

**Joint protocol for 16/17-year-olds who are at risk of homelessness**

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# 1. Purpose

1.1 This document provides guidance to operational staff within Housing and Children’s Services. The protocol outlines the responsibilities of both services and the actions professionals should take when a young person aged 16 or 17 years approaches the Council reporting that they are homeless or threatened with homelessness. This protocol has been jointly developed and agreed by Housing and Children’s Services.

1.2 The protocol aims to:

* Support professionals to prevent homelessness at the earliest opportunity.
* Ensure both Housing and Children’s Services understand and comply with the legal obligations and responsibilities to 16- and 17-year-olds who are homeless or threatened with homelessness.
* Support young people to remain within their ‘family’ network where it is safe and appropriate to do so.
* Minimise the negative impact of homelessness on the lives and life chances of young people.

# 2. Scope

2.1 This protocol is relevant to any 16- or 17-year-old approaching BCP as homeless or threatened with homelessness.

2.2 The policy applies to all staff involved in:

* Assessing need under Section 17 of the Children Act 1989;
* Assessing homeless status and duties owed under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017);
* Working with young people as detailed above who may present as being homeless or threatened with homelessness, including:
* Children’s Social Care Teams
* Early Help (level 2 and 3 services)
* Housing Options and Partnerships
* BCP Homes
* Commissioned Housing Providers
* Youth Justice Services
* Schools and Colleges

2.3 This protocol should be read in conjunction with:

1. Young Person Homelessness Screening Tool for Professionals (appendix A)
2. Supplementary Guidance for MASH (appendix B)
3. Joint Assessment form (appendix C)
4. BCP Young People Support and Accommodation Offer (appendix D)
5. BCP Young People Accommodation Brochure (appendix E) (in development)
6. Practitioner Flowchart - 16 and 17 year olds at risk of homelessness (appendix F)
7. Accommodation Planning Panel Terms of Reference (appendix G)
8. Your Housing Options and Choices Leaflet (appendix H)

# 3. Legislative Framework

## 3.1 Overview

3.2 Local authority duties to young people at risk of homelessness are outlined in several pieces of legislation.

[The Children Act 1989 section 20(3)](https://www.legislation.gov.uk/ukpga/1989/41/section/20) mandates a duty upon Children’s Services to any Child in Need aged 16 or 17 years whose welfare is likely to be seriously prejudiced without the provision of accommodation. A further range of duties, including Personal Advisor support, are owed to young people who have left the care of the local authority under the [Children Act 1989,](https://www.legislation.gov.uk/ukpga/1989/41/contents) [Children (Leaving Care) Act 2000](https://www.legislation.gov.uk/ukpga/2000/35/contents) and [Children and Social Work Act 2017.](https://www.legislation.gov.uk/ukpga/2017/16/contents/enacted)

Local housing authorities are required under the Housing Act 1996 [Part 6](https://www.legislation.gov.uk/ukpga/1996/52/part/VI) and [Part 7](https://www.legislation.gov.uk/ukpga/1996/52/part/VII) (as amended by the [Homelessness Act 2002](https://www.legislation.gov.uk/ukpga/2002/7/contents)) to secure accommodation for people who are eligible for assistance, homeless and in priority need – the latter of which includes:

* A person aged 16 or 17 who is not a ‘relevant child’ or a Child in Need to whom a local authority owes a duty under section 20 of the Children Act 1989.

More recently, the [Homelessness Reduction Act 2017](https://www.legislation.gov.uk/ukpga/2017/13/contents) placed a duty on local authorities to take reasonable steps to prevent and relieve homelessness for eligible households who are threatened with or experiencing homelessness and in 2018 DLUHC published the [Homelessness Code of Guidance for Local Authorities.](https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/overview-of-the-homelessness-legislation#:~:text=The%20primary%20homelessness%20legislation%20%E2%80%93%20that,threatened%20with%20or%20actually%20homeless.)

[The Homelessness Code of Guidance for Local Authorities Chapter 17](https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-17-suitability-of-accommodation) (paragraph 17.41) states that Bed and Breakfast accommodation, as defined in [The Homelessness (Suitability of Accommodation) (England) Order 2003](https://www.legislation.gov.uk/uksi/2003/3326/pdfs/uksi_20033326_en.pdf), is not deemed to be a suitable temporary accommodation option for 16- and 17-year olds, even on an emergency basis.

