**Sefton joint protocol for 16/17- year-olds who are homeless or at risk of homelessness**

We are delighted to be working together to create a plan when a child presents as homeless to Children’s Services or Housing Options

Signed by

Risthardh Hare Andrea Watts

Executive Director of Children Services Executive Director (People)



**June 2025**

****

**Review**

**Alex Jones – Head of Service Immediate Response**

**Laura Doyle – Head of Service Cared For Children**

**Allan Glennon – Service Manager, Housing**

This document has been agreed by the following:

|  |  |
| --- | --- |
| **Director****(Children’s Services)** | Risthardh Hare |
| **Director****(People)** | Andrea Watts |

The document will be reviewed again in 2027.

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# INTRODUCTION

* 1. A joint working protocol has been developed to confirm partner agencies commitment to work together effectively in response to children who present as homeless or who are at threatened with homelessness within Sefton.
	2. The protocol outlines the agreed practice, roles and responsibilities of agencies within the multi-agency framework of services for children.
	3. Local protocol and relevant legislation underpin this protocol and include;
		+ G v LB Southwark
		+ Sefton Council’s Homelessness and Rough Sleeping Strategy
		+ Children Act 1989
		+ Homelessness Reduction Act 2017
		+ Housing Act 1996
		+ Working Together to Safeguard Children 2018
		+ DLUHC Prevention of homelessness and provision of accommodation for 16 and 17 year old children who may be homeless and/or require accommodation guidance
	4. The Homelessness Reduction Act 2017 makes clear what the statutory duties of Children’s Services and Housing Services are in addressing and responding to the needs of children who are homeless. Working Together to Safeguard children explains that:

*‘Housing and homelessness services in local authorities and others such as environmental health organisations are subject to the section 11 duties set out in this chapter (Chapter 2). Practitioners working in these services may become aware of conditions that could have or are having an adverse impact on children. Under Part 1 of the Housing Act 1989, authorities must take account of the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions. Housing authorities also have an important role to play in safeguarding vulnerable young people, including young people who are pregnant, leaving care or a secure establishment.’*

* 1. In addition, the Southwark Judgement 2009 affirmed the legal position that a duty under Section 20 of the Children Act 1989 takes precedence over the Housing Act in relation to children and the more general duties owed under S17 of the Children Act 1989.
	2. The protocol will ensure that children are not passed between services and that a joint response to preventing homelessness, and where homelessness cannot be prevented, that 16/17-year-olds are offered options and choices, including being looked after. The prevention of homelessness or becoming cared for is a key focus of the joint working protocol through implementing a robust assessment and support pathway that maintains a child within their family or effectively promotes and safeguards a child’s transition to independent living.
	3. The council has various duties and powers towards homeless 16 and 17 year olds, with which these joint assessment and referral arrangements must comply. Relevant legislation, case law and statutory guidance has been considered when developing this protocol and more information on the legal framework can be found in Appendix F.
	4. Children’s Social Care are responsible for:
		+ Accommodating homeless children in need (Children Act 1989,)
		+ Assessing and meeting the needs of children who are ‘care leavers’.
	5. Housing Services are responsible for:
		+ Providing housing assistance to homeless people who are eligible and in priority need, including children aged 16/17, and care leavers aged 18-21 (Housing Act 1996, as amended by Homelessness Act 2002).

# AIMS AND PRINCIPLES

* 1. This document provides guidance to operational staff within Housing Services and Children’s Social Care. The protocol outlines steps staff should take when a child aged 16/17 approaches the council reporting that they are homeless or threatened with homelessness. It has been jointly developed and agreed by Housing and Children’s Social Care.
	2. The organisations that are parties to this Protocol are:
		+ Children’s Social Care
		+ Housing Options Team
		+ One Vision Housing contracted administrators of Property Pool Plus
		+ Representative of homeless style accommodation providers
	3. All signatory organisations agree the following **principles:** these will underpin all we do in whatever role we work within:

There should be timely, active, multi-agency intervention to prevent homelessness in Sefton.

1. Ensure that children are not passed between services and there is a joint response to preventing homelessness;
2. Wherever possible, and where safe, suitable and sustainable, 16- and 17-year-olds are best accommodated within their families unless to do so places them at risk of harm.
3. Housing provision made for 16- and 17-year-olds unable to remain with their families should be made on the basis of a comprehensive assessment of their needs and include the relevant supports to enable them to successfully develop independent living skills.
4. Children should be involved in discussions where possible and plans for their future, together with families and carers.
5. In assessing the needs of children for accommodation and support, those involved in that process must take account of the special needs and cultural background of the child.
6. Provision for the accommodation and support needs of 16 and 17 year olds and care leavers is a multi- agency responsibility however the lead agency is Sefton Children’s Services.
7. Accommodation placements provided for children will comply with the Quality Standards specified in this Protocol.
8. 16 and 17 year olds experiencing homelessness will never be placed in B&B accommodation by the local authority.
	1. The lead responsibility for implementing this protocol lies with:

Service Manager for Homeless Team and Head of Service for Immediate Response service – Children’s Social Care.

