

**Information for
young people
aged 16/17
at risk of
homelessness**



Introduction

If you are 16 or 17 and find yourself homeless or at risk of being homeless, there are two different departments at the council who will be involved in helping you: Children's Services and the Homelessness and Housing Needs Team. These two services work within the law to make sure you are supported, in accordance with the Children Act 1989 (sections 17 and 20) and the Housing Act 1996 (Part 7).

If you get in contact to make us aware that you are homeless or at risk of being homeless, we will speak to you about your circumstances, and it's likely we will then undertake an assessment of your accommodation needs. Any assessment that takes place will be conducted jointly with you, by both our Children's Services team and our Homelessness and Housing Needs Team.

The Assessment

In some instances, an assessment will determine that a young person requires our help with aspects of their health or development (meaning they would be defined as a child in need - see definition box below) but without requiring our support with housing.

Child in Need: A child in need is defined under Section 17 of the Children Act 1989 as a child who is unlikely to achieve or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services; or a child who is disabled.

This might be because the individual can stay at home for example (or with their extended family or friends), or it may be that the individual is already living independently. If the young person is already homeless, the assessment will help us decide what sort of support we can provide to help them return home and prevent them from being homeless in the future.

In most instances, there are usually long-term benefits to a young person remaining in (or returning to) their family home or existing network, and we will always encourage this outcome where it is safe and appropriate to do so. However, if it is clear that a young person cannot stay within their family home or extended family or friends network, it is likely that they will be assessed as a child in need who requires accommodation. This will be decided upon at the conclusion of the joint assessment.

Routes to receiving housing support following an assessment

If you are assessed as being in need of accommodation, there are three different routes to being housed. These are as follows:

- Being housed and supported under section 17 (child in need) of the Children Act. This means you would NOT become a child in care.
- Being housed and supported under section 20 (child in care) of the Children Act. This means you would become a child in care.

¹As amended by the Homelessness Reduction Act 2018 and The Homelessness (Priority Need for Accommodation) (England) Order 2002

- Being housed & supported under Part V11 of the Housing Act. This means you would NOT become a child in care.

Details about the implications of becoming a child in care, or choosing to receive support as a child in need, are explained in more detail below

The law states that if you are assessed to be a child in need who requires accommodation, unless there is a good reason for you not to do so, you should come into the local authority's care under Section 20 (i.e. become a child in care). However, you will always have a say in this, and if for any reason you do not want to become a child in care, you do not have to.

For example, it may be that you:

- Have already been living independently successfully with no one exercising parental responsibility.
- You are homeless but need help to be accommodated within your family

As long as you are deemed to have the capacity to make such decisions, how you are housed and supported will always be decided upon with your views, wishes and feelings taken into account.

Very often the assessment process will determine that a young person does not have specific care needs, and so the best option is for them to be supported under Part V11 of the Housing Act, receiving support from our Homelessness and Housing Needs Team only.

In circumstances where our assessment does suggest that you would benefit from our support under a section 20 agreement (i.e. as a child in care), you will still always

have the final say as to whether this is the right option for you or not.

Housing support under section 17 of the Children Act

If you agree to receiving support under section 17 of the Children Act you will become a child in need.

In such circumstances you will continue to receive the support that Children's Services will have decided you need based on their assessment, and you will have a social worker assigned to you to make sure that your needs are met.

However, it is worth noting that as a child in need you will not be entitled to support with your transition into adulthood. This type of service - known as Pathway Planning or leaving care support - is only available to those looked after by the authority i.e. to those who are children in care.

Further points to note about this route of support:

- Your accommodation will be paid for by Children's Services until you turn 18.
- Any subsistence/pocket money or special allowances for birthdays and other occasions will be at the discretion of Children's Services
- You will be able to get advocacy support for any complaints you wish to make
- If you are housed under section 17 and your placement breaks down, Children's Services will find you a new placement.
- Once you turn 18, you will not be a "care leaver" and therefore you will

not automatically have priority need for housing if you become homeless. The Homelessness and Housing Needs Team will however assess you to see if you are in priority need and if you are not, they will still support you to look for suitable accommodation.

- After you turn 18, although some support packages might be offered to you at the discretion of the local authority, you will not legally be entitled to any further support, including with pursuing higher-education.

