

Preventing Homelessness in Surrey – Joint Protocol for 16 and 17 year-olds

Version: Final v8.0

Approved by Tina

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Safeguarding Adolescents

Strategic Sub-Group

Date: Sept 2024

About this document

Title	Preventing Homelessness in Surrey – Joint Protocol for 16 and 17 year-olds.
Purpose	To set out the joint working arrangements of Children’s Services and housing authorities to improve the experience of 16 and 17 year-olds who need help and support with accommodation.
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November 2021	V2	Appendices, flowcharts and young people in or leaving custody	Joint Housing Protocol Working Group
November 2021	V3	Legal review	Amanda Moore Principal Solicitor
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January 2022	V5	Final review	Siobhan Walsh, Assistant Director and Clive Seall Assistant Director
October 2022	V6	Oversight of version 5	Emerging Issues and Policy sub-group
Oct 2023	V7	Final Review	Safeguarding Adolescents Strategic Sub-Group
Sept 2024	V8	Review to include SCS organisational changes	Safeguarding Adolescents Strategic Sub-Group

Intended Audience

This document has been issued to the following people for Review (R) Information (I) and Review and Sign off (S). The Child in Need procedure is mandatory and must be shared with all staff and partners working with Children in Need and their families.

Name	Position	S/R/I
Tina Benajmin	Directors	S
Fiona Wraith/ Siobhan Walsh / Nicole Miller / Jo Rabbitte / Jackie Clementson/ Catherine Watkins	Assistant Directors	R/I
Service Managers		I
All staff		I
The 11 District & Borough Councils Housing teams		R/I/S

This protocol has been agreed by:

Children's Services, Surrey County Council

and the local housing authorities of

Elmbridge Borough Council

Epsom and Ewell Borough Council

Guildford Borough Council

Mole Valley District Council

Reigate and Banstead Borough Council

Runnymede Borough Council

Spelthorne Borough Council

Surrey Heath Borough Council

Tandridge District Council

Waverley Borough Council

Woking Borough Council

Safeguarding Adolescents Strategic Sub-Group

This agreement is for:

- Children's Services staff.
- Housing authority staff.
- 16 and 17-year-olds who are entitled to help and support because of homelessness, risk of homelessness or a precarious housing arrangement.

Aims of the protocol

This protocol concerns 16 and 17 year-olds who may be homeless, at risk of homelessness or precariously housed in Surrey.

The protocol sets out:

- The joint working arrangements of Children’s Services and housing authorities in Surrey.
- The approach that each agency will take, and how they will cooperate when meeting their legal obligations.
- Specific actions that must be taken in relation to 16 and 17 year-olds who may be homeless, at risk of homelessness or precariously housed.
- What a professional should do if they have concerns about non-compliance with the agreed arrangements set out in this protocol.
- The mechanism by which working practices will be reviewed and improved.

Our aim is to:

- Improve the experience of 16 and 17-year-olds who need help and support with accommodation.
- Make every effort to support young people to retain their accommodation within their existing family network, providing this is safe and appropriate.
- Ensure that legislation and statutory guidance is interpreted consistently by Children’s Services and housing authorities in Surrey.

Care leavers aged 18 to 25

There is a separate protocol for care leavers aged 18 to 25 years.

Status of this document

This protocol is intended to help practitioners in relation to how the housing needs of 16 and 17-year-olds will be assessed in Surrey. However, it does not constitute a full and authoritative statement of the law or guidance under which Children’s Services and housing authorities in Surrey must operate. Practitioners should therefore also refer to the relevant legislation and statutory guidance.

Note on terminology

The terms '16 and 17-year-old' and 'young persons' are used interchangeably in this document. The term 'child' is sometimes used depending on the context.

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1. Arrangements for 16 and 17 years olds who may be homeless, at risk of homelessness or in a precarious housing arrangement

1.1. Aim of this chapter

- 1.1.1. This chapter confirms the practical steps and duties that should be taken by Surrey Children's Services and housing departments in relation to 16 and 17-year-olds who are homeless, at risk of homelessness or in a precarious housing arrangement. This includes those 16 and 17 year olds who are pregnant, have children themselves, have an older partner or are in and leaving custody.
- 1.1.2. The procedural arrangements set out in this chapter have been formulated to help ensure effective liaison, whilst helping to ensure that each partner fulfills their statutory obligations.
- 1.1.3. Timely assessment and the effective exchange of information are essential prerequisites for the effective delivery of statutory functions and the safeguarding of vulnerable minors. Young people need a seamless service, irrespective of which agency they first approach.
- 1.1.4. It is essential that agencies in Surrey understand their respective roles if homelessness is to be effectively prevented and alleviated. Staff should ensure they are familiar with the following procedural requirements, as well as the statutory guidance (see [Appendix D](#)).
- 1.1.5. Please refer to Appendices [A](#) and [B](#) for the contact details of the statutory services mentioned in this chapter.

1.2. Three key stages

- 1.2.1. Effective liaison in connection with a young person who is homeless or at risk of homelessness will ordinarily involve three stages, namely:
 - Assessing whether there is an immediate need for accommodation.
 - Undertaking a joint meeting, involving Children's Services, the district and borough housing authority and the young person (and family if appropriate).
 - Completion and notification of the outcome of the child in need assessment.
- 1.2.2. Different timescales apply to each of these key events.
- 1.2.3. In addition, Children's Services and district and borough housing departments have agreed to exchange information at certain points in the process (subject to consent having been given, or there being a lawful basis for disclosure).

1.2.4. The process will differ at the outset, depending on whether the young person initially contacts Children’s Services or district or borough housing in Surrey.

1.3. **Choosing the relevant parts of this chapter**

1.3.1. A 16 or 17-year-old who is homeless, at risk of homelessness or precariously housed may initially approach Children’s Services Single Point of Access (“C-SPA”), or a district or borough council’s housing department.

1.3.2. Please refer to:

- Section 1.5 if the young person’s initial approach is to a housing authority in Surrey.
- Section 1.6 if the initial approach is made to Children’s Services.

1.3.3. The remainder of this chapter sets out other aspects of the procedure, including in relation to:

- Arranging temporary accommodation – 1.4.
- Joint meetings between Housing and Children’s Services – 1.7.
- Child in need assessments – 1.8.
- Refusals of section 20 assistance – 0.
- Pregnant 16/17 year olds – 1.11
- People approaching their 18th birthday -1.12
- 16/17 year olds with a partner – 1.13

1.4. **Arranging accommodation**

1.4.1. Any need for emergency accommodation pending the outcome of the child in need assessment will ordinarily be met by Children’s Services, even if a young person is referred to them late in the working day or outside working hours. This includes where a 16 or 17 year old has a partner and / or where the young person is pregnant.

1.4.2. This reflects the statutory position, and gives effect to the statutory guidance, including the *Prevention of homelessness* joint guidance (April 2018), which states at para 3.2:

“...if there is an imminent threat of homelessness or if the young person is actually homeless, a child in need assessment must be carried out and the child accommodated under section 20.”

1.4.3. If, exceptionally, Children’s Services decide not to provide accommodation to a 16 or 17-year old who a housing authority in Surrey has referred on grounds of apparent homelessness, they will immediately confirm the reasons to the

relevant housing authority (see [1.5.19](#) and section [0](#) below). The housing authority will secure interim accommodation under section 188, if there is reason to believe the applicant:

- May be homeless, and
- May be eligible for assistance (on immigration grounds), and
- May have a priority need.

District and borough housing departments will access interim accommodation via Surrey Children's Services Gateway to Resources Team or outside of office hours the Emergency Duty Team and utilise the commissioned block bed provision. The contact numbers for these teams are found in [Appendix A](#). This placement will not need to be agreed by an Assistant Director within Children's services as it will not be a Children's services placement.

- 1.4.4 For any 16 or 17 year old due to be released from custody, it is imperative that consideration for accommodation post release forms part of planning from the time they enter custody. Resettlement of children from custody is a statutory responsibility of local authorities, in partnership with the Police, National Probation Service, health and the Youth Custody Service. Youth Justice Board (YJB) National Standards detail the seven '**Pathways to Resettlement**' and the Initial Planning Meeting, held within ten working days of a child's sentence should therefore focus on pathway two, which refers to accommodation;

'Ensure that all children leaving custody can access suitable and sustainable accommodation with support where appropriate'.

A joint meeting should be held between the young person, Housing, Children's Services and any other agency involved at the earliest opportunity possible – ideally within 56 days of release if the young person will otherwise be homeless. If the young person is facing homelessness then accommodation should be identified by Children's Services 14 days before the planned release and the address should be shared with Housing.

For further information please refer to [Appendix E](#) Custodial Sentences and Resettlement Policy.

- 1.5. **Approaches to a district or borough housing authority in Surrey – initial steps – [please refer to Flowchart A Section 1.5 in Appendix H](#)**
- 1.5.1. This section confirms the procedure at the outset of the process when the initial request for assistance is made to a housing authority in Surrey. If the initial approach is made to Children's Services, please refer instead to section [1.6](#) below.

- 1.5.2. It is essential [Surrey Safeguarding Partnership Procedures](#) are followed if a housing authority has reason to believe the young person may be at risk of significant harm. The housing authority may notify a safeguarding concern at the same time as initiating the following procedure, by completing the relevant safeguarding referral form and forwarding it together with the housing referral, to the Children’s Single Point of Access for young people without an allocated social worker, or to the allocated social worker where a young person is already known to Children’s Services¹.
- 1.5.3. The following arrangements (1.5.4 onwards) apply where:
- A housing authority in Surrey receives an application for accommodation or a request for assistance in obtaining accommodation from a 16 or 17-year-old, and
 - There is reason to believe that the applicant may be homeless or threatened with homelessness.
 - The young person is applying without a parent
 - The young person has a partner
 - The young person is pregnant
- 1.5.4. Where the housing authority is satisfied the conditions in 1.5.3 are met it will:
- Commence inquiries for the purpose of establishing what duty, if any, is owed under Part 7 of the Housing Act 1996 (i.e. take a homelessness application).
 - Contact C-SPA via the telephone number which is found in Appendix A, to identify whether the young person is already known to Children’s Services and has an allocated social worker.
 - The housing officers will ensure that the ‘What is Best for Me?’ leaflet will be given to the young person (whether in hard copy or electronically).
- 1.5.5. The housing authority will refer the young person to Children’s Services. This referral should be:
- Confirmed in writing by emailing the [Request For Support form](#) to Children’s Services, marking the email ‘URGENT’ and ensuring it is sent securely between agencies.²
 - Some Housing authorities have the safeguarding form on an internal interface with CSPA. Where this is the case there is no need for an additional email.

¹ In some Local Housing Authorities, where there is an embedded form in the intranet this may be the same form and duplications are not required

² This may be embedded in some Council’s intranet

- 1.5.6. The Request For Support form should include a request for a joint meeting, involving a housing officer and a social worker. The name and contact details of the relevant housing officer will be provided (email address and telephone number).
- 1.5.7. The form shall be forwarded by Housing to Children's Services as soon as possible and before:
 - The end of the same working day, if the young person's initial request for assistance is made during normal working hours, or
 - Noon on the next working day, if the initial request is made outside normal working hours (e.g. via a telephone call to the housing authority's 'out of hours' homelessness service).
- 1.5.8. The housing authority will obtain written consent from the young person for the disclosure of confidential information (ordinarily included in the council's homelessness application paperwork as a matter of course), and forward an electronic copy to Children's Services, so the latter can be assured there is a proper basis for the sharing of confidential information. However, consent will not be required if there is a safeguarding issue, or another exception applies under the data protection legislation. Where the young person is considered to be homeless, this would normally be regarded as a safeguarding issue due to their age.
- 1.5.9. It is **not** sufficient for a housing authority to merely 'signpost' a young person to Children's Services if they have requested help from Housing and there is reason to believe they may be homeless or threatened with homelessness. The young person must not be passed between Children's Services and a district or borough housing department whilst a decision is reached about which authority has primary responsibility for assisting them.
- 1.5.10. Upon receiving the initial referral from Housing, Children's Services will confirm whether the child has an allocated social worker on the same working day .
- 1.5.11. If the young person already has an allocated social worker they will lead on the issue, conduct any necessary inquiries, and decide whether accommodation is required under Part 3 of the Children Act 1989. If the allocated social worker is unavailable the case will be dealt with by a duty social worker in that team. Should the call be made out of hours it will be handled by EDT who will pass it to the allocated social worker, or duty social worker, on the next working day.
- 1.5.12. If the young person is not already known to Children's Services, on receipt of the Request For Support form the C-SPA will allocate the referral to the most

appropriate team within Children's Services who will complete a Child and Family Assessment **within 10 working days of young persons initial presentation.**

1.5.13. If the request for assistance is received by Housing outside of normal office hours (e.g. via a telephone call to the housing authority's 'out of hours' service):

- A telephone referral will be made by Housing to Children's Services via the out of hours Emergency Duty Team.
- Written notification should be emailed so it is received by Children's Services before noon on the next working day.
- Where the young person is homeless, the Emergency Duty Team will discuss the request for access to emergency accommodation with the on-call Assistant Director and if, having explored the young person's family and friends network, there are no safe alternatives the young person will be provided with suitable emergency accommodation pending the outcome of a child in need assessment
- Provision will be made to ensure that the young person can access the accommodation (transport) and has any finances required to access food and other urgent needs.
- If there are viable options for safe and suitable overnight accommodation within the young person's network there would not be agreement to accessing emergency accommodation but the allocated team within Children's services would need to meet with the young person on the next working day to assess need and agree next steps
- A young person may choose not to accept an offer of emergency accommodation. Where this is the case, this will be carefully explored with the young person by the EDT social worker being mindful of safeguarding issues and the young person's understanding of these issues. If this happens the social worker will ensure that the housing officer is aware of the address of the property and this property will be then able to be offered by the housing authority should the young person request accommodation through the housing legislation

1.5.14. If the referral is received within working hours the social worker (or duty social worker) will initially contact the housing officer by telephone to confirm receipt of the referral and anticipated next steps. If this is not possible, an email should be sent to the relevant housing officer.