Other significant parties with responsibility for implementing this protocol include:

|  |  |
| --- | --- |
| **Name** | **Area of Responsibility** |
| Allan Glennon | Service Manager, Housing Options |
| Laura Doyle | Children’s Services |
|  Alex Jones | Children’s Services |
| Michael Mainwaring | Service Manager, Workforce Development |

* 1. The protocol will be implemented jointly by Children’s Social Care and Housing Options. A workforce development implementation plan will accompany the protocol. Training will include awareness sessions, detailed best practice approaches and will be a mix of online learning and ‘on the job’ training delivered by team leaders in the workplace.

# PREVENTING HOMELESSNESS

* 1. This protocol recognises that homelessness is damaging to children’s personal, social and economic development and wellbeing. Where possible, homelessness should be prevented, and children supported to either remain at home where safe to do so, or to live with responsible adults in their wider family and friend’s network.
	2. In order for homelessness prevention to be effective all agencies will be responsible for taking immediate steps to prevent homelessness if they are approached by a child aged 16/17 who appears to be threatened with homelessness. Where professionals uncover early indicators of relationships breakdown mediation work should begin at that point.
	3. If the 16/17-year-old appears to be homeless or threatened with homelessness a referral should be made

immediately to the Council’s Children’s Help and Advice Team, see section 6.

* 1. Services will work pro-actively with children and their families to attempt to identify and resolve the issues which have led to the threatened homelessness crisis. This preventive work will be undertaken at the same time as the assessment of the child and provision of accommodation services as needed. This work may be referred to the TFS – Targeted Family Support who will work with the Child with their consent. Work with children and families who are experiencing crisis/family breakdown at home.
	2. Of paramount importance is the welfare of children who seek advice and assistance from statutory and voluntary agencies. Where responsibility for service provision is yet to be determined, the statutory agency with whom the child first makes contact should make interim arrangements to secure support and accommodation where required. Given there is a need to work together to ensure the child is safe we must ensure that we work across service sectors to provide accommodation if assessed as required.
	3. If the initial approach by a 16/17-year-old is to **housing option services**, the approach should be treated as an application for assistance under Part 7 of Housing Act 1996.

## INITIAL SCREENING PROCESS – Stage 1

* 1. Sefton’s Children’s Social Care Teams are responsible for vulnerable 16 and 17 year olds once they have been screened from our Sefton’s Children’s Help and Advice Team (CHAT), to make a referral call 0151 443 4013 and speak to a social worker or out of hours call 0151 433 3555 [Duty to Refer](https://www.sefton.gov.uk/housing/homelessness/homeless-duty-to-refer/) referral to Housing Options.
	2. Children that present as homeless or at threatened with homelessness will first go through an initial screening process with CHAT, by speaking a social worker, will ascertain whether they require further assessment. The purpose of this is to:
		+ Establish whether the child is actually homeless or threatened with homelessness (as defined by Part 7 of the Housing Act 1996)
		+ Housing Options will check whether they have a local connection (Housing Act 1996) and are in Sefton’s

area for the purposes of s17 of the Children Act 1989

* + - Ensure that there is no immediate safeguarding concerns that need to be dealt with by Children’s Social

Care

* + - Check whether the child is already known to Children’s Social Care and whether they have an

existing Social Worker

* 1. A child that does not have a local connection (Housing Act 1996) to Sefton should be advised that they may be referred back to an area where a local connection exists (unless there is a risk of violence

evidenced). To have a local connection under housing legislation someone must be ‘normally resident’ in Sefton through their own choice. Normal residence is 6 months residence during the last 12 months or 3 years residence during the last 5 years. Proof of residence will be required. This excludes those who are connected to Sefton due to prison sentence, hospital or approved accommodation (bail hostel).

* 1. A contact record will be created for every child that is assessed and deemed homeless which details the concerns regarding the child. This should capture the child’s presenting need as homeless as well as record any action that has been undertaken with the family. This contact may be closed down further along the assessment process, when it has been decided that there are no needs or concerns

that require the involvement of Children’s Social Care.

* 1. As part of this screening process, the Children’s Help and Advice Team will make every effort to contact the child’s family to confirm that they are homeless or threatened with homelessness and contact any professionals involved with the child.
	2. A Multi-Agency Enquiry will be completed on all children who are homeless – ensuring all relevant information is gathered. Health information will be gathered to ensure children’s needs are fully understood and part of decision making for accommodation options.
1. An advocate should be discussed and referral promoted at every opportunity
	1. If the child already has a Social Worker, or has had a Social Worker within the last 3 months, the Children’s Help and Advice Team will make contact with them to discuss the next steps. The existing/previous Social Worker will be responsible for:
		* Supporting and contributing information towards the mediation and any accommodation process.
		* Completing the statutory Child and Family assessment including explaining housing options in line with the Southwark Judgement guidance (see Appendix A). Providing Section 17 subsistence funding where required. For these cases, all future references to Social Workers in this document will refer to the child’s existing Social Worker.
	2. If safeguarding concerns are raised at any time during the referral, screening or interview process, about the child or any other children in the family (e.g. if there has been violence at home and the child or another person is at risk of significant harm), the Children’s Help and Advice Team will initiate Children’s Social Care safeguarding procedures.
	3. Children’s services will ensure that the child receives accurate information about what assistance may be available to them if they do not become looked after, including from housing services under Part 7 of the 1996 Act. This will include any entitlement for assistance under Part 7.
	4. In particular the considerations a child needs to be made aware of are:
2. duties on housing services to undertake an assessment, develop a personalised housing plan and to take steps to help the applicant retain or secure accommodation (sections 195 and section 189B of the 1996 Act),
3. the requirement on the applicant to cooperate and for applicants to take steps themselves as set out in a personalised plan (section 193B and section 193C of the 1996 Act),
4. the ‘accommodation offer’ under the relief duty – suitable accommodation which has a reasonable prospect of being available for occupation for at least 6 months (section 189B and section 195 of the 1996 Act), 18
5. the implications of turning down offers of accommodation that are suitable (section 193A of the Housing Act 1996),
6. the possible risk of being found or becoming homeless intentionally in the future (section 191 of the 1996 Act), f. their right to request a review of decisions (section 202 of the 1996 Act).
	1. This information will be provided in a ‘child appropriate’ format (Appendix G) at the beginning of the

