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Approvers:

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**WORKING WITH COMPLEX AND VULNERABLE FAMILIES AND THOSE AT RISK**

**OF INTENTIONAL HOMELESSNESS**

Joint Working Guidance



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**Introduction**

This practice guidance is intended to accompany the “Joint Working Protocol for Complex and Vulnerable Families and Those at Risk of Intentional Homelessness” which has been developed in collaboration with the 12 local Housing Authorities and Kent County Council.

The aim of this practice guidance is to provide clarity for staff about the different roles and responsibilities of each agency and consider how to work together to reduce the likelihood of homelessness, and support families to **obtain and sustain** accommodation.

The thread throughout this document is ultimately the consideration of the impact on children and young people who are part of a household who are at threat of being found intentionally homeless. The document has been structured to consider the family’s journey through the Local Housing Authorities (LHA) and Integrated Children’s Services (ICS), taking into consideration the importance of preventative interventions and how to work alongside families who are known/not known to ICS.

This practice guidance is grounded in the key principles of the protocol, which are:

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| **Principle 1:**We seek to identify vulnerable and complex families, and those at risk of becoming intentionally homeless early, to help them receive support. |
| **Principle 2:**We will work together to support vulnerable and complex families, and those who are at risk of becoming intentionally homeless. |
| **Principle 3:**We will work together to ensure the family is supported to make informed decisions with access to facts and options and will include the identification of any additional needs and the appropriate action to mitigate or support these. |

**Working with households not known to ICS**

The preventative journey has a focus on families that are not known to ICS but have presented to their LHA with a housing need.

There may be several reasons for this, including but not limited to, financial difficulties leading to rent arrears and a threat of eviction, divorce, breakdown of informal living arrangements with family or friends, loss of accommodation linked to employment, anti-social behaviour and domestic abuse.

For these households at the start of their housing journey, most of the support will initially sit with the LHA, who will undertake an initial assessment. If appropriate the LHA will take a homeless application and complete a Personal Housing Plan (PHP). A PHP is a written agreement detailing how the LHA and the family will work together to prevent or relieve homelessness.

The LHA will see to utilise their own internal services and/or signpost to the most appropriate agency to support the family depending on their needs. Part of that support may include speaking to Early Help Open Access universal district teams (Level 2 services), with consent from the family. Universal services are services that are available to everybody and can be accessed by professionals and parents. Contact details can be found [here.](https://www.kelsi.org.uk/special-education-needs/integrated-childrens-services/early-help-contacts)

However, if the family require more intensive support because the situation and needs of the family are presenting as being more complex (L3 or above services) or there is a safeguarding concern, then the LHA should complete a Request for Support (RFS) – further details below.

**Working with a family who are known to Integrated Children’s Services**

One of the underlying principles of the work that ICS undertake is to look at support networks from family and friends to sustain progress and support concerns that affect child/ren and young people. The aim of ICS is to always **keep families together** unless there is a significant risk of harm to the child/ren which prevents this from being possible.

Where ICS identify a housing concern with a family they are working with, the practitioner will contact the LHA and joint work will commence to identify solutions to prevent homelessness. This will include, joint appointments at the initial housing assessment meeting, supporting the family to meet the actions in the PHP and ensuring that both agencies are invited to all appropriate multi-agency meetings concerning the family.

Assessments and plans from both agencies should reflect the joint working and information sharing principles, which will continue to be a thread throughout the duration of the work with the family.

**The Request for Support**

A Request for Support (RFS) is essentially a request, in the form of a referral, where agencies including the LHA, can access support for children, young people and their families who require intensive or specialist support (Level 3 or above) and meet the criteria when assessed against the [Support Levels Guidance](https://www.kscmp.org.uk/guidance/kent-support-levels-guidance) document (previously the threshold document).

A RFS should be completed at the point at which it is considered that the presenting needs meet Level 3 or above of the Support Level Guidance. The LHA may wish to consult with their safeguarding lead or use Kent’s [Request for Support](https://www.kelsi.org.uk/special-education-needs/integrated-childrens-services/front-door) guidance for direction about when to complete a RFS.

When completing an RFS the referrer should complete all sections of the form. The following information should be included:

* Accurate details of all household members including names, dates of birth and contact details.
* Brief and clear synopsis of situation.
* Additional issues contributing to the situation and impacting upon the child/ren (complicating factors such as known substance misuse, physical health, mental health issues present etc.).
* Clarity around what duty, if any, is owed by the LHA eg. relief duty, prevention duty, main housing duty.
* If a prevention or relief duty is owed, the LHA should also confirm at what date the 56-day support ends and the LHA’s intentions for next steps (if known).
* What interventions and support have been tried previously and what was the impact, if known.
* Contact details of agencies involved including all details of the referrer.
* Additional attachments including but not limited to the s184 decision letter notifying the family of the decision as to what duty is owed and the reasons for this; the assessment of circumstances; the assessment of needs and the PHP as appropriate.

