



Protocol for working with young people (16 and 17-year-olds) presenting as homeless

Between:

**Children Social Care
(Integrated Front Door - IFD)**

And

**Community Housing Services
(Housing Options)**

This protocol sets out Bolton Council's response and approach to young people (16 and 17-year-olds) who present as homeless and outlines the responsibilities and roles for the two departments involved.

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1. Introduction

This protocol sets out Bolton Council's corporate response to the identification, assessment, and management of the needs of young people aged 16 and 17 who present as homeless.

The protocol has been updated in response to the Statutory Guidance issued in April 2018 to Children's Social Care authorities and Local Housing authorities about their duties under Part 3 of the Children Act 1989 and Part 7 of the Housing Act 1996 (as amended by Homeless Reduction Act 2017) to secure or provide accommodation for homeless young people aged 16 and 17 years old.

2. Council Responsibilities

Bolton Council recognises that it has a clear responsibility towards young people who are homeless and wishes to effectively discharge those responsibilities.

The Council has several responsibilities under both the Children Act 1989 and under Part 7 of the Housing Act 1996 (as amended by the HRA 2017) in circumstances where there are young people aged 16-17 who require accommodation.

Under the Children Act 1989 the responsibilities are:

- To safeguard and promote the welfare of children in need.
- So far is consistent with the above, to promote the upbringing of such children with their families.
- To provide accommodation for any child in need in their area who is lost or abandoned or has no person with parental responsibility for them.
- To provide accommodation for any child in need who has reached 16 and whose welfare the Authority considers is likely to be seriously prejudiced if they do not provide accommodation.

Under the Housing Act 1996 (as amended by the HRA 2017) the Authority has a duty to prevent homelessness occurring and, where homelessness does occur, to assist with securing suitable alternative accommodation as appropriate.

Homelessness assistance is subject to an investigation to satisfy that there is no other suitable accommodation that the young person might have a right to reasonably occupy. If the Authority has a reason to believe the young person is homeless or threatened with homelessness within 56 days, the Authority has a duty to take a homeless application, assess what duties are owed and accept a prevention or relief duty. This involves an assessment of the presenting circumstances to determine what assistance if any is to be provided under prevention and/or relief of homelessness.

All homeless cases will be recorded on the Housing Options database and submitted via a H-CLIC return to the Department of Levelling up, Housing and Communities (DLUHC)

Assistance is provided through a personal housing plan and, where relief duties have been exhausted, to assess and offer appropriate assistance under any 'main duty' homelessness requirements in accordance with the Housing Act 1996 (including that the person did not make themselves intentionally homeless and that the person has a 'local connection').

Even if, for one of the above reasons, the person is not considered a responsibility of the Community Housing Services for re-housing, they may be entitled to temporary accommodation pending any further investigation, and advice and assistance to help secure alternative accommodation as appropriate.

3. Bolton's Approach

Bolton Council seeks to apply the above legislation in a way which recognises that different young people have varying needs and require graduated responses. Unless there is clear safeguarding evidence to the contrary, it is generally accepted that it is in the best interest of most young people aged 16-17 to live in their family home or to live with responsible adults within their wider family or friend network. The Corporate response to a 16 or 17-year-old seeking assistance due to homelessness should fundamentally recognise the need to work proactively with young people and their families to identify and resolve the issues which have led to the homelessness crisis, and for the young person to return home where possible.

As a first course of action the Council will deal with a young person's immediate need for accommodation. In parallel, the Council will also look at the possibility of a return to the parents' home or family as the best and most desirable outcome where appropriate.

4. Response to Initial Referral

All young people aged 16 and 17 who present to an agency in Bolton as homeless should be directed to the Children's Social Care Department's Integrated Front Door (IFD) to ensure a consistent response to young people who may be homeless. Should a young person present at housing first they would be redirected to contact the IFD with the full assistance of Housing Options.