assessment process, this is also provided as a guide for the child.

* 1. Where there is any doubt about a 16 or 17 year old’s capacity to judge what may be in their best interests,

e.g. whether they should be accommodated under section 20 of the 1989 Act or seek alternative assistance, there will need to be further discussion involving children’s services, housing services, the child concerned and their family where safe and appropriate, to reach agreement on the way forward.

## HOME VISITS AND MEDIATION – Stage 2

* 1. If, following the screening process, it is found that the child is at risk of becoming homeless due to conflict or relationship breakdown in the family home, a home visit will be carried out by the receiving team. The visit will be carried out within 24 hours following the child or supporting agency contacting the service. A referral to the advocacy service will be completed with consent. If the child does not consent this will be clearly recorded and revisited throughout the assessment period.
	2. The Worker will provide advice and guidance on the best course of action for the child from a Children’s Social Care perspective and will attend visits to the family home and/or family group meetings in cases where the family situation is particularly complex.
	3. The purpose of the home visit is to identify the current circumstances within the household. This will involve open discussions between the child and their parent/carer. The Social Worker will help find solutions to these problems to prevent the child becoming homeless, providing on-going mediation and support between the child and their family where necessary.
	4. The key aim is to avoid homelessness and allow children to remain in the family home where possible, as this will be in the long-term best interests of most children. Throughout the initial screening mediation and full assessment phases, Targeted Family Support Worker will attempt to prevent the need for children to require accommodation by offering the child and their family various options of support and advice:
		+ Mediation between the child and their family by the TFS Worker or other relevant professional if already known to them
		+ Helping a child access education or employment
		+ Creating an action plan between the family and a child
		+ Exploring housing with extended family or friends
		+ Providing financial support under Section 17(6) of the Children Act where assessed as appropriate
		+ Liaison with other relevant agencies to support the child
		+ Family Group Conference
		+ Offering support from an Early Help Worker:
			- Where mediation is successful and the child remains in the family home, they can be provided with on-going support from an Early Help Worker to help them maintain their accommodation and prevent future relationship breakdown. The Early Help Support Worker will help the child to remain at home by supporting them around employment, training and education, health, life skills and independence and managing their behaviour.
			- The Social Worker can make the decision to refer the child to TFS whilst they remain at home. This will be a 12-week offer of support, but this period can be extended if required.
	5. If the family is reluctant to let the child remain in their home, the lead professional will ask that the child remains at home until the joint interview phase is complete, and will advise them on how long this is likely to take (providing it is safe for the child to remain at home during this time). A document stating this (see appendix B) will be issued for the parent/carer to sign. This will advise the parent/carer that they should give ‘reasonable notice’ (7 days) before the child can leave the home. The signed document will be uploaded to LiquidLogic.
	6. If the child is unable to return home that night for reasons of safety, emergency accommodation will be provided (see section 9.0 below).
	7. When allegations of violence and abuse are made, Children’s Social Care safeguarding procedures will be followed. The Social Worker will be responsible for raising an alert with the Children’s Help and Advice Team (CHAT)

## JOINT INTERVIEW – Stage 3

* 1. If the initial screening process confirms that the child is homeless or threatened with homelessness, and mediation was not successful or not possible, a Child and Family assessment will be carried out under section 17 of the Children Act 1989 and they will be allocated a social worker. At this stage, the child will be offered a joint interview by their social worker and housing officer to assess their housing needs and to explain housing options available to them. If the child already has a Social Worker, the Social Worker will make the arrangements with housing options in line with the Southwark Judgement assessment and a updated Child and Family Assessment will be completed.

guidance. The allocated social worker would be expected to undertake the joint interview with the housing officer and update their most recent Child and Family assessment (S.17).