Housing support under section 20 of the Children Act

If you agree to receiving support under section 20 of the Children Act, after 24 hours you will become a looked-after child.

You will be given a social worker and all of your needs will be taken care of by the local authority.

Before you turn 18, your social worker will work with you to plan what support you will need to achieve your long-term goals once you turn 18.

Further points to consider about this route of support:

- Your accommodation is paid for by children's services until you turn 18.

- You will receive subsistence/pocket money or special allowances for birthdays and other occasions.

- You will be entitled to get advocacy support

- If your placement breaks down, children's services must find you a new placement.

- When you leave care at 18 and until you turn 21, you will automatically have priority need if you become homeless, meaning you will be much more likely to get help.

- When you are between the ages of 21 and 24, you may also obtain priority need if you can show that you are vulnerable as a result of having been in care.

Things to consider when signing yourself into care under a section 20

If you agree to a section 20 arrangement with us, you will be expected to engage with various processes and support services that are provided to all children in care, including:

- Having regular social worker visits (every 4 weeks) until the age of 18 and then regular personal adviser visits after the age of 18
- Having health assessments
- Attending child in care review meetings
- Attending education meetings every school/college term
- Having support to claim any benefits you are entitled to

As a child in care, it's likely that you will also need to:

- Prove that you can live independently - including financially - before you can be put forward for your own tenancy
- Disclose that you have had social services intervention (for example if you have children of your own, or if this is required for certain documentation such as job applications)

Housing support for care leavers

Depending on how long you were housed as a child in care, upon leaving care you will either become a **former relevant child** or a **qualifying care leaver**. Each category is entitled to slightly different levels of support after they turn 18.

Former Relevant Children

A young person who was in care for at least 13 weeks after the age of 14 and including on or after their 16th birthday and was still in care when they turned 18 is a **former relevant child**. They are also known as care leavers.

They will continue to receive support until the age of 21, or up to 25 if they require it, including support to pursue higher education.

Before they turn 18, the young person is entitled to have their long-term needs assessed (known as a Pathway Plan Needs Assessment) to set out the advice, assistance and support Children's Services will provide them to transition into independence. This includes helping with education, career planning, employment, accommodation, financial needs, and any other support needs and leaving care provision, up to the age of 21 or 25. They will have a Personal Adviser who should keep in touch, provide the support agreed on in their Pathway Plan and any other support they need.

Once they turn 21, former relevant children are still entitled to a Personal Adviser and advice and support until they turn 25 if they request it.

Qualifying care leavers

A young person who was still in care when they turned 18 but was not in care for at least 13 weeks in total is known as a **qualifying care leaver**. They are still entitled to advice and assistance from children's services until the age of 21, including financial assistance in certain circumstances. If they are in higher education, they can receive help with their living expenses and with having a place to live during school holidays until the age of 25

Housing under part VII of the Housing Act

If you qualify for support under part VII of the Housing Act, although some support packages might be offered to you (at the discretion of the local authority) you are only legally entitled to minimal levels of support.

For example, there is no requirement for you to have a social worker, or for any support for your transition into adulthood.