**It is important that the RFS includes explicit consent**. Consent is required for L3 intensive Early Help and S17 Child in Need assessments. If there is no consent, the LHA will discuss with their safeguarding lead as to whether the impact on the child/ren is so significant that a referral without consent is necessary, for example where there are significant safeguarding concerns requiring a S47 strategy discussion.

S47 enquiries can be led by either ICS, the police or jointly. When information is received that a child might have, or is likely to, suffer significant harm, they have a statutory duty to investigate and consider what needs to happen to ensure that children are safe.

**Role of the Integrated Front Door Service**

When an RFS has been received, the information is triaged and assessed against the [Support Level Guidance](https://www.kscmp.org.uk/guidance/kent-support-levels-guidance) which may result in further enquiries and agency checks being undertaken, this may include a discussion with the referrer and/or the parent for further information.

If no consent has been obtained, then the safeguarding/impact on the child will be considered as to whether it meets the criteria for working without consent, for example S47 enquiries.

If the RFS meets the criteria for support, the case will progress to either Intensive Early Help or Children’s Social Work Service. Feedback will be provided to the LHA referrer advising them of the outcome and the ICS practitioner will meet the family and undertake an assessment which will include communication with the LHA to understand the full detail around the housing concerns. Joint work will continue as noted in “Working with a family who are known to ICS” above.

If the referral is not accepted however, the LHA will continue to support the family and can, as referenced above, utilise support from universal services and L2 community services.

**Joint working - key messages for families**

Regardless of the outcome of the RFS, the key messages from the LHA and ICS remain the same for those families at risk of becoming intentionally/homeless when they have been offered temporary or permanent accommodation from the LHA.

There may be circumstances when families feel that the accommodation is not suitable for their needs. In this situation, the advice from both agencies at this point is critical, because the implications of refusing a temporary or permanent offer of accommodation are considerable.

Families will have two options. They can either:

* **Accept** the offer of temporary or permanent accommodation and request a review of the suitability of the property within 28 days of the decision; or
* **Refuse** the offer of temporary or permanent accommodation and request a review of the suitability of the property within 28 days of the decision.

The **joint message to families from ICS and the LHA** is to always **ACCEPT** the offer of accommodation and **request a review** of the decision made by the LHA. If the case is open to ICS at this stage, then the ICS practitioner will work with the LHA and support the family with the review process.

By **accepting** the offer, a family in temporary accommodation will be able to remain in their current accommodation until the LHA no longer owes a duty to accommodate and a family in permanent accommodation can stay indefinitely – this applies even if the review is unsuccessful. Being able to remain in their accommodation means that the family can continue to explore other options such as private renting.

If the review is successful, they will be offered alternative accommodation.

By **refusing** the offer however, if the review is unsuccessful then the family are at risk of becoming street homeless regardless of whether there are children within the household. It is important to note that, depending on their current situation, homelessness could occur immediately, for example, if a family refuse an offer of temporary accommodation when they first present to the LHA.

For families who are already accommodated and refuse the offer, if the review is unsuccessful, the LHA will issue reasonable notice – this is generally around 28 days but could vary.

If the review is successful, they will be offered alternative accommodation.

Crucially in some cases when the family refuse an offer, they may not be provided with anywhere to stay whilst the review is taking place. The review should be completed within 8 weeks, but it could go on longer if an extension is agreed.

Staying with friends or relatives

A family who is homeless should be advised that they cannot move in with a friend or relative who has their own tenancy without seeking permission from the landlord first, as it may breach the terms of the tenant’s contract. That said, as long as their behaviour is appropriate, families can choose to stay with friends or relatives if it is appropriate and safe to do so on a temporary basis.

Further guidance about suitability of accommodation can be found in the [Homelessness Code of Guidance](https://assets.publishing.service.gov.uk/media/5ef9d8613a6f4023cf12fc67/current_Homelessness_Code_of_Guidance.pdf).

**Additional information and resources**

ICS and the LHA, through the protocol, have committed to continued joint working opportunities to support vulnerable and complex families at risk of becoming homeless. Some of the opportunities below relate to the practical support provided to families, others refer to maximising opportunities for joint training and networking so that each agency understands how the other operates.

