Department for Education

Ministry of Housing, Communities & Local Government

Guidance

# Joint housing protocols for care leavers: good practice advice

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## 1. Introduction and summary

### 1.1 About this document

This good practice advice document has been produced by the Homelessness Advice and Support Team (HAST) within the Ministry of Housing, Communities and Local Government (MHCLG), and with the Department for Education (DfE), to support the development of joint protocols that can help local authorities to meet the accommodation needs of care leavers.

A joint housing protocol should help children's services and housing authorities deliver the local accommodation offered to care leavers and prevent homelessness. It sets out commitments as corporate parents, and how these will be delivered in practice.

This document is not issued with the status of statutory guidance but provides information and advice which has been drawn from good practice and offers a framework which local authorities and partners can use when developing local arrangements.

### 1.2 Relevant legislation and statutory guidance

This document refers to the following legislation:

- Housing Act 1996 - Part 6 (Allocations) and Part 7 (Homelessness), as amended by the Homelessness Reduction Act 2017
- Homelessness (Priority Need for Accommodation) (England) Order 2002
- Children Act 1989
- Children (Leaving Care) Act 2000
- Children and Social Work Act 2017 - sections 1, 2 and 3

The following is a list of statutory guidance that this document refers to:

- Homelessness code of guidance
- Applying corporate parenting principles to looked after children and care leavers
- Children Act 1989: care planning, placement and case review
- Children Act 1989: transition to adulthood for care leavers
- Extending Personal Adviser support for all care leavers to age 25
- Local offer guidance

**Children and Social Work Act 2017**

The Children and Social Work Act 2017 (CSWA) strengthened the role of local authorities as corporate parents and applies to all local authorities as set out in section 1(3) of the Act.

Corporate parenting means local authorities doing the most they can for looked after children and care leavers, to give them the same opportunities as other children and promote the best possible outcomes.

The Act sets out corporate parenting principles to be applied when supporting children in care and care leavers. In carrying out their functions, the local authority must have regard to the following needs:

- to act in the best interests, and promote the physical and mental health and well-being, of those children and care leavers
- to encourage those children and care leavers to express their views, wishes and feelings
- to take into account the views, wishes and feelings of those children and care leavers
- to help those children and care leavers gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and care leavers
- for those children and care leavers to be safe, and for stability in their home lives, relationships and education or work
- to prepare those children and care leavers for adulthood and independent living

The DfE statutory guidance on applying corporate parenting principles to looked after children and care leavers stresses the importance of joint working in supporting care leavers to navigate their way through the transition to adulthood:

> "Good preparation, a gradual transition and flexible ongoing support are key to helping care leavers achieve a successful move to independent living. The most effective local authorities establish joint working arrangements between children's services, housing and other specialist services to help care leavers prepare for the realities of living independently, involve them in planning and decisions about their housing options, ensure suitable housing and support is in place and are ready to respond with contingency arrangements if things do go wrong. (Applying corporate parenting principles to looked after children and care leavers - Chapter 2)."

The CSWA also extended the provision of Personal Adviser support to care leavers up to the age of 25, whether or not they are in education or training, which the care leaver can choose to take up. Local authorities have a duty to provide care leavers with Personal Adviser support and a pathway plan up to their 21st birthday.

For care leavers aged 21 or over the duty to assess needs, and develop and keep under review a pathway plan – apply only where the young person requests support.

It is therefore important that joint housing protocols cover the support available from a local authority area to care leavers up to the age of 25.

**The local offer**

Local authorities are required under section 2 of the Children and Social Work Act 2017 to publish a local offer, which sets out the services and the support available for care leavers.

The local offer should include information on how care leavers are supported to access suitable accommodation, including the support available from housing services. Joint housing protocols should be aligned with the local offer and can help to ensure that the commitments to support care leavers to access and sustain accommodation are met.

Local authorities should consider providing a link to the joint protocol within the local offer so that care leavers, advocates and other professionals can have access to the document.

