



EAST RIDING
OF YORKSHIRE COUNCIL

Children and Young People Support and Safeguarding Services

You Can, I Can, We Can

Local Arrangements for the Prevention of Homelessness and Provision of Accommodation for 16 to 17 year olds



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1. Aim and Scope

This Policy details East Riding of Yorkshire Councils local arrangements outlining how Children and Young People, Support and Safeguarding Services and our partners, including East Riding Housing Service will respond to young people aged 16 and 17, who are homeless or threatened with homelessness. The arrangements set out the required action to be taken where young people aged 16 and 17 approach the local authority for assistance when homeless and or threatened with homelessness.

These arrangements have been introduced in response to the House of Lords Judgement of May 2009 in the case of R (G) v Southwark [2009] UKHL 26 and the subsequent joint guidance issued by the Department for Education (DFE) and Ministry for Housing Communities and Local Government (MHCLG) about the duties of children's services and local housing authorities.

The judgement clarifies the legal responsibilities of Children and Young People, Support and Safeguarding Services towards homeless 16 and 17-year-olds and the inter-relationship between duties under the [Children Act 1989](#) and the Homeless Legislation in [Part 7 of the Housing Act 1996](#) as amended by the [Homelessness Act 2002](#). Consideration has also been given to D v Essex July 2019.

2. Key Principles

Homelessness is damaging to young people's personal, social, and economic development and wellbeing. East Riding of Yorkshire Council are committed to preventing homelessness wherever possible and believe that young people should be supported to live at home, wherever possible and safe to do so. Where this is not possible young people should be supported to leave in a planned way, avoiding crisis.

Children and Young People, Support and Safeguarding Services will work closely with partners including East Riding Housing Service to provide integrated and preventative responses to young people and their families at the earliest opportunity, reducing the number of 16 and 17 year olds who are homeless or threatened with homelessness.

East Riding of Yorkshire Council believe that all children and young people are best off with their immediate families, where this is safe to do so and consistent with their welfare. Therefore, every effort is made to mediate between young people and their families to negotiate a return home. Where young people are unable or unwilling to return to their immediate families, we aim to explore with wider family members; the possibility of staying with them.

Where a young person is assessed as homeless and is unable to return home, the Southwark judgement clarifies that Children's Social Care services need to undertake an assessment of need, including whether provision of accommodation by the Local Authority is appropriate under the Children Act 1989.

Young peoples expressed wishes and feelings are always taken into consideration, and this informs planning, whilst ensuring that balanced decisions are made, through consideration of their individual needs and circumstances.



3. The Legal Framework and Statutory Guidance

These arrangements are concerned with the legal duties set out in the Children Act 1989 relating to children in need who require accommodation and Part 7 of the 1996 Housing Act, as amended, relating to young people who are homeless or threatened with homelessness who approach the authority requesting housing assistance.

The arrangements reflect the judgement made by the House of Lords in (G) v Southwark and the statutory guidance updated April 2018 issued by the Secretary of State for Education and the Secretary of State for Housing, Communities and Local Government, [Provision of homelessness and provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation - guidance](#).

Legislation and statutory guidance are clear that the primary responsibility for a Child in Need who requires accommodation, including a 16 and 17 year old who is homeless lies with the relevant children's services authority. The duty under [section 20](#) of the 1989 Children Act takes precedence over duties contained within the 1996 Housing Act in providing for children in need who require accommodation and takes precedence over the general duty owed under [section 17 of the Children Act](#) to children in need and their families where a young person needs to be accommodated.

These arrangements should also be read in conjunction with the following,

[East Riding joint Housing Protocol for Care Leavers](#)

[Joint housing protocols for care leavers: good practice advice](#).

[Homelessness code of guidance for local authorities - Chapter 4: The duty to refer cases in England to housing authorities](#).

3.1. Section 20 (1) of The Children's Act 1989

The Act states that every local authority shall provide accommodation for any Child in Need within their area who appears to them to require accommodation as a result of:

- a. There being no person who has parental responsibility for him,
- b. His being lost or having been abandoned,
- c. The person who has been caring for him being prevented from providing him with suitable accommodation or care,

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

- d. Any Child in Need within their area who has reached the age of 16 and whose welfare the authority considers is likely to be seriously prejudiced if they do not provide him with accommodation,

In addition, section 20 (4) provides that,



- a. A local authority may provide accommodation for any person who has reached the age of sixteen but is under twenty-one in any community home which takes children who have reached the age of sixteen if they consider that to do so would safeguard or promote his welfare.

