NOTTINGHAM CITY COUNCIL
JOINT PROTOCOL FOR
CHILDREN AND YOUNG PEOPLE IN NEED OF HOUSING

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1 Definitions and Abbreviations

1.1 A **joint protocol** is an agreement between different organisations or different departments of the same organisation. A joint protocol should set out who the partners are, the vision and scope, aims, objectives, planned outcomes and indicators of success. It should also stipulate roles and responsibilities of partners and how they will work together to achieve the aims, objectives and planned outcomes.

1.2 This document is a **joint protocol for children and young people in need of housing** and details the statutory responsibilities of housing and children's services in assessing and meeting the housing and related support needs of children and young people, as defined in primary and secondary legislation and relevant guidance documents.

1.3 **Children and young people in need of housing** includes homeless 16-17 year olds, 18-21 year olds (and in some cases 24 years old where in education or training), children leaving care who are owed a statutory duty either by housing or children's services, unaccompanied asylum seeking young persons and other homeless young people who are not owed a statutory duty. This includes young couples where one or both are 16-17 or 18-20 and entitled to services arising from the Children (Leaving Care) Act 2000.

1.4 **Eligible children** are 16 to 17 year olds who have been looked after for at least 13 weeks (not necessarily consecutive) since the age of 14 and are still being looked after. Children who return home whilst on a care order (CA1989 s31) remain eligible until, or unless, the care order is discharged by a court, or they reach 18.

1.5 **Relevant children** are 16 to 17 year olds who have been looked after for at least 13 weeks (not necessarily consecutive) since the age of 14 and who have been looked after at some time after their 16th birthday, and who have now left care. (This includes young people who would have been a relevant child but for the fact that they had been detained through the criminal justice system, or were in hospital on their 16th birthday). If a relevant child has returned home successfully they cease to be a relevant child after six months. However, if this arrangement later breaks down before their 18th birthday they return to being a relevant child. If a young person has experienced a series of pre-planned respite arrangements that are no longer than 4 weeks, then these will not be considered as qualifying towards relevant child status.

1.6 **Former relevant children** are 18 to 21 year olds who have either been eligible or relevant children, or both. If, at age 21, they are still being supported by the local authority with education or training they remain a former relevant child until the course ends.

1.7 **A child in need** is anyone under the age of 18 who is either unlikely to achieve or maintain a reasonable standard of health or development without the provision of appropriate services by a local authority; or whose health or development is likely to be impaired without the provision of services; or who is disabled.

1.8 **Persons qualifying for advice and assistance** are those 16 to 21 years old (or 24 if still receiving specified services) and who were looked after, accommodated or fostered post 16 and who no longer remain looked after, accommodated or fostered.

1.9

NCC	Nottingham City Council
LA	Local Authority
CS	Children's Services

Children in Care Service

LCS	Leaving Care Service
NCH	Nottingham City Homes
HA	Housing Aid
PA	Personal Advisor
YOT	Youth Offending Team
EDT	Emergency Duty Team
CAF	Common Assessment Framework
DCSF	Department for Children, Schools and Families
CLG	Department for Communities and Local Government
DES	Department for Education and Skills
RP	Registered Provider
DoH	Department of Health
ILSS	Independent Living Support Services

2 Foreword and agency endorsement

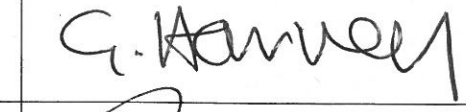
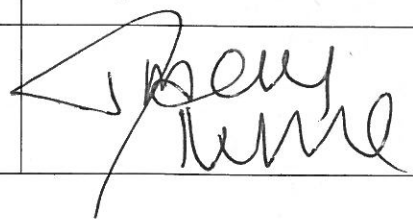
2.1 Central Government has consistently stressed it is committed to tackling youth homelessness. In the CLG document *"Homelessness code of guidance for local authorities"* emphasis is put on the importance of effective partnerships between agencies to ensure they are able to deliver co-ordinated and more effective approaches to tackling homelessness locally to address not only housing need but all aspects of social need. The code also stresses the importance of adopting a formal equality and diversity policy relating to all aspects of their homelessness service, to ensure equality of access and treatment for all applicants. An example of this would be to ensure that people from ethnic minority groups (who are currently around three times more likely than other households to be accepted as unintentionally homeless and in priority need) are provided with advice and information about homelessness and the prevention of homelessness in a range of languages consistent with the ethnic population of Nottingham. High risk young offenders are also often discriminated against through regular exclusion from housing provision because of the nature of their offending and the perceived risk they present to others.

