





# Housing Protocol for Care Experienced Young People.



Date  
Version 1

## Document Control

Document Name	Housing Protocol for Care Experienced Young People
Document Usage	This protocol is relevant for: <ul style="list-style-type: none"><li>• Children's Services</li><li>• Housing Solutions</li><li>• Housing Allocations</li><li>• Adult Social Care</li></ul>
Document Scope	This document communicates the protocol for working with care experienced young people to avoid them becoming homeless.
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### Document: Housing Protocol for Care experienced young people

Purpose: To set the protocol between the elements of Milton Keynes City Council to ensure that the passage of young people between services occurs smoothly.

## Introduction

Young people will have different emotions about leaving care and living independently. Some young people are excited about branching out on their own, taking the first steps to being fully independent. Some young people will be anxious about where they will live, some are nervous about living on their own, some are afraid they will be lonely, and some young people will experience a mixture of all these feelings.

Milton Keynes City Council are Corporate Parents for our young people who are leaving care and embarking on the journey to independence. Corporate parenting means local authorities doing the most they can for looked after children and care experienced young people, to give them the same opportunities as other children and promote the best possible outcomes for them.

This Corporate Parenting Pledge to children leaving care is a promise to all Milton Keynes Care experienced young people. The pledge includes the following promises:

**You are wonderful** – we will value you for who you are, celebrate your successes and always be there for you

**Successful** – we will support you to achieve your goals in gaining and keeping yourself in education, employment, or training

**Housing** – we will support you through the processes of deciding what accommodation you would like and then securing those. We will be open and honest about the options, decisions and processes relating to your independence skills and housing

**Healthy** – we will support you to achieve the best health and wellbeing that you can, both physically and mentally

**We want the best for you** – we will aim high for you, and help you to achieve the successes you want to

**We will tell you what's going on** – we will listen to you, our aim for you to make your own decisions, but when we need to, we will make decisions based on what you are saying, and we will tell you what decisions are made and the reasons why

**You will be able to look after yourself well when you become an adult – we will support you to be ready for interdependence with life skills and with confidence to deal with the challenges that life and adulthood face**

Children's Services and Adult Services; including adult social care and housing, have statutory duties to young people leaving care, and other statutory and voluntary agencies provide a range of services to support them. The purpose of this protocol is to set out how teams and agencies will work together to provide an effective, consistent, and co-ordinated response to care experienced young people to meet their housing and support needs and help them get the best start in life.

The journey out of care is a particularly important, and sometimes a challenging transition. Securing suitable accommodation for care experienced young people is therefore much more than just finding them somewhere to stay.

Care experienced young people should expect the same level of care and support that others would expect from a reasonable parent. Milton Keynes City Council is responsible for their care and should make sure that they are provided with the opportunities they need. It is important to remember that there is no one appropriate pathway for young people to move to independent living and that some young people will need support for longer to achieve their goals than their peers. Leaving care too early presents looked after young people with significant challenges which will impact on their life chances. Care experienced young people, like all young people, will make mistakes and require support to learn from their experiences.

Research has identified that the following support helps care experienced young people to make a positive transition to independent living:

- accommodation identified early including clear contingency arrangements, including sufficient emergency accommodation to prevent homelessness, and specialist accommodation for young people with higher support needs.
- support services including leaving care services, out-of-hours support, mentoring and positive family and kinship contact.
- practical support with moving and setting up in accommodation.

Good housing underpins success in other areas of life. Secure, safe, and stable accommodation is an essential building block for success and achievement in education, training, and employment, and has a direct impact on emotional health and wellbeing. It is therefore essential that a multi-agency approach is adopted when securing accommodation for care experienced young people; agencies must work together to meet their statutory duties and corporate parenting responsibilities, to provide a safe and supportive pathway to independent living.