## 3.3 Case Law Judgements

3.4 Case law judgements made during 2008 (M vs Hammersmith & Fulham LBC) and 2009 (G vs Southwark) made it clear that 16- and 17-year-olds who become homeless need more than a roof over their heads and that the primary duty to a homeless 16- or 17-year-old is under the Children Act, and that the on-going duty to accommodate and support that young person will normally fall to the children’s services authority. This was echoed within [statutory guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/712467/Provision_of_accommodation_for_16_and_17_year_olds_who_may_be_homeless.pdf) issued in 2010 and updated in 2018.

3.5 The judgements also make it clear that it is the local authority that is responsible for meeting the needs of homeless young people, so it is essential that staff within Children’s Services and Housing work together closely and collaboratively.

## 3.6 Children’s Services

3.7 Children’s Services’ responsibilities vary depending on whether the young person is considered to meet certain criteria.

3.8 A Child in Need is defined under [section 17(10) of the Children Act 1989](https://www.legislation.gov.uk/ukpga/1989/41/section/17) as:

* a child who is unlikely to achieve or maintain a reasonable standard of health or development, without the provision of services by the local authority (Children's Services);
* a child whose health or development is likely to be significantly impaired, without the provision of services by the local authority (Children's Services);
* a child who is disabled.

3.9 The [Children Act 1989 Section 20(1)](https://www.legislation.gov.uk/ukpga/1989/41/section/20) requires that:

* Every local authority shall provide accommodation for any Child in Need within their area who appears to them to require accommodation as a result of:
  1. There being no person who has parental responsibility for them
  2. Their being lost or having been abandoned
  3. The person who has been caring for them is prevented (whether or not permanently, and for whatever reason) from providing them with suitable accommodation or care.

3.10 In addition, even if the criteria in Section 20(1) do not apply, Section 20(3) requires that:

* Every local authority shall provide accommodation for any Child in Need within their area who has reached the age of sixteen and whose welfare the authority consider is likely to be seriously prejudiced if they do not provide them with accommodation.

3.11 Where a young person in need requires accommodation because of one of the factors set out in Section 20(1) (a) to (c) or Section 20(3) then that young person must be provided with accommodation. As a result of being accommodated by Children’s Services for a continuous period of more than 24 hours the young person will become *looked after*, and the local authority will owe them the duties that are owed to all children *looked after.* When the young person ceases to be *looked after*, the local authority will owe them duties as a care leaver.

3.12 The April 2018 joint statutory guidance states there are only two circumstances in which a local authority might find that a homeless young person should not be accommodated under Section 20 and may instead be owed duties under the Housing Act 1996:

* When a child is assessed as not being a Child in Need;
* A 16- or 17-year-old Child in Need who, having been properly and fully advised of the implications and having the capacity to reach a decision, has decided that they do not wish to be accommodated under Section 20. Advocacy and legal advice should be offered to enable the young person to make an informed decision.

## 3.13 Housing

3.14 New duties towards people that are homeless or threatened with homelessness were incorporated within [Part 7 of the Housing Act 1996](https://www.legislation.gov.uk/ukpga/1996/52/part/VII) by the Homelessness Reduction Act 2017. These include duties to:

* Undertake assessments
* Develop personalised housing plans
* Take reasonable steps to prevent homelessness (for applicants who are threatened with homelessness) or relieve homelessness (for applicants who are already homeless)

3.15 Young people who are eligible and homeless, or threatened with homelessness, must have an assessment of their needs. This must include:

* The circumstances that have caused them to be homeless or threatened with homelessness.
* Their housing needs, and what accommodation would be suitable for them, their household and anybody who might reasonably be expected to live with them; and,
* The support that would be necessary for them, and anybody who will be living with them, to have and sustain suitable accommodation.

3.16 An interim duty to accommodate exists if the local housing authority has reason to believe that the young person may be eligible, homeless and in priority need. The authority may carry out initial enquiries to satisfy themselves there is a reason to believe the applicant is homeless before an interim duty arises.

3.17 The April 2018 joint guidance states that local housing authorities will be unable to determine whether a 16-17-year-old has priority need under the 1996 Act until a Child in Need Assessment has been completed. It is therefore essential that referrals are made, and assessments completed in accordance with relevant statutory timescales (maximum 45 working days for Children’s Act, however it is expected for these assessments to be completed within 15 working days) but as soon as possible acknowledging the impact of uncertainty upon young people experiencing homelessness. Where Children’s Services have decided that the young person is not deemed a Child in Need under Section 17, or the young person does not wish to be accommodated under Section 20, housing services duties under Part 7 of the 1996 Act will continue.