2.2 The need for a joint protocol is further strengthened by reference to Lord Laming's report following the Victoria Climbie tragedy, when he stated that the "safeguarding of children will continue to depend upon services such as health, education, housing, police and social services working together". Additionally, the Social Exclusion Unit has highlighted significant problems of basic information sharing among agencies, including housing and social services departments.

2.3 Nottingham City Council recognises and accepts the corporate responsibility it has toward children and young people with regard to housing and homelessness issues and, through this joint protocol, aims to provide an effective joint working approach to ensure the delivery of services as far as possible within available resources meets local demand.

2.4 Whilst the primary responsibility for securing accommodation for eligible and relevant care-leavers rests with CS, it is essential that a multi-agency approach is adopted to help young people maximise their life chances, in compliance with the Children Act 2004. This Act was brought in following the first Laming Inquiry, which resulted in specific duties on CS authorities and their partner agencies to work together to safeguard and promote the welfare of children. The housing needs of care-leavers should be addressed before they leave care. This protocol will ensure that relevant agencies all play a full role in providing the required resources and support to these young people.

2.5 The people listed below endorse this joint protocol and will ensure the agencies for which they are responsible implement joint working practices that conform to legislation, take heed of national guidance and adhere to the principle that Every Child Matters.

Name, role and agency	Signature
Gary Harvey Head of Housing Solutions Nottingham City Council	
Tracey Nurse Head of Childrens Social Care Nottingham City Council	

3 Purpose of the Joint Protocol

3.1 This protocol aims to promote joint working between staff working in children's services and housing agencies to ensure suitable provision of support, advice and housing for children and young people in Nottingham who are homeless or threatened with homelessness.

3.2 The CLG/DCSF document, "Joint working between housing and children's services" highlights that consistent, reliable and sustainable joint working can only be achieved through formal agreements between the relevant agencies. Joint protocols enable partners to understand their roles and confidently engage in joint working. They lead to better communication, increased and more effective joint working and better outcomes for people receiving a service.

3.3 Accurate, consistent and collaborative assessment of needs is essential in the delivery of adequate support, advice and housing to improve the outcomes for children and young people.

3.4 Primary and secondary legislation and guidance impact on agencies in different ways, dependent on their key responsibilities, and the joint protocol will encourage partners to review service delivery when legislation or guidance is introduced or amended to ensure joint working practices adapt accordingly.

4 The Legislative Framework and other Guidance

4.1 The legislative framework and accompanying guidance aims to ensure that children and young people in need of housing receive appropriate advice and support.

4.2 **The Children Act 2004 (s10)** sets out a statutory requirement for local authorities and their 'relevant' partners to cooperate to improve children's well-being.

4.3 **The Children Act 2004 (s11)** sets out a specific duty on CS authorities and their partner agencies to make arrangements to safeguard and promote the welfare of children in their area.

4.4 **Part VII Housing Act 1996** and **The Homelessness (Priority Need for Accommodation) (England) Order 2002** govern the provision by Local Housing Authorities in relation to homeless persons. In England, a child aged 16 or 17 who is not a relevant child for the purposes of **Section 23A Children Act 1989** has a priority need for accommodation unless Children's Services owe him an accommodation duty under **Section 20 Children Act 1989**.

When a child or young person makes a homelessness application, consideration needs to be given as to whether or not they are in priority need.

Automatic priority need categories are as follows:

1) Young people aged 16 or 17 unless they are owed an accommodation duty under **Section 20 Children Act 1989** (provision of accommodation for "a child in need") whereupon there would be no housing duty under the **Housing Act 1996**

2) A person aged 18, 19 or 20 (that is under the age of 21) and after reaching the age of 16 but while still under 18 was, but is no longer looked after, accommodated or fostered.

3) A person who is pregnant

4) A person who has dependent children

5) A person who has become homeless due to fire, flood or a disaster

If a young person does not meet the criteria for an automatic category, they may be considered to have a priority need if they were considered to be vulnerable due to:

1. Mental health

2. Learning disabilities

3. Physical disabilities or serious health problems

4. Been in care, the armed forces, or custody

5. They have left accommodation due to violence or threats of violence

6. Any other special reasons

NB: **R (on the application of G) (FC) v Southwark London Borough Council 2009 UKHL 26** (also see below)

Where a child is a child in need and needs accommodation under **Section 20 Children Act 1989**, the Authority must arrange to accommodate him under this Section and cannot instead use the provisions of **Part VII Housing Act 1986**.