If a young person in need requires accommodation as a result of any one of the factors set out above then that young person must be provided with accommodation.

As a result of being accommodated by children's services for a continuous period of more than 24 hours the young person will become 'Cared For' by the local authority if they consent. Whilst accommodated under section 20 the young person is not eligible for welfare benefits, including housing benefits or housing costs under universal credit. Provision of 'accommodation' means that which is provided by Children and Young People, Support and Safeguarding Services.

3.2. Housing Legislation

Part 7 of the housing Act 1996 as amended by the [Priority Needs Order 2001](#), the homelessness Act 2002 and [Homeless Reduction Act 2017](#) sets out the homelessness Legislation. Housing Authorities have a duty to ensure that accommodation is made available to people who are:

- Eligible for assistance,
- Homeless or threatened with homelessness,
- In priority need,
- Are not intentionally homeless,
- Have a local connection with the local authority.

Where a young person aged 16 or 17 is homeless the lead agency is Children Social Care, however East Riding Housing Service also have duties towards young people who are homeless or threatened with homelessness. Duties owed by both services will depend on a range of factors requiring us to work closely together to assess needs, plan and provide services centred on the needs of young people and their families, with the aim of achieving best possible outcomes and permanence for all young people.

3.3 Duty to refer – Homeless Reduction Act (2017)

The [Homeless Reduction Act 2017 \(HRA\)](#) places a duty on Children's Services to notify, with consent, the housing authority where they consider someone is or may be homeless within 56 days. A referral of a 16/17 year old under the 'duty to refer' ([Section 213B of 1996 H Act](#)), does not diminish Children's Services duties and is not an alternative to a Child in Need or Early Help Assessment.

The responsible social worker or practitioner believing a 16 to 17 young person to be homeless or potentially homeless, should gain consent from the relevant young person to refer them to the housing service. They should then contact the Area Housing Team within the locality in which the young person is or is believed to be homeless, who will further advise and support with the referral.



4. Initial Contact with East Riding Children and Young People, Support and Safeguarding Services / East Riding Housing Service

Where a young person aged 16 or 17 contacts East Riding of Yorkshire Council, for help with obtaining accommodation, this is treated as an application for assistance under Part 7 of the 1996 Act. Under section 184, if there is reason to believe that a young person may be homeless, or threatened with homelessness, enquiries will be made to determine the appropriate response.

For young people aged 16 or 17 who are identified as homeless or at risk of becoming homeless, a request for service should be made, (accompanied by the relevant consent) to the Safeguarding and Partnership Hub (SaPH). A social worker from the safeguarding and partnership Hub will undertake initial enquiries, including speaking directly with the young person to establish the specifics around the concern and what has led to the young person becoming homeless or at risk of homelessness.

An initial screening will take place to ascertain the young person's support needs including the wishes and feelings of the young person and their parent/carer. The responsible practitioner will establish if the young person is already known to children's social care or Early Help and Prevention by checking AzeusCare system and will communicate with partners to gain additional insight into family structure and history. In the event that a young person is already open to services, notification of the young person's homeless status will be sent to the relevant team.

Where immediate prevention/mediation work with the young person and their parent/carer is required an allocated practitioner will work with the family to explore the young person remaining at home with appropriate support, where it has been determined safe to do so. This may involve including other family members to devise safety and contingency plans.

Following initial contact/consultation with the Safeguarding and Partnership Hub (request for service) one of the following determinations will be made depending on the circumstances of the young person;

- a) **Signpost to Early Help Hub for the purpose of youth and family support to explore and address the needs which have led to the young person to being at risk of homelessness.**
- b) **Allocation of social worker from the Children and Young People, Support and Safeguarding Services – Assessment Service, to undertake an assessment under section 17 of the children's Act 1989.**
- c) **Notification and workflow to the relevant team in which the young person is currently open to, for example, Pathway - Leaving Care team or relevant Safeguarding team to enable a prompt and coordinated response to the homeless concern / risk of homelessness.**

If the young person is eligible and is (or may be) homeless and, by virtue of being 16-17 years old may have a priority need, The Local Authority have an immediate duty to secure interim accommodation (section 188(1) or section 189(B) of the Housing Act 1996). In considering the suitability of accommodation authorities should bear in mind that 16 and 17 year olds who are homeless and estranged from their family will be particularly vulnerable and in need of support.



