



Leicestershire Housing Protocols for Care Leavers and 16/17 year olds

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Lead Member/Relevant Portfolio Holder	Councillor Pip Allnatt - Leader of the Council and Portfolio Holder for Housing and Landlord Services
Corporate Priority:	Excellent Services Positively Impacting on Our Communities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	Not applicable
Exempt Information:	No
Key Decision:	No
Subject to call-in:	No

1 Summary

- 1.1 This report introduces countywide protocols to guide the ways in which Leicestershire Local Authorities will support homeless 16/17-year-olds and care leavers up to the age of 25.
- 1.2 The protocols set out how Leicestershire County Council and District and Borough Councils will work better together to prevent young people becoming homeless and ensures that care leavers and 16/17-year-olds presenting as homeless are supported consistently across the county.

2 Recommendation(s)

That Cabinet:

- 2.1 **Endorse the Leicestershire 16/17-Year-Old Protocol for use by Melton Borough Council**
- 2.2 **Endorse the Leicestershire Care Leavers Protocol for use by Melton Borough Council**

3 Reason for Recommendations

- 3.1 Local authorities must have regard to the corporate parenting principles identified in section 1 of the Children and Social Work Act 2017 when exercising their function in relation to looked after children and care leavers (former and relevant children). The principles apply to the whole range of local authority functions and not just to children's services functions. The Corporate Parenting of Children in Care and Care Leavers extends to all agencies involved in their support. Melton Borough Council is one of these agencies.
- 3.2 The protocols set out how Leicestershire County Council and district and borough councils will work better together to prevent young people becoming homeless. It fits with the councils corporate parenting responsibilities and ensures that care leavers and 16/17-year-olds presenting as homeless are treated consistently across the county.
- 3.3 The protocols refine the current procedures and ensure that move on plans towards 18+ and beyond are considered. It defines the working arrangements for all agencies involved in supporting this age group as well as defining the pathways for young people who present as struggling to remain at home can follow to access support.

4 Background

- 4.1 In 2021 the Leicestershire Leaving Care and 16/17 Homeless Protocols were reviewed by Department for Levelling Up, Housing and Communities (DLUHC). A number of changes were made to reflect the recommendations made, and a focus placed upon better coordination support, and making processes simpler.
- 4.2 The updated protocols have also been informed by shadowing of care leaver teams and discussions with district and borough and county council colleagues to see how "systems" could be refined and made simpler. In December 2022 an audit meeting took place with DLUHC, district and borough colleagues and county council colleagues to discuss the protocols, 'real life' working practices and ambitions for the working relationships between all agencies.
- 4.3 Final drafts have been submitted to and supported by DLUHC, with a review being undertaken by a specialist Youth Homelessness Advisor. District and borough colleagues and county council colleagues are now asked to formally endorse and implement the revised protocols and working arrangements.
- 4.4 The protocols are a way of ensuring that homeless approaches from young people are treated in a coordinated way. It aims to ensure a same level of service applies to all

agencies and there is an understanding of the remits and possibilities of each agencies work area. At every stage, it seeks to prevent young people from experiencing homelessness.

- 4.5 The protocols are designed to ensure that each district and borough council operate to a standard procedure whilst incorporating our corporate parenting responsibilities. Whilst there is legislation governing these areas, operational practice has been open to interpretation meaning services offered by the district and borough councils has been very different.

5 Main Considerations

- 5.1 In 2019 Leicestershire partners came together to make a commitment and promise to looked after children and care leavers.

- 5.2 As part of this Melton BC currently offer:

- High banding on the housing register to reduce waiting time and reduce the threat of homelessness on leaving 16/17-year-old accommodation.
- access to activities at the Council's leisure facilities at a concessionary rate
- Whilst not a commitment the council does have a discretionary offer of equipping properties with furniture and white goods for a care leaver via charities and the homeless prevention grant
- an exemption from council tax until a care leaver turns 25

- 5.3 Over the last 12 months, Melton Borough Council has been approached by a small number of young people (aged 16/17) in need of homelessness advice and assistance. Homelessness prevention outcomes have been secured in each of these cases, with the support of Social Care colleagues.

- 5.4 The revised protocols build on existing commitments and provide greater clarity for young people and partner agencies on roles and responsibilities and options available. They are designed to ensure that each district and borough council operate to a standard procedure whilst incorporating our corporate parenting responsibilities. Whilst there is legislation governing these areas, operational practice has previously been open to interpretation meaning services offered by the district and borough councils has been very different.

