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**PROTOCOL BETWEEN KCC SPECIALIST CHILDREN’S SERVICES AND KENT DISTRICT AND BOROUGH LOCAL HOUSING AUTHORITIES FOR THE PROVISION OF ACCOMMODATION FOR CARE LEAVERS**

1. **INTRODUCTION:**

**1.1** The journey out of care is a particularly important and challenging transition; the success or failure of which, impacts on outcomes throughout early adulthood and beyond. Securing suitable accommodation for care leavers is much more than just finding them somewhere to stay.

**1.2** Care leavers need to be made aware of all the possible options available to them from ‘Staying Put’ arrangements to living independently or returning their biological or extended family network. They need to understand the possible advantages and disadvantages of each option against their own wishes, their own level of skills, competencies and aspirations for the future and the levels of support that they need to make a success of their choice.

**1.3** The ability to live independently demands resources, support and skills. For many care leavers the acquisition of practical skills is challenging, due to lack of extended opportunities to develop and practice these skills. But perhaps an even greater challenge is in developing and sustaining positive social networks. The lives of looked after children are often characterised by disruption, whether by changes in care placements or accommodation, so building a support network can be difficult. Indeed, even when good quality accommodation is found for care leavers this may be in communities they are not familiar with, far from family and peers. There is significant research evidence that tenancies for care leavers have a relatively high failure rate in the first few months after leaving care and both KCC and Kent District and Borough Councils wish to avoid this happening through good planning and preparation with each care leaver.

**1.4** It is essential that a multi-agency approach is adopted when securing accommodation for care leavers. Care leavers need to be well prepared to live independently and their housing needs must be addressed before they leave care via pathway planning and joint assessment. This protocol will ensure that Kent Local Housing Authorities (LHAs) and Kent County Council’s Children’s Services each play a full role in providing the resources and support to care leavers. *Regulations and guidance C9LC0A 2000 DOH*

**1.5** This protocol will also ensure that every effort is made to avoid using the homeless route which is inappropriate when assessing and meeting the housing needs of care leavers.

1. **AIMS OF THE PROTOCOL:**
* To clarify the statutory duties and agreed responsibilities of partner agencies.
* To establish a process that ensures ~~a~~ care leavers have the best chance of achieving and sustaining their lives as successful, adults, living independently.
* To promote co-operation and joint working between the key partner agencies.
* To prevent care leavers from becoming homeless when the care placement has ended and to avoid care leavers presenting as homeless in the future.
To best ensure that care leavers are appropriately accommodated before leaving the 18+ Service and that the possibility of them becoming homeless after this time is mitigated so far as reasonably possible.
* This protocol will be reviewed in April 2018 to incorporate changes from the Homelessness Reduction Act.
1. **PRINCIPLES OF GOOD PRACTICE:**
	1. **Connection and Belonging**

Corporate parents ensure that provision is appropriate, person-centred with sustained support.

Care Leavers are supported to develop positive personal and professional support networks and relationships.

* 1. **Readiness of Care Leavers**

Care leavers will be prepared towards independent living through their pathway plan and the support and advice of their Personal Advisor (PA) as well as other professionals involved in their development. Care Leavers will be expected to engage in Tenancy readiness training which will be based on the JPPB (Housing) Moving on Moving in Toolkit.

* 1. **Corporate Parenting**

Relates to the local authority duty and responsibility to ensure partnerships forged between relevant agencies in the interests of Care leavers and looked after children and the moral obligation to provide the opportunities and supports that any good family would provide including to address the legacy of significant early disadvantage.

* 1. **Care Leavers’ Views**

Engaging Care leavers in decision-making about their own lives, identifying problems and solutions, taking responsibility for success or failure builds self-esteem, confidence and skills.

* 1. **Information Sharing**

Information may have to be shared among different service providers to provide an effective service to Care leavers. A consent form should be signed by the care leaver to enable the sharing of appropriate information amongst agencies/landlords. The accommodation section of the care leaver’s pathway plan must be shared with the LHA.

