

This protocol has been altered following the completion of the evaluation, available at www.torbay.gov.uk/supportingpeople. Operational changes required have been implemented. A revised version of the protocol will be developed in February 2012.

YOUTH HOMELESSNESS MULTI AGENCY PREVENTION PROTOCOL

BACKGROUND

This protocol is Torbay's response to the R (G) v London Borough of Southwark Judgment regarding Youth Homelessness for 16-17 year olds. Please refer to the following links for the full judgment, Shelters legal briefings and the DCFS guidance issued in April 2010 all of which highlight the context of the Judgment and its impact:

Full Judgement – G v London Borough of Southwark:

<http://www.publications.parliament.uk/pa/ld200809/ldjudgmt/jd090520/appg-1.htm>

Shelter Children's Legal service Briefing: Responding to youth homelessness:

http://england.shelter.org.uk/_data/assets/pdf_file/0005/231269/G-v-Southwark--ChildrenLegalService_briefing-Nov09.pdf

DCFS Guidance Issued: April 2010

[DCSF Provision of accommodation for 16- and 17-year-old young people who may be homeless and/or require accommodation](#)

AIM OF THE PROTOCOL

- ✦ To provide a clear process to age appropriate accommodation and support for young people aged 16/17 who are at risk of homelessness
- ✦ To provide an unbiased single access point for young people where they can get independent advice and support about their situation
- ✦ To provide a forum for case discussion of young people aged 16 or 17 and to ensure needs are met in the most appropriate way taking into account current legislation and the Southwark Judgement
- ✦ To facilitate a collective multi agency responsibility to the Southwark Judgement to prevent youth homelessness and find shared solutions to accommodate the target group and meet their support needs
- ✦ To improve arrangements for sharing information and build on existing good practice within a multi agency context
- ✦ To work together to improve risk assessment and support needs to facilitate good outcomes for families and Young People
- ✦ Within the partnership to review and update the context and effectiveness of the strategy in line with emerging Government policies, legislation, any further judgements and amend policies and strategy as required

PROCESS MAP

<u>TIME SCALES</u>	<u>RESPONSIBILITY</u>	<u>ACTION</u>	<u>NOTES</u>
IMMEDIATE	YP aged 16 or 17 Presents as homeless	All agencies to signpost to Check Point See footnote (1)	
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IMMEDIATE	Check Point interview young person, Family mediation offered Identify informal temporary accommodation with support ↓	Checkpoint drop in Referral to mediation Mediation to negotiate with family & friends/significant others to maintain accommodation within YP network Consider/offer mediation or/and floating support and/or prevention fund money	Assess nature of circumstances Housing to monitor spend using evidence based model on need and decision Negotiation should be based on an assessment of risk Prevention fund money to be agreed between Check Point and Housing Services
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IMMEDIATE	If no accommodation available within family & friends, or safeguarding concerns, Check Point to assess need and refer for emergency temporary accommodation (ETA) If ETA provider is Dalmeny a floating support referral should be completed	Checkpoint Mediation worker Check Point Check Point to agree food parcel given by ETA	Housing Services responsible for housing costs for first five nights Provider to submit intention to claim to Housing Benefit ETA referral form sent to Housing services and ETA provider Food parcel cost from CFYP Strategy group budget
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WITHIN 2 DAYS	Continue mediation ↓ Discuss options and	Checkpoint Mediation worker See footnote (2)	