The Homelessness (Priority Need for Accommodation) (England) Order 2002 provides that the following have a priority need for accommodation for the purposes of Part 7 of the 1996 Act:

- a) A child aged 16 or 17 who is not a relevant child for the purposes of section 23A of the Children Act 1989 **and** is not owed a duty to provide accommodation under section 20 of that Act (provision of accommodation for children in need).
- b) A person (other than a relevant student) who;
 1. Is under twenty-one, and;
 2. At any time after reaching the age of sixteen, but while still under eighteen, was, but is no longer, looked after, accommodated, or fostered.

East Riding of Yorkshire Council will be unable to determine whether a 16–17-year-old has priority need under part 7 Housing Act 1996 Act until a Child in Need assessment has been completed. It is therefore essential that requests for service are made, and assessments completed in a timely manner.

If the outcome of the initial enquiries, is a finding that a young person is homeless but not eligible for housing assistance or is a ‘relevant child’ owed an accommodation duty under the 1989 Children Act, immediate arrangements must be made for them to receive assistance from Children and Young people, Support and Safeguarding Services.

There may be circumstances in which subsequent requests for service are made to the Safeguarding and Partnership Hub. For young people who have declined to become ‘cared for’, but subsequently lose accommodation or are no longer owed a duty by housing services.

The fact that a young person may be reluctant to engage with Children and Young People, Support and Safeguarding Services, should not be a basis for assuming that the young person has rejected any children’s services’ intervention, to provide them with accommodation. In these circumstances, the assessment will need to involve careful recording of the attempts to engage with the young person to assess their needs in order to determine and provide appropriate services.

Where Children and Young People, Support and Safeguarding Services, provides accommodation for a Child in Need of an immediate housing provision, including where the young person has declined to be accommodated under section 20, children’s services will need to consider the provision of services under section 17 of the 1989 Act. This will be considered within the single assessment to determine if a Child in Need plan is required with the young person’s consent. Children and Young People, Support and Safeguarding Services will continue to work with partners, including the East Riding Housing Service, during the assessment period to ensure the young person’s needs are met.

Family and or Landlord Mediation will be provided by a relevant practitioner within Children and Young People, Support and Safeguarding Services, to support young people and families in an attempt to reconcile differences. If Children and Young People, Support and Safeguarding Services identify wider safeguarding issues, this will be responded to in line with the relevant East Riding Children’s Safeguarding Partnerships, Policies and Procedures.



Where following initial intervention, housing needs remain, Children and Young People, Support and Safeguarding Services will facilitate support and services in accordance with our Effective Support Windscreen, providing support relevant to the child and family's needs. We will ensure that where young people cannot remain at home, planned and positive transition from home is achieved, avoiding the need for crisis response.

4.1 Homeless Reduction Act – Prevention and Relief of Duties

Duties towards people who are homeless or threatened with homelessness were incorporated within part 7 of the Housing Act 1996 by the homelessness Reduction Act 2017. These include duties to;

- a) undertake assessment;
- b) develop personalised housing plans; and
- c) take reasonable steps to prevent homelessness (for applicants who are threatened with homelessness) or relieve homelessness (for applicants who are already homeless).

Young people who are eligible and homeless, or threatened with homelessness will have an assessment of their needs to establish;

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

If a young person who requests services or is signposted to East Riding of Yorkshire Council is not homeless, but is threatened with homelessness within 56 days, a prevention duty will be owed irrespective of whether the young person is likely to have a priority need.

A Personalised Housing Plan will be developed with the young person, setting out the reasonable steps that East Riding of Yorkshire Council and the young person will take to try and prevent them from becoming homeless. Any steps that the young person is required to take should be proportionate to the age, understanding and assessed capability of the young person to undertake the actions. Other relevant people, for example parents or social workers/practitioners, may also be required to take actions as appropriate to support agreed plans.