# 3.18 Duty to Refer

3.19 From October 2018 Children’s Services Department [all directorates included] are among the public authorities required to notify a housing authority when they consider a service user may be homeless or threatened with homelessness. Before making a referral, a public authority must:

* have consent from the service user for a referral to be made;
* allow the individual to identify the housing authority in England to whom they would like the notification to be made;
* have consent from the service user that their contact details can be provided to the housing authority.

3.20 This duty applies to all households, including young people aged 16 or 17 years and Care Leavers. Consent should be obtained through an informed conversation with the young person, ensuring that the young person understands the potential duties owed by Children’s Services and what they can expect to happen following a referral to Housing services.

# 4. Early Intervention and Prevention

4.1 All professionals working with young people from any partner agency have a responsibility to identify and prevent homelessness wherever possible. To support a conversation with a young person about their homelessness or threat of homelessness, professionals can use the Young Person Homelessness Screening Tool (*appendix A*) with the young person.

4.2 If homelessness or risk of homelessness is identified, under the Duty to Refer, professionals must make a referral to Housing services as soon as possible, to ensure that services have time to work with the young person to prevent their homelessness. The professional making the referral should include a summary of any initial assessment and support provided to the young person and what assistance, if any, Housing services might provide. When the housing authority receives a referral from Children’s Services the two services must work together to ensure that the needs of the young person are met.

4.3 In the first instance referrals must be made either by completing the online referral form available via the Homelessness Pages on the [BCP Council Website](https://www.bcpcouncil.gov.uk/Housing/Homelessness-and-rough-sleeping/At-risk-of-becoming-homeless.aspx) or emailing [bcphousingadvice@bcpcouncil.gov.uk.](mailto:bcphousingadvice@bcpcouncil.gov.uk)

4.4 Professionals with a Duty to Refer must also complete a MASH referral or inform the child’s allocated social worker directly unless there is no consent.

# 5. Independent Advocacy and Legal Advice

5.1 All 16- and 17-year-olds at risk of homelessness must be offered independent advocacy and free legal advice at the point of homelessness and during the Joint Assessment process. Children’s Services are responsible for ensuring that advocacy is offered and can make a referral. Alternatively young people can access Advocacy directly through contacting Coram Voice on 0808 800 5792 or by emailing [help@coramvoice.org.uk](mailto:help@coramvoice.org.uk)

5.2 If the young person confirms that they do not wish to be *looked after*, their decision should be revisited with a further offer of advocacy and free legal advice.

**6. Referral to Children’s Services**

6.1 Any professional or member of the public can refer a young person to the Multi Agency Safeguarding Hub (MASH) if they believe they are homeless or at risk of homelessness. This includes wider BCP staff working with 16- and 17-year-olds who disclose they are homeless or at risk from homelessness. Referrals from professionals must be made using the [MASH Inter Agency Referral form](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fpdscp.co.uk%2Fwp-content%2Fuploads%2F2023%2F02%2FBCP-IAR-final-version-Feb-2023.docx&wdOrigin=BROWSELINK). All new referrals made to the MASH are reviewed by a manager who will decide the initial level of need and agree next steps.

6.2 In most circumstances, the interests of young people are best served by living with their parents or wider family and moving on to independent living in a planned way. The initial priority for both Children’s Services and Housing will be to identify whether a young person, who approaches the authority for assistance because they are homeless or threatened with homelessness, can safely return to their parental home.

6.3 Where it has been established that a young person is homeless or may become homeless and the young person does not already have an allocated social worker, a MASH social worker immediately undertakes a holistic assessment that includes the views of the young person to determine the on-going support a young person may require and at what level, with reference to the MASH Assessment Guidance (*appendix* B). Immediate actions will include communication with Housing if required. If the young person already has an allocated social worker, the information will be shared with them, and the next steps are the responsibility of the case holding team.

6.4 If the concerns are raised outside of usual working hours the Out of Hours Service should be contacted on 01202 738 256 where the same processes will be applied.

**6.5 As part of the MASH screening and assessment process, the threshold for significant harm is always considered and where appropriate a strategy meeting is convened.**

6.6 There are two possible outcomes from the immediate MASH assessment:

**1. The young person can return home or remain with family/friends**

6.7 The outcome must include what on-going support will be provided to the young person and the stability of the arrangement. Section 17, Targeted Support Service or Early Help in the community may be agreed at this stage.