4.5 **The Children Act 1989**

Section 17 places a general framework duty on local authorities to provide a range of services to children in need. It is the general duty of every local authority –

(a) to safeguard and promote the welfare of children within their area who are in need; and
(b) so far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs.

Section 17(5) permits local authorities to request other agencies to provide services on their behalf.

Section 17(10) defines a child as being in need if –

a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part;
(b) his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or
(c) he is disabled,

CS can provide accommodation to young persons under **section 17(6),** in which case the young person would not be looked after and owed the corresponding duties set out in sections 22, 23 and 24 of the 1989 Act. However, this will almost always concern those young people needing to be accommodated with their families.

Section 20(1) creates a specific duty on local authorities to provide accommodation for any child in need in their area where:

- there is no-one with parental responsibility
- the child is lost or has been abandoned
- the person who has been providing care is prevented from providing suitable accommodation or care

In addition, even if s.20(1) does not apply **Section 20(3)** states that local authorities should provide accommodation for any child in need within their area who has reached the age of 16 and whose welfare is likely to be seriously prejudiced if they do not provide accommodation

Further, **section 20 (4),** provides that a local authority may provide accommodation for any child within their area (even though a person who has parental responsibility for him is able to provide him with accommodation) if they consider that to do so would safeguard or promote the child's welfare.

Section 20(5) states that a local authority may provide accommodation for a young person who has reached the age of 16, but is under 20 in any community home which takes young people who are over 16 if it is considered that this would safeguard or promote their welfare

Section 27 states that a children's services authority can ask a housing authority to help deliver services for children in need. The housing authority must comply with such a request if it is compatible with their statutory duties and obligations.

The section 20 (1) duty is engaged whenever the local authority has determined that the young person is in fact in need and requires accommodation as a result of one of the factors set out in section 20(1)(a) to (c) or in section 20(3). The young person must be provided with accommodation by CS under section 20. The young person will become looked after and the local authority will owe them the duties under sections 22 and 23 of the 1989 Act and once they cease to become looked after the responsibilities and duties under the Leaving Care Act will apply to them if they are eligible

Interplay between sections 17 and 20 of Children Act 1989 and Part 7 of Housing Act 1996

The section 20 duty takes precedence over section 17 of the 1989 Act and Part 7 of the1996 Act and if section 20 applies then CS must provide accommodation under this section. CS does not have the option of choosing under which provision they should provide accommodation for homeless 16 and 17 year olds. Whilst section 20 involves an evaluative judgement on some matters it does give a discretion as to whether or not the duty arises.

4.6 The **Children (Leaving Care) Act 2000** amended the leaving care provisions of the Children Act 1989. It also extended the responsibilities of local authorities to care leavers until the age of 21, and beyond in some cases.

Under the 1989 Act the following groups are eligible for assistance:

- ***Eligible children*** – aged 16 to 17 who have been looked after for at least 13 weeks (not necessarily consecutive weeks) since the age of 14 and are still being looked after;
- ***Relevant children*** – aged 16 to 17 who have been looked after for at least 13 weeks (not necessarily consecutive weeks) since the age of 14 and who have left care;
- ***Former relevant children*** – aged 18 to 21 who have either been eligible or relevant children, or both. If, at the age of 21, they are still being supported by the local authority with education or training they remain a former relevant child until the course ends.

4.7 Recent caselaw

There are some very significant statements emanating from rulings issued by the House of Lords (HL) in recent years, which emphasise the need for a joint protocol that underpins joint working practices. They also deal with the interplay between section 20 1989 Act and Part 7 of the 1996 Act in the case of 16 and 17 year olds who require accommodation.

From the case of **R(M) v Hammersmith & Fulham (2008) UKHL 14** it is clear that an assertion of homelessness gives rise to the requirement for immediate assessment of the child's needs to take place; but that does not obviate the need for the local authority carrying out the assessment to make an evaluative judgement, based on the facts of the particular case.

The HL in the case of **R (G) v London Borough of Southwark [2009] UKHL 26** warned local authorities that they cannot "side step" the full obligation they may owe to vulnerable 16 and 17 year olds. In particular it was stressed that the clear intention of the Children Act 1989 was that "these children need more than a roof over their heads". It goes on to make the point that "social services should not avoid those responsibilities by looking to the housing authority to accommodate the child".