Training

A joint training offer (will be) made available to improve the confidence and understanding of staff working with children and families where risk of homelessness/intentional homelessness is a concern.

This includes a digital training offer reflecting the key points in the guidance and a webinar on the Support Level Guidance; both will be helpful for new and existing staff.

Additionally, some LHAs will deliver training to ICS on an Introduction to the Housing Advice and the Homelessness Reduction Act. For further information please contact Helen.Miller@ashford.gov.uk (tbc)

Cross-district working

We know that some families travel across districts to seek accommodation. The basic practice guidelines for supporting families in these circumstances are as follows:

* If a family presents to the LHA and they are owed an accommodation duty, they will be placed as close as reasonably practicable to their previous home, which is usually within the borough that they have made an application to. However, in some circumstances there is no accommodation available in the host borough, or it is not safe for someone to stay there. In these circumstances, the LHA may place someone in a different location but responsibility for the homeless applications remains with the original borough in which they presented.
* If a family presents to the LHA but does not have a local connection to that district, the LHA will refer to a more appropriate district under s198 of the [Homelessness Code of Guidance](https://assets.publishing.service.gov.uk/media/5ef9d8613a6f4023cf12fc67/current_Homelessness_Code_of_Guidance.pdf). Should the referral be accepted, then the LHA must inform ICS of this change.
* If a family is open to ICS in one district but the LHA accepts responsibility for their housing in a different district, ICS will transfer the case to the same LHA district.  However, the decision to transfer is made on an individual, case-by-case basis and circumstances will be taken into consideration for example, moving district due to domestic abuse or there is a significant family connection in the area.

What happens if the case is closed?

If the LHA close the case, they will notify ICS and continue to offer advice and guidance. They may also be able to provide rent in advance/bond deposits to support the household. It is important that, despite the case being closed, the joint work and information sharing continues between both agencies and that the LHA continues to be included in ICS plans, reflecting the LHAs advice and guidance function.

If ICS close the case, they will inform the LHA.

Working with families with No Recourse to Public Funds (NRPF)

ICS play a crucial role in safeguarding the welfare of families who are not able to claim benefits because of their immigration status.

A children and family assessment will be completed for any family presenting on the basis that they do not have adequate accommodation and/or sufficient income to meet their living needs because of their inability to access benefits or employment.

If, following assessment, the family is considered eligible for support, ICS has the power to provide housing and/or financial support where a child’s welfare would be at risk. This assistance is provided through Section 17 of the Children Act 1989 to prevent a family from becoming destitute.

Should a family with child/ren present to the LHA and it becomes clear that they have NRPF status, they should complete a RFS without consent if necessary, so that a child and family assessment can be completed. A copy of the s184 decision should be included.

Out of hours

The benefit of both agencies working together is ultimately to avoid crisis situations that cannot be addressed during normal office hours. Kent and Medway Out of Hours service should only be requested for situations that are urgent and cannot wait until the next working day.

It should be noted that where a decision has been made that the family is homeless intentionally, the LHA have a policy not to evict on a Friday so that there are opportunities for other professionals to take the required action.

In addition, following the introduction of the Homeless Reduction Act 2017, many LHA’s have implemented schemes which avoid making a decision that the person has become homeless intentionally. Instead, a household continues to be owed a relief duty and interventions are implemented to relieve/prevent their homelessness.

Details for the LHA out of hours service are as follows:

