to a Crashpad should only not be considered if it is detrimental to the wellbeing of the young person, rather than weighing the benefits of remaining in the temporary accommodation.

14. No, Housing continue to provide TA pending Final JHSM

This will be kept under review by all parties and Crashpad will continue to be considered as and when a place becomes available.

15. Hyh Homeless Hub Initial Assessment (Day 0)

The Social Worker based at the **hyh Homeless Hub** will complete an initial immediate triage of the young person when the referral comes in. They may consider that the young person has such high needs that they should automatically become section 20. This may be based on history of the young person with HCC. This decision is for the Social Worker to make at the outset and must be made on the day the referral reaches the **hyh Homeless Hub**. This also marks the official start of the C&F Assessment.

If the young person has gone into a Crashpad placement, it may be that the Local Housing Authority and HCC are unaware of the young person. At this point, the **hyh Homeless Hub** will also contact both the Local Housing Authority and HCC SASH to advise them of the approach, and of the need for an Initial Joint Housing Support Meeting.

16. Initial Joint Housing Support Meetings (Day 7)

Within 7 days of the C&F Assessment starting, **hyh Homeless Hub** will coordinate an Initial Joint Housing Support meeting with Housing and HCC SASH (allocated

caseworker), Crashpad provider, and in certain circumstances mentioned in the special circumstances section below, Assessment or Family Safeguarding Teams.

The meeting can take place virtually but for more complex situations the meeting would ideally take place in person.

The meeting will be for the professionals to share information (in line with the consent form signed by the young person), identify all risks, all previous and current offending history and safeguarding concerns, highlight previous interventions and any discussions already held with the young person and their family.

All agencies have a responsibility to prepare information prior to the meeting. Both the young person and the relevant family members will be invited to attend. Wherever appropriate, all agencies will promote a return home and will explore all possible support options to assist this outcome.

The meeting should include discussions about all possible options including homeless applications / S20 / CIN. The meeting will identify the plan and timescales set for both the C&F Assessment, Homelessness Applications, Mediation, supported accommodation referrals etc.

If the young person has had to access temporary accommodation due to a lack of Crashpad bed spaces, then Housing will have already begun a homeless application. If this has not happened, then the Initial JHSM will officially begin the Homeless Application for Housing. Housing should always open the case as a Relief Duty, rather than Prevention, as the young person is only going through the pathway due to being homeless.

Please note:

If a planned move is a likely outcome, a C&F Assessment should still be completed and should take into account the identified needs of the young person and whether these can be met in a supported accommodation setting / whether this would be a suitable move / successful outcome. Previous accommodation history should be taken into account (e.g. whether they have been previously evicted for supported accommodation / reasons etc.) The C&F assessment and the CIN plan (including details of support needs) are needed by all parties in order that referrals to supported accommodation can be finalised.

A C&F assessment should still be completed for young people who are approaching 18yrs.

17. Assessment Period, hyh try to return young person to family home

The C&F Assessment will specify whether there is a duty owed to the young person under Section 20 or Section 17 of the Children Act 1989, or if there is no duty owed to the young person.

The C&F assessment will be based on:

- The information contained in the referral;
- A proactive process of sharing and gathering information via discussions with key relevant professionals and networks (e.g. the child's GP, school etc);
- Any historical information held within the agency; or other local authority;
- A home visit;
- The “voice of the young person” will be captured within the assessment.

Housing will be progressing with the homelessness investigation. However, a decision on the application is not possible until the C&F assessment is complete. If Housing have not considered whether the young person is eligible for the purposes of a homeless application, then this will need to be considered at this point. If a young person is not eligible, then Housing should notify the responsible social worker straight away. If a young person is not eligible for the purposes of a homeless application, then they are very likely to meet the threshold for Section 20. Go to **7** and **7.1** for further guidance.

Young People that have entered Crashpad or who are essentially homeless, such as if the young person is sofa-surfing and is facing homelessness in the near future, will have a C&F Assessment. The assessment will have an outcome within 21 days (including weekends). There may be exceptional circumstances that due to the complexity of the situation or needs of the young person that the assessment period may need to take longer. Assessments that may need to take longer than the 21 days, will be discussed at the earliest possible time with the relevant Housing Authority and **hyh**.

Hyh will be working with the young person to see if mediation can support the young person to return home.

18. Has this action worked to prevent homelessness?

During the assessment, **hyh** will be working to return the young person to the family home.

If this hasn't worked, continue to **19**, the **Final Joint Housing Support Meeting**.

18.1 Yes, hyh successfully return young person to the family home

The work of **hyh** and partners may result in the young person returning home. In this instance, Children's Services will confirm at the end of their C&F Assessment if young person is to be supported as a Child in Need, via Families First (Early Help) or if their involvement is to cease. The SASH Homelessness Social Worker will ensure that there is a transfer meeting/CIN meeting to ensure that all relevant information is shared with the relevant SASH Area Team. The CIN plan should continue for at least 6 months post return home to ensure that the situation is not repeated.

It is recognised that even if a young person can return home, the issues that caused them to be evicted or to leave may not have been resolved, and on going support may be needed to prevent another homeless situation in the future.

As the young person is now no longer homeless, the **hyh Homeless Hub** will close their case and Housing will end their Relief Duty.

If the family and/or young person disengage with the on going support being provided, the **hyh Homeless Hub** need to be notified immediately to review the case and see if any additional support can be put in place to prevent another eviction.