**The Homelessness Reduction Act 2017**

The Homelessness Reduction Act (HRA) amended the Housing Act 1996, introducing significant new duties for local housing authorities and partners. Particularly relevant for care leavers are:

- a duty to provide advice and information on homelessness free of charge to all residents, including advice to meet the needs of care leavers
- duties to help prevent and relieve homelessness for those who are eligible irrespective of priority need or intentional homelessness. Provision of a Personalised Housing Plan to applicants threatened with homelessness or actually homeless, which sets out the steps the local authority and applicant will take to prevent or relieve homelessness
- changes in local connection requirements for care leavers which provide more choice to those who have lived out of the placing authority area, or who are looked after by a county council within two-tier areas
- a duty to refer placed on specified public bodies, including children's services, where their service users are homeless or threatened with homelessness

The Homelessness code of guidance was revised in 2018 to reflect changes introduced by the HRA. Chapter 22 of the Code focusses specifically on care leavers. The Code outlines the importance of joint working when planning housing options for care leavers and states that:

> "By working together, housing authorities and children's services authorities can better ensure that as a corporate parent, the appropriate accommodation and support is available to care leavers. (Homelessness code of guidance - Chapter 22: Care leavers)."

Furthermore, the guidance also advises that authorities should have in place joint protocols which clearly outline jointly held corporate parenting responsibilities for care leavers. Joint protocols should cover:

- arrangements for achieving planned, supportive transitions to independent living
- identifying homelessness risk early and acting to prevent it
- providing a quick, safe, joined up response for care leavers who do become homeless

Protocols should clearly lay out the processes followed by local authorities that support care leavers to transition to independent living and avoid homelessness. The joint protocol is an opportunity to bring together staff from across services and to build shared responsibility for supporting care leavers through a successful transition to adulthood and independent living.

### 1.3 Developing, embedding and reviewing the protocol

Development and effective delivery of a joint protocol will be assisted by leaders and senior managers from across housing and children's services leading the activity, overseeing compliance and being involved with ongoing review. Local corporate parenting boards should also have oversight of joint protocols and be involved in the ongoing review of delivery across children's services and housing.

The protocol should be informed by the views and experiences of care leavers who are leaving or have left care, and local authorities should consider working with the Children in Care Council or other participatory forums to involve care leavers in developing the protocol and reviewing ways of working.

In order to ensure consistency and embed shared commitments to support care leavers, frontline staff from children's services and housing authorities should be aware of the protocol as a core document directing their ways of working together.

This means introducing the protocol through initial training and briefings, including within induction for new starters, and having arrangements to review how the work is delivered in practice. Too often protocols become historical documents that are far removed from the operation of the service, and so all parties should be prepared to keep the protocol alive.

The protocol document should include a date for implementation and for ongoing review. Carrying out an annual review helps to ensure the protocol is a live and up to date document and enables partners to confirm their shared responsibilities as corporate parents.

When developing the protocol local authorities should also consult with local third sector organisations including providers of accommodation and support and ensure that the protocol is shared with these organisations on completion.

Local authorities must be mindful of their Public Sector Equality Duty when developing the protocol. Involving care leavers, partners and community organisations in development and implementation should help to ensure the final document is fair, inclusive, and reflects the diversity of the community.

### 1.4 The care leavers accommodation and support framework

Barnardos and St Basils, with support from MHCLG and DfE, developed an Accommodation and support framework for care leavers which draws on expertise from across local government, the voluntary sector and care leavers, to outline best practice in providing suitable accommodation and support pathways for care leavers. This framework has recently been updated.

It outlines the following 5 stages in supporting care leavers to independent living:

1. Preparing for the reality of housing options
2. Planning care leavers' accommodation and support options with them
3. Reducing housing crisis
4. Accessing housing and support as needed
5. Accessing and successfully managing longer term move-on and support options

To help ensure best practice we recommend that the framework can be used by commissioners and local providers of housing support in consultation with care leavers, to map existing services for care leavers care leavers. The framework can also be used as a point of reference when developing your joint protocol.

## 2. Areas to cover in a joint protocol

This section sets out headings and contents that might be included within a joint protocol and can be used as a practical checklist for local authorities and partners working together to develop a protocol.

The list is not exhaustive, and authorities will wish to add or take away from the suggested headings according to local arrangements.

