



**Haringey Council**

<b>Report for:</b>	<b>Corporate Parenting Advisory Committee 19 December 2013</b>	<b>Item Number:</b>	
<b>Title:</b>	<b>Housing Provision, Young Adults Service</b>		
<b>Report Authorised by:</b>	<b>Marion Wheeler Assistant Director</b>		
<b>Lead Officer:</b>	<b>Chris Chalmers/Denise Gandy</b>		
<b>Ward(s) affected:</b>	<b>This report is for information</b>		

## **1. Describe the issue under consideration**

This report provides information on the arrangements in place in Haringey to meet the housing needs of care leavers and young people who are facing homelessness.

A cross-departmental strategy for young people leaving care was launched by the DfE in October 2013. This has been led by Edward Timpson, Children's Minister, who stipulates that local services to those in care and care leavers must build on best practice to ensure that care leavers receive high quality services that meet their needs and support them to make the transition into adulthood. Within this is a section on housing responsibilities for local authorities. There is an emphasis on the need for "staying put" arrangements and local authorities working with voluntary sector partners to develop positive youth accommodation options. In addition to this there is an onus on local authorities to provide cost effective and efficient homelessness prevention services, such as the avoidance of placing 16 and 17 year olds in bed and breakfast accommodation.



**Haringey Council**

## **Housing options for young people leaving care**

### **2.1 Staying Put**

We have now agreed and signed off our Staying Put policy (October 2013) and, as the policy was already being piloted at that time, there are 10 care leavers in staying put arrangements. This is a very successful initiative, where care leavers remain with their foster carers post age 18, usually for about a year. This has enhanced stability and continuity for a cohort of our care leavers.

### **2.2 Social housing quota for care leavers**

We have an established agreement between Housing Services and Children's Services that a quota of social housing lets will be set aside each year for care leavers. The quota level is based on a projection of the number of young people who are due to leave care that year and a consideration of the range of needs. For the last two years the quota has been 60 one bedroom properties per year.

Each quarter we provide a tenancy workshop for 15 young people aged 17 upwards and, upon completion of the workshop they are able to apply to start bidding for a tenancy. The workshop includes staff from the Young Adults Service (YAS), Housing Vulnerable Adults Team (VAT) and an Income Recovery Team worker to give practical advice on bidding, moving in to a tenancy and sustaining it. The quota system means that care leavers' use of temporary accommodation is greatly reduced.

Once the young person has attended their tenancy training they are made a band A award under the Council's Allocations Policy and are able to bid for suitable properties that are advertised through Home Connections, the Council's choice-based letting scheme. Both Council and Registered Provider (Housing Association) properties are made available in this way.

Discussions are currently taking place to consider whether to add a small number of two bedroom properties into the quota to help meet the needs of care leavers who are parents.

Regular bi-monthly meetings are taking place between the YAS management group and Housing Management Team to discuss any issues and ensure a better working relationship between the two departments. This has yielded positive outcomes with a joint approach to finding solutions. The average time for our care leavers moving on to their permanent accommodation is within six months of their 18<sup>th</sup> birthday.

### **2.3 Training flats (Hermitage Road)**

In 2012 the Housing Service and YAS jointly developed a supported living scheme, which provides training flats for young people who are due to leave care but are assessed as needing to develop some additional skills or experience before they are likely to be able to manage a tenancy. This project gives those who have medium level independence skills to live as part of a group of three young people



with a volunteer lead tenant to offer them additional support. The outcome of staying in the halfway house is a young person's opportunity to move seamlessly onto their own permanent accommodation in around six to ten months of moving in. This option is especially suitable for those young people who return to London after a period living away in foster care or residential care and benefit from support as they adjust to being back in London. We also have a plan to develop some satellite studio bed flats where young people will receive floating support from the volunteer involved with the Hermitage Road project.

Hermitage Road is a project for female care leavers and we hope to develop a similar house for young men who are care leavers in 2014

#### **2.4 Temporary accommodation (TA) cases**

If something happens that means that a young person is not able to remain in their placement and move straight into their permanent accommodation, they will be referred to the Housing Service to make a homeless application.

The Homelessness Priority Needs Order 2001 ensures that homelessness legislation supports the Leaving Care Act by stating that 18 – 21 year olds who are former relevant children have an automatic priority need and so the Council will owe them a homelessness duty if they are in housing need.

Since the introduction of the social housing quota, most care leavers move on to their settled accommodation without the need for temporary accommodation,. However, this was not the case historically and so the Housing Service are currently reviewing all care leavers who are living in temporary accommodation with the aim of moving them on to one of three options:

- a) permanent social housing; or
- b) private sector accommodation; or
- c) supported housing, if they have struggled in temporary accommodation and would benefit from a period of support.