The Southwark case also makes the point that CS cannot rely on homelessness legislation to divert responsibility away from their duties to vulnerable children and young people under the Children Act 1989 and the Children (Leaving Care) Act 2000. It is also restated that the general aims of these two pieces of significant childcare legislation are to provide children and young people with the sort of parental guidance and support which most young people growing up in their own families can take for granted.

4.8 Statutory Guidance

The Homelessness Code of Guidance for Local Authorities 2006 provides general guidance on discharging homelessness functions under Part 7 of the 1996 Act.

The Provision of accommodation for 16 and 17 year old young people who may be homeless and/ore require accommodation (April 2010) provides guidance on the functions of CS and Housing services when young people seek help in relation to homelessness.

5 Housing options in Nottingham City

5.1 NCC owned social housing is managed by NCH and access to this and other Registered Provided Social Housing is through the choice based lettings system HomeLink. This allows access to introductory and secure tenancies.

5.2 Temporary / emergency and supported accommodation in Nottingham is mainly accessed through the Homelessness Prevention Gateway. The Gateway ensures that bed spaces are given to the people who are most in need. The Gateway assessment ensures that care leavers are given priority in line with NCC's corporate parenting responsibilities.

5.3 Nottingham City Council delivers a range of homelessness prevention activity including various housing options designed to support the individual circumstances of a households housing need. The Nottingham Private Rented Assistance Scheme (NRPAS) is an example of one of the NCC services aimed at providing an enhanced range of housing options and frequently supports households to access and sustain accommodation within the Private Rented Sector

6 Putting the protocol into practice

6.1 In order for the protocol to work effectively the agencies involved have agreed who will assess and deal with applications from homeless young people in a range of situations. In all matters pertaining to vulnerable children and young people the overarching principles of joint working will guide the working practices of all agencies to ensure that outcomes are met and all people in receipt of a service are properly safeguarded.

6.2 In order to develop effective joint working between the agencies involved, it is agreed that a working group will meet every six weeks during the development of the joint protocol to ensure a commitment that agreed joint working is translated into practice between and across all involved partners.

6.3 It will also be necessary to measure and evidence service outcomes to ensure progress can be monitored effectively. This will be done through quarterly monitoring meetings, held between senior representatives from Housing Aid, Housing Strategy, Children's Services, Youth Offending Team, Leaving Care Service and appropriate voluntary sector agencies to look at how the protocol is working in practice. A full review will need to be undertaken annually.

7 Planned moves for children leaving a care placement (eligible children) who are ready for independent living

7.1 The young person's Social Worker will liaise with the young person about their accommodation options nine months before they are due to leave care. If they are assessed as being able to sustain their own tenancy, an application will be submitted to Homelink alongside a firm recommendation.

7.2 Where necessary the Social Worker will arrange for the young person to trial independent living for a period of about six months before they are due to leave care.

7.3 The Social Worker will contact NCH at least three months prior to the young person moving on from their care placement.

7.4 *Referrals will not be made directly from a children's home or foster placement*

7.5 NCH and the Social Worker will convene a joint interview to complete a housing needs assessment, where possible within five working days. The venue for the interview will be determined following consultation between all parties, including the young person.

7.6 A copy of relevant sections of the completed pathway plan will be provided to NCH prior to the interview detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the name of the PA. Payment of rent will be consistent with legislative duties, but will usually be the responsibility of CS (whilst young person is aged under 18, post 18 young person to apply for housing benefit if eligible to claim). Written confirmation will be given, which will also state duration of payments.

7.7 If the housing needs assessment identifies that the young person is not yet ready to move directly into an introductory tenancy then all parties, including the young person, must be notified in writing no more than three days following the interview. This should include a copy of the needs assessment. The young person will then be considered an eligible child who is not ready for independent living and will be covered by that part of the protocol for planned moves (see below).

7.8 If the young person is assessed as suitable for an introductory tenancy then NCH will provide a copy of the needs assessment to the young person and their personal advisor and place them in the relevant band within HomeLink, indicating waiting time where this is appropriate.

7.9 CS PA will assist the young person in bidding on properties and, upon a successful bid, will refer the young person to an Independent Living Support Service (ILSS), who will provide tenancy support.

8 Planned moves for children leaving a care placement (eligible children) who are NOT ready for independent living

8.1 CS PA in conjunction with the social worker will liaise with the young person about their accommodation options three months before they are due to leave care.