### 2.1 Introduction

The introduction sets out the background and context to the document, and the key objectives that it aims to achieve. This could include:

- shared aspirations for care leavers, and how this document links to the local offer as corporate parents
- the process by which the protocol has been developed, who was involved and the input from care leavers
- aims and objectives of the protocol and outcomes that it will be measured against
- arrangements for monitoring and review of the protocol
- reference that the document includes a list of key contacts responsible for delivering the protocol, probably in the form of appendices which should be reviewed annually and updated as personnel change

### 2.2 Transitions planning for care leavers before they leave care

The following are some areas that local authorities should consider when working on this section of the protocol:

- The intention to ensure well planned moves, which involve care leavers, carers and others with responsibility for providing services and support, as part of the transition from a care placement to living independently.
- Recognition that care leavers have varying needs and levels of maturity and will not all be ready to manage alone at a certain age. Planned moves into independence should take account of individual needs and any support available.
- The role of the Personal Adviser (PA) in the transition process, including care planning and Looked After Child review meetings.
- The role of the Independent Reviewing Officer and LAC reviews in working with the young person to agree accommodation and support pathways when they have left care which may include:
  - the local accommodation options for care leavers, including Staying Put and Staying Close
  - living away at university and needing vacation accommodation
  - living in supported lodgings arrangements
  - living in supported housing
  - sharing a house with other people
  - living in a self-contained social housing or private rented tenancy
  - returning to live with family
- Planning for accommodation when care leavers may move on from Staying Put or Staying Close arrangements into other settled independent accommodation and how these plans are managed.
- Arrangements that are in place to review and plan for housing options for care leavers if they are not going to live in Staying Put or Staying Close arrangements. This could be delivered through a joint/ multi-agency panel which reviews the needs of care leavers as they approach 18, to plan for appropriate post-18 accommodation and support.
- The contribution to joint planning that is made by key services such as Adult Social Care, mental health services, housing related support providers, the Youth Offending Service and the National Probation Service.

### 2.3 Helping care leavers to prepare for independent living

A key principle of corporate parenting is a responsibility to prepare children and care leavers for adulthood and independent living. Care leavers who are well prepared and supported through the transition will have greater resilience and be less likely to become homeless after they leave care. The protocol could include:

- The programmes and support available to care leavers preparing to leave care; including work to build personal and emotional resilience as well as practical knowledge and skills, such as financial confidence, budgeting skills, access to welfare benefits, tenancy rights and responsibilities.
- When and how care leavers benefit from the available training and support; including their access to structured and accredited programmes on pre-tenancy awareness and independent life skills preparation.
- How the local authority assesses a young person's readiness for independent living or need for further support before deciding on appropriate accommodation options for them.
- Any peer mentoring that is available, through which care leavers can learn from each other's experiences and insights.
- The training and support available to foster carers and residential care staff with responsibility for helping care leavers prepare to manage independence.
- The contribution that all providers of accommodation and care are expected to make to help care leavers prepare for independence, and how this is monitored.
- The protocol should outline how care leavers living out of area and those in custody will also be able to access preparation for independence programmes.

### 2.4 Accommodation and support options for care leavers

This section of the protocol will outline accommodation and support options available for care leavers, and how each may be accessed. The options might include:

**Staying Put:** This enables care leavers to remain with their former foster carer when they leave care. Where both the young person and their former carer wish to continue living together, the local authority is under a duty to support this arrangement, including financially. The protocol should outline the assessment process which determines suitability for 'staying put', the support – including financial support – provided to facilitate this, and how the placements are continually reviewed post 18 to ensure planned moves as and when needed.

**Staying Close:** A number of Staying Close pilot schemes are currently operating around England with support from DfE's Innovation Programme, helping care leavers moving on from residential care to continue receiving support from their residential home after they have left care. Where Staying Close is running in a local authority area the protocol could outline the sort of support care leavers leaving residential care will receive from residential providers, what agreements are in place to plan for and review these arrangements and how care leavers are involved in this process.