#### **2.5 Private rented accommodation**

If a care leaver would prefer to move into private rented accommodation, they can be supported to do this through an incentive payment to a private landlord. Care leavers are exempt from the shared room rate in the private sector until they are 22 and so would be able to rent a one bedroom flat rather than just a room (shared room rate applies to most other single people until they are 35).



## **2.6 Care Leavers who are NRPF (no recourse to public funds)**

The service currently supports those care leavers post-18 who are All Rights Exhausted with their housing needs as well as with a subsistence allowance. They are not entitled to claim any benefits as they have no defined leave to remain in the UK. 28 young people post-18 (12% of the total care leavers) who were former unaccompanied minors are supported by Young Adults Service with their housing needs, and 5% of the total number of our care leavers are All Rights Exhausted cases. We will continue with our support until at least 21 when they will be referred to NASS or, if they are parents, to our NRPF team. We now have a robust system in place to identify any immigration issues for young people in care. This means that, for all those whose lack of indefinite leave to remain (ILR) is an issue whilst they are in care, every effort is made to regularise their status by the age of 18. This means that we can reduce the number of young people who are NRPF giving them opportunity to claim all the rights and benefits of anyone else with settled status in the UK. This is better for them and also more effective for us as they are entitled to benefits, can bid for permanent accommodation and are not reliant on Council services for subsistence.

## **3 Accommodation for 16 and 17 year olds**

### **3.1 Looked After Young People aged 16 / 17 placed in semi-independent accommodation**

Semi-independent accommodation is provided to young people aged 16 /17 and looked after by the Council when an assessment indicates that this is the best way of meeting their needs. The wishes and feelings of the young people are taken into account and central to the decision is a judgement about whether the young person will be able to cope and be safe with this level of support.

It should be noted that this provision for young people who are looked after is not regulated by Ofsted in the way that fostering and residential care is regulated. However there are national standards for semi-independent accommodation and Haringey makes every effort to ensure that young people are only placed in good quality accommodation that will meet their needs and which will enable them to participate in education / training and develop independent living skills.

All these young people have an allocated social worker who meets regularly with them. They have LAC reviews chaired by an Independent Reviewing Officer at least every six months to review their care plan. In addition, CYPS Placement Officers make regular monitoring visits to all placements to ensure that quality standards are being met.

Semi-independent accommodation for this group includes a wide variety of provision, ranging from small units with staff present on the premises 24/7, to individual studio flats with outreach support being provided from a support worker.



As at 3/12/13, Haringey had a total of 55 young people aged 16 / 17 placed in semi-independent accommodation.

### **3.2 Procurement of semi-independent placements for this cohort of young people**

Haringey has worked collaboratively with Barnet, Waltham Forest, Barking and Dagenham, Havering, and Redbridge in tendering for supply of this provision, as a result of which Framework Contracts were put in place with 39 independent providers in 2010.

When a semi-independent placement is required for a young person, details are sent out by the CYPS Placements Team to all the approved framework providers. The responses from providers are assessed and Haringey then selects the provider that best meets the requirements of the specific placement against the following criteria:

- geographical location;
- compatibility of profile/skill of the proposed key worker with the young person's assessed needs;
- overall suitability of the proposal for meeting the young person's needs; and
- weekly placement cost (value for money judgement).

Once satisfactory arrangements have been fully agreed, an individual placement agreement is completed with the provider for that placement. Final authorisation for the placement to proceed is given by the appropriate CYPS Head of Service.

### **3.3 Provision for those supported under the Southwark Judgement<sup>1</sup>**

When the new Department for Education (DfE) strategy was released we already had plans underway to work in partnership with the YMCA with regard to housing provision and support for those of 16+. We have established 12 places (those aged 16-25 are eligible for these) with the YMCA Foyer Project based in Crouch End. Young people will be given nine hours a week support. This presents a very good option for a significant cohort of young people who are coming through the Homesafe team. In addition, support to adults aged 18-35 is on offer with three hours support a week and 24 bed spaces. YAS young people will have access to the YMCA quota via the VAT team. Any new referrals from YAS to the VAT team will be considered for the YMCA supported housing vacancies rather than placed in Temporary Accommodation (TA).

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<sup>1</sup> In the London Borough of Southwark case, the House of Lords found that where a child of 16 or 17 years who had been excluded from the family home presented himself to the local children's services authority and asked to be accommodated by them under s 20 of the Children 1989 Act, and that child satisfied the requirements in s 20(1), it was not open to the children's services authority to arrange for him instead to be accommodated by the local housing authority under the homelessness provisions of Pt VII of the Housing Act 1996. A child, even one on the verge of adulthood, was considered and treated by Parliament as a vulnerable person to whom the state, in the form of the relevant local authority, owed a duty which went wider than the mere provision of accommodation. Where the requirements of s20 had been fulfilled; the duty under s20 had arisen and the authority cannot 'side-step' that duty by giving the accommodation a different label.