5. Role of the Children Services Department

When a young person presents themselves as homeless to the IFD, an initial investigation and screening assessment will explore exactly what the young person means by 'homeless' and why they are unable to return to live with their parents or, failing that, other family, or friends. In some circumstances it will be necessary for emergency temporary accommodation to be accessed for young people whilst these issues are being addressed. Duty to Refer will be completed and sent to Housing Options with the completed screening assessment. Appendix 2 contains a process map detailing this process.

In most situations, a return home or to their wider family would be the favoured option and work will be undertaken to try and achieve this within the shortest time possible.

It is the role of Children Social Care to deal with the immediate needs of the young person and to provide them with longer-term support in areas other than accommodation.

Any young person who is 16 years of age but still at school and who has been an open case to a Social Work team in the three months immediately preceding the homeless presentation will be referred to the relevant Social Work team. The Social Work team will attempt to ensure a return home to parents or extended family or friends. If the young person of school age has not been open to Children's Social Care within the 3-month timeframe, a referral would be made to the Integrated Front Door where a decision will be made about whether this is dealt with via the Early Help pathway or the Assessment Service. Any young person who is 16 or 17 years of age and no longer at school will be dealt with via the Homelessness Pathway by the Integrated Front Door,

where an assessment of the circumstances will take place to consider appropriate action and intervention.

6. Referral to Time2Talk

The IFD will refer the young person to Time2Talk, a service within Community Housing Services providing mediation for young people at risk of homelessness.

The Time2Talk service will try to engage with the young person and the other party (parent, guardian, or extended family) to affect an improvement in their relationship which may either prevent homelessness or result in a return home.

Although a return home in most cases would be the preferred option it is recognised that this may not always be possible. A referral to Time2Talk will still be relevant as a positive outcome would be for the parent/carer and young person to maintain and improve their relationship which may result in ongoing support to the young person from Time2Talk.

In cases where the breakdown of accommodation is an emergency or where no resolution seems possible then a Duty to Refer incorporating the screening tool (Appendix 1) will be sent to Housing Options and a joint assessment with Children's Social Care will be arranged.

7. Initial Investigation and Screening Assessment

When a young person presents as homeless an initial investigation and screening assessment will be undertaken to establish if emergency accommodation is required. The initial investigation and screening assessment will utilise the following 5-point test:

1. Is the applicant a child?
2. Are they in need?
3. Are they a child resident within Bolton? *If they are not a Bolton resident, an assessment of local connection to Bolton would take place. Where the young person is not deemed to have a local connection, they would be referred to the borough of local connection.*
4. What is the child's wishes and feelings regarding the provision of accommodation under S.20? *The young person should be supported to make an informed decision, considering their age and levels of understanding.*

The outcome of the initial investigation and screening assessment which will be one of the following:

- Advice given and no further action needed. Support may continue to be provided under S.20 of the Children Act or from Early Help.
- Assessment involving contact with parents/carers, liaison with other agencies; referral to Time2Talk project; referrals to appropriate accommodation projects where immediate emergency accommodation is not required.
- Assessment involving contact with parents/carers, liaison with other agencies; referral to Time2Talk project, accommodation under S20 Children Act 1989, securing of emergency temporary accommodation, referrals to appropriate accommodation projects; provision of on-going support.
- Assessment involving contact with parents/carers, liaison with other agencies; referral to Time2Talk project, duty to refer and screening assessment, joint assessment

undertaken, provision of accommodation under S188(1) of the 1996 Housing Act (where a young person has made an informed decision that they do not wish to become Looked After), securing of emergency temporary accommodation, acceptance of relief duty 189B and Personal Housing Plan, referrals to appropriate accommodation projects; on-going support for limited period.

Any concerns that arise during the investigation and assessment process about younger siblings in relation to Child Protection will be referred to the Integrated Front Door.

Investigation and Screening Assessment

The Investigation and Screening Assessment will be conducted within the IFD, and a decision made within **one working day** as to whether a Children and Families Assessment will be completed.

Where the Initial Investigation and Screening Assessment identifies that the young person has unmet needs and a decision is made that a Children and Families Assessment is to be completed, the IFD will allocate to an Assessment Service Social Worker who will commence a joint assessment with Housing Options.