If a young person is already homeless when they seek help, or they become homeless despite efforts to prevent it, East Riding of Yorkshire Council will seek to resolve this by ensuring that suitable accommodation is made available to them (section 189B). A Personalised Housing Plan will also be produced or amended to reflect the changes in housing circumstances. While a Personalised Housing Plan is prepared, emergency accommodation should be provided where necessary. If a Child in Need assessment has not already been completed one should be commenced immediately.



5 Initial Response

Where a 16 or 17 year old seeks help or is identified as homeless and or threatened with homelessness, and it appears that they have nowhere safe to stay that night, following an initial assessment of their needs, East Riding of Yorkshire Council will seek to secure suitable emergency accommodation for them under housing (section 189B above). Enquiries will be made to establish if they are actually homeless whilst their needs, including their need for continuing accommodation and support are further assessed.

The Safeguarding and partnership Hub social worker will check AzeusCare to establish if the young person is already known to Children and Young People, Support and Safeguarding Services and review their history if known, if they are currently working with Children's Social Care, for continuity their own social worker will undertake the assessment if they are not already a 'Cared for' child. For any child working with Children and Young People, Support and Safeguarding services through a Child in Need or Child Protection plan, then the process of determining whether the child is accommodated under section 17 or section 20 remains the same.

Where homelessness is established Children's Social Care will undertake a visit to the young person at their home address (where possible), within 24 hours and wherever possible the same day.

If a request for service is received from an external agency that there is an imminent threat of homelessness or if the young person is homeless, Children and Young People, Support and Safeguarding Services will start a Child in Need single assessment on day one, whilst liaising with East Riding Housing in respect of provision options. If they are threatened with homelessness The Safeguarding and Partnership Hub, (SaPH) will consider signposting to The Early Help Hub to access housing advice and prevention support.

If Children and Young People, Support and Safeguarding Services considers that a young person aged 16 or 17 may be homeless or threatened with becoming homeless within 56 days, or if a young person positively shares this information, they will be required to ask the young person if they would like to be referred to East Riding Housing Service on the grounds that they are homeless or at risk. If they consent to this, Children and Young People, Support and Safeguarding Services will be required to make the referral under the 'Duty to Refer', notifying the East Riding Housing Service of the reason for the referral and how the young person may be contacted.

6. Assessment

Children and Young People, Support and Safeguarding Services will seek to work with partners including East Riding Housing Service throughout the process of the assessment, planning, and attempting to prevent or relieve homelessness, so that the Child in Need assessment and personalised housing plan are co-ordinated. This will enable a focus on sharing information and working together to meet the needs of the young person, which will involve undertaking an assessment. The Assessing social worker will make requests for service to the appropriate internal and external support services where additional support needs are identified.

For young people allocated a social worker, a Family Network Meeting and or Family Group Conference will be offered and facilitated to support the young person, their parents/carers



and their network of family and friends identify their own solutions and plan to address the needs that have led to homelessness or placed the young person at risk of homelessness. The provision of other support services will also be explored. The aim of this approach is to achieve better and more sustainable outcomes for the young person and family.

The Social Worker will commence assessment with the young person either on the day of presentation when homeless or at an early as possible planned appointment when threatened with homelessness. The social worker will have made enquiries of family members, agencies and have checked AzeusCare and reviewed the young person and family history.

The assessment should assist in considering the young person's needs.

Areas covered include but are not limited to,

- Current situation – why the young person is presenting as homeless.
- Background history and family composition.
- Support needs.
- Vulnerability- whether there are any immediate concerns regarding learning needs, mental health, child protection or safeguarding.
- The young person's views- what the young person is saying in respect of their need for accommodation.
- Views of those with parental responsibility- to ascertain if the young person can return home.
- The capacity of the young person to be able to understand and make an informed decision regarding section 20. Should a young person not have the cognitive ability or capacity then a capacity assessment will need to be undertaken and the social worker have a clear view whether the young person needs to be accommodated under section 20 on the day of presentation.

The social worker will speak with the young person advising them of support that can be provided under the several options, enabling them to remain in their family home. These options are;

- With family members or friends, appropriate housing if required,
- A single assessment with the outcomes of request for service to Early help and Prevention or other relevant support service.
- A Child in Need plan with an allocated social worker or
- Becoming a 'Cared For' child under section 20 with an allocated social worker.
- A personalised plan for housing if required,

Every 16 or 17-year-old assessed as being a Child in Need but who does not wish to be accommodated under section 20 should have a Child in Need Plan setting out the services that will be provided to meet their needs. This will be dependent on whether the young person consents to a Child in Need plan. The social worker should ensure a capacity assessment is not required and the young person has no individual needs which would impact on them making this informed decision. They should also ensure that the young person is aware how to access an independent advocate if they choose. The provision of Early Help and Prevention support under an early help plan may also be considered.