**Commissioned supported accommodation:** Many care leavers who do not 'Stay Put' or 'Stay Close' will need further accommodation and support beyond their 18th birthday, before taking on their own tenancy. The protocol should provide information on supported accommodation available locally, who it is for (age range, levels of support, gender, household types, e.g. single people, couples, young parents and usual lengths of stay). Examples of different types of options include:

- 24 hour staffed short stay units
- 24 hour supported accommodation for care leavers with complex needs
- dispersed accommodation with visiting support
- supported lodgings
- specialist accommodation or reserved spaces for care leavers coming out of custody

**Semi-independent and independent 'unregulated' accommodation:** Local authorities may make use of privately provided accommodation for care leavers, such as supported living, which is not regulated by Ofsted. In areas that are using unregulated accommodation, your protocol might outline how services are procured and quality assured, and the way in which care leavers are matched appropriately with regard to their needs and assessment of risk.

**Training/taster flats:** Short term training flats for care leavers can help care leavers to gain a sense of the responsibilities that comes with independent living, and also experience the reality of living alone, which may identify other challenges such as loneliness, isolation and accessing support.

**Living with family:** Some care leavers choose to return to live with immediate or extended family when they leave care. The protocol might describe how the suitability of this option is assessed, as well as the support provided to the young person and their family to build and maintain positive relationships, including access to mediation or family group conferencing services.

**Support for young parents:** Protocols should also include the specialist accommodation available to care leavers with children or who are pregnant, how care leavers are supported to access this accommodation and longer term move on options.

**Suitability of accommodation**

Local authorities must ensure that accommodation provided for care leavers is suitable for their needs. The protocol should outline who is responsible for assessing the suitability of accommodation and how this will be undertaken. The relevant guidance regarding suitability is set out below:

- The suitability of accommodation for care leavers is provided in the Children Act 1989: care planning guidance – volume 2 (pages 74 – 80) and volume 3 (7.12 – 7.18).
- Where a young person is homeless, a housing authority must have regard to suitability of accommodation provided for them as set out in the Homelessness code of guidance – chapter 17 and in sections 22.24 to 22.29.
- The use of bed and breakfasts (B&Bs), which is privately owned accommodation in which residents share facilities with other individuals or households, is not suitable accommodation for care leavers. B&Bs should only be used in exceptional circumstances as a last resort. Local areas that use B&Bs should include a statement on how its use will be minimised, and outline how care leavers will be supported and kept safe during a B&B placement.
- Protocols should also set out the process to be followed in order to make an appeal where a care leaver is not satisfied that the accommodation being provided is suitable.

**Referral routes**

The protocol should include how access to supported accommodation is managed, the referral routes and arrangements for prioritising and matching care leavers to available vacancies. In developing the protocol local authorities, commissioned providers and key partners may wish to review arrangements to ensure they avoid the duplication of assessment/interviews and make the process as seamless as possible for a young person.

Where referral routes are managed by a single point of contact (SPOC) or gateway, the protocol should make clear where this role sits within the authority and how decisions on the prioritisation of referrals are made.

### 2.5 Joint contingency planning

Most care leavers move on from care into independent accommodation without being put at risk of becoming homeless and are able to sustain their own accommodation with or without support.

However, there will always be a need for contingency planning and a readiness to respond to emergencies, including the loss of accommodation. The protocol should set out how children's services, housing authorities and other key partners work together to minimise and manage crises.

It is particularly important to have strong contingency plans in place for care leavers who are identified as being at risk of homelessness. This would include care leavers with a history of placement breakdown, and/or those with additional needs such as mental health issues, learning disability, attachment disorder, substance misuse and experience of offending behaviour.

Local authorities might oversee placements and contingency planning for care leavers with more complex needs, via a multi-agency forum involving partners with responsibility to help support the health and wellbeing of care leavers. A multi-agency panel or team around the young person, can ensure additional support is made available as and when it is needed, to better manage risk.

Effective contingency planning avoids being reliant upon the use of unsuitable accommodation options such as bed and breakfast or hostel placements in which the most vulnerable care leavers share facilities with other homeless households, without on-site support. The protocol should set out the suitable accommodation options available in an emergency, and how care leavers will be provided with appropriate support to sustain the new placement.

Arrangements to minimise unplanned moves and evictions could also be included in the protocol. This could include a process for identifying and intervening early where care leavers are at risk of losing their placement and/or having separate pre-eviction protocols with providers.