Children's Social Care will conduct and lead the joint assessment into the young person's needs. The assessment will be completed in accordance with Bolton Council Children's Social Care Policies & Procedures. The following factors will be considered by Children's Social Care when assessing 16 and 17-year-olds who may be homeless children in need:

- Accommodation
 - Does the child have access to stable accommodation?
 - How far is this suitable to the full range of the child's needs?
- Family and Social Relationships
 - Assessment of the child's relationship with their parents and wider family.
 - What is the capacity of the child's family and social network to provide stable and secure accommodation and meet the child's practical, emotional, and social needs?
- Emotional and Behavioural Development
 - Does the child show self-esteem, resilience, and confidence?
 - Assessment of their attachments and the quality of their relationships.
 - Does the child show self-control and appropriate self-awareness?
- Education, Training and Employment
 - Information about the child's education experience and background
 - Assessment as to whether support may be required to enable the child to access education, training, or employment.
- Financial Capability and independent living skills
 - Assessment of the child's financial competence and how they will secure financial support in future.
 - Information about the support the child might need to develop self-management and independent living skills.
- Health and Development
 - Assessment of the child's physical, emotional, and mental health needs.

- Identity
 - Assessment of the child's needs as a result of their ethnicity, preferred language, cultural background, religion, or sexual orientation.

The purpose of the joint approach to the assessment is to ensure that the needs of young people who are homeless are met and that they receive appropriate priority within the accommodation projects. It is recognised that some young people will present with difficult and chaotic behaviours and may struggle to be accepted onto any accommodation project. The joint assessment process will highlight these difficulties and help to identify and secure a support package from appropriate agencies to help a young person secure and maintain supported accommodation.

The joint assessment will be completed within **5 working days** to identify the young person's needs and the level of support that is required to meet those needs.

This will identify what duty, if any, is owed to the young person. If, following the joint assessment and the provision of all necessary information to enable the young person to make an informed decision, it appears they require continued accommodation, discussions will be had as to whether the young person wishes to remain in accommodation under S20 of the Children Act 1989 or Part VII of the Housing Act 1996.

8. Role of the 'Housing' / Community Housing Services

Housing Services should seek to work with Children Social Care throughout the process of assessment; planning and attempting to prevent or relieve homelessness so that the child in need assessment and homelessness assessment, and the resulting plans and actions, are co-ordinated. Time2Talk will continue to support the young person to return home and /or maintain contact with family and/or guardian. Referral to a young person's housing scheme for temporary and supported accommodation. Personal Housing Plan for all housing options in place and reviewed regularly.

This will enable a focus on working together to meet the needs of the young person and is likely to lead to better and more sustainable outcomes.

The role of the Community Housing Services Housing Options Team is to deal specifically with the young person's accommodation needs, aiding the Assessment Service to address the early needs of a young person's homeless presentation. If the young person's decision is to continue under part VII of the Housing Act 1996 (as amended by the HRA 2017) Housing Options will secure temporary/emergency accommodation and prioritise the young person's housing application for move-on accommodation where appropriate. In most instances this will involve referral into a young person's supported accommodation scheme, as most landlords will not assist with an allocation of social housing or private rented accommodation until prospective tenant reaches the age of eighteen.

The Assessment Service will, in consultation with Housing Options where necessary, make referrals to secure emergency and supported accommodation through projects such as provided by commissioned services for young people e.g., BackUp Northwest.

Housing Options will work closely with the Assessment Service to support the assessment of the young person's needs and specifically to provide any necessary support in the prevention and relief of homelessness. This includes developing a Personalised Housing Plan in conjunction with the young person and the Assessment Service.

If it is assessed as being appropriate, Housing Options can support the registration and prioritising for move-on accommodation through Homes for Bolton choice-based lettings service, though noting that most social or private landlords will not allow an allocation to persons under 18 years of age unless provided with a suitable guarantor.