East Riding of Yorkshire Council will be unable to determine whether a young person aged 16 or 17 has priority need under the 1996 Act until a Child in Need assessment has been



completed. It is therefore essential that requests for service, assessments, and decisions are completed in a timely manner.

It is essential for Children and Young People, Support and Safeguarding Services communicate with partners including the housing team to ensure plans and actions are clearly recorded and completed effectively in appropriate timescales, to continue to reconnect the young person with family or other networks for longer term accommodation and to minimise time needed in emergency accommodation.

7. Initial Recommendation following Assessment

Where a Young Person is unable to return home and they are unable to stay with friends or family, the record of the assessment decision and any attempts at reconciliation will be clearly recorded on AzeusCare by social workers and Practitioners throughout all direct and indirect intervention and on the completion of the assessment.

The young person will be guided through a range of options regarding accommodation that will identify their needs and match care and living arrangements to meet those needs.

As a young person they have the right to consider whether they want to be accommodated under Section 20 of the 1989 Children Act at the point of being deemed homeless and therefore interim accommodation will be provided pending further assessment of need.

The decision to accommodate a young person under section 20 will need to be agreed initially by a Designated Manager. This initial decision will be considered within 10 working days from the date request for service was received, following initial enquiries and discussions held with the young person and appropriate family members/carers and a review undertaken by day 6. permanence for the young person will be tracked through the Permanence planning process.

The allocated social worker will complete relevant requests for service to access additional and specialist support, to either enable the young person to remain with their family or reunify alongside any other additional support that can be provided.

Consideration for request for service will be made to the following services dependent on the individual needs and expressed wishes of the young person and family. Services available to young people with a social worker include;

- Targeted Family Support
- Making a Change Team
- Youth and Family Support Service
- Family Group Conference Service

The single assessment where possible should be completed and signed by a Team Manager within 10 working days to avoid delay and to ensure a clear plan is in place.

If accommodation is required on day 1 due to homelessness and is to be provided under section 20 (CA1989) this will require the relevant Team Manager seeking Head of Service/Designated Manager approval. A signature from the young person for section 20 consent should only be sought by the Children's Social Care social worker when approval has been given. Should a young person make the decision they do want to be accommodated under section 20 and this has been agreed by the Designated Manager. The Social Worker



will book onto the next available Care Planning Panel and discuss the recommendation within this forum. The social worker will inform the young person of all outcomes.

There will be young people who state that they do want to be 'Cared for', in which case Children and Young People, Support and Safeguarding Services will, take the person's wishes into account.

Young people who indicate that they do not want to become 'Cared for' will also be made aware that they can request a re-assessment at a later stage if they revise their decision and decide that they would consider being 'Cared for' by the Local Authority.

If the young person does not wish to be accommodated under section 20 and is judged to have the capacity to make that decision, they will be offered accommodation under section 17 with a Child in Need plan in place, or Early Help Plan, until they no longer require accommodation as they have returned home or they reach the age of 18. In such circumstances, services will need to work together with the young person to ensure that they are not placed at risk of homelessness as they approach age 18.

If the young person is not deemed to require accommodation based on assessment as the young person can safely return home to parents/carer or within their family network, East Riding of Yorkshire Council Housing Service should continue to assess whether the young person is eligible under the Homelessness Legislation.

In circumstances where homeless presentation / requests for service do not progress because the young person and parent/carers have resolved the difficulties or the young person has identified other arrangements within their family and friend network, consideration for a request for service to the Safeguarding and Partnership Hub / Early help Hub should be made to ascertain whether additional support is required for the young person and family.

All circumstances in which housing Services or referring agencies identify safeguarding concerns in relation to the young person aged 16 or 17 and their current care arrangements/living arrangements must be discussed in consultation with a social worker within the Safeguarding and Partnership Hub.