### 2.6 Care leavers leaving custody

Care leavers leaving custody will need additional support to secure suitable accommodation on release. The Youth Justice Accommodation Pathway published by St Basils sets out some of the particular challenges care leavers with experience of offending might face and options for improving planning and support.

A joint housing protocol should map out how the local housing authorities will work with children's social care, the youth secure estate, and with prisons, the National Probation Service, Community Rehabilitation Companies and the Youth Offending Services; to support the release of children from custody and secure accommodation, to ensure that adequate pre-release planning is in place and that suitable accommodation forms a central part of this.

Areas that local authorities may want to detail in the joint housing protocol include:

- Any agreements that are in place with Young Offender Institutions and prisons in the region/area around joint planning for release.
- How accommodation needs are identified early, and actions taken to ensure care leavers do not leave custody without an accommodation plan in place.
- How the statutory duty to refer (see 2.10 below) operates when a care leaver is threatened with homelessness on release.
- The suitable accommodation options that may be provided for care leavers that are leaving custody.
- Local arrangements that facilitate smoother transitions from custody into accommodation, such as supported housing units that can be 'held' for a young person, or specialist placements.
- Any reciprocal arrangements that are in place with other local authorities to support care leavers for whom living in the parent authority area has been assessed as unsafe.

### 2.7 Care leavers living outside the children's services authority area

A protocol could outline the particular ways the local authority will accommodate and support care leavers who are living outside the children's services authority area. Whilst this is not an exhaustive list, this could be due to the young person:

- already living in a foster or residential placement out of the area and being settled there
- being assessed as or presenting risk if accommodated in the local area
- requiring university vacation accommodation outside the authority area
- wanting to live nearer to a family member or former carer
- moving away to take up employment or training

The protocol could set out what options may be available for care leavers to settle in another area where they chose to do so. This should include the Personal Adviser contacting the local authority where the young person resides to explore what accommodation options may be available in advance of them leaving care.

Where a young person lives in another area the responsible local authority may wish to contact the authority in which they now reside, with the consent of the young person. This can assist with joint planning for the future accommodation needs of the young person in particular where they may be in need of support from adult social care or mental health services.

Should a young person be found accommodation under any homelessness duty the placing housing authority has a statutory duty (section 208 of the Housing Act 1996) to notify the local housing authority for the area where the young person is placed.

## 2.8 Accommodation options for 21-25 year-old care leavers

Accommodation options for care leavers aged 21-25 are likely to differ from those for younger care leavers. Where this is the case your protocol should highlight what kind of support and accommodation types older care leavers can access including care leavers who have requested further support aged 21-25.

## 2.9 Move on accommodation

A joint protocol should set out the types of more settled accommodation available for care leavers, how each is accessed, and the support provided to help a young person settle in and manage their home.

**Social housing**

Many local housing authorities continue to offer a local authority or registered provider (housing association) allocated tenancy to some, or all care leavers. Where this is the case the protocol might include

- The process followed between children's services and the housing authority to support care leavers to apply for social housing.
- How allocation scheme residency criteria are applied to care leavers (see below).
- The age when care leavers in care can join the housing register and any specific arrangements that are in place. For example, care leavers may be able to register for social housing before they turn 18, with the option that their applications are not made until they are ready to live independently.
- The level of priority care leavers are awarded in the allocations scheme in order to effectively manage their move into settled housing in a timely manner.
- How the young person's readiness to manage a tenancy is assessed and agreed, including reference to any local tenancy readiness programmes.
- How care leavers are supported to bid for properties (where choice-based lettings applies), and to take up their tenancy once a property is offered to them.
- Access to additional floating support where available. Care leavers are likely to need support to set up and manage in their new home, particularly in the first months.
- How the local authority allocates social housing to care leavers who have moved away e.g. to attend university but wish to return to their home authority.

**Local connection and residency requirements**

The Homelessness Reduction Act introduced amendments to the way local connection is assessed for care leavers who are homeless.

Care leavers now have a local connection with the children services authority that looked after them, and up to the age of 21 with a local authority where they have lived for at least 2 years including sometime before their 16th birthday. In two-tier areas care leavers have a local connection with every housing authority in the county council area.