- Where the Request For Support form is received by C-SPA within normal working hours, a joint meeting of Housing, Children's Services and the

young person (see section 1.7) will be arranged to take place in person or virtually on the same working day. Where this is not practical for example because the young person cannot effectively participate or there is insufficient time before the end of the working day to make appropriate arrangements), the meeting will be scheduled by the social worker within a maximum time period of **three working days**. Regard will be given to when the parties are available and able to attend.

- The interests of the young person.
 - The need to ensure that any accommodation and welfare needs of the young person are assessed and met.
 - The need to undertake the joint meeting as soon as practicable, and the need to avoid any undue delay.
- 1.5.15. The social worker will inform the relevant housing officer whether Children's Services are securing accommodation pending the completion of an assessment of the young person's needs. Any accommodation will be provided under S20, pending the young person making an informed decision about their options (following receipt of the 'What is Best for Me?' leaflet, and viewing the associated YouTube video)
- 1.5.16. This confirmation should ideally be initially by telephone to the relevant housing officer and then confirmed in writing by email, and include the full address of any accommodation provided.
- 1.5.17. The verbal confirmation should be provided as soon as practicable, while the written confirmation should be forwarded:
- Before the end of the working day, where the referral was received during normal working hours.
 - Before noon on the next working day, where the referral was received outside of normal working hours.
- 1.5.18. If Children's Services decide not to secure accommodation (including if the young person has refused accommodation), this will be immediately confirmed to Housing, i.e. on the same day as the decision or refusal. The notification will confirm the address that has been offered and the reasons for accommodation not being accepted or a placement otherwise not proceeding.
- 1.5.19. The reasons will be provided in writing with sufficient detail so that the housing authority can judge whether a breach of statutory duty or breach of this protocol is likely to have occurred. Where such a breach is believed to have occurred a concern should be raised under the procedure set out in Chapter 2 of this protocol.

- 1.6. **Initial Approaches to Surrey Children’s Service – [Please refer to Flowchart B – Section 1.6 in Appendix H](#)**
- 1.6.1. This section confirms the procedure at the outset of the process, when the young person’s initial approach is to Children’s Services. If the young person initially approaches a housing authority in Surrey, please refer instead to section 1.5.
- 1.6.2. If a professional not employed by either Children’s Services or a housing authority in Surrey is facilitating an approach by a young person, they should:
- Complete a [Request For Support form](#).
 - Submit the form by email to C-SPA at cspa@surreycc.gov.uk marking the email ‘URGENT’ if the young person is already homeless or imminently at risk of homelessness.
- 1.6.3. The C-SPA team will review the request and determine the Continuum of Support and most appropriate pathway.
- 1.6.4. Where appropriate the young person will be referred to Targeted or Intensive Support, who will commence an appropriate intervention with the young person’s family, and undertake an Early Help assessment.
- 1.6.5. If the young person is imminently homeless or there are safeguarding concerns, they will be referred to a social worker to undertake a child in need assessment (under section 17 of the 1989 Act). The social worker will arrange an appropriate intervention. Should this require any accommodation to be provided, even if for one night, the default for this will be under S20. The social worker will also offer the young person a referral or signposting to an independent advocacy service
- 1.6.6. The allocated worker will ensure that the ‘What is Best for Me?’ leaflet is given to the young person (whether in hard copy or electronically). The allocated worker will also ensure that the young person has been enabled to view the YouTube video that accompanies the ‘What is Best for Me?’ leaflet.
- 1.6.7. **1.7**If there is reason to believe that the young person may be homeless or threatened with homelessness or housing potentially may impact upon their welfare, Children’s Services will discuss with the young person a Duty to Refer and request their agreement to a referral being made. An email to the relevant Housing Options team and request their attendance at a joint meeting within 3 working days (see section 1.7 below for the procedure in relation to the joint meeting).
- 1.6.8. The young person will be asked whether they agree to details of their case being passed to a housing authority. If the young person agrees and

nominates a housing authority in Surrey, the allocated worker will notify that authority within 24 hours of consent being given via a [Duty To Refer](#). It will be in the best interests of the client for this to be an area where they have a homeless local connection. If they do not agree to a Duty to Refer being made, a referral should still be made where there are safeguarding concerns about the individual. This is likely to be in the majority if not all cases where a 16 or 17 year old is homeless.

1.6.9. To comply with statutory requirements and guidance the Duty To Refer should:

- Confirm Children's Services opinion that the young person is or may be homeless or threatened with homelessness (specifying which).
- Provide the young person's contact details.
- Provide a summary of any initial assessment.
- Summarise what support (if any) has been provided to the young person.

1.6.10. The making of the above referral does not provide an alternative to carrying out a child in need or early help assessment.

1.6.11. A referral to Housing is unlikely to be required if the young person is an unaccompanied asylum seeker or it is otherwise clear they will be ineligible for homelessness assistance on immigration grounds.

1.6.12. The allocated worker and housing officer will liaise and arrange a joint meeting for the most appropriate time, having regard to:

- When the three parties are available and able to attend – this must be within 3 working days of the young persons presentation.
- The interests of the young person.
- The need to ensure that any accommodation and welfare needs of the young person are assessed and met in the interim period by Children's services.
- The need to undertake the joint meeting as soon as practicable and within 3 working days, and the need to avoid any undue delay.

1.6.13. In some cases the young person will be able to return home to their previous accommodation, or have alternative accommodation. A 'positive outcome' may nevertheless require the provision of support and assistance. This will be determined in accordance with the [Continuum of Support](#) guidance. Where the young person is able to return home, but are still within a threat of homelessness within 56 days, the process of joint assessments and child in need assessments should continue. **THIS INCLUDES WHERE THE YOUNG PERSON WILL BE 18 YEARS OLD AT THE POINT OF THE THREATENED**

HOMELESSNESS OCCURRING if they are 17 at the point of initial approach.

- 1.6.14. If accommodation needs to be secured by Children’s Services, the allocated worker will complete a Gateway to Resources referral form. The Gateway to Resources Team will explore the available options and secure an appropriate placement. The address of this placement will be shared with the Housing team involved.
- 1.6.15. The young person will be advised of their right to seek independent advice and support at the point of initial assessment, and as required during their contact with Children’s Services.

Advocacy will be offered to the young person with their consent, a referral will be made to [Reconstruct advocacy](#) and information may be provided about Coram Voice.

1.7. Joint meeting

- 1.7.1. A joint meeting will be scheduled, involving all three parties, namely:
- Children’s Services.
 - Housing, and
 - The young person.
- 1.7.2. The young person may request that a friend, adult or advocate is present to provide support during the assessment. Such a request will not be refused unless there are serious concerns about this from either agency. The reasons for this will be explained to the young person.
- 1.7.3. Undertaking a joint meeting will help to ensure key objectives are effectively promoted and realised in practice, by:
- Giving appropriate weight to the young person’s wishes, and placing their wishes at centre of the assessment process.
 - Reducing the likelihood that the young person is provided with contradictory advice by Housing and Children’s Services, e.g. concerning what action the young person should take, or what action the other agency should be taking to support them and meet their accommodation needs.
 - Increasing transparency.
 - Facilitating common objectives, and agreement where possible as to what steps should be taken.
 - Helping to minimise the need for the young person to repeat themselves.

- Avoiding the young person moving between statutory services.
- 1.7.4. The joint meeting may take place in person or remotely online using video conferencing software. Geographical distance or demands on practitioners should not cause undue delay in scheduling the joint meeting, or undertaking agreed actions.
- 1.7.5. It is important to note that the joint meeting is distinct from the assessment that will be completed by the social worker and the housing options assessment under the Homelessness Reduction Act 2017. The statutory child in need assessment (see 1.8 below) and housing options interview may be completed subsequent to the meeting.
- 1.7.6. However, if the social worker is in a position to confirm the outcome of the assessment during or immediately following the joint meeting they should do so.
- 1.7.7. The purpose of the joint meeting is to:
- Assess the needs of the young person.
 - Discuss the various options available to the young person, in light of their particular circumstances.
 - Ensure that both agencies (Children's Services and Housing) are actively involved in assisting each other in relation to the case, so far as reasonable and practicable in the circumstances.
 - Ensure that both agencies exchange relevant information, and achieve an accurate understanding of their respective positions, e.g. as to what duties have been accepted or are likely to be accepted, what assistance the young person is likely to be entitled to, what steps they should take etc.
 - Facilitate a joint understanding of the young person's preferred options, and the implications of the various options going forward.
 - Assist the social worker in collating and assessing information necessary for their undertaking of the child in need assessment.
 - Assist the Housing officer in collating and assessing information necessary for their undertaking of the Homelessness Assessment
- 1.7.8. The Housing and Childrens services team will complete the joint assessment form shown in Appendix 7.G at this joint meeting.
- 1.7.9. The young person will be advised of the potential assistance available to them, including the potential advantages and disadvantages of each option. The young person will have an opportunity to express opinions and preferences in relation to the proposed or potential options.

- 1.7.10. The young person will be provided with the advocacy information and will be explicitly offered an opportunity to obtain advice from an independent advocacy service.
- 1.7.11. The social worker will ensure that a record of the joint meeting is made and retained, reflecting the fact that Children's Services are the lead agency. The record of the meeting will be shared with the young person and the housing officer by email within **three** working days of the meeting.
- 1.7.12. If the young person is offered accommodation by Children's Services the social worker will provide the young person with information about the package of support that they would be entitled to, both as a looked after child, and subsequently as a former relevant care leaver (or, as appropriate, as a person qualifying for advice and assistance under section 24 of the Children Act 1989).
- 1.7.13. During the joint meeting the social worker and housing officer should, if appropriate, identify any particular issues that may adversely impact upon the young person if they pursue a proposed course of action, e.g. any issues that may subsequently result in a negative homelessness decision or ones that may impact on their qualification for the given housing authority's housing register.
- 1.7.14. If the young person does not become a looked after child, the social worker and the housing officer should ensure that the young person is advised of the assistance that may be available under the homelessness legislation. This may involve explaining the various forms of assistance that they may be entitled to, and particular issues which they should be aware of. For example, the duty to cooperate and provide certain information, the requirement that the young person takes steps identified in their personal housing plan, the implications of turning down offers of suitable accommodation, and their right to request a review of certain decisions taken on their homelessness application.
- 1.7.15. If the young person indicates that they do not wish to be supported as a looked after child, the social worker should ensure they have been provided with sufficient information and guidance, so as to ensure any decision is properly informed.
- 1.7.16. It should be explained to the young person that a decision made at this stage can still be altered at a later stage should they change their mind about being accommodated under S20. The Social worker will periodically continue to offer accommodation under S20 to the young person until they reach 18 years of age.

1.7.17. If there are doubts about the young person's capacity or ability to judge what is in their own best interests, the social worker will consider what steps should be taken, e.g. a 'breathing space' to allow the young person to consider their stated preferences, further discussions with the [independent advocate](#), or further discussion with their family and friends network.

1.8. **Housing options**

1.8.1 Various housing options will be open to the young person and should be available regardless of whether the accommodation is provided by Children's Services or by Housing. These could include;

- Parenting placements – where the young person is pregnant.
- Referrals to supported housing providers
- Supported lodgings
- Tied accommodation
- Foster placements
- Placements suitable for couples
- Social housing post 18 years³

1.8.2 It will be explained to the young person that they are unable to legally hold a tenancy until they are 18. It will therefore be necessary for any self contained accommodation to have someone who is prepared to be a tenant in trust and also possibly guarantor for the tenancy until the young person is 18.