Where the young person cannot return home Children and Young People, Support and Safeguarding Services, will work collaboratively with partners including East Riding housing Service in identifying appropriate accommodation options / care arrangement options, 'other arrangements.' This may include supported lodgings, supported housing and independent accommodation where suitable support is provided. The designated social worker / practitioner will update AzeusCare clearly stating under which legislation and duties the young person is living.

8. Young People Serving Custodial Sentences

The *National Standards for Youth Justice Services* states that Youth Justice Services must, assess accommodation needs for young people prior to their transfer to the community, ensuring that satisfactory accommodation is available prior to release. East Riding Youth Offending Service assess and plan for children's accommodation needs using the Asset Plus Assessment Tool.

Young people serving custodial sentences go through the following transitions:



- Community to custody
- Custody back to the community
- Community to mainstream services
- And for some, from youth to adult services

In order to achieve effective resettlement, partners (principally East Riding Youth Offending Services, Housing Services, Pathway team, Children’s Social Care,) will work together to ensure that young people have safe, suitable, and sustainable accommodation with support where appropriate, secured ahead of young people’s release from custody. East Riding Youth Offending Service will liaise with Partners including Children’s Social Care and where relevant, housing services, as early as possible to ensure that an assessment of need can be undertaken, and appropriate accommodation is identified if the young person cannot return to family members or has a suitable place to reside. The assessment and planning should be undertaken so that the details can be provided to the secure establishment at the young person’s Pre-release Meeting, so it can be included on the young person’s licence.

Children and Young People, Support and Safeguarding Services have a duty to accommodate young people who were ‘Cared for’ or were a relevant child when they entered custody or have become a relevant child by virtue of having been remanded into local authority care for 13 weeks or more, if they require accommodation on release.

A young person who is not already a ‘Cared for’ or a relevant child and may require housing accommodation on release must have an assessment to determine what duties are owed under the 1989 Act, including whether Children and Young People, Support and Safeguarding Services, will have a duty to provide accommodation under section 17 or section 20.

9. Out of Hours

Out of Hours Access - where a young person presents as homeless outside of office hours – 5.00pm to 09.00am - Monday to Friday and during the weekend period, the priority must be the safety and well-being of the young person, and where needed, housing accommodation or accommodation under section 20 if there are immediate safeguarding issues will be provided until the next working day. All out of hour’s enquiries are made to the Emergency Duty Team (EDT). If these options are not available, not suitable or refused by the young person the Emergency Duty Team will contact East Riding Housing Service for assistance or source an alternative from the relevant safeguarding team. (Bed and Breakfast would only be used as a last resort).

The Emergency Duty Team will undertake initial enquiries with the young person and their family/carer to establish if the young person is homeless or at risk of homelessness and cannot safely return to a parent/carer or family member. Should the young person present on a Friday evening or over the weekend this will include a direct visit with the young person by the Emergency Duty Team Social Worker. The Emergency Duty Team Social Worker will undertake a check within AzeusCare and identify whether the young person is known to services and or currently working with Children and Young People, Support and Safeguarding Services and notify the relevant team of the young person in need of support and assistance.

Where accommodation concerns cannot be swiftly resolved or safeguarding concerns exist, the Emergency Duty Team Social Worker will discuss the concerns with the Designated Duty



Manager for Children and Young People, Support and Safeguarding Services and seek to secure care and accommodation for the young person under section 17 or section 20.

Where deemed safe and appropriate, the Emergency Duty team in consultation with the young person and family will attempt to resolve issues within the home which has led to the concern and contingency plan with the young person and family to support them over the weekend period, this may include seeking accommodation for the young person within their family and friends' network.

The Emergency Duty Team will ensure that a request for service is made to the Safeguarding and Partnership Hub/Early help Hub and ensure that urgent requests for service is made to the assessment team, to ensure continuity of support. Children and Young People, Support and Safeguarding Services must commence an assessment the next working day if the young person's accommodation needs have not been resolved.

Where a young person is already working with an East Riding Service, the Emergency Duty Team will workflow the information and concern to the relevant team and practitioner(s).

10. Young People Seeking Assistance from Out of Local Authority Area

16 and 17 year old's who were living in one local authority area and moves to another local authority area and seeks assistance from children's services in that local authority, the duty to assess falls on the authority area in which the young person is. The authority cannot refuse to consider the young person's immediate needs and expect them to return to the authority in the area presumed to be their 'home' district.