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| **Homelessness / out of hours contacts** |  |
| Ashford Borough CouncilTel - 01233 331111[www.ashford.gov.uk](http://www.ashford.gov.uk) Out of hours - 01233 331111housingadvice@ashford.gov.uk | Canterbury City CouncilTel - 01227 862000[www.canterbury.gov.uk](http://www.canterbury.gov.uk) Out of hours - 01227 781879housingadvice@canterbury.gov.uk |
| Dartford Borough CouncilTel: 01322 343434[www.dartford.gov.uk](http://www.dartford.gov.uk) Out of hours 0345 634 1212housingoptions@dartford.gov.uk | Dover District CouncilTel: 01304 821199[www.dover.gov.uk](http://www.dover.gov.uk) Out of hours: 01304 872265housing.options@dover.gov.uk |
| Folkestone and Hythe District CouncilTel: 01303 853000[www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk) Out of hours: 01303 221888housing@folkestone-hythe.gov.uk | Gravesham Borough CouncilTel: 01474 337000[www.gravesham.gov.uk](http://www.gravesham.gov.uk) Out of hours: 01474 337000housingneedsteam@gravesham.gov.uk |
| Maidstone Borough CouncilTel: 01622 602000[www.maidstone.gov.uk](http://www.maidstone.gov.uk) Out of hours emergency - 01622 602000Nowhere safe to stay today? Call 01622 602440 or visit Trinity, 20 Church Street, Maidstone, ME14 1LY (Mon-Fri 9am- 4.30pm)[Homeless or at risk - Maidstone Borough Council](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmaidstone.gov.uk%2Fhome%2Fprimary-services%2Fhousing%2Ftier-2-primary-areas%2Fhousing-help-and-advice%2Ftier-3-primary-areas%2Fhomeless-or-at-risk&data=05%7C01%7CMichelle.Coles%40kent.gov.uk%7C95b206ee68054e61b23908dae1cabfff%7C3253a20dc7354bfea8b73e6ab37f5f90%7C0%7C0%7C638070558164564597%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=xO5vdTDRg8o4cjM%2BCErh%2BX%2FdwZsAHHaAlPMylf20pms%3D&reserved=0) for an online referral form | Medway CouncilTel: 01634 333333[www.medway.gov.uk](http://www.medway.gov.uk) Out of hours emergency - 01634 304400housing@medway.gov.uk |
| Swale Borough CouncilTel: 01795 417485[www.swale.gov.uk](http://www.swale.gov.uk)Out of hours – 01795 417711housingoptions@swale.gov.uk | Sevenoaks District CouncilTel: 01732 227000 [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk) Out of hours: 01732 227000 housing@sevenoaks.gov.uk  |

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| --- | --- | --- |
| Thanet District CouncilTel: 01843 577000[www.thanet.gov.uk](http://www.thanet.gov.uk) Out of hours: 01843 577000housing@thanet.gov.uk | Tonbridge and Malling Borough CouncilTel: 01732 844522[www.tmbc.gov.uk](http://www.tmbc.gov.uk) Out of hours: 01732 844522housing.services@tmbc.gov.uk  |  |
| Tunbridge WellsTel: 01892 526121[www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk) Out of hours: 01892 526121housingadvice@tunbridgewells.gov.uk |  |

Escalation process

The fundamental principle of the protocol and guidance is about building and strengthening joint working relationships for the benefit of children and families. If disagreements occur about decisions made by either agency, it is hoped that these professional relationships will underpin the pathway to finding solutions to resolve the issues.

However, if that is not possible then the escalation process for each agency should be followed:

* Integrated Front Door Service escalations should go to the Team Manager in the first instance, followed by the relevant Service Manager. Should the issue remain unresolved, then the relevant Assistant Director should be contacted.
* ICS escalations should go to the Team Manager (for Social Services) or Unit Lead (for Early Help) in the first instance, followed by the relevant Service Manager. Should the issue remain unresolved, then the relevant Assistant Director should be contacted.
* LHA escalations should go to Senior Officers initially, followed by the relevant Service Manager. Should the issue remain unresolved

**Flow chart and glossary**

The flow chart on the following page provides a visual perspective around some of the steps to be taken by the LHA and ICS, including joint actions from both agencies to ensure that families receive a seamless and meaningful service.

A glossary has also been included which provides the detail around some of the terms used in this document.