1.9. **Child in need assessment**

1.9.1. A Child and Family Assessment is undertaken to establish the Continuum of Support and services that are required in light of the presenting issues. Whilst there are up to 45 working days within which to complete the assessment, a young person presenting with issues related to homelessness will require a prompt response and for the Child and Family Assessment to be fastracked.

³ individuals can apply to housing registers if they are under S20 from the age of 16

- 1.9.2. The statutory assessment should be concluded as soon as possible, but ordinarily no longer than **10 days from the day of referral** or initial request for help in circumstances when young people are presenting as at risk of homelessness or are homeless. If more than 10 days pass the team manager should record the reasons for not concluding the assessment within that timescale in a management oversight placed on the young person's electronic record with a clear understanding of the interim arrangements for that young person.
- 1.9.3. The assessment will be undertaken in accordance with the assessment process set out in *Working Together to Safeguard Children*.
- 1.9.4. If Children's Services decide that the young person is a child in need and threatened with homelessness, they will be the lead agency in coordinating the actions identified in the child in need plan, for the purpose of preventing homelessness.
- 1.9.5. In the context of this protocol, important issues that must be determined as part of the initial assessment are likely to include:
- Whether the young person is actually homeless.
 - Whether any accommodation occupied may cease to be available in the near future making them 'threatened with homelessness' within 56 days
 - If the young person is a child in need.
 - Whether the young person is suffering, or likely to suffer, significant harm.
 - If the young person requires emergency accommodation.
- 1.9.6. The assessment will ordinarily need to explicitly address:
- The young person's and their family's needs.
 - The young person's and their family's strengths and difficulties.
 - Whether it is appropriate for the young person to return or remain at home.
 - The level and risk of any harm, and whether any safeguarding actions need to be taken.
 - Whether the young person is a child in need.
 - Whether the young person requires accommodation because of one of the reasons listed at section 20(1)(a) to (c) or section 20(3).
 - The young person's wider needs (in addition to accommodation), e.g. a need to re-engage in education or training.

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- Whether services and support needs to be provided, and if so what services and support, so that any need for suitable accommodation is met.
 - If the young person does not require s20 accommodation, whether services or support should be provided under section 17 because they are a child in need.
- 1.9.7. The record of the assessment will specify the persons who are responsible for actions that are specified as being necessary, with accompanying timescales, and the possible outcomes of the assessment.
- 1.9.8. The welfare of the child is paramount. Accordingly a 16 or 17-year-old must not be placed at risk during the period between the initial request for help and completion of the assessment, e.g. because of a dispute about whether the young person is competent to refuse s20 assistance, or a dispute about whether Housing or Children's Services are responsible for providing accommodation.
- 1.9.9. The social worker will notify the relevant housing authority of the outcome of its assessment, by email, within **three working days** of completing the assessment.
- 1.9.10. If Children's Services accept an ongoing duty to accommodate the young person, the notification will include confirmation of the statutory basis upon which the accommodation is being provided which is expected to be under S20 unless there are exceptional circumstances which should be detailed in the letter, The notification will also detail the full address of the accommodation placement.
- 1.9.11. The essential details of the outcome of the assessment will be forwarded to relevant parties, if they have had prior involvement and it is appropriate to do so. For example, the relevant housing authority, the education authority and health services, and the advocate, providing consent has been provided (or there is a lawful basis for disclosure).
- 1.9.12. Where Children's Services decides to provide services, it will prepare a multi-agency child in need plan or a Looked After Child Plan, depending on whether services are being provided under s17 or s20. The plan will confirm which services will be provided by relevant statutory agencies and other bodies. It will be shared with relevant statutory agencies as appropriate.
- 1.9.13. Upon receiving confirmation of the outcome of Children's Services' assessment, the housing authority may proceed to decide what actions are required in relation to any existing homelessness application. For example:

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- If Children's Services accept an ongoing duty to accommodate the young person, Housing may decide to end an existing prevention or relief duty on the basis that the young person is no longer homeless, having suitable accommodation and there is a reasonable prospect of this remaining available for their occupation for a minimum of six months.
- If the young person has vacated accommodation provided by Children's Services and refused further Children's Services involvement, the housing authority may continue with their inquiries (for the purpose of determining what homelessness duties are owed), continue to take reasonable steps for the purpose of helping the young person secure suitable accommodation, and provide interim accommodation if necessary.

1.9.14. The housing authority should continue to co-operate with Children's Services if necessary and provide appropriate assistance and information. This might include for example:

- Assisting with referrals to potential sources of supported accommodation and appropriate housing pathways.
- Advice on applying for social housing via the housing register, including likely priority and waiting times.

1.9.15. Housing and Children's Services should cooperate so as to ensure that young people are registered for social housing if appropriate. Reference should be made to the terms of the relevant housing allocation scheme and the Joint Protocol for Care Leavers aged 18 to 25 where appropriate.

1.10 Refusal of section 20 assistance

1.10.1 Any accommodation provided by Children's Services should be under S20. In the exceptional circumstance where accommodation is provided under s17, the reasons for this need to be noted and shared with all relevant parties to allow for any review requests of the decision to be made.

1.9.16. There may be circumstances where a 16 or 17-year-old refuses section 20 assistance notwithstanding that they are entitled to assistance or are likely to remain at risk of homelessness. This might have potential adverse implications for the young person in terms of the assistance to which they are entitled, both immediately and under the leaving care pathway.

- 1.9.17. Partners must ensure that young persons receive all appropriate advice and information, so that the choices they make are fully informed. Such information and advice must be provided in a timely manner and delivered in such a way that aids understanding. If a young person is considering refusing the provision of a statutory service or waiving their right to assistance, they should ordinarily be offered a referral to an independent advice and [advocacy service](#) before a decision is made.
- 1.9.18. Where a young person has been assessed as entitled to section 20 accommodation but is reluctant to accept assistance from Children’s Services, advice will be provided on the potential implications, including jointly by Housing and Children’s Services during the joint assessment meeting. This will specifically include advice on the additional assistance to which they may be entitled, both immediately and subsequently under the leaving care provisions and other options. This advice will also be given in writing by both Children’s Services and Housing.
- 1.9.19. An indication from the young person that they do not want a service will not always constitute good grounds for treating a duty as having ended. For example, a young person may initially express the view that they do not want to be “in care”. However, such a statement might be based on a misguided understanding of what help and support is available, and what s20 assistance necessarily involves. Furthermore, they may still need accommodation because of one of the grounds set out in s20.
- 1.9.20. Where a young person has declined S20, it is considered good practice to continue to re-offer S20, where appropriate to do so, throughout the young persons journey through homelessness, until they reach 18 years of age
- 1.9.21. If, in such circumstances, the young person initially approached a housing authority, a homelessness application will already have been taken (notwithstanding the referral of their case to Children’s Services).
- 1.9.22. Children’s Services will confirm to the housing authority to whom the young person applied:
- The fact that the young person has refused the provision of a statutory service.
 - The extent and effect of that refusal, including the duties and services (if any) that Children’s Services will not be accepting or performing as a result.
 - A brief summary of the circumstances surrounding that refusal, including such details as appropriate.

- The duties that are owed by Children's Services and a survey of what assistance is proposed or being provided.

1.9.23. If a social worker needs confirmation of whether there is a current homelessness application they may inquire with the relevant Housing Options team.

1.11 Pregnant 16 and 17 year olds

1.10.1. A pregnant household is the joint responsibility of both Children's Services and Housing. Unlike 16 and 17 year olds they are a priority need category under the Homeless legislation in their own right regardless of whether they are a child in need. It is extremely important however to ensure that referrals are still made by Housing departments to Children's Services so that any duties to them under the Children's Act are investigated.

1.10.2. The process shown earlier in this document should still be followed, and a joint assessment still undertaken. The young person should still be offered S20 accommodation if they are homeless or threatened with homelessness and meet the criteria for S20 set out in the Children's Act

1.10.3. Should a housing department accommodate the household without the assessment having been undertaken it is possible that the young person may miss out on all the support benefits both now and in the future that a S20 placement would give.

1.10.4. Where Children's Services refuse to undertake an assessment due to the pregnancy, or find that a pregnant 16 or 17 year old is not a child in need and not owed any S20 duty, the housing department can choose to still follow the review process shown in section 2.

1.10.5. This applies both in cases where the 16/17 year old is on their own as well as when they approach with a partner – even if that partner is older than them.

1.12 People approaching their 18th birthday

1.12.1 The steps shown above should be taken if the young person is 16 or 17 years old. If the person is approaching their 18th birthday the steps shown should still be followed and appropriate accommodation actions taken. **This applies even if the person has their 18th birthday the day after the approach.**

1.13 16 and 17 year olds with partners

1.13.1 People who approach services with partners are covered by this protocol. They may still have duties owed to them under the Children Act and should therefore still have the same joint assessment and Child in Need assessment that is

offered to 16 and 17 year olds without a partner. This is regardless of whether the partner is over 18.

2. Resolving Queries and Disputes

2.1 Aim of this chapter

This chapter describes steps that staff may take if a query or concern arises about non-compliance with this protocol. Raising issues of concern is a legitimate way in which working practices can be reviewed, and will feed into subsequent reviews of this protocol.

2.1.1 The aim is to ensure that:

- Staff have a mechanism available by which concerns and queries can be raised and escalated where appropriate.
- Senior managers are made aware of non-compliance and other operational issues affecting effective joint working.
- Issues are escalated where appropriate, including where non-compliance or a dispute is adversely preventing a young person receiving accommodation and support to which they are entitled, or where there are concerns about their welfare.
- Effective liaison between partner agencies, for the purpose of reaching timely and appropriate resolution.

This chapter applies where, in relation to an individual case (or cases), a person working for Children's Services or a housing authority in Surrey:

- Has a concern about an unjustifiable deviation from the arrangements contained in this protocol.
- Wishes to query or resolve a difference or disagreement about how the protocol should be (or is being) interpreted.

2.1.2 A concern may be raised regarding any issue that appears to constitute a breach of the protocol, including for example the agreed procedural arrangements outlined in [Chapter 1](#).

2.1.3 A concern may also be raised about an apparent breach of statutory duty. However, partners should respect each others' statutory roles and professional judgement. When exercising their statutory functions partners enjoy a significant amount of discretion when making the decisions they are responsible for. For example, both Children's Services and housing authorities are entrusted by the legislation to decide what the facts of a case

actually are, and to decide whether the relevant statutory criteria are satisfied on the particular facts. In some circumstances this might even lead partners to reach decisions that appear to conflict when applying similar but different statutory tests.

- 2.1.4 Before raising a concern about an apparent breach of duty the member of staff should first speak to the relevant professional from the partner agency, to ascertain the basis and reasons for the decision. They should then discuss their concerns with their own line manager & Youth Homelessness Lead. They should carefully consider whether the agency has genuinely erred.
- 2.1.5 It is important to establish the views of the young person in the matter, especially , where there is a dispute about whether a young person qualifies for a service and, if appropriate, support them in obtaining advice from an independent advocate or legal advisor.
- 2.1.6 The process detailed in this chapter is in addition to any formal complaints process (where applicable) and any statutory right of review or legal remedy.

2.2 Complaint by young person

- 2.2.1 The process set out in this chapter is not available to a service user. However, they may complain to Children’s Services or to a housing authority.
- 2.2.2 Young persons should contact the relevant district or borough council or refer to their website for information about making a complaint. Concerns or complaints about Children’s Services may be made by emailing be.heard@surreycc.gov.uk
- 2.2.3 If a young person expresses dissatisfaction with a service or non-compliance with this protocol, the partner should consider offering the person a referral to an independent advocate or advisor.
- 2.2.4 Complaints can be made either by the young person themselves, by an advocate or third party, although it is noted that the voice of the child will hold more impact during the complaint process A person complaining on behalf of a young person will need to provide confirmation that they have their consent to act on their behalf in relation to the matter.

2.3 Registering a matter of concern

- 2.3.1 A member of staff may refer a query, concern or dispute initially to their own line manager.
- 2.3.2 The line manager will review the case and then discuss with the relevant line manager within the other agency (“the relevant manager”).

2.3.3 The member of staff should provide concise details of:

- (a) The relevant facts.
- (b) The reasons for wishing to register a matter of concern.

2.3.4 The member of staff should expressly indicate that the purpose of the communication is for initiating the arrangements contained in this chapter. For example, an email may be titled “Joint protocol for 16 and 17-year-olds / issue of concern” and state “I wish to invoke the procedure under Chapter 2 of the *Surrey Joint Protocol for 16 and 17-year-olds*.” However, the fact that the process outlined in this chapter is not explicitly referenced does not mean that the arrangements contained within this chapter should not be followed.