Currently the team working with s17 young people who are homeless have 42 open cases. Prevention of homelessness is dealt with through improved mediation services which are delivered in partnership with YMCA and Family Action, through their bid secured from One Borough One Future funding. The team managing these cases have found this new approach to be effective, impacting positively on young people and their families. The project is presently trying to secure host families to provide supported lodgings for vulnerable young people rather than placing them in separate accommodation.

#### **4 Head of Legal Services and legal implications**

- 4.1 The Head of Legal Services has been consulted about this Report.
- 4.2 The Committee is considering the Council's arrangements to meet the housing needs of young persons aged 16 -18 years old and care leavers 18 years plus who are facing homelessness. The Council's arrangement should meet the requirements of the Children Act 1989, Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers 2010 and the Guidance "Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation" 2010.
- 4.3 Section 17 of the 1989 Act imposes a general duty on the local authority to safeguard and promote the welfare of children within their area who are in need; and 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. The range and level of support services which may be provided is very wide and includes accommodation. Children provided with accommodation under this provision are not classed as looked after children.
- 4.4 Section 20 of the Act provides that the 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; or (c) the person who has been caring for him being prevented (whether or not permanently, and for whatever reason) from providing him with suitable accommodation or care. The local authority may also provide accommodation for any child (even though a person who has parental responsibility for the child is able provide them with accommodation) if they consider that to do so would safeguard or promote the child's welfare.
- 4.5 Where a child is provided with accommodation by the local authority (under Section 20 above), or the child is subject to a care order, the child is a looked after child by the local authority. The Act sets out the ways looked after children are to be accommodated and maintained by the local authority.
- 4.6 Section 22G of the Act places the local authority under a duty to secure, so far as reasonably practicable, sufficient accommodation for looked after children which is



## Haringey Council

within the local authority area and meets the needs of children. This is often referred to as the sufficiency duty.

- 4.7 By section 7 of the Local Authority Social Services Act 1970, all Local Authorities are obliged in the exercise of their social services functions to act under the general guidance of the Secretary of State. In this respect, the Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood for Care Leavers 2010 and the Guidance “Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation” 2010 are relevant. These guidance must be complied with by local authorities when exercising these functions, unless local circumstances indicate exceptional reasons that justify a variation.
- 4.8 The Planning Transition to Adulthood for Care Leavers Guidance 2010 provides that when young people leave their care placement the local authority must ensure that their new home is suitable for their needs and linked to their wider plans and aspirations. Moving directly from a care placement to living independently will often be too big a step for young people. It will therefore be good practice for local authorities to commission a range of semi-independent and independent living options with appropriate support. Children’s Services will need to work with housing strategy, housing options, housing related support functions and other partners to secure a range of suitable housing and support options for young people leaving care. Children’s Services should be linked to the local authorities’ strategic housing function and there should be joint protocols between Children Services and Housing Services to ensure effective transition planning and support to adulthood including provision of suitable supported accommodation.
- 4.9 The Guidance provides that because of the diverse needs of care leavers and the way in which these will change over time, a range of semi-independent and independent accommodation options for care leavers will be required. These might include:
- **Enabling young people to remain in the accommodation in which they lived whilst being looked after**, e.g. by converting a foster placement to a post-18 arrangement or supported lodgings and within the auspices of ‘Staying Put’ policies;
  - **Supported lodgings**, other than with former carers;
  - **Foyers and other supported housing**, combining accommodation with support and opportunities for education, training and employment;
  - **Trainer flats** where young people can ‘practice’ living more independently without compromising their future housing options;
  - **Specialist accommodation**, for example self-contained accommodation with personal assistance support, or therapeutic placements for young people with specific support needs such as disabilities and mental health difficulties;



**Haringey** Council

- **Independent accommodation** in the social or private rented sectors, with flexible floating support as needed;
- Living with **birth families**.

4.10 The guidance on the provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation is concerned with the functions of children's services and housing services when young people seek help from, or are referred to, local authorities because of homelessness. The guidance confirms the established legal position that local authority duty under section 20 of the 1989 Act takes precedence over the duties in the Housing Act 1996 Act in providing for children in need who require accommodation, and that the specific duty owed under section 20 of the 1989 Act takes precedence over the general duty owed to children in need and their families under section 17 of the 1989 Act. The guidance provides for: a) children's services' and housing services' initial responses to 16 and 17 year olds seeking help because of homelessness; b) the provision of suitable accommodation for 16 and 17 year olds who are owed a duty under section 20 of the 1989 act; c) circumstances when accommodation may be provided under section 17 of the Act and d) joint working between children's and housing services at strategic and operational level.