8.2 Where necessary CS PA in conjunction with the social worker will arrange for the young person to trial independent living for a period of about six months before they are due to leave care.

8.3 CS PA in conjunction with the social worker will contact Housing Aid at least three months prior to the young person moving on from their care placement. Most young people will know that they wish to go into temporary accommodation but for those who are unsure; shared agreement will need to be reached between CS PA in conjunction with the social worker and NCH about the young person's needs before contact is made with Housing Aid.

8.4 *Referrals will not be made directly from a children's home or foster placement*

8.5 Housing Aid will arrange an interview for Gateway contact and an overview assessment, where possible within five working days. The venue for the interview will be determined following consultation between all parties, including the young person.

8.6 A copy of relevant sections of the completed pathway plan will be provided to Housing Aid prior to the interview detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named PA. Payment of rent will be consistent with legislative duties, but will usually be the responsibility of CS (whilst young person is aged under 18, post 18 young person to apply for housing benefit if eligible to claim). Written confirmation will be given, which will also state duration of payments.

8.7 Housing Aid will identify the best supported accommodation options to meet the jointly assessed needs of the young person and will make recommendations based on information gained at interview and contained in relevant sections of the pathway plan. Housing Aid will provide a copy of the assessment to the young person and their PA.

8.8 Once a vacancy in the (or one of the) recommended supported accommodation options becomes available this will be allocated to the young person, in accordance with the priority given to care leavers through the homelessness gateway.

8.9 Although the supported accommodation provider will be responsible for helping the young person acquire the necessary independence skills CS PA will continue to provide complimentary support to ensure expected outcomes are met. The young person should be moved onto an NCH tenancy within 2 years, with ILSS where applicable.

9 Planned moves for those who have left care and are in their own accommodation (relevant children) who are ready for independent living

9.1 The Social Worker / PA will contact NCH to inform them of the young person's housing requirement as soon as a need to move is identified and before any decision is made to terminate accommodation. At this stage the Social Worker / PA should also ensure that the young person is registered on HomeLink and, if not, must ensure that an application is submitted without delay.

9.2 NCH will arrange a joint interview with the Social Worker / PA for a housing needs assessment, where possible within 5 working days. The venue for the interview will be determined following consultation between all parties, including the young person.

9.3 A copy of relevant sections of the completed pathway plan will be provided to NCH prior to the interview detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named Social Worker / PA. Payment of rent will be consistent with legislative duties, but will usually be the responsibility of CS. (whilst young person is aged under 18, post 18 young person to apply for housing benefit if eligible to claim). Written confirmation will be given, which will also state duration of payments.

9.4 If the housing needs assessment identifies that the young person is not yet ready to move directly into an introductory tenancy then all parties, including the young person, must be notified in writing no more than three days following the interview. This should include a copy of the needs assessment. The young person will then be considered a relevant child who is not ready for independent living and will be covered by that part of the protocol for planned moves (see below).

9.5 If the young person is assessed as suitable for an introductory tenancy then NCH will provide a copy of the needs assessment to the young person and their Social Worker / PA and place them in the relevant band within HomeLink, indicating waiting time where this is appropriate.

9.6 The Social Worker / PA will assist the young person in bidding on properties and, upon a successful bid, will refer the young person to ILSS, who will provide tenancy support.

9.7 CS PA will continue to provide the young person with support to help them sustain the tenancy.

9.8 If NCH believe that any housing problems experienced by the young person can be resolved, allowing them to remain in their present accommodation, then these avenues will be explored by way of either direct referral to ILSS or by referral to Housing Aid, to seek assistance in taking action against landlords regarding such things as disrepair or security measures.

10 Planned moves for those who have left care and are in their own accommodation (relevant children) who are NOT ready for independent living

10.1 The Social Worker / PA will contact Housing Aid as soon as a need to move is identified, but before any decision is made to terminate accommodation. At this stage the Social Worker / PA will also ensure that the young person is registered on HomeLink and, if not, will assist the young person in submitting an application.

10.2 Housing Aid will arrange an interview for Gateway contact and an overview assessment, where possible within five working days. The venue for the interview will be determined following consultation between all parties, including the young person.

10.3 A copy of relevant sections of the completed pathway plan will be provided to Housing Aid prior to the interview detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named Social Worker / PA. Payment of rent will be consistent with legislative duties, but will usually be the responsibility of CS. (whilst young person is aged under 18, post 18 young person to apply for housing benefit if eligible to claim). Written confirmation will be given, which will also state duration of payments.