2.3.5 On receiving notification of an issue of concern the relevant manager should arrange for the case to be reviewed, whether by themselves or an appropriate colleague within **24 hours or one working day**.

2.3.6 The relevant manager should liaise with their counterpart for the purpose of satisfactorily resolving the issue in a manner which is acceptable to all parties.

2.3.7 A dispute should **not** result in a child being left without accommodation or support to which they are entitled, or adversely impact their welfare.

2.3.8 A concern or dispute will be dealt with promptly, in line with the principles and commitments contained in this protocol.

2.3.9 A matter may be escalated to the relevant service manager whether it relates to an individual case or a group or class of cases.

2.4 Failure to reach agreement or resolution

2.4.1 If an agreement cannot be reached between service managers or is proving problematic or a matter remains unresolved (on an issue pertaining to delivery of or interpretation of an issue of policy or practice in connection with this protocol), then the managers may refer the issue to the relevant quadrant Assistant Director for Children’s Services and the Housing Needs Manager for the relevant district or borough housing department (“the relevant managers”).

2.4.2 A referral to the relevant managers may be made by one or both partners, and should be by email.

2.4.3 The referral should contain:

- Explicit confirmation that the procedure in this chapter is being invoked.
- A summary of the concern.
- A summary of the relevant facts.

- The substantive nature of the concern, e.g. which statutory provision or procedural aspect of the protocol is alleged to have been breached.

2.5 Decision

2.5.1 The Children's Services Assistant Directors and Housing Needs Managers may delegate the reviewing responsibility for undertaking inquiries or making a decision (or both) to another member of staff. If they do so, they should inform the person raising the concern and their counterpart manager.

2.5.2 The relevant managers will discuss the case and seek to reach agreement on what action to take, and communicate their decision within 23 working days of receipt of the concern.

2.6 Independent advice and representation

2.6.1 It is envisaged that a partner will register any concerns they have informally or by using the above mechanism. However, it may be legitimate to advise a young person of their legal rights and facilitate the obtaining of independent support or legal advice and representation. For example, if it appears that a partner agency may not be complying with their legal obligations and there is a consequent risk of rooflessness, or they might otherwise suffer harm or injustice.

2.6.2 Partners recognise that independent advice and [advocacy](#) is essential to ensure young persons' wishes and feelings are listened to, and that their rights are respected.

2.6.3 The young person will have been offered a referral to an independent advocacy service. Surrey currently have a contract with [Reconstruct](#) to provide this service. Young people can also contact [Coram Voice](#) or Barnados, along with other agencies such as [Shelter](#), [Centrepoin](#)t, their local [Citizens Advice](#).

2.7 Relationship with review of the Protocol

2.7.1 An Assistant Director within Children's Services will retain a record of queries, concerns and disputes, and make that available for Children's Single Point of Access, Housing Needs Managers Meetings and Safeguarding Adolescents Strategic Sub-Group when they are reviewing and revising this protocol (see [Chapter 4](#)).

2.7.2 The Assistant Director may delegate this task to another member of staff.

3. Objectives

3.1 Key objectives

- 3.1.1 The following objectives underpin our joint approach in assessing and supporting young people who ask for help with obtaining or retaining housing:
- (a) Safeguarding and promoting the wellbeing of young people.
 - (b) A proactive and collaborative approach to preventing homelessness.
 - (c) Timely performance of statutory duties.
 - (d) Actively supporting 16 and 17-year-olds and families to ensure young persons can live with their family or existing family network providing it is safe and appropriate.
 - (e) Timely and appropriate dissemination of information to young people about the help that is available to them, and the duties on Children's Services and housing authorities.
 - (f) Giving practical effect to the principle that the duty under section 20 of the Children Act 1989 (once owed) takes precedence over the duties on housing authorities to secure temporary accommodation under the homelessness legislation (Part 7 of the Housing Act 1996).
 - (g) Monitoring the access to and provision of the different types of appropriate accommodation in the county for 16 and 17-year-olds.
 - (h) Adopting a partnership approach, for example when identifying suitable accommodation for a young person in circumstances where a partner agency is experiencing difficulty in securing suitable accommodation.
 - (i) Undertaking joint meetings for the purpose of facilitating assessment, involving the young person, Children's Services and the housing authority, using remote online video conferencing or in person meetings wherever possible for this purpose.
 - (j) Prompt and effective sharing of information, to ensure appropriate action is taken, and the needs of young persons are met in a timely manner.
 - (k) Any delay in confirming the outcome of assessments will not prevent the performance of legal duties or service delivery.
 - (l) Aligning policies, procedures and practice for the purpose of ensuring ease of access by young people and families.
 - (m) Providing a consistent pathway for young people across the county. The flowchart at [Appendix H](#) has been agreed to facilitate this.
 - (n) Considering individual circumstances in an holistic way.

- (o) Respecting the views of young persons, whilst recognising that their views may legitimately change.
 - (p) Ensuring a young person's voice is afforded appropriate weight when making decisions. Regard must be had to the wishes, views and preferences of the young person, and must be evident throughout the assessment and decision-making process.
 - (q) Ensuring independent advice and advocacy is available for young persons, including at the point of initial assessment where appropriate.
 - (r) Providing user-friendly information that clearly outlines young persons' rights and entitlements, both online and in hard copy.
 - (s) Ensuring young persons understand the full implications of the decisions they make.
 - (t) Consulting with young people regularly regarding their experience of the statutory services and support they have received.
 - (u) To have due regard to Government guidance.
 - (v) To adopt a joint approach in resolving disputes and monitoring.
 - (w) Actively monitoring the delivery of services, including occasions where apparent breaches of this protocol occur, to ensure continual improvement.
- 3.1.2 A partner or young person may wish to refer to these agreed principles when raising a concern about delivery of a statutory service or non-compliance with this protocol.

3.2 What does success look like?

- 3.2.1 The following are likely to indicate that partner's strategic objectives in meeting the housing needs of 16 and 17-year-olds are being met:
- Rigorous and comprehensive assessments of young persons are carried out promptly, and the results are appropriately shared.
 - Young persons are being secured suitable accommodation in a timely manner.
 - A uniform service and pathway is experienced by 16 and 17-year-olds across the county of Surrey.
 - This protocol is routinely used by frontline staff when delivering their statutory functions in respect of 16 and 17-year-olds who have requested help with accommodation.

- Frontline staff with operational responsibility for administering statutory functions have a common understanding of this protocol and the way in which specific provisions should be interpreted.

4. Review of this Protocol

4

4.1 Introduction

- 4.1.1 It is essential that the provisions of this protocol successfully facilitate effective joint working in practice, and there is effective oversight and review of its operation.
- 4.1.2 Safeguarding Adolescents Strategic Sub-group (“the Board”) have responsibility for overseeing the monitoring and review of this protocol.
- 4.1.3 When undertaking this function the Board will ensure that representatives are invited from the local housing authorities to any meetings held for the purpose of formally reviewing performance and compliance, or where decisions may be taken on how to amend the protocol (or how such functions should be delegated).
- 4.1.4 The Board will oversee an annual review which examines:
 - The effectiveness of current arrangements.
 - Whether partners need to amend the contents of the protocol.
 - Whether any specific action is required for the purpose of ensuring statutory compliance, the meeting of strategic objectives, and effective cooperation between Children’s Services and Housing (or other partners).

4.2 Training

- 4.2.1 The Board will ensure that appropriate measures are taken to provide appropriate training on this protocol and associated issues to relevant staff employed by Children’s Services and the housing authorities in Surrey.
- 4.2.2 Children’s Services and Housing will jointly procure or deliver the training,
- 4.2.3 That training will extend to:
 - The provisions of this protocol.

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- The statutory duties owed by Children’s Services and housing authorities for the purpose of providing accommodation and support for 16 and 17-year-olds.
 - Case law.
 - Statutory guidance.
 - Any other relevant issues agreed upon by partners.
- 4.2.4 The training will be repeated at such regular intervals, as required, to ensure a sufficient knowledge base among frontline officers, including new employees.
- 4.3 Monitoring**
- 4.3.1 Children’s Services will review performance and compliance which will be brought before the Board for approval.
- 4.3.2 Children’s Services will ensure that service users are given an opportunity to review and evaluate the protocol, its operation, and its success in meeting the stated objectives.
- 4.4 Case studies**
- 4.4.1 In addition to any quantitative measures agreed (see 4.3), case studies may be taken to the Board where it is considered that this will serve the purpose of
- Understanding key issues and problems arising (or which might arise) under current arrangements.
 - Resolving any disputes about statutory duties and interpretation of legal requirements, guidance, existing practices or the provisions of this protocol.
- 4.4.2 Alternatively, a similar exercise may be undertaken with service managers from the partner authorities, with a summary of observations, findings and recommendations being brought before the Board for consideration.
- 4.4.3 The partner authorities will be notified in advance so they may submit cases for consideration, and review circulated case summaries in advance, so that they may effectively prepare and contribute to the discussion of issues arising from the cases for discussion.

5. Key Points

Some key information is summarised below.

1. Aim of this protocol

This protocol sets out how Children's Services and housing authorities in Surrey cooperate when assessing 16 and 17-year-olds who may be homeless, or at risk of homelessness.

2. Agreement to take specific steps

[Chapter 1](#) sets out the procedural arrangements for assessing the needs of 16 and 17-year-olds who ask for help with housing.

3. Collaboration and prompt joint assessments

It is essential that Children's Services and housing authorities work together to plan and provide services based on the needs of young people. This protocol gives effect to the integrated approach agreed in relation to young persons requesting help because of homelessness. Children's Services and housing authorities in Surrey agree to liaise and attend a joint meeting when assessing 16 and 17-year-olds who apply for help because of homelessness. Children's Services and housing may ask a partner agency to help them in performing their responsibilities.

4. Young person-centred approach

Partners agree to prioritise the needs of 16 and 17-year-olds and give due consideration to their wishes, to ensure that homelessness is effectively prevented. Partners agree to give young persons the information, advice and independent support to help them make informed choices.

5. Risk of harm and safeguarding

16 and 17-year-olds who are homeless or threatened with homelessness are likely to be vulnerable. They are often at risk of harm. Prompt intervention by statutory services and effective collaboration is critical to minimise these risks. If there is any concern that a child may be suffering significant harm, or may be at risk of significant harm, the [Surrey Safeguarding Partnership Procedures](#) must be followed.

6. Right to apply for help with housing

A 16 or 17-year-old who is homeless or facing homelessness may apply to either Children's Services or a housing authority for help.

A homeless 16 or 17-year-old should be assessed by Children's Services, even if they initially present to housing.

However, a housing authority should not seek to avoid a legal duty that arises under the homelessness legislation on the basis that a referral has been made to Children's Services, or on the basis that an assessment has not yet been completed.

7. Approaches to Children's Services

Where a 16 or 17 year old who is at risk of homelessness approaches Surrey Children's Service they will undertake an assessment for the purpose of establishing what duty (if any) is owed under the Children Act 1989. Children's Services will secure suitable accommodation if necessary.

8. Duty to refer

Where Children's Services consider that a young person may be homeless or threatened with homelessness they must ask them if they consent to their details being passed to a housing authority. If the young person consents and nominates a housing authority, Children's Services will make a referral to Housing and provide the young person's contact details. If the Duty to Refer consent is refused the referral to Housing for joint assessment will still be made. In the context of this protocol, such a referral will ordinarily be made as a matter of course whilst liaising with Housing for the purpose of arranging a joint meeting.

9. Approaches to housing

If a housing authority receives a homelessness application from a 16 or 17-year-old residing in Surrey they must notify Children's Services on the same day, or on the following working day if the request is made outside of normal office hours. This includes where young person is pregnant, has children of their own, are leaving custody, or has an older partner. However, it will not necessarily include where a household member has requested assistance (instead of the 16 or 17-year-old).

10. Duty to assess

Children's Services have a duty to assess all children who may be 'in need', including those who may be homeless or threatened with homelessness. Children's Services must also make inquiries if it has reasonable cause to suspect a child is suffering significant harm, or is likely to suffer harm. The outcome of the assessment will determine what support and services must be provided (including accommodation where appropriate).

A housing authority must take a homelessness application if a non-dependent child requests help with obtaining housing, and the authority has reason to believe that the person may be homeless or threatened with homelessness. 'Taking an application' means making such inquiries as are necessary to decide what duties (if any) are owed under the homelessness legislation.

11. Initial assessment on day of approach

Children's Services will make a duty social worker available on the day on which a young person initially contacts Children's Services or

the day on which a housing authority makes a referral, and undertake an initial assessment as to whether accommodation is required.

Children's Services will decide what type of response is required within one working day of receiving a referral or request for assistance. This reflects the *Working together to safeguard children* 2018 guidance. The initial assessment will include a decision about whether the young person is potentially a child in need, and should be assessed under section 17 of the 1989 Act.