- 5.5 The protocols sets out a formal agreement between Leicestershire County Council, Children and Family Services, Blaby District Council, Charnwood Borough Council, Harborough District Council, Hinckley and Bosworth Borough Council, Melton Borough Council, North-West Leicestershire District Council, Oadby and Wigston Borough Council, and partner agencies working with Care Leavers.

5.6 16/17-Year-Old Housing Protocol

- 5.6.1 Both CSC and LHA's have statutory duties towards young people aged 16 and 17 years old.

- 5.6.2 The 16/17-Year-Old Housing Protocol confirms a commitment to achieving the best possible outcomes for young people who present at risk of homelessness or in housing need. This Protocol is an agreement which establishes the roles and responsibilities of different agencies 16- and 17-year-olds who are homeless or threatened with homelessness within

56 days. It outlines the respective statutory responsibilities of Leicestershire County Council Children's social care (CSC) and the Local Housing Authorities (LHA's). In addition, it details the practical joint working arrangements between the LHA, CSC and other agencies which can assist with the housing and support of homeless 16- and 17-year-olds in the County.

- 5.6.3 The Protocol underpins the delivery of the service ensuring that there is a sharper focus on prevention from becoming homeless to enable young people to engage in education, employment and training and prepare for independence.
- 5.6.4 The Joint Working Protocol aims to define the working arrangements for all agencies involved in supporting 16- & 17-year-olds who need advice and assistance due to struggling with accommodation, or at risk of being homeless within 56 days. All organisations involved are committed to working together to support families to stay together.

5.7 Care Leavers Protocol

- 5.7.1 This joint working approach is a commitment to Corporate Parenting across the range of agencies that support accommodation and contribute to the 'Local Offer'. The protocol will adopt a consistent process and approach across all 7 districts, however there may be some variation with housing allocation policies.
- 5.7.2 The Protocol establishes the aims, roles and responsibilities of signatory partners towards accommodation pathways for Care Leavers. It outlines the respective statutory responsibilities of Children and Families Services and the Local Housing Authorities (LHAs) in ensuring Care Leavers are supported to move on to suitable accommodation. The main aims of this protocol are:
 - a) To ensure that Care Leavers are advised clearly about all housing options available to them.
 - b) To best ensure that Care Leavers are appropriately accommodated before leaving the 18+ Service.
 - c) To ensure the possibility of them becoming homeless after this time is mitigated so far as reasonably possible.
 - d) To prevent Care Leavers becoming homeless, entering the homelessness system, and to avoid placements in temporary accommodation.
 - e) To support young Care Leavers to become responsible and successful tenants.
 - f) To ensure that the accommodation needs of Care Leavers entering and discharged from custody are adequately planned for.
 - g) To outline roles and responsibilities of each agency towards the young person
- 5.7.3 This Protocol specifically applies to all young people aged 16 to 24 who meet the Children (Leaving Care) Act 2000 criteria including the following:
 - a) Eligible young people aged 16 or 17 who are either subject to a Care Order or who are accommodated by the Local Authority for at least 13 weeks since their 14th birthday and on or after their 16th birthday;
 - b) Relevant young people aged 16 or 17 who are no longer looked after but for whom Children and Families Services are responsible for maintaining in suitable

accommodation and providing financial support. These young people cannot, subject to some exceptions due to a disability or being a parent, claim welfare benefits;

- c) Former relevant young people aged 18 to 24 who have previously been either eligible or relevant. These young people can access benefits but continue to receive leaving care support services.
- d) Unaccompanied Asylum-Seeking Children who qualify for a leaving care service and have been granted refugee status or those that have an appropriate leave to remain status (NB if a young person has made an in time appeal on their pre 18 leave to remain status then according to Section 3 of the Immigration Act 1971 they are considered by the Home Office to still have their original leave to remain).

5.7.4 Section 8 of the Homelessness Reduction Act 2017 introduces a measure to amend the definition of 'Local Connection' under Part 7 for young people leaving care. Local Connection will be established in the following situations):

- a) The young person will have a Local Connection under Part 7 to the Local Housing Authority that owes them a duty under Section 23C of the Children Act 1989
- b) If the relevant Local Authority is not a Local Housing Authority, the young person will have a Local Connection under Part 7 to every Local Housing Authority within the area of the Local Authority who owes them a duty under Section 23C of the Children Act 1989
- c) The young person will have a Local Connection under Part 7 to the Local Housing Authority for the area in which they have been accommodated, if they have been accommodated under Section 22a of the Children Act 1989 within the area for at least 2 years (including some time before they turned 16).