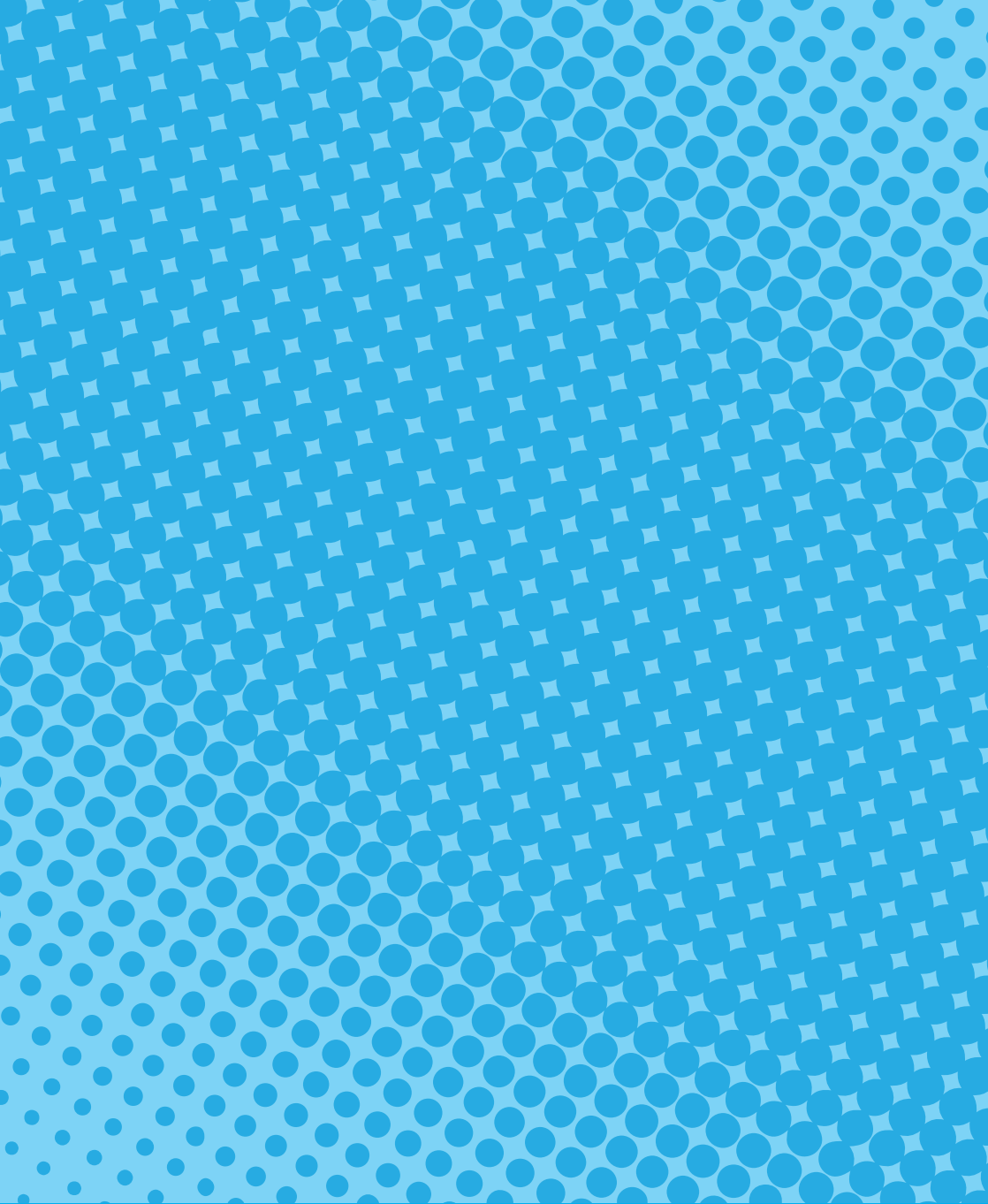
The Housing Service to Homelessness and Housing Needs Team can however help you with the following:

- Claiming any benefits you are entitled to
- Budgeting
- Living independently
- Finding and sustaining suitable, affordable accommodation

Further points to consider about this route of support:

- You will be responsible for working and/or claiming benefits and paying for your accommodation and all other expenses.
- You will not receive pocket money/subsistence, nor special allowances for birthdays or other occasions.
- There is no entitlement to advocacy support. However, you would be able to get advocacy support for any complaints you may wish to make.
- Once you turn 18, you will not automatically have priority need for housing if you become homeless.
- After you turn 18, although some support packages might be offered to you at the discretion of the local authority, you will not legally be entitled to any support, including with pursuing higher-education,
- If you are accommodated under the Housing Act and become at risk of eviction, it is important to note that depending on the reasons for this, you might be viewed as being intentionally homeless. If this happens, you would no longer be eligible for further housing support from housing services.

²Unless you have been assessed and a full duty decision has then been made about your need *before* your 18th birthday. (Note: this will take at least 56 days). In such a case, our duty to you cannot end until we find you suitable accommodation, even if you subsequently turn 18. If however you turn 18 during the initial 56 days in which it takes for us to make a full duty decision, you will *not* be deemed priority need, and you would therefore then need to be assessed for other reasons as to why you may be in priority need. If you are 16 or 17 and undergoing an assessment, the Homelessness and Housing Needs Team will make sure this is explained to you.



Designed and printed by WBC Digital Solutions 2022