	<p>rights with YP for services offer Family Group Conference - Give YP Shelter leaflet & assess needs</p> <p>YP to be told impartially their rights to apply for homelessness application and/or Child in Need application</p>	Checkpoint	
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<p>WITHIN 5 DAYS</p>	<p>Case to be presented to individual Pathway planning meeting discuss needs, choice and pathway. Should include CAF acceptance, FGC agreement, Children Services acceptance for initial assessment, start of homeless application process</p>	<p>Individual Pathway Planning meeting core group to produce a pathway plan for each individual 16/17 year old living in ETA, including homelessness / CiN.</p> <p>Identify who will be Lead professional in this meeting.</p> <p>See footnote (1, 2, 3 & 6)</p>	<p>Individual Pathway Planning meeting – see appendix 1</p> <p>Day 5 - Housing Benefit claim to be put in by ETA (floating support if at Dalmeny) and backdated to day 1.</p> <p>CTC Senior Practitioner or Covering Social worker has delegated authority to action an Initial assessments or recommend to the information provider for them to refer to Child Protection</p>
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<p>WITHIN 10 DAYS</p>	<p>Continued Family mediation, CAF intervention, FGC</p> <p>Initial Assessment completed and/or homeless application process completed</p>		<p>Appeal procedure in place to challenge decision</p>
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	<p>If Homeless duty accepted, housing services to accommodate in ETA for up to 7 weeks total</p> <p>If s20 duty accepted</p>	<p>Housing Services</p> <p>Children Services</p>	<p>Early intervention services should be continued throughout this process</p> <p>Housing service</p>
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	<p>continue to core assessment and accept accommodation as Children Service responsibility.</p> <p>↓</p> <p>Start 13 week count for eligibility for leaving care service</p>	<p>Organise Personal Allowance and finance accommodation</p> <p>See footnote (2,3 & 4)</p>	<p>charge Children service for rent costs</p>
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<p>WITHIN 2 WEEKS</p>	<p>Young Person Prevention Panel to meet to discuss all 16/17 year olds currently using ETA or at risk of homelessness within 28 days</p>	<p>Panel members responsibilities as outlined in ToR</p>	<p>See Appendix 2 for ToR</p>
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<p>WITHIN 31 DAYS</p>	<p>Complete Core assessment (Use Care to Community Needs Assessment)</p>	<p>Children Services See footnote (5)</p>	<p>YP moved on from emergency accommodation into longer term resource or plan in place if waiting for vacancy</p>
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	<p>Send assessment to CTC Service Manager</p>	<p>Children Services</p>	
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	<p>CTC allocate worker – Joint working begins</p>	<p>CTC Manager</p>	
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	<p>Continue with mediation and exploration of mainstream options</p>	<p>Checkpoint and CTC Personal advisor</p>	
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	<p>Mediation successful return home or YP asks for mainstream service</p>		
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	<p>Children Services Close case</p>	<p>Review/Feedback to Housing Panel</p>	
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		See footnote (6)	
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AFTER 13 WEEKS	YP Continues in Placement ↓ Accepted for leaving Care Service as Relevant child	CTC Manager See footnote (4, 5, 6)	
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Appendix 1

Individual Pathway Meeting

An individual pathway meeting should take place for every young person who is placed in emergency accommodation. This should be held every 5 working days or shortly after contact by the YP to decide an appropriate course of action to meet their holistic needs

The meeting will be organised and chaired by a representative from Housing with the following core group in attendance in order to make safe and appropriate decisions regarding the YP who will be included in this process:

- ✚ Housing Officer (Chair)
- ✚ Social Worker CTC (with delegated authority to initiate a referral in Children in Need/SPOE, if appropriate)
- ✚ Representative from Check Point
- ✚ CAF mentor (with authority to direct services in support of a consensual engagement to support a return home/remove the threat of homelessness)
- ✚ Any other relevant service (voluntary or statutory) involved with the YP

The Panel would have the authority to: signpost young people to the appropriate non-housing/accommodation services; family group conferences agree time-limited temporary accommodation; recommended support via CAF; recommend priority for targeted youth support; make referral to CiN/SPOE; or determine that no further action is required, where appropriate.

The Panel will at all times seek to address the YP needs and views through a consensual pathway, providing early intervention services to avoid, if possible, the necessity for the YP to enter the homelessness or care system. At all times the YP will be advised of their rights in law.