6.8 However, if the young person is disabled and returns to a household where there is no one who has Parental Responsibility for them, for a period expected to exceed 28 days, Children’s Services has a duty to the young person as a Child in Need under private fostering regulations ([section 66, Children Act 1989](https://www.legislation.gov.uk/ukpga/1989/41/section/66)).

# 6.9 Youth Service Adolescent Support Workers (ASW) and Youth Workers (YW)

6.10 With consent from the young person (deemed as Gillick competent and able to inform their own support), a request for an ASW/YW canbe made to support a young person at risk of homelessness if required and appropriate. Not all young people will require this, however this should form part of the discussion with the young person, alongside the option of Independent Advocacy (see below).

6.11 It is the role of the ASW/YW to be a consistent point of contact for the young person throughout Children’s Services and Housing Assessment processes and help them liaise with Children’s Services and Housing.

6.12 This will include:

* Ensuring the voice of the young person is heard during the process
* Supporting the young person with contact with family
* Attending meetings to support the young person
* Ensuring the young person feels supported to be confident to make decisions during the process
* Support with any paperwork and appointments
* Supporting the young person with accessing services to meet their wider needs (health, education, employment, training, benefits, networks etc)

# 6.13 Targeted Support in Homelessness Prevention and Reunification

6.14 If a young person is not deemed as homeless but is refusing to return home, the Targeted Support Service can provide options to plan for alternative safe arrangement and strengthening of the young person’s situation.

6.15 They can provide support with the following:

* Within 10 days of allocation: Will see the young person to discuss request for support
* Within 15 days of allocation: assessment to capture voices and experiences that led to estrangement and try to understand and communicate this positively to all family members
* Agree an interim safety plan for any temporary “private” arrangements, including accommodation, adults involved, picking up belongings, how to maintain any existing relationships and commitments. It is important to note that the parent with Parental responsibility remains key in the decision making related to “care provided” to the young person prior to returning home.
* Identify the main worries and barriers to change and risks that may increase without stability
* With 4 weeks of allocation: Co-produce a plan with all key parties to look at short-, medium- and longer-term safety and wellbeing goals for the young person.
* From 4 weeks up to 12-16 weeks: Work collaboratively offering practical support to address needs, reduce difficulties, improve communication, build on strengths and resilience, bridge gaps in relationships, broaden networks, access support options at a local level, maximise options for more positive experiences, work with all agencies to support needs of the young person and all family members, create pathway for re-unification or escalate if more permanent accommodation requirements are needed.

**2. Support into appropriate and sustainable accommodation**

6.16 If homelessness or threat of homelessness is confirmed, the young person will be allocated a social worker to undertake a Child and Family Assessment, and to work with the young person and a Housing Options Officer to undertake a Joint Assessment. If the young person already has an allocated social worker, they will be responsible for undertaking the Joint Assessment with the young person and a Housing Options Officer.

6.17 If applicable, support will be provided into appropriate emergency accommodation, and a longer-term housing plan will be jointly agreed. The Joint Assessment will determine which duties Children’s Services have to the young person, in turn informing the Homelessness duties owed.

6.18 The Child and Family Assessment should include consideration of the young person’s wider family network and determine whether a plan to return to parental care or wider family is in the young person’s best interests. Young people and their families should be referred to the Edge of Care service in order to best support a reunification home or to the wider family.

# 7. Referrals to Housing and joint working with Children’s Services

7.1 When a Duty to Refer is received by Housing Services, it will be triaged by a Duty Officer from the Housing Options team on the day it is received to establish whether there is reason to believe that the young person is homeless or likely to become homeless within 56 days.

7.2 If the referral is received from Children’s Services and it is established that the 16- or 17-year-old is not already known or open to Housing Options, the Duty Housing Options Officer will contact the referrer within one working day to arrange a Joint Assessment.

7.3 If the referral has been made from another Public Authority or is a self-referral, the Housing Options Officer will commence a Homeless Assessment within one working day. If the young person is open to Early Help (level 2 and 3) the Housing Options Officer will contact the relevant team to notify them of the referral and complete a MASH referral. If the young person already has an allocated Social Worker, the Housing Options Officer will notify them, and Children’s Services will take the lead.

7.4 If the young person is not known or is closed to Children’s Services, the Duty Officer will complete a MASH referral within one working day to progress any immediate actions and a Joint Assessment.

7.5 Where enough time within the working day allows professionals to ascertain that it is safe for a young person to return home, a joint home visit between Housing Options and Children’s Services will take place on the day the referral is received, to progress a reconnection to the family home or extended family members to meet their needs.