10.4 Housing Aid will identify the best supported accommodation options to meet the jointly assessed needs of the young person and will make recommendations based on information gained at interview and contained in relevant sections of the pathway plan. Housing Aid will provide a copy of the assessment to the young person and their Social Worker / PA.

10.5 Once a vacancy in the (or one of the) recommended supported accommodation options becomes available this will be allocated to the young person, in accordance with the priority given to care leavers through the homelessness gateway.

10.6 Although the supported accommodation provider will be responsible for helping the young person acquire the necessary independence skills CS PA will continue to provide complimentary support to ensure expected outcomes are met. The young person should be aimed to be moved onto a suitable tenancy within 2 years, with ILSS where applicable.

10.7 If Housing Aid believes that housing problems being experienced by the young person can be resolved, allowing them to remain in their present accommodation, then these avenues will be explored by referral to ILSS or by taking action against landlords regarding such things as disrepair or security measures.

11 Planned moves for those who have left care and are in their own accommodations (former relevant children) that are ready for independent living

11.1 For those young people who choose not to go into private rented accommodation CS PA will contact NCH to inform them of the young person's housing requirement as soon as a need to move is identified and before any decision is made to terminate accommodation. At this stage CS PA should also ensure that the young person is registered on HomeLink and, if not, must ensure that an application is submitted without delay.

11.2 NCH will arrange a joint interview with CS PA for a housing needs assessment, where possible within 5 working days. The venue for the interview will be determined following consultation between all parties, including the young person.

11.3 A copy of relevant sections of the completed pathway plan will be provided to NCH prior to the interview detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named CS PA.

11.4 NCH will provide a copy of the needs assessment to the young person and their CS PA and place the young person in the relevant band within HomeLink, indicating waiting time where this is appropriate.

11.5 The CS PA will assist the young person in bidding on properties and, upon a successful bid, will refer the young person to ILSS who will provide tenancy support.

11.6 The CS PA will continue to provide the young person with support to help them sustain their tenancy.

11.7 If NCH believe that housing problems being experienced by the young person can be resolved, allowing them to remain in their present accommodation, then these avenues will be explored by way of either direct referral to ILSS or by referral to Housing Aid, to seek assistance in taking action against landlords regarding such things as disrepair or security measures.

12 Planned moves for those who have left care and are in their own accommodation (former relevant children) who are NOT ready for independent living

12.1 CS PA will contact Housing Aid as soon as a need to move is identified, but before any decision is made to terminate accommodation. At this stage the CS PA will also ensure that the young person is registered on HomeLink and, if not, will assist the young person in submitting an application.

12.2 Housing Aid will arrange an interview for Gateway contact and an overview assessment, where possible within five working days. The venue for the interview will be determined following consultation between all parties, including the young person.

12.3 A copy of relevant sections of the completed pathway plan will be provided to NCH prior to the interview detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named CS PA.

12.4 Housing Aid will identify the best supported accommodation options to meet the jointly assessed needs of the young person and will make recommendations based on information gained at interview and contained in relevant sections of the pathway plan. Housing Aid will provide a copy of the assessment to the young person and their CS PA.

12.5 Once a vacancy in the (or one of the) recommended supported accommodation options becomes available this will be allocated to the young person, in accordance with the priority given to care leavers through the homelessness gateway.

12.6 Although the accommodation provider will be responsible for helping the young person acquire the necessary independence skills CS PA will continue to provide complimentary support to ensure expected outcomes are met. The young person should be moved onto a suitable tenancy within 2 years, with ILSS where applicable.

12.7 If Housing Aid and/or CS believe that housing or other problems being experienced by the young person can be resolved, allowing them to remain in their present accommodation, then these avenues will be explored by referral to ILSS or by taking action against landlords regarding such things as disrepair or security measures.

13 Unplanned moves for a homeless relevant child

13.1 Social Worker / PA will contact Housing Aid as soon as the young person presents themselves as homeless. If the young person approaches Housing Aid first, then they will contact the Social Worker / PA At this stage the Social Worker / PA will ensure that the young person is registered on HomeLink and, if not, will help the young person submit an application.