Young people who do not have a local connection, or who in any way do not meet the housing criteria, may be referred to Housing Options. The Housing Options Service will help them look at their housing options; one option will be to consider, as part of the Housing Act 1996 (as amended by the HRA 2017), a S198 referral back to the young person's local authority connection with a referral to Children's Social Care.

9. Provision of Accommodation under Section (20) Children Act 1989

When the outcome of the initial investigation and screening assessment has identified that Children's Social Care has a duty to provide accommodation under S20, and the young person has accepted the accommodation provided, the young person will not be homeless, and no further duty will be owed under Part 7 of the Housing Act 1996.

The young person living in the accommodation provided may become looked after under S20 Children Act 1989 pending the outcome of the assessment of their needs, including their need for continuing accommodation and support.

In most cases, emergency accommodation will be provided in the schemes commissioned through the Council's Commissioning Team or specifically by Children's Social Care at Backup (REDDS).

In circumstances where the Children's Social Care provision at Backup (REDDS) are full, subject to appropriate authorisation, an additional bed space with another local authority can be purchased if one is available or an alternative overnight stay provider can be approached.

10. Young person's wishes and feelings

Section 20(6) of the Children Act requires that, as far as is possible, Children's Social Care ascertains the wishes and feelings of a young person aged 16 or 17 years who has been assessed as needing to be accommodated under Section 20 and to take those wishes and feelings into account. In taking the young person's feelings into account, there needs to be an assessment of the young person's emotional and behavioural development and their capacity to manage independent living.

If a young person states that they do not wish to be accommodated, their wishes and feelings should not necessarily be the decisive factor but need to be weighed against other factors such as their vulnerability, resilience, support networks, their assessed needs, and the kind of accommodation it is assessed will be required to meet their assessed needs.

Children's Social Care and Housing Options staff conducting assessments will ensure that the young person receives clear information about the support they can expect as a Looked After child and as a Care Leaver, and the difference in service and support when compared to not being Looked After and alternatively assisted under the Housing Act as a homeless young person.

Assistance provided either under the Children Act (as a child in need) or the Housing Act (as a homeless person) will differ. It is important that the young person understands the differences in assistance that may or may not be provided depending upon how and under what legislation assistance is offered. The headline pros and cons of each are detailed in Appendix 5 and should be shared with the young person to ensure they can make an informed decision.

Young people should be able to access the Action for Children Advocacy Service for independent advice if they have any doubts about the correct decision to make. Children's Social Care and Housing Options staff must ensure that the young person has sufficient information to make a balanced and informed decision.

11. Range of Services

The assessment process will help to identify any unmet needs of a young person. There are a range of services in Bolton for young people that can be approached for support (Appendix 4). Where accommodation is not required but there are areas of need to address, relevant agencies will be referred to via the Early Help process. Bolton also has a wide provision of accommodation projects that young people can access, and other services and processes designed to widen options for young people – these are listed at Appendix 4.

The Integrated Front Door will, if necessary, seek emergency temporary accommodation for a young person and attempt to offer support and advice on other issues. It is recognised that the presenting issue of homelessness will not be the only issue that a young person will need to address. Mediation via the Time2Talk project is a positive tool to work with young people and their families and will be promoted.

There will be monthly meetings between the Integrated Front Door, Housing Options and Mediation to ensure excellent joint working, discuss any complex cases, share learning, and continually review all processes.

12. Emergency Duty Team Referrals

There are times outside general office opening hours when young people aged 16 and 17 will present as being homeless. As the Children Act 1989 takes precedence over the Housing Act 1996, Children's Social Care will remain the lead agency in respect of assessing the needs of children in need aged 16 and 17 years of age who present out of office hours and request housing provision. All approaches to the Emergency Duty Team by young people aged 16 and 17 will therefore be regarded as an initial approach to Children's Social Care and, following the placement within suitable emergency accommodation, the guidance set out at of this protocol will apply.

13. Arrangements for the assessment of young offenders requiring accommodation.

Where a young person appears in the Youth Court and they become subject to conditions which prevent them returning to the family home or are released from custody with similar restrictions in place, the Youth Offending Team (YOT) will follow the steps set out in the initial referral section of this protocol and the Assessment Framework process.