7.6 Where it has been established that the young person has nowhere safe to stay, reasons for which could include the lateness of the working day, prior to the Joint Assessment, suitable emergency accommodation must be sought and agreed between Children’s Services and Housing until the assessment has been completed.

7.7 Children’s Services are responsible for arranging this accommodation through the Access to Resources Team (ART).

**7.8 Accommodation options do not include the use of Bed and Breakfast accommodation for 16- and 17-year-olds.**

**8. Youth Justice Service**

8.1 The Youth Justice Service (YJS) are part of the Children’s Services Department. Where a young person aged 16 or 17 years old has appeared before a Youth Court and is ordered not to return home as a condition of bail, or there is a risk that the young person could be remanded into custody if they do not have an address, given the time pressures, the Youth Justice Service (YJS) will immediately notify MASH or the allocated worker and Housing under Duty to Refer and work jointly with them to explore other accommodation options with the young person, including family and friends.

**9. Leaving Custody**

9.1 Some young people may cease to be *Looked After* at the time they receive a custodial sentence. Local authorities still hold responsibilities towards these children and young people; however, these responsibilities will differ depending on whether the young person is relevant and entitled to support as a care leaver. For more information refer to [Responsibilities of the Local Authority to Former Looked After Children and Young People in Custody](https://www.proceduresonline.com/bcp/p_respons_loc_auth.html).

9.2 Local authorities have a duty to young people who, upon being sentenced, cease to be *Looked* *After*, but are not Relevant under the legislation and so not entitled to support as care leavers. This includes where a young person aged 16 or 17 is currently in custody and will be or is likely to be homeless on release. The young person’s accommodation needs on release should be considered at all custodial planning meetings, from the start of the custodial period.  The YJS should refer the young person to Housing and the MASH/ allocated worker, as per the protocol. The referral should be made as soon as YJS become aware there may be a housing need, and at least 8 weeks prior to the anticipated release date for an assessment to be undertaken.

# 10. Joint Assessment

10.1 While a young person is in emergency accommodation, pending the outcome of a Joint Assessment, they should be provided with support, as a Child in Need until it has been established if they wish to be accommodated as a child *looked after* (section 20).

10.2 The Joint Assessment should be completed within 5 working days of the request by both the Social Worker and Housing Options Officer. The purpose of the Joint Assessment is to establish the needs of the young person and to have regard to their wishes and feelings. The priority is to help the young person to remain at or return home whenever this is a safe and sustainable option.

10.3 The assessment applies to all 16- and 17-year-olds without exception, including those that are pregnant and/or have dependents, are in a relationship, or it is anticipated that they may become homeless following a period in custody.

10.4 The Joint Assessment form (*appendix* C) is completed in order to establish:

* the reasons leading to the approach for assistance and why the young person is homeless or threatened with homelessness.
* whether or not it is safe and sustainable to prevent the young person from becoming homeless and this may include additional support, further home visits, or further assessments.
* the young person’s care and support needs, including financial support.
* an agreed plan of action which may include identifying what assistance, support or mediation is required for the young person and/or their family members. This may include respite accommodation or permanent accommodation.

10.5 During the joint visit, the Social Worker and Housing Options Officer are responsible for clearly explaining to the young person their accommodation options and understanding the young person’s wishes and feelings regarding such provision.

10.6 Where homelessness is not preventable, 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.

10.7 The *Your Housing Options and Choices Leaflet* (Appendix H) will be used to support this discussion ensuring the young person is made aware of:

* the duties of Housing to undertake an assessment, develop a personalised housing plan and take steps to help the young person retain or secure accommodation.
* the requirement of the young person to cooperate and take steps themselves as set out in the personalised housing plan.
* the “accommodation offer” under the relief duty – suitable accommodation which has a reasonable prospect of being available for occupation for at least 6 months.
* the implication of turning down offers that are suitable.
* the possible risk of being found or becoming homeless intentionally in the future.
* their right to request a review of decisions.

10.8 In addition, the Social Worker will direct the young person to advocacy support.

10.9 Outcomes from the Joint Assessment will be one of the following:

* threat of homelessness prevented, the young person can return home or live within their family network. Consider ongoing support from Housing, Early Help or Targeted Support;
* the young person is homeless and consents to being accommodated under section 20;
* the young person is homeless, deemed a Child in Need but has refused s20 in which case, the duty for housing the young person lies with Housing, and with consent they will receive other services from Children’s Services under a Child In Need Plan.