Where an YP is referred to Children's Services for an Initial assessment, the allocated social worker will determine if the Section 20 criteria are met and ascertain the YP wishes. The information will be provided by the agency that presents the case and has the knowledge of that YP situation. The outcomes of this assessment will be one of the following|:

- ✚ **Not a Child in Need:** The young person is not entitled to social care services
- ✚ **Single Agency Referral:** The young person is referred onto a specific agency where they meet the relevant criteria
- ✚ **CAF Support:** Consideration that the young person's needs could be met in the context of a multi-agency plan, without the intervention of social care services
- ✚ **Child in Need of Social Care intervention:** Referral made to the intensive family service, with a view that the YP housing needs will be catered for through the family supported by community based services. The assessment will set out how these needs could be met.
- ✚ **Child in Need of Protection:** A Strategy Meeting will be convened to determine how potential abuse or neglect should be investigated
- ✚ **The YP does not meet the criteria for Section 20:** and/or does not want to be looked after or be supported by Children's Services (subject to the child being able to make such a decision) – with accommodation arrangements being determined by Housing (housing application)
- ✚ **Section 20 criteria met:** Suitable accommodation arranged or current arrangements supported by Children's Services and/or onto leaving Care if eligibility period met (CTC).

APPENDIX 2

**Youth Homelessness Prevention Panel
Terms of Reference**

1. Aims

- 1.1. To ensure the best outcomes for young people aged 16/17 within this process
- 1.2. To use all prevention tools available to prevent homelessness
- 1.3. To ensure statutory obligations under the Children's Act 1989 and Housing Act 1996 are adhered to
- 1.4. To ensure strategic decision making reflects needs

2. Objectives

- 2.1. To ensure a partnership approach is used to enable the best long term outcomes for young people that prevents the person being passed between agencies
- 2.2. To discuss and agree solutions to individuals' needs, focusing on early intervention and preventing unplanned moves.
- 2.3. To award priority points to Hub referrals that support homelessness prevention for 16 & 17 year olds and to enable movement between resources
- 2.4. To agree spend of prevention fund allocated from housing strategy group using agreed guidance
- 2.5. Partner agencies at the meeting to agree referrals and take responsibility for actions
- 2.6. To provide monitoring information, identify trends in barriers and feed back to the strategy group
- 2.7. To provide practical solutions to issues identified by the strategy group.

3. Membership and members responsibilities

- 3.1. Panel membership will be agreed by the Strategy group
- 3.2. Named representatives will be selected by their organisation and fully informed of their role and responsibilities
- 3.3. Where the named representative is unable to attend, another appropriate informed person can be chosen by their organisation to attend.
- 3.4. Members will be responsible for notifying the Chair of the cases that are at risk of homelessness that they wish to discuss 3 days prior to the meeting. The Chair will collate this list and circulate to members one day prior to the meeting. All members are responsible for gathering information on the cases identified to help inform discussion and decision making at the meeting
- 3.5. Representatives selected by their Organisation should be able to make decisions relevant to this meeting
- 3.6. Representatives will be accountable for undertaking actions agreed at the meeting
- 3.7. Membership Table (below)

Organisation	Representative	Role	Responsibilities
Torbay Council Housing Department	Housing officer	To notify group of vacancies in temporary accommodation	Agree and monitor resources
Torbay Council Resettlement Team	Resettlement Officer	Notification of current Supporting people service vacancies, waiting list and priority status of people on waiting list	To action priority decisions
Check Point Mediation Service	Family mediation worker	Update Panel on progress of YP within mediation service	To action priority status of individuals for mediation
Torbay Council Children's services	CAF Mentor	To update on YP referred into CAF	To accept referrals for CAF assessment and agree early intervention services
Torbay Council Children's Services	Social Worker representative with delegated authority	To update on referral status of YP already referred into Children's Services	To accept referrals for Initial assessment or appropriate route

Torbay Council Youth Offending Service	YOT Accommodation Worker	To update on cases being supported through TYS or YOT	To take and follow up referrals to TYS
Temporary & Supported accommodation Providers	Service managers of Torbay resources	Notification of YP ready to move on or at risk of eviction & vacancy notification/	To action any move on plans in order to increase move on

4. Organisation

- 4.1. Membership of the group will be reviewed every 6 months and will consider the need for additional representation taking into account effectiveness of representation to date
- 4.2. The group will report to the Housing Strategy groups trends data in relation to barriers and blockages in the housing process map

5. Frequency

- 5.1. The group will meet regularly to ensure consistency in decision making and effective outcomes for young people every 2 weeks within a pre arranged regular time slot

6. Agenda and administration

- 6.1. The agenda will be based around the case monitoring tool (Spreadsheet) and the YP discussed
- 6.2. The Agenda should be treated as confidential and kept in line with the Data Protection Act.
- 6.3. Action points will be recorded by the Chair and will be followed up as Matters Arising in the following meeting
- 6.4. Strategic need information gathered as a result of individual cases should be fed back to the Housing Strategy group
- 6.5. Trends that obstruct the achievement of outcomes for Young People should be fed back to the Housing Strategy group.