When a young person is proposed to be released from custody with conditions in place which will prevent them returning to the family home, the YOT will complete an Early Help and a 'Multi-Agency Support Plan' (MASP) to explore all needs, including accommodation, and to determine how and when those needs are to be addressed and by whom.

Where it appears likely the young person requires ongoing specialist support from agencies including Children Social Care and Community Housing Services following their release, all appropriate agencies should be invited to attend a review of the MASP immediately prior to release and to agree any post release actions.

Where a young person in custody refuses to provide consent to either an Early Help or referral to Children's Social Care / Community Housing Services, they should be informed that their needs cannot be assessed until release, and they should be signposted to universal support services.

14. Homelessness duties / discharge / intentionality

Any presentation for homelessness assistance will be considered within the scope of Part VII Housing Act 1996 (amended by Homeless Reduction Act 2017) requiring provision of assistance to prevent homelessness within 56 days of a threat of homelessness; and where homelessness occurs, to provide assistance to relieve homelessness including through the use of a Personal Housing Plan and provision of temporary accommodation assistance as appropriate, for a period of 56 days. The former 'prevention' duty not being subject to any local connection considerations, though being considered in line with 'relief' duty assistance.

It is noted, however, that once prevention and relief duties are exhausted any further homelessness assistance is subject to the usual 'main duty' tests to determine what duty, if any, is owed to the applicant. This will include consideration of any other accommodation that the young person might reasonably occupy; that the person did not make themselves intentionally homeless; and that the person has a 'local connection.'

If, after consideration of the above legislative requirements, Community Housing Services determine that a young person should be regarded as having had any relevant duty discharged or is otherwise determined to be 'intentionally homeless,' they should ensure that close liaison is undertaken with Children's Social Care and that any assistance and plans are suitably reviewed and revised. This may include joint case review meetings between relevant Children's Social Care and Community Housing Services.

A discharge of functions may arise in circumstances where a young person has exhausted the range of accommodation options provided and available within Bolton, or elsewhere, as a result (for example) of challenging behaviour, threats to other residents or staff members, violence or aggression, use of drugs and alcohol within accommodation premises where these substances are prohibited, repeated theft from other residents etc. Where the young person has not responded to reasonable requests to moderate their behaviour and have been banned or excluded by all providers, the young person may in some circumstances be deemed to have made themselves intentionally homeless or otherwise duties to provide or secure accommodation (temporary or otherwise) may have been discharged.

It may be the case that Backup would re-accommodate the young person following several weeks of absence, or negotiations with Backup may render the initial placement as unsuitable and an alternative offered. A process map for the move on of young people from Backup can be found in Appendix 3.

In these kinds of circumstances, Children Social Care will consider what if any other assistance may be provided.

15. Conclusion

Homelessness can have a destabilising effect on a young person's life and opportunities. There is a commitment from Children's Social Care and Community Housing Services to ensure that young people presenting as homeless are met with a service that meets their needs, both accommodation and welfare. It is recognised that a young person's needs cannot be met by the Council in isolation and therefore referrals, liaison, and joint working with young people's services across Bolton will be a significant part of the assessment process and service offered.

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On behalf of Children's Social Care,
Dept of Children's Services

On behalf of Community Housing,
Dept of Place

Appendix 1 - 16- and 17-year-old screening tool for Children Social Care

Screening Information (for receiving IFD worker)

<u>GENERAL INFORMATION</u>	
NAME	
D.O.B (DD/MM/YYYY)	
AGE	
NINO	
OTHERS INCLUDED IN HOUSEHOLD	
CHILD / PREGNANT	
PRESENT ADDRESS	
WHERE DID YOU SLEEP LAST NIGHT	
CAN YOU RETURN - IF NO, WHY NOT?	
ADDRESS OF SETTLED ACCOMMODATION AND ADDRESS HISTORY	