**Glossary of terms and useful information**

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| Intentionally Homeless | A person becomes homeless intentionally if they deliberately did something or failed to do something and that the consequence of this is that they ceased to occupy accommodation. The accommodation they ceased to occupy must have been reasonable for them and their household to continue to occupy and a person will not be found intentionally homeless if they acted in good faith or were unaware of a relevant fact.  |
| Housing Act 1996 and Homelessness Reduction Act 2017 | Legislation that sets out the statutory responsibilities of local authorities in respect of homelessness applications, the provision of advice and assistance, rights to request a review and co-operation duties. |
| Homeless Code of Guidance | Guidance issued by the Secretary of State for the Department for Levelling up, Housing and Communities which LHA’s must have regard to when exercising their functions in relation to homelessness and the prevention of homelessness. |
| Main Housing Duty | The duty owed under s193 Housing Act 1996 which applies to those who are eligible, homeless and in priority need, who have not become homeless intentionally and who have a local connection. This is the “greatest” duty which can be owed by a LHA and means that they must ensure that suitable temporary accommodation remains available for individuals and their household. The duty can come to an end if someone accepts or refuses a suitable offer of accommodation via the Housing Register or a Private Rented Sector Offer (PRSO). It can also come to an end if someone is no longer eligible for assistance because of their immigration status, they refuse a suitable offer of temporary accommodation, if they become homeless intentionally from the temporary accommodation provided or they voluntarily cease to copy the temporary accommodation offered to them |
| Duty to Refer | A duty on specified public authorities to refer service users who they think may be homeless or threatened with homelessness to local authority homelessness/housing options teams, effective from the 1st October 2018. |
| Prevention Duty | The duty under s195 of the Housing Act 1996 which requires LHA’s to take reasonable steps to prevent someone’s homelessness. This duty applies to anyone who is threatened with homelessness within 56 days and eligible. The duty lasts for at least 56 days unless someone is being made homeless as a result of a valid section 21 notice to quit, in which case it will be ongoing. The duty may also end if otherwise discharged or if someone becomes homeless.  |
| Relief Duty | The duty under s189B of the Housing Act 1996 which requires LHA’s to take reasonable steps to relieve someone’s homelessness. This duty applies to anyone who is homeless and eligible with a Local Connection and will last for at least 56 days unless otherwise discharged.  |
| Priority Need | Priority need is considered by LHA’s to decide if interim accommodation should be provided to a household and if the main housing duty will be owed. Automatic priority need includes pregnancy, having dependant children, being homeless as a result of domestic abuse, being 16 or 17 and not otherwise being owed any duties under s20 of the Children’s Act 1989, a care leaver under 21 and being homeless as a result of an emergency such as a flood, fire or other disaster. Everyone else is subject to a vulnerability assessment where factors such as physical illness, mental illness, old age, learning disability, being a care leaver over 21, being in the armed forces, having been in custody, having fled other forms of violence or harassment and any other special reason will be considered.  |
| Interim Accommodation | Interim accommodation is another term for emergency or temporary accommodation. Interim accommodation is provided by LHA’s to households where we have at least a reason to believe someone is eligible, homeless and in priority need. An individual and their household can remain in interim accommodation pending the outcome of their homelessness application (e.g. until a non-priority decision, intentionally homeless decision or main housing duty decision is reached) |

**Glossary of terms and useful information cont’d..**

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| Temporary Accommodation | Temporary accommodation is provided to households owed the main housing duty. Usually, a person will start in interim accommodation, which becomes temporary accommodation when a decision is made that they are owed the main housing duty. Often, they will stay in the same property as was offered for interim accommodation. |
| Permanent Accommodation | Any suitable accommodation which an applicant has a legal or implied right to reside in. most often this is a tenancy with a Housing Association via the Housing Register or a private rented property.  |
| Initial Housing Assessment | The first interview undertaken by a housing officer to establish an individual’s circumstances. This initial assessment can be lengthy and require a large amount of information to be gathered by the LHA.  |
| Personal Housing Plan | An assessment with all eligible applicants who are homeless or threatened with homelessness to develop a personalised housing plan with them. The assessment of an applicant's support needs should be holistic and comprehensive. It will include steps which both the applicant and Council need to undertake in order for their housing issues to be resolved.  |
| S184 Decision Letter | A letter confirming that a decision has been reached and the reasons for this in detail. These letters can be long and confusing for applicants who require support but are a legal requirement for LHA’s. Examples of s184 decisions include non-priority, intentionally homeless, relief duty discharge letters, amongst others.  |
| Local connection | Local connection considerations are made by LHA’s to decide if an applicant should be referred to another LHA. Local connection criteria include residence in an area for 6 of the last 12 months, residence in an area for 3 of the last 5 years, employment in the area, family associations in the area and any other special circumstances. A LHA cannot refer someone back to an area where they would be at risk of violence or abuse.  |
| KCC Integrated Front Door Service | The Integrated [Front Door](https://www.kscmp.org.uk/__data/assets/pdf_file/0019/115615/Support-Levels-Guidance-Sheet-2020-Final.pdf) is where you can access support for children, young people and families requiring intensive or specialist support at levels 3 and 4.  |
| Support Level Guidance | Previously referred to as the threshold document, it aims to help identify when a child may need additional support to achieve their full potential. |
| Request for Support | A request, in the form of a referral, to access support for children and families who require intensive or specialist support - Level 3 or above of the Support Level Guidance |
| S17 | Section 17 of the Children Act 1989 imposes a general duty on Local Authorities to safeguard and promote the welfare of children who are ‘in need’ and to support families by providing a range and level of services appropriate to those children’s needs. |
| S47 enquiries | When information is received that a child might, or is likely to, suffer significant harm, the Local Authority have a statutory duty to investigate and consider what needs to happen to keep the child safe. |