* 1. The Joint Interview will cover the following general areas in addition to any other specific needs/issues in

relation to that child’s circumstances:

* + - The current situation and reasons for needing housing advice
		- Background history including accommodation history and whether they are known to Children’s

Social Care

* + - Their family situation and support networks
		- Vulnerability, including disability and mental health
		- Risks to themselves, others and staff
		- Other agencies working with the child
		- Employment, education and training status
		- Offending and legal action
	1. The joint interview should be carried out within 5 working days of the child making contact with the Children’s Help and Advice Team. The interview should take place in a suitable environment wherever possible, in line with the young person’s wishes. Family Well Being Hubs and Care Experienced Hub are both available and should be considered. A child who has no accommodation (or accommodation which is unreasonable and unsuitable for them to occupy) and where contact cannot be made with the family, will be given a joint interview on the day that they make contact where possible. In these circumstances emergency support accommodation is available via Bedspace (see Appendix H for details)
	2. Sefton has readily available supported accommodation via Bedspace that can be accessed on a emergency basis whilst appropriate longer-term housing is identified.
	3. During interview, staff will explain to the child that the aim of the interview is to identify and address their housing needs, and that:
		+ The priority is to help them to remain at or return home, and they will only be accommodated when homeless prevention has been explored and found not to be possible
		+ The team will attempt to work closely with their parent/carer to support this, which may involve a process of mediation
		+ The team will work closely with other departments, services and agencies relevant to them
	4. When the interview has been completed and the Social Worker is confident that they have the information needed to make a decision, one of the following outcomes will be chosen:
		+ The child can remain at home or return home and support from Children’s Social Care is ended
		+ The child can remain at home or return home with on-going support
		+ It is accepted that the child cannot return home and that accommodation is required
		+ This will be recorded within the Child and Family Assessment and authorized by a manager to ensure management oversight is recorded.
	5. If it is accepted that the child cannot return home and accommodation is required, the Social Worker is responsible for clearly explaining to the child their accommodation options (see appendix A) and obtain their wishes and feelings regarding such provision. This discussion must cover the difference between being accommodated under Section 20 of the Children Act 1989, including the support they would receive as a care leaver, and being accommodated under Part VII of the Housing Act 1996 , and the services and support that the child will be entitled to if they choose either of these options. A personal advisor Leanne Pereira can be contacted for additional advice (leanne.pereira@sefton.gov.uk)
	6. When the child has made a decision on whether or not to pursue accommodation provided under Section 20, they will be asked to sign a document stating their decision and confirming that the options and all relevant information was discussed with them (see appendix C). The signed document will be stored securely and uploaded onto LiquidLogic.
	7. Irrespective of the outcome of this discussion i.e. that the child’s informed decision is to be accommodated under Section 20/ Part VII and the Social Worker’s view on the need for further involvement

from Children’s Social Care, the recommendations in the assessment (S.17) would need to be completed in

consultation with Senior Management for all children. Additionally, irrespective of the decision a follow up conversation with the young person should always take place by the relevant worker to ensure the child understanding of the discussion and decision made.

* 1. The outcome of the joint interview should be recorded on LiquidLogic (Children Service’s Recording System) and Jigsaw (Housing Recording System). Children will be informed that their records will be kept by both Housing and Children’s Social Care and that information will be shared between the services. The allocated Social Worker will provide a copy of the Child. Homeless Screening Assessment (Appendix E) to the Child and also provide both the parent/ carer and child with a copy of the Child and Family Assessment.

## ACCEPTANCE INTO ACCOMMODATION – Stage 4

* 1. If the decision is made to accommodate the child, the Social Worker will be responsible for identifying a suitable placement for them based on the needs of and risks surrounding the individual, and the availability of accommodation at that time. The child will be informed of their options for the type of accommodation they would like, and their preference will be taken into account. However, the Social Worker will be responsible for making the final decision.
	2. When a suitable placement is identified, the Social Worker will send the completed YPHRA to the supported housing provider, which will act as the referral. A pre-admission interview will be arranged, and the child will formally be accepted into the service. Once this has happened, LiquidLogic will be updated with the child’s new address and move-in date.
	3. The child will be asked to sign a behaviour agreement during their joint interview (see appendix D) which sets out what is expected of them during their residence. The signed document will be uploaded to LiquidLogic. The child will be informed that this accommodation will be provided on a time-limited basis, and they will be subject to strict requirements around engagement, managing their tenancy and their behaviour.
	4. The child’s housing options following their residence will be fully explained to them at this point. For those that are not accommodated under Section 20, staff should be clear with them that the housing option could be shared accommodation in the private rented sector.

# FINANCIAL SUPPORT Section 17

* 1. Children that have no income at the time of being accepted into accommodation, will be provided with temporary subsistence payments under Section 17. These payments will continue until a claim for DWP benefits is in payment, usually between 6-8 weeks after moving into accommodation. The supported housing provider is responsible for supporting the child to claim DWP benefits.
	2. For children that are newly homeless and not involved with Children’s Social Care, the Social Worker will be responsible for administering these payments. Cash payments will be issued to the child on a regular weekly basis whereupon the child will meet with a social worker.
	3. For children that have an existing Social Worker, this Social Worker will be responsible for arranging Section 17 funding (subsistence payments for 6-8 weeks pending DWP benefits being in payment). The Social Worker may need to provide written confirmation that the child will be provided with Section 17 funding, before the child can move into their accommodation.
	4. In cases where young parents present with children the social worker is to consider additional subsistence payments for the child/ children subject to financial assessment
	5. In the majority of cases, accommodation costs will be claimed back through Housing Benefit. The supported housing provider will be responsible for setting up a claim for Housing Benefit as soon as the child is accepted into their service.
	6. Proof of ID that shows that the child is able to claim Housing Benefit, should be attached to all YPHRAs sent to the housing providers. At least two items from the list below will be required (this list is not exhaustive and other forms of ID may be suitable). Must have birth certificate/ passport along with one other form of ID
		+ A current passport
		+ Birth certificate
		+ Bank statements less than four weeks old
		+ UK Residence permit
		+ A driving licence
		+ Letter from solicitor/social worker/ probation officer or Inland Revenue confirming identity
		+ Medical card or National Insurance card
		+ Benefit Agency notification letter
		+ National identity card
	7. Where a child does not have appropriate ID, CSC/ allocated social worker will support the you person to obtain the relevant identification and cover any associated costs where applicable.
	8. In cases where the child’s immigration status means that they are unable to claim Housing Benefit,

or in circumstances where appropriate identification is not immediately available to those not affected by

immigration status Children’s Social Care should provide written confirmation from the relevant Service Manager or Head of Service that they will cover the accommodation costs of the child. This financial support will be subject to a monthly review by the allocated Social Worker and Team Manager.