CONTACT DETAILS OF YP	
PARENT / GUARDIAN DETAILS – CONTACT DETAILS FOR PARENT / GUARDIAN	
CIRCUMSTANCES OF HOMELESSNESS	Drugs / Alcohol / Mental Health / Health / Physical Disability / Learning Disability / Learning difficulty / Offending – YOT etc

VULNERABILITIES

NATURE OF ISSUES	
DAY TO DAY CAPABILITY	
CAPACITY TO MANAGE	
ESTRANGED FROM PARENTS – WHAT ACCESS TO RESOURCES	
FULL TIME EDUCATION – WHAT CAN THEY ACCESS	
ACCESS TO BENEFITS / CHILD BENEFIT IN PLACE	

PATHWAYS

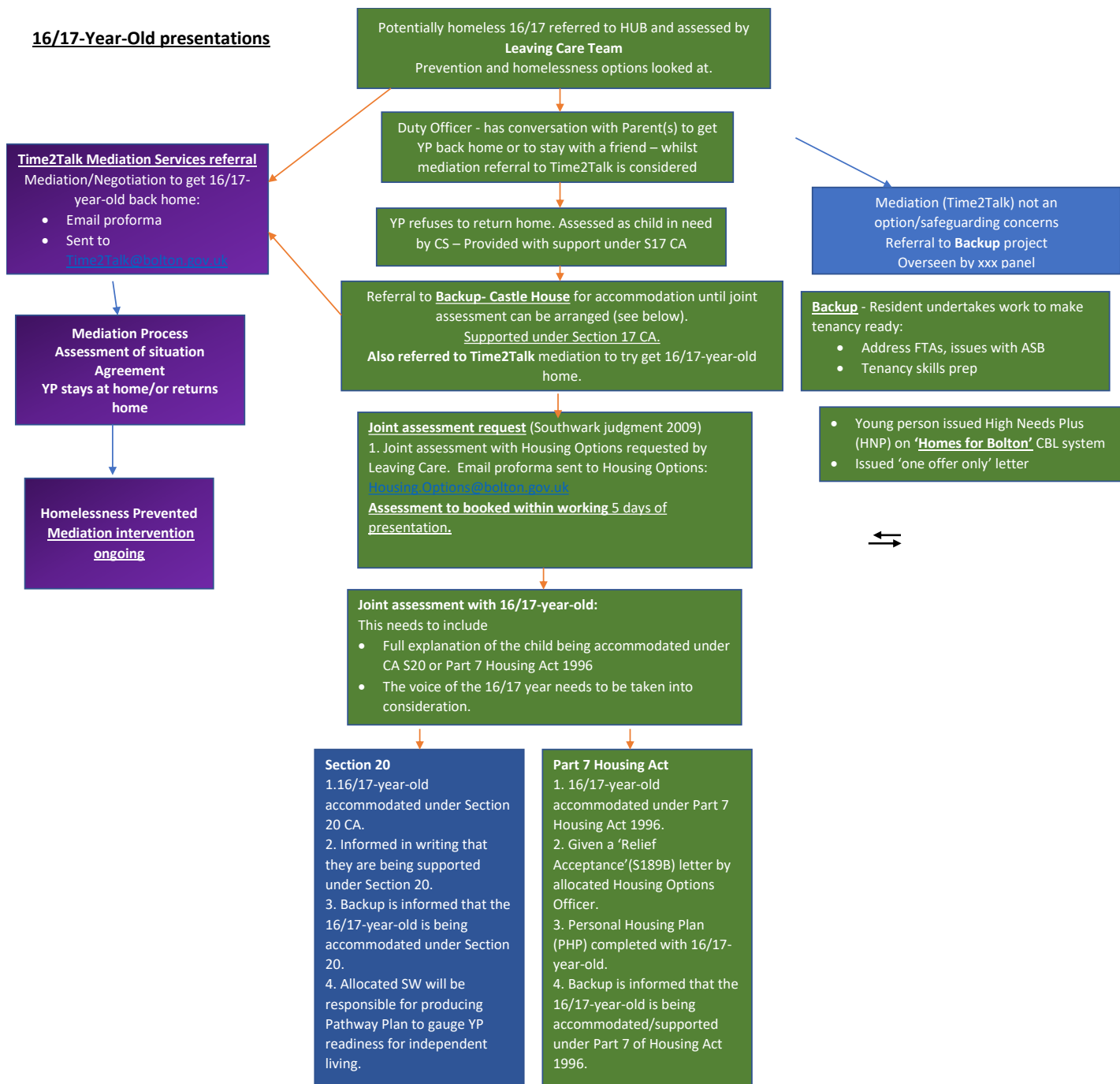
RETURN HOME – IS IT SAFE TO RETURN HOME – IF NO WHAT OPTIONS ARE AVAILABLE	
SHORT STAY IN TEMPORARY ACCOMMODATION TO ENABLE FACILITATION OF A RETURN HOME	
ALTERNATIVE FAMILY	