## **Principles underpinning this protocol**

All the parties involved in this protocol agree that:

- The safety and welfare of the young person leaving care is paramount.
- They will work together to assess and meet the needs of care experienced young people, and they will share information effectively. This includes Children's Social care, DWP and adult services.
- Young people leaving care will be involved in all decision making and kept informed of progress.
- They will ensure there is a "corporate parenting" approach towards care experienced young people, providing a shared commitment from Children's Social Care, Adult Services and DWP to ensure our young people achieve the best outcomes possible.
- The accommodation needs of young people leaving custody are appropriately planned
- There are clear guidelines on the management of difficult tenancies which will include contingency arrangements
- Care experienced young people are awarded priority status (Band A) on MK Housing Allocation Scheme at the time a young person is ready (as outlined in the Pathway Plan).
- Young people are not subjected to numerous assessment processes, and that they do not have to negotiate their way through the range of agencies
- This protocol will also ensure that every effort is made to avoid care experienced young people becoming homeless route by good planning and joint working.
- Where a care leaver is homeless or at risk of becoming homeless, a multiagency meeting with at least housing, the PA and young person present.

## **Review of this Protocol**

This protocol will be reviewed periodically or in line with changes in relevant legislation.

Initially, this protocol will run for a period of 12 months, after which time all the relevant parties will conduct a combined review of what has occurred during the previous 12 months on a qualitative and quantitative basis.

All staff working in the 16-25 team and adult services of Milton Keynes City Council will be familiar with this policy through self-directed learning, workshops, consultations, and training.

## **Who does this protocol apply to?**

All local authorities have a statutory duty to ensure all eligible and relevant care experienced young people are placed in suitable accommodation when leaving care. Definitions of those young people who are eligible and relevant are included at Appendix A.

## **Key strategies, policies, and protocols**

This protocol should be read in conjunction with the following strategies, policies and protocols which inform our practice and support in relation to care experienced young people:

- Milton Keynes Allocations Scheme
- Staying Put Policy
- Finance Policy for Care experienced young people
- The Local Offer for Care experienced young people
- Shared lives scheme

## **Key agencies for care experienced young people in need of housing**

### **(1) Children's services**

The children in care team supports children and young people in care, until the age of 18. The children in care Social Workers are responsible for all aspects of the young person's care, including annual reviews, health, education, and future planning.

From the age of 16 a young person in the care of Milton Keynes City Council will be allocated a Personal Advisor from the 16-25 team. This helps ensure a smooth transition to the leaving care services for the young person.

The leaving care service, 16-25 team, supports young people leaving care up to the age of 25, whether they are in education or training or not.

Social workers and personal advisers (PA), help young people to prepare to live independently and offer advice and support as they leave care. PAs will work alongside Social Workers in ensuring young people's needs are met and Pathway Plans are up to date, putting in place the support young people are entitled to at the earliest appropriate stage.

### **(2) Adult Services - Housing**

Milton Keynes City Council delivers the housing and homeless service as part of the Adult Services Directorate. Care experienced young people will be assessed in accordance with the Council's Housing Allocation Scheme and, where needed, the homeless legislation



governed by part 7, Housing Act 1996 (as amended). Care experienced young people will be offered suitable accommodation that meets their assessed needs.

### **(3) Revenues and Benefits Service**

The Revenues and Benefits service collects Council Tax and processes claims for Housing Benefit and Council Tax Support; In some cases, housing costs will be claimed from the DWP as part of a claim for Universal Credit. In addition, they process claims for Discretionary Housing Payment and award the care experienced young people council tax exemption.

## **Accommodation and support options**

Young people will be encouraged and supported to remain in positive, supportive care settings until ready to move on. We want to ensure young people are given the time to build up the skills and knowledge needed to live independently.

All accommodation placements will be based on a thorough assessment of the young persons need which includes ascertaining their wishes, feelings, and aspirations. This will be documented in a young person's Pathway Plan.

### **Staying Put**

Milton Keynes City Council has a Staying Put offer for care experienced young people up until the age of 21 years for those young people currently in a foster placement. The allocated social worker will ensure this option is discussed at every review from the age of 16 to ensure young people and foster carers understand the process and any possible financial implications of staying put.

### **Supported Lodgings**

Milton Keynes has several support lodgings hosts. This is a family home, where the young person is supported to develop independence skills.

### **Shared Lives**

Shared Lives aims to support adults with care and support needs who need a helping hand. This service is available to all Adult Social Care service users and offers support in the family home of a Shared Lives carer. Where a young person is fostered and wants to remain with their foster carer as an adult, Shared Lives can be considered instead of other support or placement options.