13.2 Housing Aid will arrange for Gateway contact and overview assessments **(not a homelessness interview)** as soon as possible, which wherever possible will be the same day. The venue for the assessments will be determined following consultation between all parties, including the young person and their Social Worker / PA

13.3 A copy of relevant sections of the completed pathway plan will be provided to Housing Aid prior to the assessments detailing the support needs required to

sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named Social Worker / PA. Payment of rent will be consistent with legislative duties, but will usually be the responsibility of CS (whilst young person is aged under 18, post 18 young person to apply for housing benefit if eligible to claim). Written confirmation will be given, which will also state duration of payments. The written confirmation will also set out the reasons why the young person has become homeless.

13.4 Housing Aid will identify the best direct access and / or supported accommodation options to meet the jointly assessed needs of the young person and will make recommendations based on information gained through assessments and contained in relevant sections of the pathway plan. Housing Aid will provide a copy of the assessment to the young person and their (whilst young person is aged under 18, post 18 young person to apply for housing benefit if eligible to claim).

13.5 If direct access / supported accommodation is not immediately available then Housing Aid will advise the Social Worker / PA about the availability of alternative accommodation, but the responsibility for arranging this will rest with the Social Worker / PA

13.6 Once a vacancy in the (or one of the) recommended direct access / supported accommodation options becomes available this will be allocated to the young person, in accordance with the priority given to care leavers through the homelessness gateway.

13.7 Although the supported accommodation provider will be responsible for helping the young person acquire the necessary independence skills CS PA will continue to provide complimentary support to ensure expected outcomes are met. The young person should be moved onto a suitable tenancy within 2 years, with ILSS where applicable.

13.8 If Housing Aid believes that the housing problems being experienced by the young person can be resolved, and allow them to return to their previous accommodation, then these avenues will be explored through means such as negotiation with a landlord in the case of illegal eviction.

14 Unplanned moves for a homeless former relevant child

14.1 CS PA will contact Housing Aid as soon as the young person presents themselves as homeless. If the young person approaches Housing Aid first, then they will contact the CS PA. At this stage the CS PA will ensure that the young person is registered on HomeLink and, if not, will help the young person submit an application.

14.2 Housing Aid will arrange for Gateway contact and overview assessments, where possible within three working days. The venue for the assessments will be determined following consultation between all parties, including the young person and their CS PA

14.3 A copy of relevant sections of the completed pathway plan will be provided to Housing Aid as soon as possible detailing the support needs required to sustain accommodation, an assessment of the young person's independent living skills, any risk factors and the named CS PA.

14.4 Housing Aid will identify the best direct access and / or supported accommodation options to meet the jointly assessed needs of the young person and will make recommendations based on information gained in interview and contained in relevant sections of the pathway plan. Housing Aid will provide a copy of the assessment to the young person and their CS PA.

14.5 Once a vacancy in the (or one of the) recommended direct access / supported accommodation options becomes available this will be allocated to the young person, in accordance with the priority given to care leavers through the homelessness gateway.

14.6 If Housing Aid believes that the housing problems being experienced by the young person can be resolved, and allow them to return to their previous accommodation, then these avenues will be explored by CS or Housing Aid as appropriate through means such as negotiation with a landlord in the case of illegal eviction.

14.7 Housing Aid will process the homeless assessment in the normal way and will notify CS PA of the outcome of the homeless assessment and provide a copy of the decision to them.

15 While in supported accommodation

15.1 If continuation of the supported accommodation becomes difficult through the actions of the young person then a meeting will be held urgently involving the accommodation provider's support worker, the young person, their CS PA and, where appropriate, Housing Aid.

15.2 The potential consequences of losing the accommodation will be explained to the young person and recorded. The PA and accommodation provider (and Housing Aid if present) will agree a support package with the young person aimed at preventing possible eviction. This will be shared with Housing Aid (if they are not present at the meeting).

15.3 If the accommodation situation does not improve and the young person is facing imminent eviction and homelessness the CS manager (or assistant manager) will discuss the case with the supported accommodation provider on the same day. Consideration will be given to all the factors affecting tenancy breakdown and any additions and changes needed to the support package. This will be shared with Housing Aid on the same day.

15.4 If, after full consultation between all parties, it is agreed that the actions of the young person create too much vulnerability or risk to the accommodating

project then efforts will still be made to secure alternative accommodation but, where this proves unviable, a decision will be made to cease any further offers of direct access / supported accommodation. A statement (agreed by all relevant parties) will be communicated to the young person declining further accommodation provision.

15.5 Notice issuing a discharge of accommodation duties may also be issued by Housing Aid where appropriate duties have arisen.