Note:

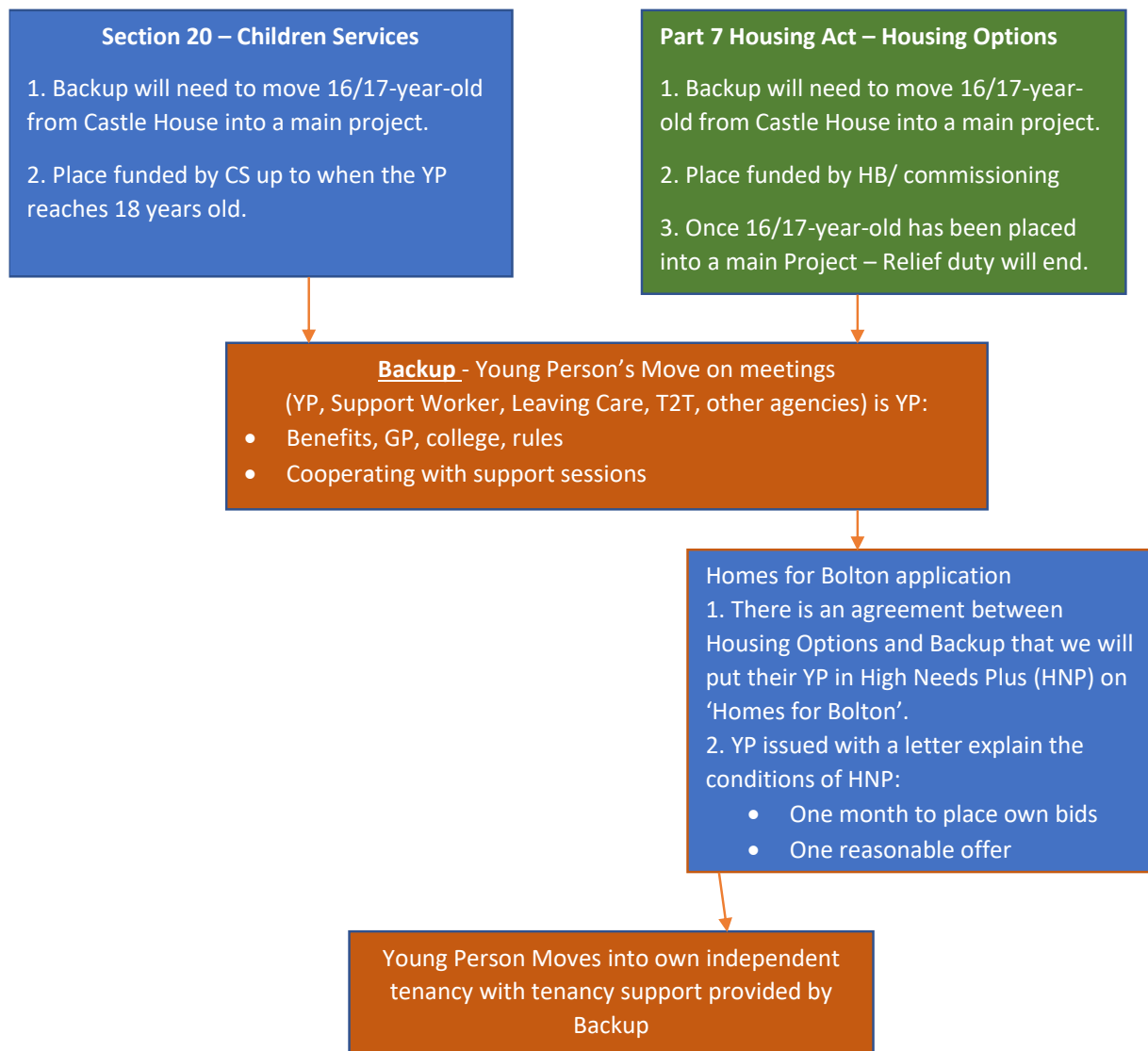
Under 18 years old cannot hold a tenancy