### **Supported Living Accommodation**

There are a variety of supported accommodation schemes in Milton Keynes, including shared houses, or the YMCA (hostel/ self-contained flat).

All referrals for young people must go via the Community Resource Team within Adult Services Commissioning Team.

For young people over the age of 18, the allocated social worker or personal advisor will need to complete the Placement Referral Form and send direct to providers.

For young people aged 16+ who become a parent, consideration may be given to moving the 'Springfield House'. Springfield House offers supported housing for Young Parents for one year. Once the support programme has been completed, you will then be supported with a transition to independent living.

### **Living with family, friends, or relatives**

For some young people it might be the right option to return to living with family.

### **Private rented accommodation**

Another option to live independently is to rent privately from a landlord, this allows more flexibility in location and can be quicker to arrange. Accommodation can be found either through a letting agent, directly with a landlord or through arrangements put in place by the local housing authority. Milton Keynes City Council offers some financial support with rent in advance/deposit if required and can be discussed with your PA and housing officer.

### **Social Housing – Council or Registered Provider (RSL)**

All young people who are assessed as ready for independent living will be eligible to apply for social housing. The waiting time will vary so the pathway plan will need to reflect this, along with what will happen if the young person needs to move on from their current placement before a property is secured.

Before applying for social housing, the allocated social worker or personal advisor will need to consider, does the young person:

- understand the responsibility of managing their own tenancy
- Completed the Next Steps programme
- Completed a tenancy awareness course
- Have a local connection to the area they want to apply as set out in the relevant allocations scheme.



To ensure the property is affordable, the allocated social worker or personal advisor will check the local housing allowance for the area <https://lha-direct.voa.gov.uk/Search.aspx>

Care experienced young people are eligible for the one-bedroom rate until their 22nd birthday, where it will reduce to the shared room rate. The Pathway Plan needs to reflect this and outline what support will be available to the young person during this time.

### **University Accommodation**

Most universities will offer accommodation in student halls or residence for the first year, and in some universities care experienced young people are able to remain in halls beyond year 1. Young people can use the maintenance element of their student loans to pay for this term time.

For young people who have a settled Local Authority or Housing Association tenancy and who, as part of their pathway plan are planning to study away from home in Higher education, Milton Keynes City Council will support the young person in relinquishing the tenancy with a view to them requesting a further allocation once the course has concluded.

When a young person is in the final year of university, the allocated 16-25 worker should confirm the housing plan with the young person as part of their Pathway Plan meeting. Once a plan has been confirmed, if the young person is ready and wants to return to Milton Keynes and have made a housing application, the Allocations Team should be informed.

### **University breaks**

Young people who are 'staying put' with a foster carer may decide to return to their staying put hosts during university breaks. The cost of this will be covered by the 16-25 team. For those not in staying put arrangements they will be supported by their PA to source vacation accommodation up to the value of the local housing allowance. This may include paying their rent for the summer weeks up to the value of the local housing benefit rate. All arrangements should be identified and recorded in the young person's pathway plan.

### **Home Ownership**

Joining the housing ladder may seem a distant goal for many young people. However, housing markets and affordability vary around the country, and it is possible to set 'home ownership' as a realistic goal. The PA will be able to explore with the young person current opportunities available for first time buyers such as 'Help to buy' and 'Shared Ownership' schemes. The PA will complete direct work with the young person around budgeting and saving for a house deposit if they wish to do so, this should be planned and reviewed within the pathway plan.

## **Pathways**

From the age of 16 years all young people in care will be encouraged to join the 'Next Steps programme' to develop their interdependent living skills. Participation on this programme will be used as evidence when applying to local housing authorities for social housing.

Where providers of semi-independent accommodation have their own life skills toolkits, it will be important to ensure they cross reference with the Next Steps programme. To ensure a joined-up approach the progress of the Next Steps programme will be reviewed and monitored at each statutory Looked After Child (LAC) review by the allocated Independent Reviewing Officer.

All young people will be supported to access a 'tenancy awareness' course (appendix 2) provided by Milton Keynes City Council. This will need to be completed no longer than 6 months prior to moving to interdependence and agreed by the leaving care Team Manager.