10.10 If following an informed decision, the young person refuses an offer of accommodation under section 20, the social worker should revisit this decision with the young person once they are more stable and not in homelessness crisis to ensure they fully understand the implications of this decision and still do not wish to be *looked after*.

10.11 If the young person is deemed a Child in Need and refuses an offer of accommodation under section 20, the Housing Options Officer will complete a formal decision on their homeless application. They will inform the young person of their decision in writing and their right to request a review of this decision, which must be received within 21 days of the decision being made.

10.12 Housing duties arising from the Homelessness Reduction Act 2017, including the requirement to carry out an assessment, develop a personalised housing plan and take reasonable steps to prevent homelessness (for young people who are threatened with homelessness) or relieve homelessness (for young people who are already homeless) apply irrespective of whether a S20 duty has been determined. Housing Options Officers should ensure that every 16- or 17-year-old who is homeless or threatened with homelessness has been provided with support in line with these duties.

# 11. Provision of Accommodation

11.1 If a young person requires emergency accommodation, the section 17 general duty to provide services may be used as a short-term solution to provide accommodation (as a service) until the Joint Assessment is completed. The social worker, with authorisation from their team manager and service manager, will refer to ART, using the ART Placement Request Form, for these options to be explored. Emergency accommodation options are set out in the BCP Young People Accommodation Offer (*appendix* D) and BCP Young People Accommodation Brochure (*appendix* E). In exceptional circumstances where all options have been exhausted, and the assessing social worker believes the young person is in need of accommodation, Children’s Services Fostering Team may be requested to utilise an emergency foster placement or supported lodgings overnight (less than 24hrs), however this option is only available from the end of the working day.

**11.2 Accommodation options do not include the use of Bed and Breakfast accommodation for 16- and 17-year-olds.**

11.3 Once section 20 status has been established and the young person becomes *looked after* a wider range of placement options can be explored, including in-house foster care, a foster placement through an Independent Fostering Agency (IFA), or in exceptional circumstances, residential care. The social worker, with authorisation from their team manager and service manager, will refer to ART, using the ART Placement Request Form.

11.4 For all young people who are *looked after* aged 17 years and over the social worker must make a referral to the Accommodation Pathway Panel in order to formulate longer term plans for the young person’s housing and support needs. Referrals must include a copy of the Joint Housing Assessment, the Pathway Plan and the Personal Housing Plan.

# 12. Out of Area Cases

12.1 16- and 17-year-olds found in the local authority area (BCP) that seek assistance from Children’s Services must be assessed to consider the young person’s immediate needs. For Housing, the duty to assess falls on the authority area where the young person is requesting assistance.

12.2 If during assessment it becomes clear that young person is ordinarily resident elsewhere, the decision may be made by Children’s Services and Housing to return the young person to their home area if it is safe to do so. Enquiries should be made with the responsible local authority for them to take over the assessment of the young person’s needs. Homeless young people should not be returned to another area where there is no confirmation that accommodation is available for them. If the young person refuses to return to where they are ordinarily resident Children’s Services must consider the young person’s wishes and feelings.

12.3 In line with the Homelessness Reduction Act 2017, if it is determined that a young person does not have a local connection to BCP Council but does have a local connection to another local authority area, and it is safe for the young person to return to that area, S198 allows Housing Services to refer the case to the “home authority” at the point of the relief duty or main housing duty. BCP Children’s services undertaking the child in need assessment should be consulted with prior to any decision to refer a homeless 16- or 17-year-old to another local authority to ensure that due consideration is given to their safety and welfare.

# 13. Dispute Resolution

13.1 In the unlikely event that Children’s Services and Housing cannot agree the outcome of a Joint Assessment or wish to dispute the decisions made by either Department, they will in the first instance request a review of the decision via an appropriate Manager to an equivalent Manager in the other Department. In Housing this will be via a Principal Housing Options Manager, and in Children’s Services this will be a Team Manager. The identified managers will jointly review the decision and determine if the joint assessment and decision-making process has been followed and complies with legislation. If still unresolved, then the matter will be referred to the relevant Service Manager for resolution. In Housing this will be the Housing Response Manager, and in Children’s Services this will be a Service Manager. Further escalation if required should be via the Head of Strategic Housing and the Director for Safeguarding and Early Help, and finally the Director for Housing and Communities and the Corporate Director for Children’s Services. Advice may be taken from internal legal services, as necessary.