* 1. Key Workers from the Team Around the Child will support them in areas such as Employment/ Education/ Tenancy Sustainment/ Health.

# EMERGENCY ACCOMMODATION

* 1. If, following the initial screening process, a child is deemed to be homeless and has nowhere safe to stay that night, they should be given a joint interview within 24 working hours and provided with emergency accommodation if necessary via Bedspace; pending the outcome of an assessment of their needs.
	2. Prior to this decision being made, enquiries should be made with the child’s parents/carers where safe and possible to do so. A home visit is preferable but may not be possible given the timeframe, and so a telephone call is acceptable. The decision on whether to provide emergency accommodation will rest with the relevant manager.
	3. B&B accommodation will never be used for homeless 16/17 year-olds.
	4. Emergency placements are provided for a maximum of 7 days, and the joint interviews should be carried out within 24 working hours of the child being accepted into the bed space.

# CHILDREN WHO DISENGAGE WITH THE ASSESSMENT PROCESS

* 1. If a child refuses to engage with the assessment process, the assessment of their needs must record what attempts have been made to assess their needs to determine appropriate services. The Social Worker and Housing Officer should make every effort to engage children through and utilise the experience and relationships of other agency staff that may have positive historic relationships with the child.
	2. If an assessment concludes that a child should be provided with accommodation under Section 20 Children Act 1989 and they then refuse the offer of accommodation, Children’s Social Care must be satisfied that the child has been provided with all relevant information to safeguard and promote their future welfare and that they are competent to make such a decision.
	3. If they are not competent to make the decision or if it is assessed that they are in need of safeguarding, legal advice should be taken about whether legal proceedings should be initiated.
	4. If Children’s Social Care had provided temporary accommodation for the child whilst attempting to complete an assessment, the provision of accommodation by Children’s Social Care will cease if the child refuses to engage with the assessment or refuses any longer term offer of accommodation under Section 20 Children Act 1989.
	5. Housing Options Service will then need to consider whether a duty under Part 7 of the 1996 Act is owed to the child because they are homeless.
	6. Where a 16 or 17 year old is required to leave accommodation as a result of their decision to refuse section 20 accommodation, that decision should not be treated as deliberate action or inaction that contributed to intentional homelessness
	7. The continuing support needs of the child should be considered by both Housing Services and

Children’s Social Care.

# PREGNANT AND HOMELESS

# 12.1 If a child is pregnant and homeless support will be required as necessary. The emergency accommodation available via Bedspace is suitable and support is available as required. Pregnant children will always be offered this accommodation if they are homeless and then suitable long-term accommodation will be provided. (Pan-Mersey Pre-Birth Protocol)

# EQUALITY AND DIVERSITY

* 1. The equality and diversity policy of Sefton Borough Council, housing and other agencies and organisations providing the services covered within this protocol must underpin the way in which services are provided.
	2. All signatory organisations value diversity and are committed to equality of opportunity and access to suitable accommodation for all children, regardless of age, ethnicity, gender, sexuality, culture, faith or disability. An interpreter should be used when required and not impact on the quality of the decision making.

# DISPUTE RESOLUTION

* 1. If any signatory to this Protocol disagrees with a referral, assessment, support package or accommodation provision, the parties to the dispute should first seek to achieve professional agreement through continued discussion. If the dispute cannot be resolved through discussion, the dispute should be referred to the relevant line managers for resolution, or if this is not achievable, final resolution will be agreed between the Senior Managers for the respective services.
	2. Any concerns about the implementation of processes within this Protocol should be referred to the Senior Manager of the relevant service.
	3. If any child is dissatisfied with the manner or outcome of the Joint Assessment procedure, they have the right to complain/appeal through existing complaints and appeals procedures.

# MONITORING ARRANGEMENTS

* 1. Management information will be collected on:
		+ The number of contacts to Housing Services
		+ The number of contacts to Children’s Social Care where 16/17 homeless is the focus.
		+ How many contacts had a joint assessment under Section 20 Children Act 1989
			- How many became s.20
			- How many became s.17
		+ How many contacts were accommodated under Part 7 Housing Act 1996
		+ Statutory quarter report by housing to Central Government
		+ Audits will be completed on a quarterly basis.
	2. Feedback will be gathered initially via the Children’s Help and Advice team via the referral and feedback email link.
	3. Monthly meeting with Housing, including Early Help, Front Door and Cared For teams to review this protocol, the operational guidance and ensure guidance standards are being achieved.