If during assessment it becomes clear that the young person is ordinarily resident elsewhere, the decision may be made by Children and Young People, Support and Safeguarding Services, to assist the young person to return to their home area provided that it is safe to do so. Enquiries should be made by Children and Young People, Support and Safeguarding Services with the "home authority" for them to take over the assessment of their needs so that a young person may be assessed in a familiar setting close to their family and friends, where appropriate.

It is essential that disputes about responsibility for the young person in the medium term should not get in the way of the authority that received the young person's request for assistance responding to the young person's immediate needs. The young person concerned must not be passed between local authorities and services whilst a decision is reached about which authority is responsible for assisting them.

11. The Young Persons Wishes and Feelings: Provision of Advice and information to Young People

Young people who are supported through the section 17 assessment, will be provided with information about the support that they could receive. Social workers will ensure that requests for service are made based on their identified needs and expressed wishes and feelings of the young person.

Social workers and practitioners within Children and Young People, Support and Safeguarding Services will seek to provide information and advice to homeless or at risk of homeless young



people, outlining what services may be available to support the young person to return to their parent/carer or within their family/friend's network. This may include but is not limited to; assistance under section 17, section 20, leaving care and assistance available under Part 7 of the 1996 Housing Act. Practitioners have awareness of and understand the different legislation and how it affects young people.

It is essential that the young person is fully consulted with and understands the implications of being accommodated by Children and Young People, Support and Safeguarding Services and becoming 'Cared for'. The social worker leading the assessment will provide information about the types of support that they can anticipate as a 'Cared for' child and, subsequently, as a 'former relevant' care leaver (as defined in section 23C (1) of 1989 Act).

If they are not 'Cared for', for the prescribed period, the young person leaving care would be a 'person qualifying for advice and assistance' as set out in section 24 of the 1989 Act.

Young people's wishes and feelings will be taken into consideration at all times, but this will be balanced with their needs. An example of this is that information about vulnerable young people must be shared between agencies and those with parental responsibility whether or not the young person gives consent, however this will always be explained to the young person, and they will remain informed throughout.

Where homelessness or threat of homelessness is established the young person will be provided with the opportunity to consider their options fully, based on their individual needs and circumstances, ensuring that they have all information to make an informed decision regarding available support and services. A young person over 16 years can ask to be supported under section 17 and section 20 at any point in this process.

Children and Young People, Support and Safeguarding Services will work together with key partners to ascertain the young person's wishes and feelings regarding the provision of accommodation giving due consideration (having regard to their age and understanding) to such wishes and feelings as we have been able to ascertain.

The single assessment outcome will be explained to the young person and their family where appropriate at the earliest possible opportunity.

The allocated social worker will ensure that the young person is aware of their right to advocacy and informed that a request for service can be made to the Participation and Rights Team, if required. Young people are entitled to seek advice where Children and Young People, Support and Safeguarding Services do not make a section 17/20 decision against the wishes of the young person and or where our partners believe the young person is eligible for assistance under Section 17 / Section 20. This can be escalated by accessing the internal escalation process / complaints procedure.

12. Disputes and Resolutions

There may, on occasion, be disagreement between Practitioners within Children and Young People, Support and Safeguarding Services and our partners including East Riding Housing Service in relation to these arrangements and how young people are being advised and supported. If disagreements cannot be resolved by team managers, then they should be escalated to the relevant service managers and the relevant service director following the internal escalation process.