12. Providing accommodation pending assessment

Where the housing authority refer a 16 or 17 year old who appears to be homeless, Children's Services will ensure that suitable temporary accommodation is available for their occupation, pending the outcome of a child in need assessment. Accommodation will be made available via the Gateway to Resources Team.

13. The section 20 duty

Children's Services owe a duty under section 20(3) of the Children Act 1989 to accommodate any child in need, if they need accommodation because:

- There is no-one with parental responsibility, or
- They are lost or abandoned, or
- The person who has been caring for them is prevented from providing them with suitable accommodation or care,

Their welfare is likely to be seriously prejudiced without the provision of accommodation.

14. 'Child in need'

A child qualifies as being 'in need' under the Children Act 1989 if they are unlikely to achieve or maintain a reasonable level of health or development, or their health or development is likely to be impaired, if a service is not provided.

15. A homeless child is 'in need'

Case Law has confirmed that a 16 or 17-year-old without accommodation is a child in need.

16. Homelessness

It is important to recognise that someone may be homeless even if they have accommodation available for their occupation.

Under the homelessness legislation a person who has accommodation is homeless if they do not have permission to occupy; if the accommodation is not available; if it is not safe for the person to occupy; or the accommodation is otherwise not reasonable to continue to occupy.

A person is threatened with homelessness if it is likely that they will become homeless within 56 days.

A person who is sofa surfing is likely to be homeless or threatened with homelessness in law. Someone who is staying with friends or family may also fall within the above definition, e.g. because permission to stay is being withdrawn, because they are at risk of harm, or because it is otherwise unreasonable for them to remain in occupation.

17. Joint meeting

Where a 16 or 17 year old may be homeless or threatened with homelessness it is essential that Children's Services and Housing work together to identify the young person's circumstances and needs.

For this purpose, and to avoid young people moving between agencies, Children's Services and Housing will undertake a joint meeting, attended by an appropriate member of staff from each agency.

While each agency remains responsible for their respective statutory functions, joint participation provides a transparent process which benefits all parties and aids joint planning.

18. Promoting the role of the family

So far as consistent with a child's welfare, Children's Services are legally required to promote the upbringing of children in need by their families.

Where there is a threat of homelessness to a 16 or 17-year-old, Children's Services are therefore likely to explore what steps may be taken to meet the child's needs within their family. For example, by providing the family with support that will resolve a threat of homelessness

19. Supporting young people to retain their existing accommodation

It is generally better for young people to remain living with their family, or with a responsible adult in the wider family or friends network. We will make every effort to support young people and families to this end, so long as it is safe for them to do so.

20. Primacy of the section 20 duty

If a young person is owed the s20 accommodation duty, this takes precedence over any accommodation duty owed by a housing authority under the homelessness legislation. For example, a housing authority may have initially provided interim accommodation to a homeless 16 or 17-year-old under section 188 of the Housing Act 1996. If Children's Services subsequently accept the section 20 accommodation duty, it is Children's Services (not housing) that owes the legal duty to provide housing.

It is important to note however that a housing authority may still owe duties under the homelessness legislation even if Children's Services are involved and assessing (or have assessed) their need for a service and support.

21. Potential outcomes of assessment

For 16 and 17-year-olds with a housing need there are various possible outcomes to an assessment by Children's Services.

For example, it may be decided:

- The child is not 'in need' of services.
- The child is 'in need', and those needs may be adequately met via the provision of a service or support via section 17 of the Children Act 1989.

If the child is 'in need' and needs accommodation because of one of the reasons set out in section 20 of the 1989 Act, Children's Services must provide suitable accommodation.

22. Examples of when the s20 duty will not be owed

If a 16 or 17-year-old is assessed as being 'in need', the young person's circumstances will determine whether Children's Services must provide accommodation under section 20 of the 1989 Act.

However, a s20 duty is unlikely to be owed if:

- The young person's family are able to provide them with suitable accommodation and care.
- A competent older child refuses to be helped under section 20, having been fully informed of the consequences, including the support to which they are entitled, and may in the future be entitled to.

Any refusal of accommodation or support should be fully informed, not least because of possible adverse implications for the young person's welfare, and a subsequent inability to access help that would otherwise be available to them as a 'former relevant child' (care leaver).

23. Implications of the decision made by Children's Services about the legislation used to help young persons

Whether or not a 16 or 17-year-old is accommodated under section 20 may have important implications. This decision affects the support that they will be legally entitled to, both before and after they turn 18. For example, a person accommodated under section 20 becomes a 'looked after' child. A looked after child usually then benefits from continuing support from Children's Services until they are at least 21, which can extend to 25 in accordance with the circumstances set out in the Children and Social Work Act 2017. Long-term implications of refusing help might include an increased risk of long term or repeat homelessness, particularly if they may not qualify for long-term

assistance under the homelessness legislation, or will be unable to maintain accommodation without support.

24. Informed choice

Partners will ensure that young people receive appropriate information and are offered independent advice so they can make informed choices. When undertaking its assessment Children's Services will inform the young person of an [advocacy service](#) who can provide independent advice.

25. Section 17 power to provide help

Children's Services may offer help on a discretionary basis for the purpose of preventing homelessness. For example, financial help may be provided to ensure an adult who is responsible for a young person can retain their accommodation. In practice, a range of early interventions may help prevent homelessness and associated risks.

26. Section 17 duty to provide services

Children's Services have a general legal duty to provide a range of services to meet children's needs, for the purpose of safeguarding and promoting their welfare, if possible within the family.

27. If Children's Services do not provide accommodation

If a child in need assessment is completed and Children's Services decide that accommodation should not be provided, they will confirm the outcome of that assessment to any relevant statutory agencies, including the housing authority where appropriate.

28. The section 188 interim accommodation duty

Local housing authorities owe a duty to secure suitable accommodation if a 16 or 17-year-old applies to them for help with obtaining accommodation and the authority:

- Has reason to believe they may be homeless, **and**
- Has reason to believe they may be eligible for assistance on immigration and nationality grounds, **unless**
- The young person is a 'relevant child', **or**
- The young person is owed a duty under section 20 of the Children Act 1989.

This is called the interim accommodation duty under section 188 of the Housing Act 1996.

For the reasons set out in this protocol it is envisaged that Children's Services will ordinarily accommodate a homeless 16 or 17-year-old initially, pending the outcome of a child in need assessment (even if the young person initially approached a housing authority in Surrey).

29. Monitoring and non-compliance

The parties to this protocol are committed to monitoring how it operates in practice. A professional working for either Children's Services or a housing authority in Surrey may register a concern if they believe the protocol has been breached. This procedure for raising a concern is set out in [Chapter 2](#).

If a service user is dissatisfied they have the right to submit a complaint. They also have statutory rights to appeal certain decisions taken on their homelessness application. A young person who is dissatisfied should be offered the opportunity to obtain advice from an independent advocate.

6. Glossary of Terms

This glossary aims to help readers by providing definitions of some key terms used in this protocol. Some have a special legal meaning.

Assessment of a child's needs

See '**Section 17 assessment**'.

Care leaver

See '**Former relevant child**'.

Child in need

A child (under 18) who needs a service from **Children's Services** to achieve or maintain a reasonable standard of health or development, or to prevent significant or further harm to health or development, or who is disabled.

Children Act 1989

An Act of Parliament. Part 3 of this Act governs the support for children and families, including the provisions referred to in this protocol.

Children's Services

The department within a local authority responsible for providing statutory services to children, including children in need under Part 3 of the **Children Act 1989**.

Children's Single Point of Access

See '**C-SPA**'.

Corporate parenting

Children's Services have an overarching responsibility towards children in care. Corporate parenting responsibilities were introduced by section 1 of the Children and Social Work Act 2017. These responsibilities require the authority to have regard to the need to act in the young person's best

interests, promote their well-being, helping them make best use of services, and prepare them for adulthood and independent living.

C-SPA

The 'Children's Single Point of Access' is the team that initially administers all requests for support made to Surrey **Children's Services**. C-SPA is located within the Customer Services team, which acts as the front door for the majority of the Council's services.

Duty

The law sometimes provides that an organisation must take certain action. Once the qualifying circumstances are satisfied, the body is compelled to take the action. See, for example, the **section 20 duty** to provide accommodation and support for certain 16 and 17-year-olds. Compare with 'Power'.

Duty To Refer

This is the responsibility placed on certain named agencies under the Homelessness Reduction Act 1997 to formally notify Local Housing Authorities where they believe someone to be homeless or threatened with homelessness. Social Services authorities, youth offender institutions and youth offending teams are included in these named agencies.

Early Help

In accordance with the *Working Together* guidance, Children's Services undertake 'Early Help' assessments where it appears that providing a service or support may help prevent a child becoming a **child in need**.

Eligible child

A child aged 16 or 17 who has been looked after by Children's Services for at least 13 weeks since they were 14, and who is still being looked after (in care).

Eligibility (for housing)

A housing authority must by law make inquiries into the immigration and nationality status of persons who apply for housing, whether via the **housing register** or on grounds of homelessness. Persons from abroad are ineligible for help unless they fall into certain groups set out in regulations (the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 SI No 1294).

Former relevant child

A young person aged between 18 and 25 (inclusive) who used to be (but is no longer) an eligible or relevant child. They are often referred to as ‘care leavers’.

Guidance

See ‘**Statutory guidance**’.

Homeless / homelessness

Someone is homeless in law if they do not have a legal right to occupy accommodation, or their accommodation is not available, or if their accommodation is not reasonable to continue to occupy. A **duty** will usually be owed under the homelessness legislation if a person is **homeless** or **threatened with homelessness**.

Homelessness application / homeless applicant

A **housing authority** must make inquiries under section 184 of the **Housing Act 1996** if a person applies to them for housing or requests help with obtaining accommodation, and there is reason to believe that the person may be **homeless** or **threatened with homelessness**. The inquiries are made for the purpose of deciding what duty (if any) is owed under Part 7 of the 1996 Act. The acceptance of the duty to make **section 184 inquiries** is often referred to colloquially as ‘taking a homelessness application’. Unless the application is withdrawn the authority must issue a **section 184 decision** when it decides what duty (if any) is owed.

Housing Act 1996

An Act of Parliament. Part 6 of the Act provides that every **housing authority** must adopt a **housing allocation scheme** (or **housing register**), for the purpose of allocating social housing. Part 7 of the Act provides a statutory safety net for homeless persons. Duties are placed on local authorities, requiring them to assist persons who are **homeless** or **threatened with homelessness**.

Housing allocation

The selection of someone by a housing authority from the **housing register** for the purpose of offering a social housing tenancy with the council or a housing association.

Housing allocation policy

The policy adopted by a housing authority which governs how applications for social housing are administered, including how applications are prioritised. Policies should be publicly available on the authority’s website. Authorities must also publish a summary of the scheme, which should also be online. A copy of the full allocation scheme (which may include additional documents) can be requested or inspected in person.

Housing application

There are two types of housing application. Applying for social housing involves applying to the relevant authority's **housing register**. A person may also apply for help with obtaining housing on grounds that they are **homeless** or **threatened with homelessness**. This is called a **homelessness application**.

Homelessness Reduction Act 2017

This legislation introduced a duty on certain public authorities to refer service users who they think may be homeless or threatened with homelessness to a housing authority. The service user must give consent, and can choose which authority to be referred to. This includes 16 & 17 year olds.

Housing authority

A council that is responsible for housing. See [page 2](#) for a list of the local housing authorities in Surrey. See appendices [B](#) and [F](#) for their contact details.

Housing plan

See '**Personal housing plan**'.

Housing register

The means by which a housing authority retains a list of persons who are eligible for an allocation of social housing, and priorities those persons, under the terms of their **Housing allocation policy**.

Intentional homelessness

A homeless applicant will not be entitled to the **main housing duty** if they deliberately did, or failed to do something which caused their own homelessness. However, whether someone's homelessness can legitimately be deemed to be intentional is governed by a complex statutory definition set out at section 191 of the **Housing Act 1996**.

Interim accommodation duty (section 188)

A duty owed by a housing authority to provide emergency accommodation for someone who they have reason to believe may be homeless, may have a priority need, and may be eligible for help on immigration grounds.

Joint guidance

Statutory guidance issued by the government in 2018, called '*Prevention of homelessness and provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation*'. Both Children's Services and housing authorities must follow this guidance unless they have a good reason for not doing so.

Local authority

For the purpose of this protocol there are two types of local authority, social services and housing. Surrey County Council (or Children's Services) is the social services authority responsible for providing services under the **Children Act 1989**. There are eleven **housing authorities** in Surrey, which

are listed on [page 2](#) who are responsible for administering **homeless applications** and allocating social housing (see also the contact details at appendices [B](#) and [F](#)).