# APPENDICES

## Appendix A: Southwark Judgement Assessment guidance and accommodation options

There is case law and statutory guidance relating to the provision of services to children aged 16/17 who present claiming homelessness, which must be taken into consideration when assessing a child’s needs. The most relevant case is R(G) v. London Borough of Southwark (2009) UKHL 26, which sets out the questions to determine whether s20 Children Act 1989 applies.

1. **Is the child a child (aged 16/17)?**
2. **Is the child a child in need?**

It must be established that the child is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development, or whose health and development is likely to be significantly or further impaired without the provision of services or he/she is disabled.

1. **Is s/he within Sefton area?**

It must be established that s/he is in Sefton’s area rather than have presented for the purposes of addressing homelessness. This can be a potentially complex area of law so advice should be sought if there is some doubt in this area.

1. **Does s/he appear to require accommodation?**

The assessment must establish whether the child is in fact homeless. Homelessness is not restricted to street homelessness and includes a series of temporary arrangements commonly called “sofa surfing.” If a parent/carer is able and willing to provide accommodation and there is no safeguarding concerns preventing the

child from living at home, alternative accommodation should not be offered. A plan should be agreed to address the circumstances leading to the current situation.

1. **Is that need the result of:**
	1. **There being no person who has parental responsibility for him/her?**

or

* 1. **Him/her being lost or having been abandoned?**

or

* 1. **The person who has been caring for him being prevented (whether or not permanently or for whatever reason) from providing him/her with suitable accommodation or care.**

It may be necessary to provide temporary accommodation to allow for a plan to be put in place if the parents and child agree to services being provided to address the situation. This should be time limited to a maximum period of six weeks. The decision regarding whether the temporary accommodation is provided under sec 20 is addressed in point 7 below. Some forms of accommodation, e.g. foster care, will always attract section 20 status. The views of the family must be taken into consideration and clearly recorded before a decision to provide alternative accommodation is made.

1. **What are the child's wishes and feelings regarding the provision of accommodation for him/her?**

And

1. **What consideration (having regard to his age and understanding) is duly to be given to those wishes and feelings?**

The April 2018 DFE and Ministry of Housing guidance entitled [*Prevention of homelessness and provision of*](https://www.gov.uk/government/publications/provision-of-accommodation-for-16-and-17-year-olds-who-may-be-homeless-and-or-require-accommodation)[*accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation*](https://www.gov.uk/government/publications/provision-of-accommodation-for-16-and-17-year-olds-who-may-be-homeless-and-or-require-accommodation)states ‘It will be essential that the child is fully consulted about and understands the implications of being accommodated by children’s services and becoming looked after. The social worker leading the assessment must provide realistic and full information about the package of support that the child can expect as a looked

after child and, subsequently, as a ‘former relevant’ care leaver (as defined in section 23C (1) of 1989 Act). If they are not looked after for the prescribed period, the child leaving care would be a ‘person qualifying for advice and assistance’ as set out in section 24 of the 1989 Act.

Children’s services should also ensure that the child receives accurate information about what assistance may be available to them if they do not become looked after, including from housing services under Part 7 of the 1996 Act. This will include any entitlement for assistance under Part 7. 'Attached is a guide which is to be used by social workers when discussing, with the child, their views regarding accommodation under section 20 of the Children Act or Part 7 of the 1996 Housing Act. A copy will be given to the child to take away with them.

## Appendix B: Agreement to accommodate at home for parent/carer

Dear (name of parent/carer)

**Homelessness case - (*name of child*)**

Your son/daughter (*delete as appropriate*) has approached Sefton Council stating that you will not allow him/her to return home and is therefore homeless.

The Young People’s Pathway Team / or allocated social worker is in the process of assessing whether your child is legitimately homeless and should be provided with accommodation/sourcing appropriate accommodation for your child (*delete as appropriate)*. A child aged 16/17 can request to become looked after if the child’s welfare is seriously prejudiced without the provision of accommodation (Children’s Act 1989 s20 (3)). This too will be considered in the assessment.

As your child is under 18 years of age, you still have legal parental responsibility for them. On this basis, the council is asking you to continue to accommodate your child until the assessment is complete and/or alternative accommodation is found.

During this period, the Young People’s Pathway Team / or allocated social worker will continue to work with you to help you to keep your child at home and prevent them from becoming homeless.

If you need to contact the Young People’s Pathway Team / or allocated social worker during this period, please call

(*insert phone number*).

Yours sincerely

**(Staff name)**

**Appendix C: Overview of Service for the Child Sefton Council – Children’s Services**

If you are aged between 16-17 and are homeless or at risk of homelessness, you can get housing advice and support from the Customer Access Team.

**How the service can help you**

When you contact the Children’s Social Care, the following three things will happen:

1. The service will carry out a short assessment of your housing situation. This will involve contacting your family and any professionals that work with you.
2. The service will arrange a meeting at your home, if deemed safe, with you and your family, to identify the problems that have led to you leaving home and discuss the possible support available to you.
3. The service will provide support to you and your family to help you to remain at home or improve your housing situation, including mediation between you and your family, and support to get into education, training and employment.

If Children’s Social Care has been through these steps with you and is unable to prevent you from becoming homeless, they will look at other housing options. You will be interviewed by a housing worker and Social Worker who will also whether you are a ‘child in need’ and in need of accommodation.