Children's Services must ensure all 'eligible' and 'relevant' young people in Milton Keynes City Council's care are provided with suitable accommodation until their 18th birthday. The Leaving Care Team will continue to support young people themselves to access suitable accommodation until their 25th birthday

Young people who have been assessed under the Care Act as having a need for care and support, will be supported to work with the Adult Social Care team from the age of 17 onwards to ensure there is a smooth transition between services and appropriate support in place when the young person needs it.

The young persons allocated social worker or personal advisor will ensure, where appropriate all claims for benefits are submitted 4 weeks prior to the young person turning 18. To avoid unnecessary delays the young person will need to have appropriate ID, bank account and National Insurance Number in place.

Young people who are of EEA nationality, will be supported to apply for settled status as early as possible to ensure no delay in their eligibility for public funds.

All care experienced young people will be supported to access and understand Milton Keynes' Local Offer to ensure they know what support and services are available to them up until the age of 25. This will start at the initial Pathway Plan and followed up at each review.

Where possible, before a young person turns 16 a Social Worker or carer will support a young person in opening a bank account, obtaining their National Insurance number, and ensuring they have photo ID. This is in preparation of a housing application being submitted.

Once 16 years old a Social Worker or PA will support a young person in submitting a housing application to the Council's Allocations team.

Children's Social Care and Housing will hold bi-monthly housing panel meetings where each young person aged 16-18 will be discussed with a clear housing plan being shared between

agencies to support a smooth transition. Young people over the age of 18 can also be discussed at this panel if there are housing-related concerns and the young person has consented.

A manager from the 16-25 team and a manager from the allocations team will meet fortnightly to discuss those moving to their own accommodation.

Although care experienced young people can make a housing application without the active involvement of Children's Social Care or Housing Solutions Services, one of the primary objectives of this protocol is to ensure that care experienced young people who require social housing are offered suitable accommodation at the time they need it and are provided with the advice, help, and support they require to successfully manage and sustain their tenancies.

Children's Social Care will complete the online housing register application with the young person and will help supply all relevant documentation requested, including a copy of the Pathway Plan; with consent from the young person. The Allocations Team will assess the application within 10 working days and provide confirmation of the registration to the Personal Advisor and the young person.

The Allocations Team will assess the application but will not make an offer until such time as they are advised in writing that the young person is ready to take up a tenancy.

### **The Pathway Plan**

The young person's Pathway Plan will identify their housing and support needs and what action is required to prepare the young person for independent living. It will include progress made in the 'Next Step programme' and confirmation that the 'Tenancy Ready' course has been completed.

The Pathway Plan must reflect the young person's current circumstances, provide a clear analysis of the needs of the young person, and set out how these needs will be met. It will include any known risks, gang affiliations, exploitation concerns, geographical risks, and preferences.

The information in the Pathway Plan and Housing Needs Assessment will inform the multi-agency approach in meeting the young person's housing needs.

It is important that the young person agrees and consents for any documentation to be shared with housing, including the Pathway Plan.

### **Private Rented Sector**

The MKCC Supply and Acquisitions Team can support the young person to find a home in the private rented sector. The Supply and Acquisitions team can incentivise a landlord e.g. by guaranteeing rent and can help a young person with a deposit and rent in advance.

### **Allocating Social Housing in Milton Keynes**

Milton Keynes City Council operates a Housing Register and Care experienced young people will be placed in Band A. However, due to the competing priorities of the service, other households with housing needs may be considered before care experienced young people, particularly for specific properties, such as those with the potential for adaptations.

The Allocations Team will look to make an offer of accommodation as soon as the young person is ready to manage a tenancy; this will be a priority for allocation to prevent homelessness.

The offer will consider:

- The preferences of the young person
- Any concerns about anti-social behaviour/crime in the location offered
- The number of care experienced young people that have previously been placed into that block

It is not possible to meet all preferences, especially if the young person wants a specific area in Milton Keynes.

Once an offer is made to either a Council or Housing Association property, the young person will be invited to view the property with the respective landlord. The Social Worker or Personal Advisor should also attend.

Registered Providers/Housing Associations may have their own sign-up processes that differ from those undertaken by Milton Keynes City Council, however, the process will broadly follow the same steps.