When developing the protocol local authorities might consider how a similar degree of flexibility and choice could be provided within residency criteria for housing authority allocation schemes. This could include providing that looked after care leavers and care leavers:

- are able to register for social housing with a housing authority(ies) of their choice in a two-tier area
- are able to register from out of area placements should they wish to return
- can be registered for social housing in an area where they have been placed and have lived for some time

In two-tier areas where offering choice might lead to disproportionate demand on particular housing authorities, consideration might be given to how to ensure arrangements are fair and equitable. This could include, for example, having reciprocal arrangements whereby authorities cooperate to enable moves between areas for other housing applicants to address any imbalance.

**Private rented sector accommodation**

In local authority areas where private sector tenancies are offered as settled housing for care leavers the protocol might include:

- Opportunities for care leavers to access rent in advance/ deposit schemes managed by housing authorities or commissioned providers.
- Arrangements for ensuring accommodation is suitable for the young person, as set out in DfE and HMCLG guidance (where placed under homelessness duties).
- How the local authority will mitigate against the impact of a change in benefit entitlement once a young person reaches the age of 22*.
- How landlords are engaged and supported to offer accommodation to care leavers.
- Training for landlords so that they may better understand the needs of care leavers.
- Tenancy sustainment support provided to care leavers accessing private rented housing.
- Expectations on landlords to update, with the consent of the young person, a named contact or a service where there is a risk of tenancy breakdown including where rent arrears are accumulating or there are concerns around anti-social behaviour.
- How standards of accommodation are quality checked before properties are offered to care leavers and how this is reviewed.
- Support available to care leavers that have secured their own private rented sector accommodation independent of the local authority.

*The Shared Accommodation Rate (SAR) limits the level of housing costs available to care leavers through housing benefit or universal credit to the cost of a room in a shared house. Care leavers are exempt from SAR until they reach the age of 22. From October 2023 the SAR exemption for care leavers will be extended to 25 years as announced in the Budget of February 2020.

**Home ownership**

Joining the housing ladder may seem a distant goal for many care leavers. However, housing markets and affordability vary around the country, and the joint protocol should seek to be aspirational and consider all possible options, including working towards buying a home.

The protocol could include reference to current support that is available to first time buyers including younger people such as the Help to Buy and Shared Ownership schemes.

## 2.10 Support to prevent and relieve homelessness

**Early intervention tools to prevent homelessness**

This section can outline the tools available and interventions that may be put in place to prevent a care leaver from becoming homeless. This could include:

- Provide tenancy sustainment/ floating support services, particularly at the start of a tenancy to help the young person settle in, or to assist through any crises that may put the tenancy at risk.
- Providing the landlord with contact details for the Personal Adviser, with a care leaver's consent, so any issues can be addressed early.
- Setting up Alternative Payment Arrangements (APAs) to enable the housing costs component of Universal Credit to be paid direct to the landlord where appropriate.
- Providing mediation support where a tenancy, placement or return to a family home is at risk of breaking down.
- Budgeting advice to assist with day to day budgeting or where a young person is struggling to manage rent or other costs.
- A placement panel to track and review care leavers placed in supported accommodation, particularly those at high risk of eviction, involving local providers of housing support.
- A tenancy surrender scheme to enable care leavers who might otherwise be evicted, to surrender their tenancy and return to a more supported environment.
- Identified trigger points at which parties to the protocol will notify one another of any risk of homelessness that may arise.

**Joint working to deliver Homelessness Reduction Act duties**

Where a care leaver is eligible for assistance and is threatened with homelessness within 56 days or has become homeless, they are entitled to receive support from the local housing authority to either prevent or relieve their homelessness.

The joint protocol should clearly outline how authorities will work together to support care leavers threatened with becoming homeless. It will be useful to refer to Chapter 22 of the Homelessness code of guidance in drawing up this section of a joint protocol.