If you are offered accommodation, this is most likely to be shared hostel-style schemes but could also be with a foster carer or family hosts in the community. Please note that you will only be able to stay in this accommodation until you are ready to live independently or move back home to your family, at which point you will be supported to do this. If you are offered accommodation by the Young People’s Pathway Team, this does not mean that you will be entitled to a council tenancy in the future.

**Get in contact:**

**Children’s Social Care:**

**Housing Options:**

0151 934 3541

Housing.options@sefton.gov.uk

## Appendix D: Behaviour agreement for the child

Behaviour agreement for supported housing in the Young People’s Pathway

The Council has agreed to provide you with accommodation. Before you move in, there are some things that you need to agree to:

1. You can only stay in this accommodation until you are ready to live independently. This will usually be for a maximum of 18 months.
2. When you are ready to live independently you will be supported to find your own accommodation.
3. You will be required to spend time with staff on a regular basis, including attending key working sessions.
4. You will be required to be in employment, training or education whilst you are living in the accommodation.
5. You will be required to pay a weekly service charge, at the rate below.
6. When you find work, you will be responsible for paying towards your rent.
7. If you claim Housing Benefit, you will need to work with staff to make sure this stays in payment.
8. You will be required to follow to the house rules of your accommodation, including not being involved in anti-social behaviour.

To be completed by the child:

I agree to the points listed above, and understand that if I don’t follow these I may be asked to leave my

accommodation.

I agree to pay a weekly service charge of . This covers the cost of my electricity, gas and water supply.

**Name:**

**Signature:**

**Date:**

## Appendix E: Young Homeless Screening Assessment

|  |  |
| --- | --- |
| **Issue to be considered** | **Comment** |
| What has led to the child being homeless? |  |
| Who has PR for the child and what discussions have taken plan with parent to discuss situation? |  |
| Does the child have anywhere to stay tonight? | Yes No |
| Is the child disabled and staying with family friends (private fostering)? | Yes No |
| Are there any other family members who may be able to provide a period of accommodation? Even in the short or emergency term. | Yes No |
| Have we seen documentation to confirm age of child? If not, when will this be provided? | Yes No |
| Does the child need to be looked after? | Yes No |
| Does the child need any specialist support? If so what? | Yes No |
| Does the child have any religious or cultural issues that need to be considered? | Yes No |
| Brief summary of involvement with CSC or Early Help |  |
| Does the child pose a known risk to themselves or others? | Yes No |

|  |  |
| --- | --- |
| **Issue to be considered** | **Comment** |
| Are there any issues of concerns in respect of the adults in the household? | Yes No |
| Has the child ever been in care and if so when, why and where? Give details. | Yes No |
| Does the child receive any support from Mental Health Services? Give details. | Yes No |
| Is the child known to YOS? Give details. | Yes No |
| Are there any issues regarding CSE? | Yes No |
| Which other agencies are involved with the Child? |  |
| Is the child affiliated to any gangs? What are the associated risks regarding where he/she can reside? | Yes No |
| Is the child in employment or education? If so, give details. | Yes No |
| Contact details of friends and family |  |

## Appendix F: Legal Framework

The council has various duties and powers towards homeless 16 and 17 year olds, with which these joint assessment and referral arrangements must comply. Relevant legislation, case law and statutory guidance has been considered when developing this protocol.

Children’s Social Care are responsible for:

* Accommodating homeless children in need (Children Act 1989,)
* Assessing and meeting the needs of children who are ‘care leavers’.

Housing Services are responsible for:

* Providing housing assistance to homeless people who are eligible and in priority need, including children aged 16/17 (Housing Act 1996, as amended by Homelessness Act 2002).

An Eligible Child is a child who is aged 16/17 and who has been looked after by a local authority for at least 13 weeks since they were 14 and who continues to be looked after.

A Relevant Child is a child aged 16/17 who is no longer looked after by a local authority, but who was looked after for at least 13 weeks after the age of 14 and has been looked after for some time while they were aged 16/17.

Section 17 of the 1989 Act sets out the responsibilities of local authorities to provide services for children in need and their families. It is the general duty of every local authority;

* 1. to safeguard and promote the welfare of children within their area who are in need; and
	2. 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.

A Child in Need is defined by section 17(10) of the Children Act 1989 if:

* + - S/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a local authority under this Part;
		- His/her health or development is likely to be significantly impaired, or further impaired, without the provision of services;

OR

* + - S/he is disabled.

Where a child aged 16/17 is assessed as a Child In Need, this can trigger the duty under Section 20 of the Children Act 1989 to accommodate.

Under Section 20 (1(a-c)), every local authority should provide accommodation for any child in need within their area who appears to them to require accommodation as a result of:

1. There being no person who has parental responsibility for him;
2. Him having been lost or abandoned; or
3. 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.

In addition, under Section 20 (3) and (4), every local authority should provide accommodation for any child in their area:

* + Who has reached the age of sixteen and whose welfare is likely to be seriously prejudiced if they do not provide him with accommodation.
	+ If they consider that to do so would safeguard or promote the child’s welfare, even though a person who has

parental responsibility for him is able to provide him with accommodation.

Case law in *R (on the application of G) v London Borough of Southwark (2009) UKHL 26* (otherwise known as the Southwark judgement), and the subsequent guidance which has followed, clarified that children’s services must carry out an assessment of what duties, if any, are owed to a homeless child aged 16/17 .