7. Decision making

- 7.1. Decision making will be by consensus rather than by vote
- 7.2. Where agreement cannot be reached in the meeting in terms of who has priority Duty to house, it will be passed to the manager of the Children In Need team and Strategic Housing Manager for a decision to be made within 48 hours.

Footnotes:

- 1) **Checklist is YP homeless?** Within Torbay a local protocol is in place that states that any YP aged 16 or 17 saying they are homeless or at risk of homeless should be signposted to checkpoint. YP have said that they prefer the environment at Checkpoint to meet their needs. From September 2010 a Local authority Housing Officer will be available to support the Check Point drop in and YP. If the YP needs accommodation straightaway they should be referred initially (or advised to go) to the local housing authority as a homeless applicant, for interim accommodation under section 188 of the Housing Act 1996 – unless it is immediately apparent that they are a ‘relevant child’ (leaving Care Act 2000) – since the housing authority would at that stage have ‘Reason to believe’ that the YP ‘may be’ in priority need. The YP could be referred directly to children’s services. Children’s Service’s do not have a duty to provide immediate accommodation pending an assessment under the Children Act (although they do have the power to provide it). As such it is likely that an application under homelessness duties will provide a more effective emergency solution. (In these circumstances via Checkpoint as per protocol)
- 2) **Checklist:** Is the applicant a child? Is the applicant a child in need? Is the child within the local authority’s area? What are the child’s wishes and feelings regarding the provision of accommodation? What consideration (having regard to the child’s age and understanding) is duly to be given to those wishes and feelings? Does the child appear to the local authority to require accommodation? Is that need the result of one of the three situations outlined in The Children Act 1989 s20(1)? IE: *“The YP requires a children’s services authority to provide accommodation to any ‘child in need’ who lacks suitable accommodation or care as a result of: ‘a) There being no person who has parental responsibility for him; b) His being lost or having been abandoned; c) The person who has been caring for him being prevented (whether or not permanently, and for whatever reason) from providing him with suitable accommodation or care.)*
- 3) **Competency** Some young people may not want to be dealt with by children’s services, but prefer to be accommodated by the housing authority. The adviser may then argue that there is no need for housing to refer them for assessment, or else that the assessment should take account of the YP wishes so that the section 20 duty does not arise, and the duty remains with housing. The YP wishes are not conclusive, (Practitioners will need to consider if the YP is Frazer competent) but it can still be argued that they are not a child in need (or alternatively, that he or she is a child in need, but it is sufficient to provide help in finding accommodation under section 17) because the client is resourceful, and has a track record of looking after themselves and of engaging with support services and other agencies
- 4) **Leaving Care Eligibility:** Eligibility for a leaving care service can be discussed at any time with the Senior Practitioner of the Care to Community Team (Torbay’s leaving Care team). In addition further information on Leaving Care and the full legislative document “The Children (Leaving Care) Act 2000” can be found at:

[Children \(Leaving Care\) Act 2000: Regulations and guidance](http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/childrenleavingcare/childrenleavingcare/)

<http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/childrenleavingcare/childrenleavingcare/>
- 5) **Core Assessment:** Torbay protocol changes the standard core assessment to a specific adolescent Care leaving Assessment (IE: CTC1 needs assessment). The aim of this is to a) Reduce the amount of assessments b) To speed up referral process and c) To use an age appropriate assessment
- 6) **Monitoring/Quality Assurance:** Panel to keep minutes of all meetings circulated to core group. Panel to compile and keep a running record of cases discussed; referral reason, numbers and outcomes and to report back to Department heads as and when required using department data information officers

List of organisations signed up to the terms of reference and protocol

	Agency and representative position and name	Signature
1)	Executive head Torbay's Children's Specialist Service	
2)	Executive Head Housing	
3)	Strategic Housing Manager	
4)	Checkpoint Children Society	

Date: 06/05/2010