Local connection (homelessness)

In certain circumstances a housing authority may seek to refer responsibility for a homelessness application to another housing authority on local connection grounds. Not to be confused with the local connection rules that apply in relation to housing registers and the allocation of social housing (see below). A definition of local connection can be found in the Housing Act 1996 Part VII S199

Local connection (housing allocation)

A housing authority's **housing allocation policy** will contain rules based on applicants' local connection to their area. Whether a housing applicant has a local connection is likely to affect whether someone is eligible to be admitted onto the **housing register**. It will also usually affect the priority given to their application. Not to be confused with the local connection rules that apply in relation to homelessness applications (see above).

Looked-after child

A child (under 18 years of age) who has been in the care of the Local Authority for more than 24 hours. Most commonly a child is 'looked after' because they have been accommodated under **section 20 of the Children Act 1989** or as a result of legal proceedings undertaken by the Local Authority resulting in an Interim Care Order being made under S38 of the Act or a Care Order being made under S31 of the Act. Being 'in care' in this context may include a variety of placements, e.g. foster care, a children's home, a secure unit, semi-independent accommodation, or supported accommodation.

A child is not 'looked after' if they are merely accommodated under:

- **Section 17.**
- Section 23B as a '**relevant child**'.
- Section 24B (accommodation connected with employment, education or training for '**persons qualifying for advice and assistance**').
- The **Housing Act 1996**.

Becoming 'looked after' has important implications, both immediate and long term. A series of 'leaving care' duties may be owed by the authority.

Main housing duty

A duty owed by a housing authority to provide temporary accommodation for someone who remains homeless after the relief duty has ended, where the person has a priority need and did not become homeless intentionally. Section 193 of **the 1996 Act** sets out when the duty is owed, how the authority must perform the duty, and when the duty ends.

Part 3 of the 1989 Act

Part 3 is the part of the **Children Act 1989** that places **duties** and **powers** on Children's Services to provide support for children and families. In the context of this protocol, see in particular, the **section 17 duty**, the **section 20 duty**, and **section 17 assessment**.

Part 6 of the 1996 Act

The part of the **Housing Act 1996** governing the allocation of social housing by housing authorities.

Part 7 of the 1996 Act

The part of the **Housing Act 1996** governing the safety net for homeless persons that must be administered by housing authorities.

Personal housing plan

A plan which a housing authority must draw up for a homeless applicant once the authority accepts that they are **homeless** or **threatened with homelessness**, and **eligible for assistance** (on immigration grounds). The plan must set out the steps that both the applicant and authority must take to prevent or relieve homelessness.

Power

The law sometimes provides that an authority may take certain action for a particular purpose. A power is different to a **duty**, as the body is not compelled to take action. Rather, it can exercise discretion when deciding whether it is appropriate to take action in the particular circumstances. See, for example, the **section 23C power** to provide accommodation for **former relevant children**.

Prevention duty

A duty owed by housing authority towards an **eligible** applicant who is **threatened with homelessness**, to help them secure that their present accommodation does not cease to be available or source alternative accommodation. Section 195 of **the 1996 Act [as substituted by s.4(2) Homelessness Reduction Act 2017]** sets out when the duty is owed, how the authority must perform the duty, and when the duty ends.

Priority need

A term used in the homelessness legislation. Someone has a priority need if their circumstances fall into one (or more) of 11 defined categories. A housing authority must usually provide accommodation for someone who is homeless and may fall into one of these priority need groups (see 'interim accommodation duty').

Homeless applicants who have a priority need will also usually qualify for the 'main housing duty' if they remain homeless 56 days after the housing authority accepted that they were homeless and owed the 'relief duty'.

The priority need groups most relevant in the context of young people are:

- *16 and 17-year-olds* – children who are no longer dependent on an adult qualify as being in priority need, unless they are a **relevant child** or Children’s Services owe a duty to provide accommodation under **section 20** of the **Children Act 1989**.
- *Care leavers aged 18-20* – a young person who was looked after, accommodated or fostered whilst they were 16 or 17, unless they are a ‘**relevant student**’ (who remain the responsibility of Children’s Services).
- *Care leavers aged 21-24*, if they are vulnerable due to their time spent in care.
- *Pregnancy* – a female who is pregnant will have a priority need, irrespective of the stage of pregnancy. A homeless applicant will also have priority need if a pregnant woman resides with them as a member of their family, or is a person who might reasonably be expected to reside with them.

Qualifying care leaver

A young person aged between 16 and 24 who was looked after by Children’s Services for less for 13 weeks after their 14th birthday, and for at least one day after they turned 16.

Relevant child

A child aged 16 or 17 who was an eligible child but is no longer looked after by Children’s Services, but who previously looked after for at least 13 weeks after the age of 14, and was looked after for a period of time after they turned 16. If the child left by returning home, they cease to be a relevant child after six months and become a qualifying care leaver.

Relief duty

A duty owed by a housing authority towards an **eligible** homeless person to take reasonable steps to help them obtain suitable accommodation. Section 189B of **the 1996 Act [as inserted by s.5(2) Homelessness Reduction Act 2017]** sets out when the duty is owed, how the authority must perform the duty, and when the duty ends.

Safeguarding

Where a concern arises that a child may be suffering, or is likely to be suffering, significant harm, an immediate referral should be made to Children’s Services. Readers should refer to [Surrey Safeguarding Partnership Procedures](#).

Section 17 assessment

An assessment by **Children’s Services** of a child’s need for services under Part 3 of the **Children Act 1989**.

Section 17 duty

Section 17 of the **Children Act 1989 Act** requires Children's Services to safeguard and promote the welfare of children within the area who are in need, and promote the upbringing of children in need by their families. A range of services must be provided which are appropriate to such children's needs.

Section 17 also gives Children's Services a **power** to provide accommodation to a **child in need** and (where appropriate their family) to promote or safeguard the welfare of the child.

Section 20 duty

Section 20(1) of the **Children Act 1989** provides a **duty** on Children's Services to provide accommodation to a **child in need** who has no person exercising parental responsibility for them.

Section 20 power

Section 20(4) of the **Children Act 1989** provides a **power** that Children's Services may use to provide accommodation for a child within their area, including children with persons exercising parental responsibility for them, if they consider that to do so would safeguard or promote the child's welfare.

Section 23C duty

Section 23C(4)(c) of the **Children Act 1989** provides a **duty** on Children's Services to provide accommodation for a former relevant child.

Section 184 decision

A decision made by a housing authority on someone's homelessness application about what duty is owed to them under the homelessness legislation. The applicant must be notified of the decision in writing. The notification must provide reasons for any adverse conclusions and inform the applicant of their right to request an internal review.

Section 184 inquiries

Inquiries by a housing authority into a person's circumstances for the purpose of deciding what duty is owed to them under the homelessness legislation (if any).

Section 188 duty

See **interim accommodation duty**.

Section 189A assessment

The assessment that a housing authority must undertake if someone applies to them for help with housing and they accept the person is both eligible for help (on immigration grounds) and homeless.

Section 47 enquiries

Children's Services have a duty to make enquiries where they have reasonable cause to suspect that a child in their area is likely to be suffering significant harm. See also '**Safeguarding**'.

Separated children

Children outside their country of origin and have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. This includes unaccompanied asylum-seeking children. As they have no adult to care for them, these children are 'in need' and become a 'looked after child', in the care of Children's Services.

Social housing

Housing that is owned or managed by a council, housing association or registered provider.

Judgment

A landmark judgment by the House of Lords: *R (G) v LB Southwark* [2009] UKHL 26. The court held that:

- Deciding whether a child is 'in need' will often require careful assessment.
- While s20 requires evaluative judgment, it is a duty not a power. If the requisite conditions are met, the authority do not have any choice but to secure s20 accommodation.
- A child excluded from home who is 'sofa surfing', sleeping in a car, or snatching showers and doing laundry when they can is in need. A lack of permanent accommodation has long term implications for a young person's educational attainment and other practical areas of life.
- A child should not be passed 'from pillar to post' while authorities argue about their respective responsibility.
- Children's Services cannot sidestep a duty to accommodate a 16 or 17-year-old under section 20 by labelling accommodation as Housing Act accommodation or section 17 accommodation, or by merely referring them to a housing department.
- If a child is not actually accommodated under section 20, they are not entitled to 'leaving care' services.

Statutory guidance

Guidance issued by central Government. Housing authorities must have regard to guidance when making decisions. Children's Services must have guidance unless they have a good reason.

Surrey Safeguarding Children Partnership

The Surrey Safeguarding Children Partnership was created in 2019 following legislative changes introduced by the Children and Social Work Act 2017. The three statutory partners are Surrey County Council, Surrey Police and Surrey Heartlands Clinical Commissioning Group (acting on behalf of all CCGs and NHS providers in Surrey). It is a key statutory mechanism for agreeing how the relevant organisations in Surrey will cooperate to safeguard and promote the welfare of children, coordinate local safeguarding and promote children's welfare.

Surrey Safeguarding Children Partnership's Procedures

See 'Safeguarding'.

Targeted Support

Vulnerable Children. Children and young people whose needs are more complex. This refers to the range, depth or significance of the needs. More than one service is involved, using a Team Around the Family approach, Early Help Plan and a Lead Practitioner to co-ordinate multi-agency support.

The 1989 Act

See 'Children Act 1989'.

The 1996 Act

See 'Housing Act 1996'

Threatened homelessness

A homeless applicant is 'threatened with homelessness' if they are likely to become homeless within 56 days. An assured shorthold tenant is also threatened with homelessness if they receive a valid section 21 notice which is due to expire within 56 days, and they have no other accommodation available, which they have a right to occupy and which is reasonable to continue to occupy.

***Working together* guidance**

Statutory guidance for social service authorities. Issued in July 2018, the full title is *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*.

7. Appendices

- A. [Children's Services – contact details](#)
- B. [Homelessness teams – contact details](#)
- C. [Other organisations](#)
- D. [Links to legislation and statutory guidance](#)
- E. [Children's Services Policies](#)
- F. [Housing allocation policies and contact details](#)
- G. [Forms](#)
- H. [Flow charts](#)

7.A Appendix A – Children’s Services – Contact Details

Children’s Single Point of Access (C-SPA)

The front door to Children’s Services in Surrey.

Availability : 9am to 5pm, Monday to Friday

Address: Quadrant Court, 35 Guildford Road, Woking, Surrey

Tel: 0300 470 9100

Email: cspa@surreycc.gov.uk

Local area office (North East)

Elmbridge, Epsom and Ewell, and Spelthorne

Availability: 9am to 5pm, Monday to Friday

Address: North East Surrey Children’s Services, Ashley Park House, 42-50 Hersham Road, KT12 1RZ

Tel: 0300 123 1610

Email: neassesshub@surreycc.gov.uk

Local area office (North West)

[Runnymede, Surrey Heath and Woking

Availability: 9am to 5pm, Monday to Friday

Address: North West Surrey Children’s Services, Quadrant Court, Guildford Road, GU22 7QQ

Tel: 0300 123 1630

Email: nwassesshub@surreycc.gov.uk

Local area office (South East)

Tandridge, Reigate and Banstead and Mole Valley

Availability 9am to 5pm, Monday to Friday

Address: South East Surrey Children’s Services, Consort House, 5-7 Queensway, Redhill, RH1 1YB

Tel: 0300 123 1620

Email: seassesshub@surreycc.gcsx.gov.uk

Local area office (South West)

Guildford and Waverley

Availability: 9am to 5pm, Monday to Friday

Preventing Homelessness in Surrey – Joint Protocol for 16 and 17 year olds

Address: South West Surrey Children's Services, St Francis Centre, Southway, Guildford, GU2 8WZ
Tel: 0300 123 1640
Email: swassesshub@surreycc.gov.uk

Emergency Duty Team

Availability Monday to Friday 5pm to 9am. 24 hours a day at weekends and on bank holidays.
Tel: 01483 517 898
Fax: 01483 517 895
SMS 07800 000 388 (for deaf & hard of hearing)
Email: edt.ssd@surreycc.gov.uk

C-SPA Child Protection Consultation Line

Advice and support to professionals to ensure they are directed to the most appropriate service.