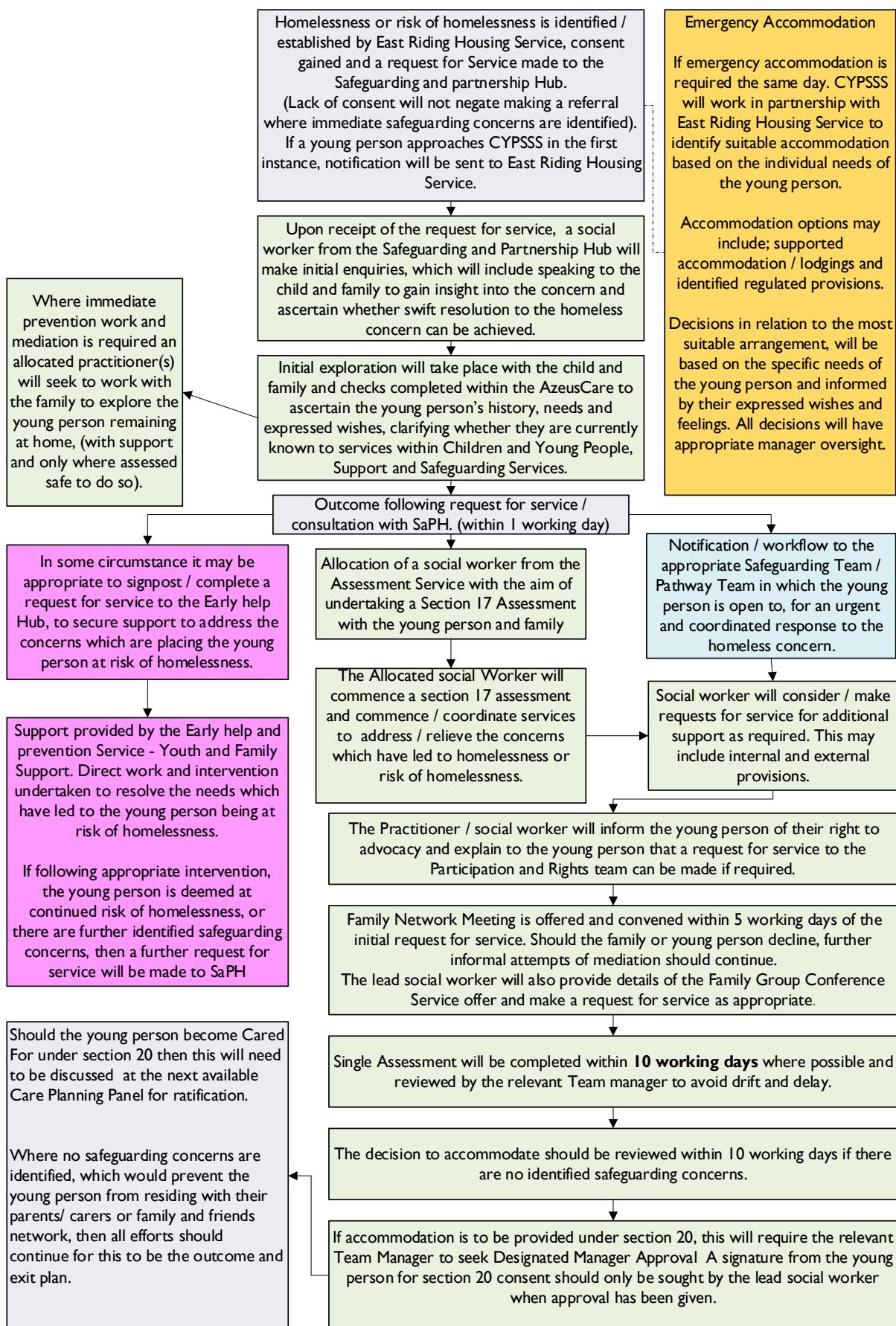


13. Factors to Consider when Assessing 16 and 17 year olds

Accommodation	<p>Does the young person have access to stable accommodation?</p> <p>How far is this suitable to the full range of the young person's needs?</p>
Family and social relationships	<p>Assessment of the young person's relationship with their parents and wider family.</p> <p>What is the capacity and or motivation of the young person's family and social network to provide stable and secure accommodation and meet the young person's practical, emotional, and social needs?</p>
Emotional and behavioural development	<p>Does the young person express and or demonstrate positive self-esteem, resilience, and confidence?</p> <p>What is the assessment of the young person's attachments and the quality of their relationships?</p> <p>Does the young person appear to exercise autonomy in a safe and positive way, demonstrating appropriate self-awareness?</p> <p>Does the young person have the capacity to make an informed decision?</p>
Education, training, and employment	<p>Information about the young person's education experience and background.</p> <p>Assessment as to whether support may be required to enable the young person to access education, training, or employment.</p>
Financial capability and independent living skills	<p>Assessment of the young person's financial competence and how they will secure financial support in future.</p> <p>Information about the support the young person might need to develop self-management and independent living skills.</p>
Health and development	<p>Assessment of young person's physical, emotional, and mental health needs.</p>
Identity	<p>Assessment of the young person's needs as a result of their ethnicity, preferred language, cultural background, religion, or sexual identity.</p>



14. Flowchart



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