5.7.5 All the Borough and District Councils in Leicestershire have agreed to replicate these criteria within their Allocation Policies. This means that Care Leavers will have a qualifying local connection to each of the Borough and District Council Housing Registers.

6 Options Considered

6.1 The revised operational procedures provide necessary clarity, consistency and support the council to best support young people experiencing homelessness. which better the work conducted with this group of young people. Whilst these are operational protocols, member awareness and oversight of the work to strengthen this important strand of work is considered important.

7 Consultation

7.1 Since the protocols have been amended, our DLUHC Specialist Youth Homelessness Advisor has had two opportunities to provide feedback which is now incorporated into the final versions.

7.2 District and borough councils and social care teams have worked collaboratively to produce the protocols together.

- 7.3 The Strategic lead for Supporting Communities is the care leaver lead for the council and is also the district/borough council lead at the countywide Chief Housing Officer Group. This postholder would be responsible for any updates required.
- 7.4 Once formal approval has been adopted, this will be implemented across Housing options and Case Management. This is because they are the 2 main areas of contact with this cohort of people.
- 7.5 The approach taken to revising the protocols has been positively acknowledged and Leicestershire colleagues have been asked to provide guidance to other areas on the approach taken.

8 Next Steps – Implementation and Communication

- 8.1 Quarterly meetings have started between operational teams to discuss cases and how things could have been done differently with that case or to share good practice. This is chaired and administered by MBC. This is to ensure the protocols are put into practice.
- 8.2 Attendance at task and finish groups to look at accommodation models is ongoing.
- 8.3 Attendance and updates re “The Promise” to ensure the work being taken to accommodate this group of people is acknowledged and promoted.
- 8.4 The ‘launch’ and awareness raising of the protocols is expected to be in October 2023 after each authority has signed them off. A partnership event is proposed, aimed to have the district/ borough councils to build relationships with the relevant locality team in social care. The aim is to embed the practice on the ground and improve communication between agencies for the benefit of young people who are at risk of or are experiencing homelessness.

9 Financial Implications

- 9.1 Whilst there are no new financial implications for the council arising from this report, it is hoped that any future costs incurred for temporary accommodation, rent arrears or tenancy enforcement action will be reduced if agencies are able to work better together to prevent homelessness and to support appropriate and sustainable housing options.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

- 10.1 The protocols assist the council with administering their statutory duties under the Homeless Reduction Act 2017 and Homelessness Act 2002.
- 10.2 Local authorities must have regard to the corporate parenting principles identified in section 1 of the Children and Social Work Act 2017 when exercising their function in relation to looked after children and care leavers (former and relevant children). The principles apply to the whole range of local authority functions and not just to children’s services functions. The Corporate Parenting of Children in Care and Care Leavers extends to all agencies involved in their support. Melton Borough Council is one of these agencies.

10.3 The Council's Housing Allocations Policy already provides for the needs of care leavers and awards a high housing priority for young people in this category. A review of the allocations policy will be carried out to ensure it is consistent with tis care leavers protocol.

Legal Implications reviewed by: Senior Solicitor

11 Equality and Safeguarding Implications

11.1 The protocols positively support and safeguard young people who are at risk of or are experiencing homelessness.

12 Data Protection Implications (Mandatory)

12.1 None arising directly from this report.

13 Community Safety Implications

13.1 None arising directly from this report.

14 Environmental and Climate Change Implications

14.1 None arising directly from this report.

15 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	To not implement the protocol into operational practices and operate a different practice to other Leicestershire local authorities.	Low	Marginal	Low
2	For the lead within the council to be a single point of failure if protocols are not promoted	Low	Critical	Medium

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				

3 Low		1	2	
2 Very Low				
1 Almost impossible				

Risk No	Mitigation
1	Updates to be provided on an annual basis with the progress of the implementation of the protocols
2	To ensure the protocols are embed and promoted within senior management, cabinet and the Housing Options team to ensure the ways of working are promoted on all levels.

16 Background Papers

17 Appendices

17.1 Appendix A: Leicestershire 16/17 Housing Protocol

17.2 Appendix B: Leicestershire Care Leavers Protocol