Availability: 9am to 5pm, Monday to Friday
Tel: 300 9100 option 3

7.B Appendix B – Homelessness Teams – Contact Details

Elmbridge Borough Council

Civic Centre, High Street, Esher KT10 9SD

Tel: 01372 474 590

Email: housingoptions@elmsbridge.gov.uk

Web: <http://www.elmsbridge.gov.uk/>

Duty

to [Elmbridge Borough Council - Worried about becoming homeless?](#)

Out of hours homelessness 0300 123 7718

tel:

Epsom and Ewell Borough Council

Town Hall, The Parade, Epsom KT10 5BY

Tel: 01372 732 000

Email: housing@epsom-ewell.gov.uk

Web: <http://www.epsom-ewell.gov.uk>

Duty

to [Duty to refer | Epsom and Ewell Borough Council \(epsom-ewell.gov.uk\)](#)

Refer: [Council \(epsom-ewell.gov.uk\)](#)

Out of hours homelessness 01372 732 000

tel:

Guildford Borough Council

Millmead House, Millmead, Guildford GU2 4BB

Tel: 01483 444244

Email: housingadvice@guildford.gov.uk

Web: <https://www.guildford.gov.uk>

Duty

to [Homelessness - duty to refer - Guildford Borough Council](#)

Refer: [Borough Council](#)

Out of hours homelessness 01483 505 050

tel:

Mole Valley District Council

Pippbrook, Dorking RH4 1SJ

Tel: 01306 885 001

Email: housing@molevalley.gov.uk

Web: <https://www.molevalley.gov.uk>

Duty

to [Are You Facing Homelessness? | Mole Valley District Council](#)

Refer: [Valley District Council](#)

Out of hours homelessness 0300 123 7718
tel:

Reigate and Banstead Borough Council

Town Hall, Castlefield Road, Reigate RH2 0SH

Tel: 01737 276790

Email: housing.advice@reigate-banstead.gov.uk

Web: <https://www.reigate-banstead.gov.uk>

Duty

to [Duty to Refer | Facing Homelessness |](#)

Refer: [Reigate and Banstead \(reigate-banstead.gov.uk\)](#)

Out of hours homelessness 0300 123 7719
tel:

Runnymede Borough Council

Civic Offices, Station Road, Addlestone KT15 2AH

Tel: 01932 838383

Email: housingadvice@runnymede.gov.uk

Web: <https://www.runnymede.gov.uk>

Duty

to [Duty to refer for agencies – Runnymede](#)

Refer: [Borough Council](#)

Out of hours homelessness 01932 838 383
tel:

Spelthorne Borough Council

Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

Tel: 01784 446 380

Email: housingadvice@spelthorne.gov.uk

Web: <https://www.spelthorne.gov.uk>

Duty

to [Housing Options contact details -](#)

Refer: [Spelthorne Borough Council](#)

Out of hours homelessness 01784 451 499 / 0300 123 7718
tel:

Surrey Heath Borough Council

Surrey Heath House, Knoll Road, Camberley GU15 3HD

Tel: 01276 707 100

Email: housing@surreyheath.gov.uk

Web: <https://surreyheath.gov.uk>

[Duty to Refer | SURREY HEATH
BOROUGH COUNCIL](#)

Duty
to
Refer:
Out of hours homelessness 01276 707 100
tel:

Tandridge District Council

Council Offices, 8 Station Road East, Oxted RH8 0BT

Tel: 01883 722 000
Email: homelessness@tandridge.gov.uk or
housing-needs@tandridge.gov.uk
Web: <https://tandridge.gov.uk>

Duty
to [Duty to refer - Tandridge District Council](#)
Refer:
Out of hours homelessness 07458 078 407
tel:

Waverley Borough Council

Council Offices, The Burys, Godalming GU7 1HR

Tel: 01483 523 333
Email: enquiries@waverley.gov.uk
Web: <https://www.waverley.gov.uk>

Duty
to [Waverley BC - Duty to refer](#)
Refer:
Out of hours homelessness 0300 123 7718
tel:

Woking Borough Council

Civic Offices, Gloucester Square, Woking GU21 6YL

Tel: 01483 743834
Email: housingoptions.enquiries@woking.gov.uk
Web: <https://www.woking.gov.uk>

Duty
to [Homelessness duty to refer | Woking Borough Council](#)
Refer:
Out of hours homelessness 01483 743 834
tel:

7.C Appendix C - Other Organisations – Contact Details

Reconstruct Advocacy

Referrals to be made via Surrey's Partner portal here:

[Reconstruct Surrey Partner Portal](#)

Contact Us

Hobart House, Oakwater Avenue, Cheadle Royal Business Park,
Cheadle
SK8 3SR

0800 3891 571

Barnado's

[Children's advocacy | Barnardo's \(barnardos.org.uk\)](http://barnardos.org.uk)

Coram Voice

Coram Campus, 41 Brunswick Square, London WC1N 1AZ

020 7833 5792

0808 800 5792 (advocacy helpline)

help@coramvoice.org.uk

[How can I get an Advocate? - Coram Voice](#)

<https://coramvoice.org.uk/for-professionals/>

Mediation Surrey

The purpose of Intergenerational Mediation is to help young people and their families resolve disagreements through improved communication with the support of a trained mediator.

Intergenerational Mediation supports constructive communication between young people, siblings, parents, guardians, carers, and other family members and helps them to find ways to improve their relationship.

The Services has venues in Woking, Guildford, Ashted, Reigate, Oxted and Caterham.

Availability: 9am to 5pm, Monday to Friday

Enquiries: [Online enquiry](#)

Tel: 03301 340 176 / 0300 200 1004

SMS text: 07860 053 465

Email: IG@mediationsurrey.org

Website: <https://mediationsurrey.org> intergenerational-mediation

Information Commissioner's Office

The independent regulator with responsibility for regulating information governance and privacy, and upholding information rights.

Availability 9am to 5pm Monday to Friday.

Address: Wycliffe House, Water Lane, Wilmslow SK9 5AF

Tel: 0303 123 1113 (main helpline)

Webchat: <https://ico.org.uk/global/contact-us/live-chat/>

Email: icocasework@ico.org.uk

Website: <https://ico.org.uk>

Just for Kids Law

Specialist charity providing legal advice and representation for children and young people between the ages of 10 and 25.

Availability: 9.30am to 5.30am Monday to Friday.

Tel: 0203 174 2279

Online referral: <https://justforkidslaw.org/referral>

Email: info@justforkidslaw.org

Website: <https://justforkidslaw.org>

Legal Aid Agency

Funder of free legal advice, delivered mostly via solicitors and advice agencies with a contract for specific areas of law, e.g. community care, housing, immigration etc.

Search engine to find legal advisor: <https://find-legal-advice.justice.gov.uk/>

Civil Legal Advice Line 0345 345 4 345

Legal aid online eligibility checker <https://www.gov.uk/check-legal-aid>

Shelter

Homelessness charity providing free housing advice to those who are homeless and badly housed.

Availability Free telephone helpline open 8am to 8pm on weekdays and 9am to 5pm at weekends.

Webchat online advice service open 9am to 5pm on weekdays.

Address: 88 Old Street, London EC1V 9HU

Tel: 0808 800 4444

Online advice: https://england.shelter.org.uk/get_help/webchat

Email: info@shelter.org.uk

Website: <https://england.shelter.org.uk/>

Social Care and Local Government Ombudsman

The Ombudsman with responsibility for dealing with complaints about the actions of local authorities.

Availability

Address: PO Box 4771, Coventry CV4 0EH

Tel: 0300 061 0614 (complaint helpline)

Complaint form: <https://complaints.lgo.org.uk/> (online)

<https://www.lgo.org.uk/complain-to-us-by-post>
(postal version)

Website: <https://www.lgo.org.uk>

7.D Appendix D – Links to Legislation and Statutory Guidance

Key legislation

Children Act 1989

<https://www.legislation.gov.uk/ukpga/1989/41/contents>

Housing Act 1996

<https://www.legislation.gov.uk/ukpga/1996/52/contents>

Joint Guidance

Prevention of homelessness and provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation

(April 2010; updated since)

<https://www.gov.uk/government/publications/provision-of-accommodation-for-16-and-17-year-olds-who-may-be-homeless-and-or-require-accommodation>

(April 2010; updated since)

Other statutory guidance

Homelessness code of guidance for local authorities

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>

(February 2018; updated since)

Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

(March 2015; updated since)

Children Act 1989 guidance and regulations Volume 2: care planning, placement and case review

<https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review>

(March 2010; updated since)

Children Act 1989 Volume 3: transition to adulthood for care leavers

<https://www.gov.uk/government/publications/children-act-1989-transition-to-adulthood-for-care-leavers>

(October 2010; updated since)

The Children Act 1989 Guidance and Regulations: Local authority responsibilities towards former looked after children in custody

<https://www.gov.uk/government/publications/children-act-1989-former-looked-after-children-in-custody>

(November 2010)

Care of unaccompanied migrant children and child victims of modern

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slavery: Statutory guidance for local authorities

<https://www.gov.uk/government/publications/care-of-unaccompanied-and-trafficked-children>

(November 2017)

Statutory guidance on children who run away or go missing

<https://www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care>

(January 2014)

Getting the Best from Complaints

<https://www.gov.uk/government/publications/childrens-social-care-getting-the-best-from-complaints>

(September 2006)

7.E Appendix E – Children’s Services Policies

Generally

Children’s Services’ Procedure Manual:

<https://www.proceduresonline.com/surrey/cs/index.html>

Surrey Safeguarding Children Partnership Procedures Manual:

<https://surreyscb.procedures.org.uk/>

Specific policies

Effective Family Resilience Surrey: Guidance for all practitioners on the continuum of support when working together with children and families to provide early help, targeted and specialist support

<https://www.surreyscp.org.uk/wp-content/uploads/2021/02/Effective-family-resilience-SSCP-Dec-2020-v7.pdf>

Custodial Sentences and Resettlement Policy

https://proceduresonline.com/trixcms2/surreycs/doc-library/#collapse4_9

7.F Appendix F – Housing Allocation Policies and Contact Details

Elmbridge Borough Council

Info: <https://www.elmbridge.gov.uk/housing/applying-for-social-housing/>
Policy: <https://www.elmbridge.gov.uk/housing/housing-strategies-and-policies/>
:
Tel: 01372 474 590
Email: socialhousing@elmbridge.gov.uk

Epsom and Ewell Borough Council

Info: <https://www.epsom-ewell.gov.uk/residents/housing/housing-needs-register/housing-allocation-policy>
Policy: <https://www.eebc-homechoice.org.uk/Data/Pub/PublicWebsite/ImageLibrary/EEBC%20-%20Housing%20Allocations%20Policy%20and%20Choice%20Based%20Lettings%20Scheme%20MASTER%20%202020-10-15.pdf>
:
Tel: 01372 732000
Email: housing@epsom-ewell.gov.uk

Guildford Borough Council

Info: <https://www.guildford.gov.uk/article/25567/Who-can-apply-to-be-on-the-housing-register>
Policy: <https://www.guildford.gov.uk/article/25570/Requesting-a-review-of-a-decision>
:
Tel: 01483 505 050
Email: registerforahome@guildford.gov.uk

Mole Valley District Council

Info: www.molevalley-homechoice.org.uk
:
Policy: <https://www.molevalley-homechoice.org.uk/Data/Pub/PublicWebsite/ImageLibrary/MARCH%202023%20Allocations%20scheme.pdf>
:
Tel: 01306 885 001
Email: Housing@molevalley.gov.uk

Reigate and Banstead Borough Council

Info: <https://www.reigate-banstead.gov.uk/>

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[info/20040/housing/158/the_housing_register](https://www.surrey.gov.uk/info/20040/housing/158/the_housing_register)

Policy https://www.reigate-banstead.gov.uk/downloads/download/1187/housing_register_and_allocations_policy

Tel: 01737 276790

Email: housing.advice@reigate-banstead.gov.uk

Runnymede Borough Council

Info: <https://www.runnymede.gov.uk/help-find-home/join-housing-register>

Policy <https://www.rbc-homes.org/choice/uploads/RBCAllocsScheme.pdf>

:

Tel: 01932 838 383

Email: housingallocations@runnymede.gov.uk

Spelthorne Borough Council

Info: <https://www.searchmoves.org.uk/choice/>

Policy [Housing allocation policy](#)

:

Tel: 01784 446 380

Email: housing.needs@spelthorne.gov.uk

Surrey Heath Borough Council

Info: <https://www.surreyheath.gov.uk/residents/housing/apply-housing>

Policy <https://www.surreyheath.gov.uk/residents/housing/apply-housing/housing-register-allocation>

:

Tel: 01276 707 100

Email: housing@surreyheath.gov.uk

Tandridge District Council

Info: <https://www.tandridge.gov.uk/Housing/Finding-a-home/Apply-for-council-housing>

Policy <https://www.tandridge.gov.uk/Housing/Finding-a-home/Apply-for-council-housing>

:

Tel: 01883 722 000

Email: Housing-Needs@tandridge.gov.uk

Waverley Borough Council

Info: <https://www.waverley.gov.uk/Services/Housing/Finding-a-home/Find-council-housing/Can-I-get-a-council-house>