There are two circumstances in which a homeless child should not be accommodated under Section 20, and may instead be owed duties under Housing Act 1996. This is where the child is:

* + not a child in need or
	+ a 16 or 17 year old child in need who, having been properly and fully advised of the implications and having the capacity to reach a decision, has decided that they do not want to be accommodated under section 20.

Accepting or refusing a Section 20 duty

If a child accepts a Section 20 duty, they will become a looked-after child. Legal requirements will apply to all children looked after, including a review after 20 working days by an Independent Reviewing Officer (IRO). If at a later date the child no longer wishes to be looked after under Section 20, this duty will cease although Section 17 services under the Children Act 1989 may continue.

Some young homeless people would prefer not to be accommodated under Section 20. In these circumstances a child may be housed under the Housing Act 1996, as determined by a Housing Officer.

The Targeted Family Support Team (TFS) will give full advice and guidance to the child before they make this decision, and will consider their wishes and feelings. There may be occasions where a child decides they do not wish to become looked after following impartial information on their options and entitlements, but the TFS conclude that they do not have the capacity to make this decision. This judgement may be at odds with the child’s wishes, however the TFS are responsible for making a decision that meets the welfare needs of the child. Most 16/17 year-olds would be judged to have capacity.

Sefton Children’s Social Care and Housing Services have developed guidance on how to correctly apply the

Southwark Judgement and legislation when completing assessments of homeless children (see appendix A).

Young homeless people aged 16/17 are in ‘priority need’ as defined by the Housing Act 1996, and are therefore entitled to assistance. Under Part 7 of the Housing Act 1996, every local authority should provide accommodation for children that are eligible for assistance, are homeless or threatened with homelessness, are in priority need and are not intentionally homeless. If the child does not have a local connection to the borough, they may be referred to another area where they do have a connection, so long as it is safe for them to return there. Under Part 7, a child may be owed the following duties:

* + To ensure that accommodation is available for his/her occupation
	+ To take reasonable steps to ensure that accommodation does not cease to be available for his/her occupation
	+ To ensure accommodation is available for occupation for such period as will give the child a reasonable opportunity of securing accommodation for his occupation
	+ To provide advice and assistance in any attempt the child makes to ensure accommodation becomes available for his/her occupation

# Appendix J

**Useful Contacts**

**Team Manager – Homeless Jennifer Brown** **Jennifer.brown@sefton.gov.uk** **or**

**Cathy Blackhurst** **catherine.blackhurst@sefton.gov.uk**

**Personal Advisor - Leanne Periera**

**Sefton Hub - 9 Crosby Road South, Waterloo, L22 1RG**

**Bedspace –**

Monday - Friday 9-5 contact referrals@bedspace.co.uk. Out of these hours the number for the staff onsite at Holden Road is 07526566519.

Donna Omar Team Manager (Sefton Pathway) Office:0151228 8890 Mobile: 07376083315 Address: 5, Newton Court, Wavertree Technology Park, Liverpool, L13 1EJ Web: [www.**bedspace**.co.uk](http://www.bedspace.co.uk)

[Housing First | Homeless Link](https://homeless.org.uk/areas-of-expertise/housing-first/)

Housing First is one of the important solutions to homelessness. Homeless Link is driving the scale up of high-fidelity Housing First as a solution for people who are facing multiple disadvantage.

The Hub

0151 934 4583

# Appendix G



# Appendix I

**Checklist for Social Workers for**

**Homelessness in 16-17 Year Olds**

**Identifying Homelessness**

Be alert to hidden homelessness

(

e.g., sofa

surfing, unstable living

)

.

Check if the young person has a safe and

reasonable place to stay.

**Joint Working**

Coordinate with housing teams for a joint

assessment.

Ensure all needs

(

accommodation, welfare,

safety

)

 are considered.

**Complete a Child and Family Assessment**

Assess under the Children Act 1989 if the

young person is homeless.

Record findings clearly, including living

situation and support needs.

**Explain Accommodation Options**

Clearly explain the three legal routes:

Section 20 – Looked-after child

(

full

support and care leaver rights

)

.

Section 17 – Child in need

(

less support,

no care leaver rights

)

.

Housing Act 1996 – Housing via housing

authority.

Present balanced information without

steering decisions.

Check the young person understands the

pros and cons of each option.

**Offer Independent Advocacy**

Inform the young person of their right to an

advocate.

Offer advocacy support, especially if they

reject section 20.

Record whether advocacy was offered and

taken up.

Ensure advocates are acting independently.

**Assess Readiness for Independence**

Formally assess if the young person is

ready to live alone.

Provide extra support if needed

(

life

skills, budgeting, etc.

)

.

Arrange regular follow-ups to check

they are coping.

**Ensure Suitable Accommodation**

Avoid using B

&

Bs and unsuitable

hostels.

Prioritise safe, supported placements.

Be aware of whether placements are

regulated and appropriate.

Monitor impact of placement quality

and safety.

**Provide Clear Information**

Give the young person written

information on:

Their rights.

Available options.

What support they can expect

Involve young people in improving local

resources and guidance.

**Reflect and Review**

Regularly review cases for good

practice and informed decision-making.

Monitor how often advocacy is offered

and used.

Keep track of how section 20 decisions

are made and supported.

Share learning within your team.