15.6 If the care leaver is a relevant child then the Social Worker / PA will be responsible for securing alternative accommodation for the young person.

15.7 The decision to cease the offer of direct access / supported accommodation will be reviewed if the housing crisis persists, if circumstances change, or if there is evidence of a significant behaviour change. The review will be undertaken through a case conference approach with appropriate Housing Aid and CS managers present. The desired outcome will always be the successful accommodating of the young person through a shared risk management approach between partners.

15.8 It is possible that the young person may need to move between direct access / supported accommodation provision. Such moves will always be consistent with the pathway plan and any such decisions will involve the young person, their PA and Housing Aid.

16 Unaccompanied asylum-seeking children

16.1 These young people are covered by the Children Act 1989 and the Children (Leaving Care) Act 2000 (if under 18) and will therefore be treated equitably as detailed in the sections above. Because of their particular circumstances they will also have immigration status of either applying for asylum, acceptance as a refugee, granted leave to remain or refused leave to remain, which will also need to be taken into account by NCC when providing services to them. Whilst they are under 18 NCC will be responsible for their care and accommodation. Where necessary CS will take advice and liaise with the National Asylum Support Service (NASS). CS is not responsible for young people over 18 but will refer them to the immigration authorities.

17 Sixteen and seventeen year olds presenting as homeless (not covered in sections above)

17.1 16 and 17 year olds who present as homeless will be referred to CS for an assessment of need (to include their wishes), irrespective of which agency they approach in the first instance. The purpose of this assessment is to determine whether the young person is;

a) homeless
b) under 18
c) resident in Nottingham
d) a child in need

17.2 If the above criteria are met then responsibility for arranging accommodation rests with CS under section 20, Children Act 1989. In accordance with legislation, Government guidance, corporate parenting responsibilities and in the spirit of partnership working housing authorities will assist CS (consistent with their statutory duties and obligations) in identifying and accessing suitable accommodation. For this to be a successful intervention (specifically, but not exclusively, in relation to the Every Child Matters "achieving economic well being" outcome) it will be expected that joint working and joint assessment are established as soon as practically possible.

Where a child is a "child in need", the Children Act 1989 s.20(1) places a specific duty on CS, not just to provide accommodation, but also to provide support and services. The child becomes 'looked after' and as a result may become entitled to receive services under Leaving Care duties.

The Children Act 1989 s17(1) places a more general duty on CS to help a child find accommodation if they do not meet the s.20 criteria. Such accommodation will usually be with their families. This may also include young people who want the help to find accommodation, but beyond that help do not want any further CS support or to become 'looked after.'

18 Eighteen to twenty one year olds

18.1 If a homeless young person aged 18-21 (or 24 when in education or training) approaches CS and does not fit into the criteria defined in the Children (Leaving Care) Act 2000 they will be given advice by CS and referred to Housing Aid.

18.2 If a homeless young person aged 18-21 approaches Housing Aid they will;

a) check if the young person is an open case with CS (see former relevant children sections above),
b) confirm 'priority need' status and, once established, arrange direct access accommodation
c) once a duty under the Homelessness Act 2002 has been accepted permanent accommodation will be found

18.3 Some young people will not be owed a statutory duty under the Homelessness Act 2002 but will nevertheless need support and assistance.

18.4 The safety of the young person is paramount and they should be given the advice and assistance they need. This could involve:

- conciliation with family to negotiate a return to the family home, if appropriate;
- referral to services and / or non NCC agencies that can provide direct access, supported or permanent accommodation;
- completion of a Homelink application form

19 Funding of Direct Access / Supported Accommodation up to eighteen years of age

19.1 The Children Act 1989 requires local authorities to provide a range of services for children in need. For the purposes of this protocol CS is taking the lead in fulfilling this duty.

19.2 However, in accordance with the Children Act 1989 s27, CS can request the assistance of the housing authority to deliver services, for example direct access / supported accommodation, and the housing authority must comply with this request if it is compatible with its own statutory duties.

19.3 In the vast majority of cases NCC will be able to provide direct access / supported accommodation for young people through its own resources and partners.

19.4 In very exceptional circumstances emergency accommodation may need to be sought elsewhere and may involve additional expenditure. In such cases the safeguarding of the young person remains the paramount corporate responsibility and emergency accommodation will be secured as a priority.

19.5 In these rare circumstances the funding responsibility will rest with CS.