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Policy : <https://www.waverley.gov.uk/Services/Housing/Finding-a-home/Find-council-housing/Can-I-get-a-council-house>
Tel: 01483 523 551
Email: homechoice@waverley.gov.uk

Woking Borough Council

Info: <https://www.woking.gov.uk/housing/apply-housing/how-we-allocate-housing>
Policy : <https://www.woking.gov.uk/housing/apply-housing/how-we-allocate-housing>
Tel: 01483 743 833
Email: housingneeds@woking.gov.uk

7.G Appendix G – Forms

[Request for Support Form](#)

The form to be used when requesting support for a family or young person:
<https://www.surreyscp.org.uk/documents/surrey-childrens-services-request-for-support-form/>

[Gateway to Resources Referral Form - this form is now embedded in the System used by Children's Services](#)

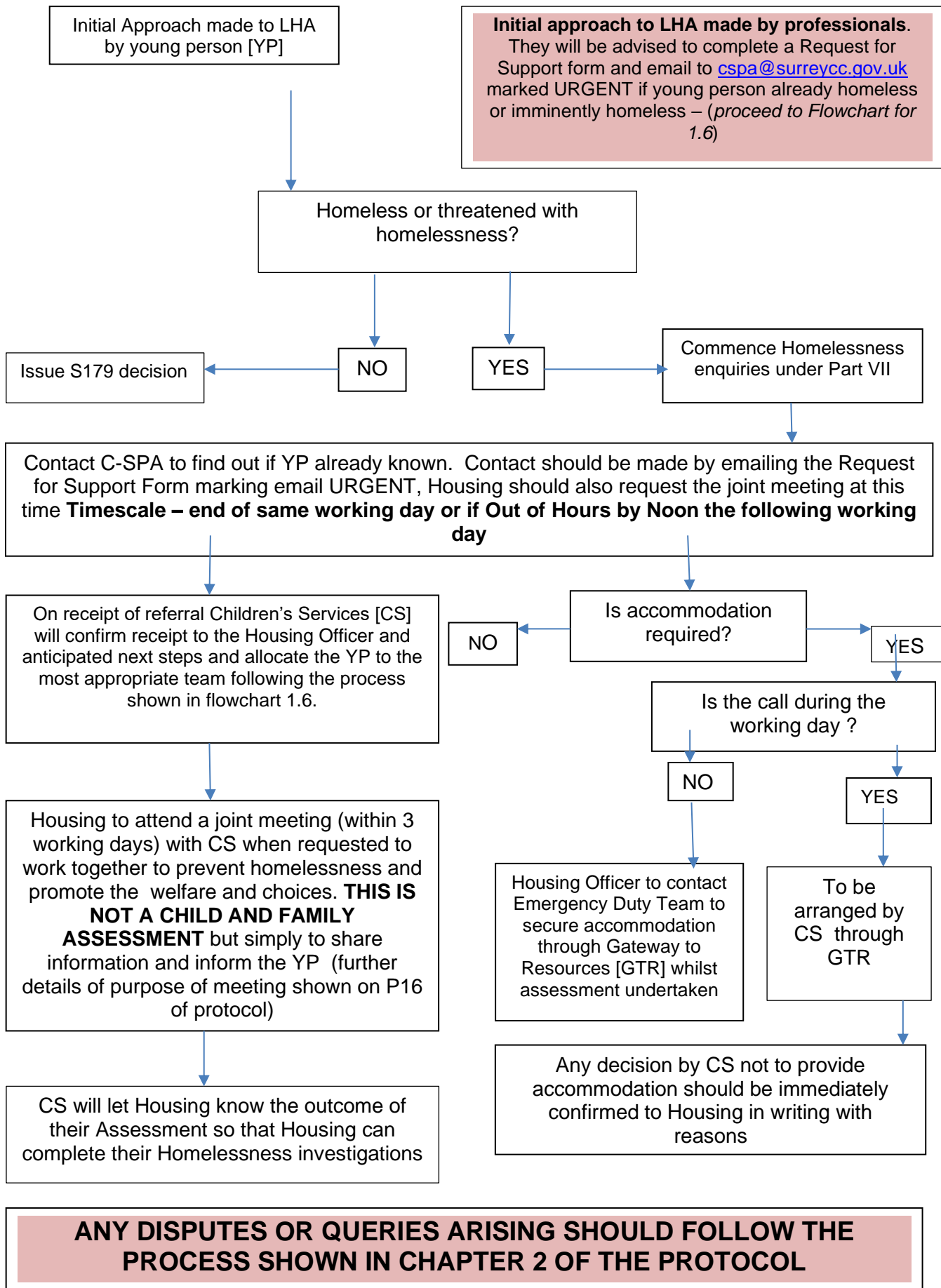
[What is Best for Me? Leaflet](#)

[Joint Meeting Template](#)

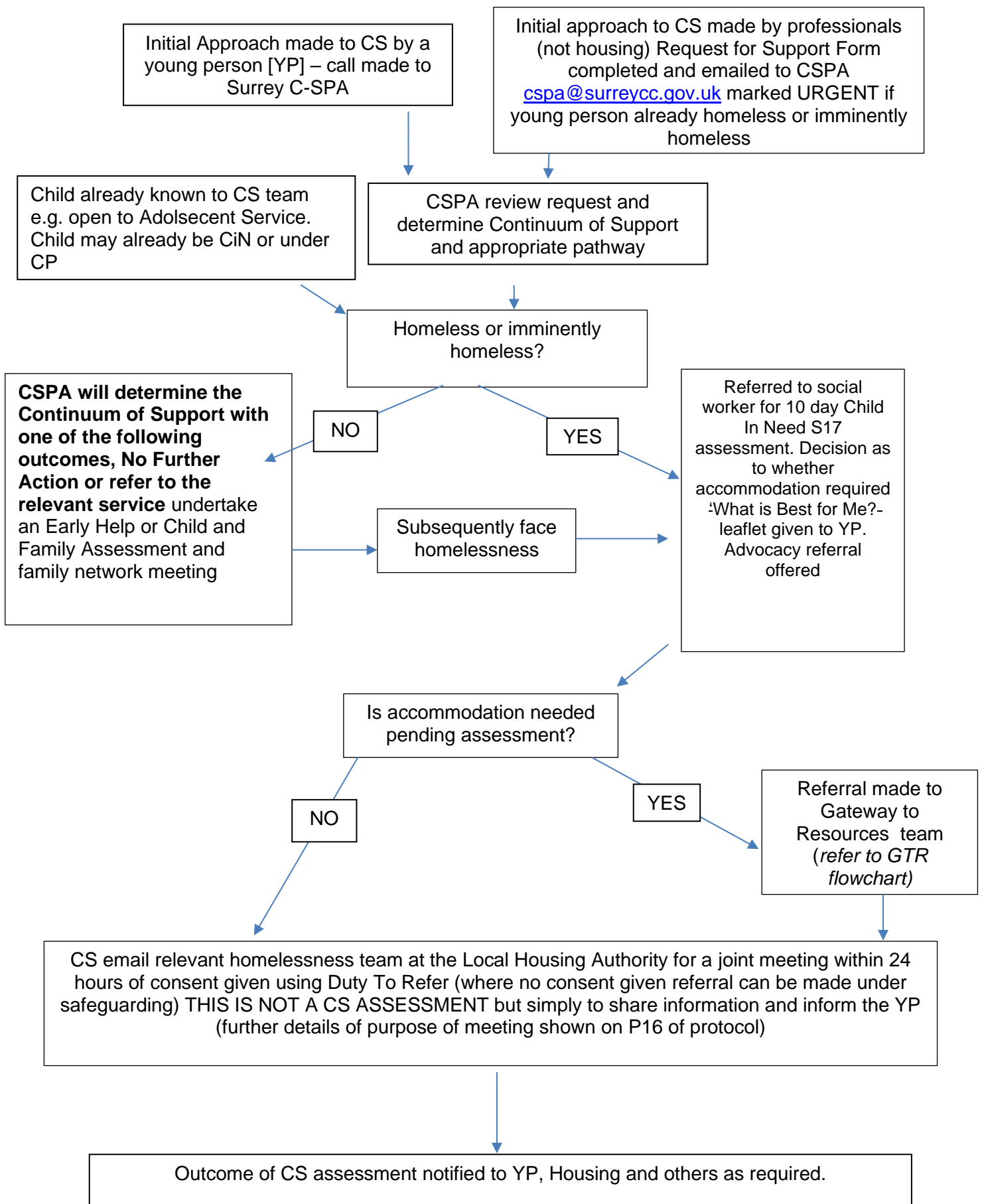
7.H Appendix H – Flow Charts

See below:-

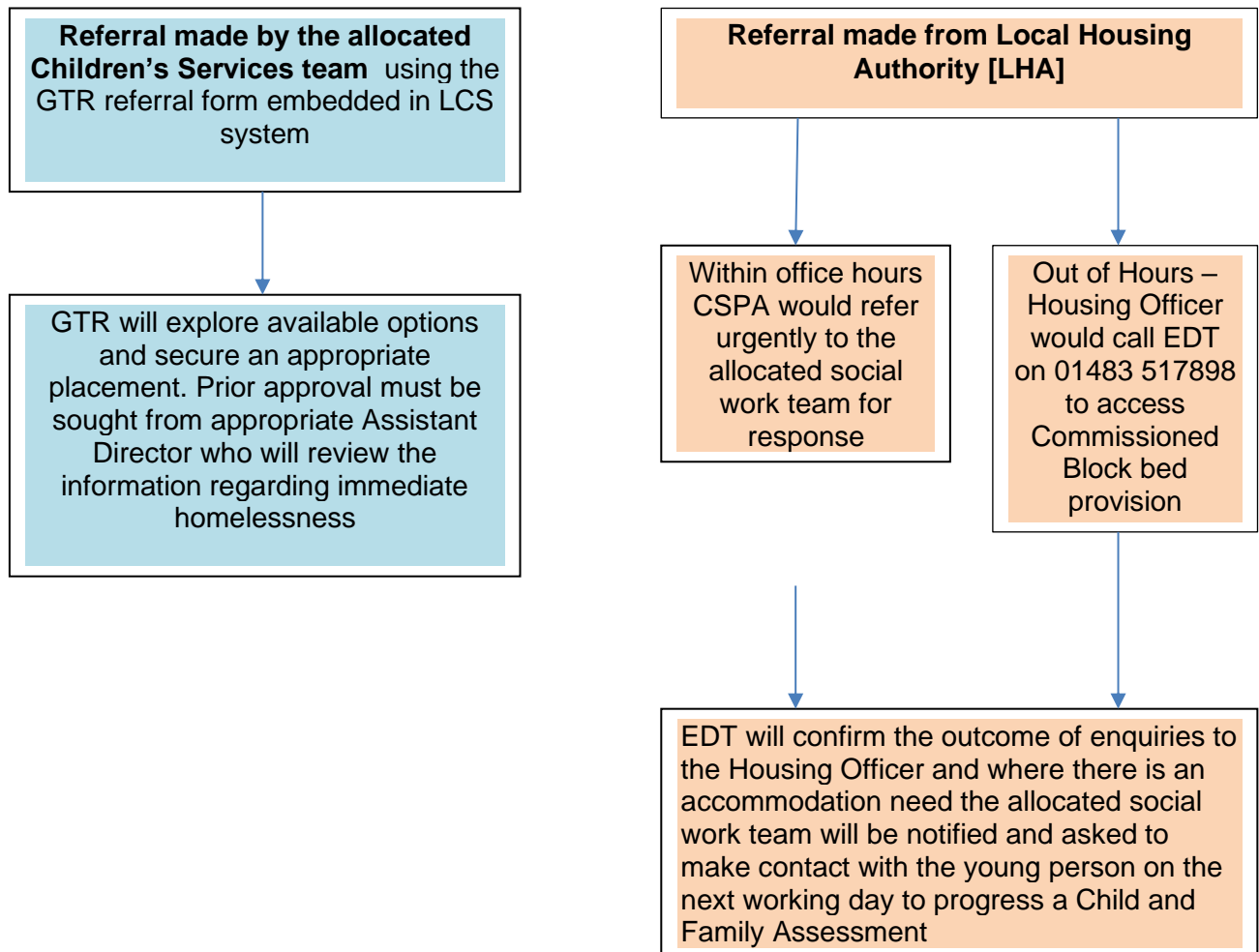
Flowchart A – Section 1.5 - Initial Approach made to Local Housing Authority [LHA]



Flowchart B – Section 1.6 Initial Approach made to Children’s Services [CS]



Flowchart C – Accessing Emergency accommodation through Gateway To Resources (GTR) team whilst assessment is being undertaken



ANY DISPUTES OR QUERIES ARISING SHOULD FOLLOW THE PROCESS SHOWN IN CHAPTER 2 OF THE PROTOCOL