### **Accepting the offer of accommodation**

Should the care leaver accept the offer of accommodation, a “sign up” will occur with the landlord which the Social Worker or Personal Advisor should also attend. During this meeting the landlord will explain the contents of the tenancy agreement, the care leaver’s rights and responsibilities as a tenant, and the likely consequences of any breach of the tenancy conditions. They will also provide the young person with their contact details and information about the social landlord’s services. The care leaver will sign the tenancy at this point.

As part of the ‘sign up’, the landlord and / or PA will normally help the care leaver to complete an application for Housing Benefit. Proof of identity, income and savings will be required.

During the sign-up meeting there will be an agreement on future meetings and home visits that will be completed by the landlord and Children Services with the young person. It is expected that the Social Worker or Personal Advisor will visit the care experienced young person in their new home within ten days of moving in.

### **Refusing an offer of accommodation**

If a young person feels that the property allocated to them is not suitable, they should mention this to the housing officer at the time of the viewing but should accept the offer of accommodation and request a review of suitability of the offer made. This review will be undertaken by the Reviews Team. This will ensure that if the review is not upheld, they still have a home.

If upon review it is considered that the property is unsuitable, a new offer will be made.

If they refuse the offer, and request a review which goes against them, they will not be made another offer of accommodation, and may be without a home. This is a situation that both Housing and Children's Social Care would like to avoid.

The young person will be provided with support to address concerns regarding the accommodation, where the review decision is that the property offered to the young person is a suitable and reasonable offer.

### **Young people living outside of Milton Keynes**

For young people living outside of Milton Keynes, each council has their own criteria for allocating properties, and this may not be the same as Milton Keynes City Council. Milton Keynes City Council's children's social care can provide support to its care experienced young people who wish to apply for housing in another local authority area.

Any young person that wishes to return to Milton Keynes for their long-term accommodation will be prioritised as a Care Leaver as outlined in the Council's Housing Allocation Scheme.

### **Support with setting up home**

The more prepared that a young person is when leaving care, the more successful their move will be and the more confident they will become. In addition to all the support and training provided to help give them develop the skills to maintain a tenancy, all care experienced young people are entitled to a Leaving Care Grant to help them set up home when they have secured an offer of independent accommodation. The money is not paid directly to the young person, their Personal Advisor will work with them to ensure that

essential items are purchased, and their needs are met. Details of this can be found in the Financial Policy for Care Experienced young people.

When a care leaver has secured an offer of independent accommodation, their Social Worker or Personal Advisor will arrange for their Setting Up Home Allowance (Leaving Care Grant monies) in advance of the young person's tenancy start date.

Where appropriate Children's Social Care will consider the use of floating support should a young person need some additional support in the first few weeks / months of a tenancy. This decision will need to be agreed by the young person.

Our care experienced young people are entitled to a council tax exemption until they are 25 years old. The allocated Personal Advisor will complete an application for this once the young person is in their own tenancy.

### **Leaving custody**

A coordinated approach will need to be taken for those care experienced young people who are due to be released from custody. The allocated social worker or personal advisor will ensure they work closely with the prison, probation, youth offending services and housing solutions teams at least 2 months prior to release.

Where a secure or flexible council tenant is imprisoned for a period of more than 12 months and would therefore either accumulate rent arrears or possibly lose their tenancy, they can voluntarily give up their tenancy. Upon release, they would be made a direct allocation of a secure tenancy that meets their needs. The size of accommodation would be the same as their previous tenancy, or a size that meets their needs under the terms of the Housing Allocations Scheme. This will not apply to tenants who have been imprisoned in relation to a crime that would enable the Council to seek repossession of their accommodation, where this applies the Council will normally take repossession action.

### **Multi agency risk management meeting**

A Multi Agency Risk Management Meeting may be convened when there are safeguarding concerns for the young person (18 years old and over) or others around them. The objective of the meeting is to keep the adult/ young person at risk in the centre of all thinking. It also requires involvement and contribution from all involved agencies and a commitment to information sharing and joint decision making. To do this the process must:

- Make efforts to involve the adult and/or their advocate/representative and make them
- central to the process.
- Involve other people who can offer (specialist) insight, guidance, support and/or
- intervention(s).