Has the young person got access to a guarantor?

Appendix 2 - Process Map for Children Social Care



Appendix 3 – Move on from Backup (REDDS) process map



Appendix 4 – Accommodation and support provision for young people who are homeless

Housing Schemes specifically for young people:

BackUp Northwest

Provides a range of accommodation, including:

- Emergency overnight accommodation (Bolton REDDS)
- LoftHouse
- Individual flats with outreach support
- Shared Tenancies with outreach support
- Project Front door
- Lucas Project
- Lodgings Within households

Other schemes that provide accommodation services including young people:

- Radcliffe Road (Catholic Children's Rescue Service)
- Sarah Lodge (Great Places Housing Group)
- Fleet House (Irwell Valley Housing Association)

Most of the projects listed above provide resettlement and move on support.

Other support services for young people:

- Time2Talk – Bolton Mediation Service intervention to prevent homelessness and / or improve familial relationships & support
- Homes for Bolton – the local authority's choice-based lettings scheme for housing incorporating Bolton Community Homes partnership
- Bolton At Home use of equitable tenancies (guarantor provided by parent or Children Services) to enable the allocation and sign-up of 16/17 year olds where appropriate
- Tenancy Sustainment Service (Bolton at Home) – interventions to prevent anti-social behaviour, help sustain tenancies and prevent homelessness

Appendix 5 – Differing service offer / pros & cons between assistance provided under the Children Act and Housing Act

The below table shows the headline differences in responsibilities and offer between a homeless young person receiving support either under the Children Act 1989 or Part VII Housing Act 1996 (as amended).

Children Act / Child Looked After	Housing Act / Homeless Application
Young person will be allocated a named social worker who will develop a care plan	Young person will not be allocated a social worker and there is no requirement for a care plan
The care plan will outline the needs and wants of the young person and identify actions to support the young person's health, education, housing etc. The care plan will be reviewed regularly until the young person reaches 18 years old.	There is a requirement for a personal housing plan, however this plan will come to an end along with the housing duty when the young person has been provided with accommodation
The local authority will be financially responsible for the young person until they reach 18 years old. This includes paying for their accommodation. If the young person is placed in semi-independent accommodation, they will also be given an allowance to pay for food, clothes, leisure activities, pocket money etc. If the young person is placed with foster carers, they will receive an allowance from the local authority to cover all these costs	The young person will be required to claim benefits and manage the claim independently. They will be responsible for all expenses required to pay for any accommodation.
Once the young person has been looked after for 13 weeks, they will be allocated a personal adviser. A pathway plan will be drawn up to identify what support the young person needs to transition to adulthood and live independently.	There is no duty to provide ongoing support for young people
Once 18 the young person will be eligible for additional priority for housing support and could be allocated social housing. They can continue to receive support from their personal adviser up to 25 years old and their pathway plan will continue to be reviewed. If they become homeless in the future, they will satisfy the priority need criteria if making a homeless application until they are at least 21 or 25 if still receiving support.	The young person will not automatically be considered a priority need group and are at risk of being found intentionally homeless if they lose their accommodation. If they become homeless in the future, they will not automatically be considered to be in priority need.