The protocol might include:

- How children's services will meet the statutory duty to refer (with consent) care leavers who are homeless or threatened with homelessness. The protocol might set out how referrals are made, acknowledged and responded to.
- Arrangements for notifying and involving children's services (with consent) when a care leaver applies to a housing authority for homelessness assistance.
- How Personalised Housing Plans (PHPs) provided for care leavers will be informed by, and inform, the pathway plan, and the role of Personal Advisers in developing a PHP.
- How the PHP is reviewed with the young person with input from both services.
- The steps that will be taken where there is a risk of duties to the young person being limited due to, for example:
  - refusal of a suitable offer of accommodation
  - a decision that the young person is 'intentionally homeless'
  - a young person becoming ineligible for assistance due to a change in their immigration status
  - the young person's deliberate and unreasonable refusal to cooperate with the steps taken to prevent or relieve homelessness.

The protocol should also outline the support available to a care leaver where they are found to be rough sleeping or are at high risk of doing so, either in the home authority area or elsewhere. This will include joint working between the children's services authority, housing authority and local rough sleeping outreach services to ensure that necessary steps are taken to support the young person into suitable and sustainable accommodation with the required level of support.

**Intentional homelessness**

Although housing authorities have a duty to try and prevent or relieve homelessness for all eligible applicants, a long-term housing duty (the 'main' homelessness duty) is only owed to applicants who have priority need and who have become homeless through no fault of their own and are not considered 'intentionally homeless'.

The Homelessness code of guidance (section 22.17) states that local authorities should do all they can to avoid the impact of intentionally homeless decisions on care leavers; and through joint working between housing and children's services give full consideration to the needs and vulnerabilities of the young person. This would include taking into account the young person's emotional and mental well-being, maturity and general ability to understand the impact of their actions.

The protocol could include arrangements to ensure that negative decisions that will limit the assistance provided to care leavers have been more robust scrutiny. This might include, for example, having a requirement for senior level sign off through which the circumstances are reviewed, and corporate parenting responsibilities taken into account.

## 2.11 Dispute resolution

The protocol could be an opportunity to map out routes of escalation and ways of resolving disputes within the authority should there be any disagreement relating to the support and accommodation that a care leaver is receiving, including where they are homeless or threatened with homelessness.

# 3. Summary of recommendations

Ensure that both housing and children's services contribute to the development of the joint protocol and that the document clearly lists the senior leaders that will be responsible for its application.

Joint housing protocols should reflect current legislation and statutory guidance covering both children's services and housing.

Involve care leavers in the development of the joint protocol and ensure that they can access this, possibly through a link within the local offer.

Clearly set out how the protocol will be embedded in your practice including how it will form part of your training and induction cycle for staff in housing and children's services.

The protocol should include a date for implementation and for ongoing review.

Robust joint transitions planning arrangements play an important part avoiding homelessness once a young person has left care and you should make clear the commitment across services to plan ahead to meet the accommodation needs of care leavers.

Care leavers who are well prepared and supported through the transition will have greater resilience and be less likely to become homeless after they leave care. Remember to include within the protocol, how care leavers will be prepared for independent living including the programmes of support that are in place.

Not all care leavers will be ready for independent living when leaving care. The protocol should therefore outline all of the accommodation and support options available to these care leavers including how they will be accessed.

The use of bed and breakfast accommodation is not suitable for care leavers. Outline an aspiration to minimise use of this accommodation and how this will be met.

To ensure that contingency planning arrangements are in place, set out how children's services, housing authorities and other key partners will work together to minimise and manage crises, particularly for care leavers that may be at risk of future homelessness.

For care leavers in custody, map out how the local authority will work in partnership with other services to ensure that the availability to suitable accommodation is agreed as part of pre-release planning.

Care leavers living outside of the parent authority area will need support to understand and access the local housing options available to them. The protocol should ensure that the needs of this group are addressed and planned for.

For care leavers that are ready for independent living, provide information on the range of accommodation available such as social housing, private rented accommodation and how children's services and housing will work together to plan seamless transitions into this accommodation.

Using a range of early intervention tools can help prevent homelessness further down the line and protocols should list the interventions that are available.

For care leavers that become homeless or are threatened with homelessness within 56 days explain how children's services and housing will work collaboratively in line with the Homelessness Reduction Act duties.

Where there are any disagreements in the application of the protocol make sure that you have provided clear dispute resolution routes to help resolve these.

Set out how often the joint protocol will be reviewed and who is responsible for overseeing this.

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Coronavirus (COVID-19): guidance and support

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