- Ensure a holistic approach to risk assessment which aims to manage the risks and share
- responsibility.
- Ensure all agencies have offered the appropriate support/options to the person.
- Agree necessary ongoing actions; roles, responsibilities and timescales, proportionate to the
- assessed risk.
- Record, monitor and review progress against an agreed action plan.
- Agree when the risks have been managed.
- Evaluate the outcome and ensure that 'lessons learned' are used to inform and improve
- services.
- Identify, collate and respond to common and emerging themes.

### **Young People at risk of/involved in Gangs, Offending and Exploitation**

Young people who are engaged in offending or who are gang-involved may be at risk of harm to others and still present with a high level of vulnerability to serious youth violence and exploitation.

The Youth Offending Team and/or Probation must always be consulted when a young person is open to their service and is in need of accommodation. This includes young people at risk of homelessness on release from a custodial setting (see above). The highest priority is always to ensure a young person will be safe, and risk of harm to others is minimised by making adequate checks to ensure that gang-involved young people are not placed in the vicinity of rival or other high-profile gang affected areas, or that other very vulnerable young people are not sharing the same placement/accommodation.

The same principal applies to young people who are at a high risk of going missing and those vulnerable to child sexual and other forms of exploitation.

### **Young people in Armed Forces**

Where a secure council tenant is enlisted within the armed forces for a period of more than 12 months and would therefore either accumulate rent arrears or possibly lose their tenancy, they can voluntarily give up their tenancy. Should they need housing in the future then they can re-apply for a housing allocation and will be prioritised as per the allocations scheme.



### **When a tenancy is at risk**

Where a young person is living in private accommodation, the allocated worker will make themselves known to the landlord with a view to being a point of contact, if the young person agrees to this. The allocated worker will initially monitor the situation, but if there is a risk of breakdown in the tenancy, the landlord will notify the allocated worker immediately with an indication as to how critical the situation is so that they can raise the issue with the young person and consult with the landlord and housing solutions / supply and acquisitions as needed.

The allocated worker should contact the young person to ascertain what further support is needed with immediate effect and action this immediately in a severe crisis. The allocated worker will notify the Milton Keynes Housing Solutions / supply and acquisitions immediately. A meeting will be scheduled by the allocated worker with professionals involved and the young person, to agree actions to resolve the situation and ensure that the young person is appropriately supported going forward so that the tenancy can be sustained.

The young person will be informed by their allocated worker and the landlord that their actions may result in them deemed to be intentionally homeless and the implications of this decision being made.

When we consider if a young person is deemed intentionally homeless then we will need to be satisfied that the accommodation and support provided has met the care leavers needs. We will have regard to the care leavers vulnerability and their lack of parental support and stability that would ordinarily be provided to young people when considering accountability. Intentional homelessness decisions in respect of all care experienced young people will be exceptional and agreed at Assistant Director level in both Children's Social Care and Adults Services ensuring that actions are reviewed, and corporate parenting responsibilities taken into account.

Milton Keynes City Council provides a housing management function to tenants in their secure or flexible tenancies. This includes responding to disrepair, antisocial behaviour, and rental income enquiries. Care experienced young people will be flagged on the Northgate housing management database with their permission so that any housing staff can identify that the tenant is a care experienced.

A breach of tenancy conditions could lead to formal action being taken to end the tenancy, with the service of a notice seeking possession including possession action in the county court.

### **Young people in rent arrears**

Living independently is challenging for all young people due to the high costs of living and relatively low incomes that some obtain. Rent arrears in any form of tenure are a real risk and it is important that the signs that a care experienced young person is struggling are identified at an early stage. The Income Team will advise the 16-25 team worker when

arrears accumulate to 2 weeks in arrears so that joint engagement with the young person takes place and steps can be made to reduce the debt.

Some young people may have multiple debts and it is important that they are referred to relevant debt advice services to help them manage their finances. Cases that are more complex and are at risk of possession action will be discussed during a multi-agency risk management meeting to agree joint action plans to try and prevent escalation of eviction proceedings.

### **Homelessness**

One of the most common features of a poor transition to adulthood is housing instability and a risk of homelessness.

At the time a personal advisor is made aware of a care leaver who is homeless or at risk of homelessness, within 56 days (with the consent of the young person) a referral will be made to the housing solutions team of their choice as early as possible through the Duty to Refer process.