19. Final Joint Housing Support Meeting (Day 21)

The Final (Outcomes) Joint Housing Support Meeting should take place on Day 21, unless previously agreed by all parties to be after Day 21. The meeting will include **hyh**, Children's Services, Housing, the Crashpad provider if relevant, the young person and parent/carer (where appropriate). The meetings purpose is to discuss and confirm the assessment and next steps for the young person. These next steps will also form the Personalised Housing Plan for Housing's Homelessness Investigations.

The meeting will discuss the outcomes of the C&F Assessment, the involvement from the Homeless Hub including feedback on the options of returning home or to another hostel and any relevant information from Housing.

The conclusion of the C&F Assessment has a range of implications, including funding implications as well as having an impact on the future outcome of the Homeless Application with Housing.

The outcomes of the C&F Assessment will be one of the following:

- Young Person returns home with CIN plan continuing in background
- Young Person becomes a Child Looked After (Section 20)
- Young person becomes Section 17 Child in Need, either as a result of the assessment, or as a result of declining Section 20.

The purpose of the Final Joint Housing Support Meeting is to ensure that achievable outcomes are identified for the young person depending on the outcome of the C&F Assessment. An achievable outcome is defined as an accommodation outcome that can reasonably be expected to be achieved within 35 days from the date of the Final Joint Housing Support Meeting. All professionals need to work together to achieve this outcome in this timeframe. The young person may not agree with the proposed accommodation outcome, but this is dealt with as a separate matter with significant implications for the young person. It is at this point that referrals to suitable Hostels should begin if the young person cannot return home.

Result of the C&F Assessment and identified outcomes

The legislation places responsibility for the accommodation of a young person on the organisation that the young person initially approaches. In Hertfordshire, it has been agreed that Housing and HCC work together for the good of the young person if Crashpad places are not available. This means that Local Housing Authority are assisting with Temporary accommodation, where it is available and doesn't conflict with

the discharge of their duty, even if the young person did not approach them initially. The following part of the process goes through the funding implications of this, and instances where Housing may wish to pass the costs of temporary accommodation back to HCC.

20. C&F completed in time and Final JHSM identifies achievable outcomes

The expected outcome of this pathway is for the C&F Assessment to be completed within the 21 day timeframe, and for the Final Joint Housing Support Meeting to identify achievable outcomes for the young persons accommodation that are likely to happen within 35 days.

21. Crashpad extended or Housing agree to house young person in TA for 35 days beyond Final JHSM

With the successful completion of the pathway, there is an agreement to extend the accommodation the young person is residing in pending the successful accommodation outcome. This can only be for up to 35 days past the Final JHSM. If the outcome is not achieved in this time frame, there may be further funding implications.

22. C&F Assessment not completed within 15 days

There may be occasions where due to the complexity of the situation or the young person's needs, it may not be possible for it to be completed by Children's Services within 15 working days. This must be discussed with partners at the earliest opportunity.

23. Is there a good reason for the delay of the C&F Assessment?

There are funding implications if the C&F Assessment is not completed in the agreed timeframe. As such, it is important that any delay's are explained to all parties. If the young person is in Temporary Accommodation then Housing need to approve the reason for the delay.

Good reasons for a delay in the completion of the C&F Assessment might include but are not limited too:

- A chaotic young person who is frequently missing from accommodation or who is refusing to engage with the assessment.
- Complex case history that requires more in-depth investigation or that requires gathering information from external parties that proving to be uncooperative.

Any reason for Delay needs to be agreed by housing. If a reason for delay is agreed by Housing, then go to **21**.

The social worker responsible for the C&F Assessment must at the Final Joint Housing Support Meeting give a date that they will complete the assessment by.

24. Housing invoice HCC for temporary accommodation costs

If a C&F Assessment has not been completed on time and there is not a good reason for this delay, then if Housing are providing temporary accommodation for the young person, they will look to invoice HCC for the additional costs of this temporary

accommodation from the date of the Final Joint Housing Support Meeting. They will continue to invoice HCC until the young person moves out of the accommodation.

The young person should be claiming Housing Benefit for the temporary accommodation they are provided. HCC will cover any additional costs of the accommodation above the Housing Benefit award for the property and support costs incurred at the accommodation.

25. C&F assessment completed, but the Final JHSM doesn't identify achievable outcomes

It is crucial that the Final Joint Housing Support Meeting concludes with achievable 'Outcomes Plan', even if the young person may not always be in agreement with the plan. Options may include use of the 30% Bed Space or other supported accommodation option.

It may be the case that outcomes are identified and that the young person agrees to these, but that due to circumstances outside of anyone's control, they won't happen within 35 days. This may be, for example, a placement into a young person hostel. If this is the case, then this is still not an achievable outcome, and the funding implications in **26** still need to be considered.

A young person situation should be continued to be reviewed and consideration of Section 20 and or Section 17 to be considered

26. Did the young person initially approach HCC?

There are a range of funding implications depending on where the young person presented first. Housing have agreed to support with temporary accommodation in situations where crashpad is not available, however there are funding implications for Housing by doing so. If the young person initially approached HCC or **hyh**, then the responsibility for funding the accommodation falls on HCC.

If **Yes** go to **24** for details on Housing invoicing HCC for costs of temporary accommodation.

27. No, Housing continue to provide TA

If the young person initially approached Housing and had to be placed in temporary accommodation due to lack of crashpad bed's, then Housing continue to owe an accommodation duty to the young person under Section 188 until such a time as they can end their duty appropriately.

Outcomes of Pathway

At the end of the Pathway, one of several outcomes should have happened. These outcomes will be discussed at the Final Joint Housing Support Meeting. These outcomes need to be achieved within 35 days of the FJHSM. This takes the total time of the whole process to 56 days.