Following the referral, a joint planning meeting will take place within 7 working days. The meeting is to include the personal advisor, housing Solutions officer and young person to look at how homelessness can be prevented or relieved. (Appendix 5 overview of Homeless Reduction Act 2017)

No care experienced young person will be asked to make a homeless application without support from their Social Worker or Personal Advisor.

A Personalised Housing Plan (PHP) will be completed with all young people who make a homeless application, and (with consent) shared with the Personal Advisor. The PHP should outline the reasonable steps that the local authority and young person will take to prevent or relieve homelessness. Subject to consent the PHP should be informed by the young person's Pathway Plan.

Where homelessness cannot be prevented and interim accommodation is required, the local housing Solutions team will work with the personal advisor to secure suitable temporary accommodation inside of Milton Keynes before anything is considered outside of Milton Keynes.

Bed and Breakfast / hotel accommodation for care experienced young people aged 18 to 25 years, should only be used in emergencies and for short periods. Bed and Breakfast/hotel accommodation will not be used for any homeless 16 or 17-year-old.

Should homelessness not be able to be prevented or relieved, young people will be supported by the personal advisor to ensure the housing Solutions team has all relevant information required to consider whether the young person is owed a full homelessness duty under the 1996 Act as amended (S.184 decision14).

### **Interim /Temporary Accommodation (TA)**

Interim/Temporary Accommodation is usually only required after a young person turns 18, and either does not wish to remain in their current accommodation, such as staying put, supported lodgings, living with family and friends, semi-independent placement or have been away and returned to the area.

In these instances, the allocated 16-25 worker will liaise with the Housing Solutions Team to request temporary accommodation. The young person will be supported by the 16-25 team and housing solutions.

Wherever possible, this accommodation will be in Milton Keynes or a neighbouring borough, and the young person will remain there until the long-term accommodation is secured. However, where a young person is placed out of borough, they will be prioritised for a transfer back into the Milton Keynes area if it is safe to do so, and this is in line with the young person's wishes.

### **Unaccompanied Asylum-Seeking Children**

16-25 team Social Worker's identify a young person's eligibility for local authority housing by the time they are 16.5 years old.

If the young person has No Recourse to Public Funds, then they will not be eligible for housing until they have gained status through a successful asylum or humanitarian protection claim.

If it is agreed the young person is ready to live independently an application can be made directly to Housing (supply and acquisition) for interim accommodation – this will usually be a self-contained studio flat which will be paid for by the 16-25 team and include floating support, the accommodation will be in Milton Keynes or a neighbouring area.

Once accommodation is identified, the license agreement and consent forms will be sent to the allocated worker who will need to get these signed by the young person and returned to the allocating officer within 24 hours. The allocating officer will advise where the keys for the accommodation should be collected from.

Where possible the allocated PA should go to the property with the young person and ensure the utility supply is on and make a note of any damage/repair issues which should be reported immediately to the landlord and Emergency accommodation team.

Milton Keynes housing and the 16-25 team will do their best to ensure young people are not moved to new accommodation on a Friday in case there are any issues during the weekend. In addition, the team try to ensure that moves to new accommodation take place early in the day for the same reason.

### **Unaccompanied young people that are former relevant children**

When an unaccompanied asylum seeker that is an eligible or relevant child reaches the age of 18, the local authority has the power to assist them as a Former Relevant Child to the extent that her/his welfare requires it, and this includes the power to provide accommodation.

In assessing the need for accommodation, the Local Authority cannot take account any accommodation that could be provided by the UK Border Agency (UKBA) as the UKBA are not required to provide accommodation if the asylum seeker (or failed asylum seeker) is entitled to accommodation under another statutory regime.

### **Unaccompanied young people who are not former relevant children**

If the asylum seeker reaches the age of 18 and is not a Former Relevant Child when s/he turns 18, any duty to accommodate will fall to the UKBA.

An adult with no recourse to public funds may be provided with accommodation and financial support by social services under the Care Act 2014, when the Council has assessed that care is required, for example a care package or place in a residential care home. The Council will not have a duty to meet needs that have arisen solely due to the adult's situation of destitution, therefore an adult with no recourse to public funds, who is homeless and who does not have any care needs, will not be eligible for accommodation from social services.

Asylum seekers are not eligible for homelessness assistance from the Local Authority under Part 7 of the Housing Act 1996 unless granted some form of leave to remain that makes them eligible (e.g., humanitarian protection). If their asylum claim is accepted, they are granted refugee status and become eligible for homelessness assistance from the local authority.

### **Children from with the European Economic Area**

Children in Care Social Worker's identify a young person's eligibility for local authority housing by the time they are 16.5 years old.

Young people from EEA countries have different eligibility criteria to meet in order to qualify for social housing and benefits. These should be discussed by the allocated worker as soon as possible, as they may impact on the decisions made in other areas of the young person's life such as education.

If evidence is available to prove the young person has had 5 years presence in the UK, they should apply for settled status as soon as possible under the settlement scheme, so they can be eligible to access social housing and the Settled Accommodation nomination process can be followed.

For young people with less than 5 years presence in the UK, if evidence is available, the young person may be able to claim 'mirror rights' from a parent who has exercised their treaty rights (worked in the UK for 5 years). Legal advice should be sought from qualified immigration solicitors in such cases; the young person's PA or Social Worker will support them to access legal support.

Proof of the parent's work history will need to be sent with the nomination. Acceptable proof would be P45's, P60's or wage slips. Milton Keynes housing will make a final decision on whether the evidence provided will satisfy the criteria needed to accept a duty to house the young person. If accepted, the young person will be placed in a housing band A and the allocations process will follow.

If the young person is unable to claim mirror rights alternative plans will be made in conjunction with the young person and 16-25 team, dependant on the young person's needs. This may include exploring private renting if the young person is able to work and pay rent, possible family members the young person could live with or exploration of returning to their country of birth.

## **Appendix A**

### **Definitions of those young people who are eligible and relevant**

#### **Eligible child**

A child aged 16 and 17 who have been looked after for at least 13 weeks since the age of 14 and who are still looked after.

#### **Relevant child**

A child aged 16 and 17 who have been looked after for at least 13 weeks since the age of 14 and who have left care. This also includes young people who were detained (e.g., in a youth offending institution or hospital) when they turned 16 but immediately before that were looked after.

#### **Former relevant child**

A young person (YP) over 18 who was previously 'eligible' or 'relevant'. Local authorities support this group at least until age 21, or some duties until age 25.

#### **Legal Framework**

The Children (Leaving Care) Act 2000 and The Homelessness Act (2002) require local authority Children's Services and Housing departments to work together to ensure the accommodation needs of care experienced young people are met.

Volume 3 of The Children Act (1989) - The Planning Transition to Adulthood guidance (2010) states on page 4 that research and practice shows that Young People who have been looked after will have the best chance of success as adults if those providing transitional care and other support take the following principles into account in talking to the young person and when making any decision:

- Is this good enough for my own child?
- Providing a second chance if things don't go as expected.
- Is this tailored to their individual needs, particularly if they are more vulnerable than other young people?

The Housing Act 1996 as amended states that a Young Person who is threatened with homelessness, has a priority need for housing if they are a person:

under 21 who was (but is no longer) looked after by the Local Authority between the ages of 16 and 18.

A person 21 or over who is vulnerable as a result of being looked after.

The Children and Social Work Act (2017) sets out corporate parenting principles for the council as a whole to be the best parent it can be to children in its care. Local authorities are required to publish their local offer to care experienced young people. Significantly, the legislation requires local authorities to appoint personal advisers to provide support to care experienced young people up to the age of 25, except where the young person no longer wants a personal adviser. Such support should be based on the needs of the Young Person as per their statutory Pathway Plan.

The Homelessness Reduction Act (2017) places a new duty on Local Authorities to help prevent the homelessness of all families and single people, regardless of priority need, who are eligible for assistance and threatened with homelessness.

Local Authorities are required to assess an applicant's case and develop a personalised plan to identify appropriate actions to prevent or relieve the applicant's homelessness. In performing these duties, the Secretary of State considers that housing authorities should adopt a positive and collaborative approach toward applicants, taking account of their particular needs and making all reasonable efforts to engage their cooperation.

The full government guidance can be found [here](#).





**Milton Keynes**  
City Council