* 1. **Equality and Diversity**

Support for the care leaver should aim to address the inequalities associated with socio-economic disadvantage and promote equality.

KCC has developed a new policy for young people leaving care which can be found at: <http://kentchildcare.proceduresonline.com/pdfs/leaving_care_policy.pdf>

The policy contains full information on allowances related to accommodation in Section 17.

1. **LEGISLATIVE FRAMEWORK**

**4.1** The Children Act 1989 and its support regulations and statutory guidance place a legal duty on local authorities to provide support for care leavers. The local authority is the “corporate parent” for children in care and therefore has a responsibility for their wellbeing. The precise level of care required by each care leaver will depend on their assessed needs and on their leaving care “status”, as defined by statute.

**4.2** The 2010 (and 2011, 2014) regulations set out under Volume 3 of the Children Act 1989 have strengthened an emphasis on leaving care as being a transitional period rather than something that occurs at a particular point in time. Care leavers are expected to receive support from their responsible authority (the local authority that last looked after them) up to their 25th birthday if they so wish and are eligible. The aim of such continuing support is to ensure that care leavers are provided with comprehensive personal support so that they achieve their potential as they make the transition to adulthood.

**4.3** The Homelessness (Priority need for accommodation) Order 2002 states that a young person has a priority need for accommodation if he or she is:

* A person under 21 who was (but is no longer) Looked after by the local authority
* Between the ages of 16 and 18 (except relevant students)
* A person aged 21 or more who is vulnerable as a result of having been looked after by the local authority
1. **ELIGIBILITY**
* Young people aged 18-21 (or up to 24 if in further/higher education), who are Care leavers to KCC have housing, or support needs and who have left or are due to leave the care of the Kent County Council.
* Unaccompanied Asylum Seekers who qualify for a leaving care service to KCC and who have been granted refugee status. Also those who qualify and are given leave to remain up to the age of 20 or who have an extension beyond the age of 18 for a minimum of one year.
* Care leavers who are the responsibility of another Local Authority but who reside in the Kent area, and can show a local connection with their local housing authority district will fall within the remit of this protocol
1. **HOUSING ALLOCATIONS**
	1. The young person will be prioritised in the appropriate banding as determined by the LHA’s allocation policy. Other options will also be explored.
	2. There will be an identified housing lead/single point of contact for Care leaver accommodation in each of the districts/boroughs in Kent
2. **PATHWAY PLANNING AND PREPARATION**

**7.1** KCC’s 18+ Care leavers’ service will ensure that each KCC care leaver is assessed and has a pathway plan in place to ensure they have sufficient skills and knowledge and that the right level of support is in place so that they are able to sustain their tenancy. The relevant part of the pathway plan, together with any risk factors will be shared with the LHA. This preparation will be supported by care leavers receiving tenancy training from the 18+ Service that will cover the core elements of living independently and be based on the JPPB Moving On- Moving In Toolkit.

**7.2** The pathway plan sets the young person’s route to independence and is reviewed regularly, at least every six months, continuing after they cease to be looked after and in light of the Children and Social Work Act 2017, PA’s will continue to provide support if requested after the age of 21 and up until 25 years. It should be noted that care leavers can choose to opt out of this continuing support if they wish.

**7.3** KCC’s Care Leaving Service will also ensure that the young person has a realistic expectation of the type of accommodation they might be offered. This should include the fact that not all care leavers may be able to be accommodated in social housing as this is a limited resource and that suitable accommodation may be available or offered in the private rented sector.

1. **PROCEDURE AND PREPARATION**

**8.1** Once a care leaver is ready to live independently, their allocated PA will contact the relevant LHA’s Housing Options team to discuss whether joint planning arrangements are necessary 3 months before the care leaver will be leaving their placement. This may be: a telephone/face to face interview between the care leaver, PA and housing officer, to explore accommodation options based on the accommodation element of the young person’s pathway plan. The respective LHA may decide that a Kent Agency Assessment form is required due to the level of identified need. The form will be raised for completion at the meeting or downloaded from the KHG/JPPB website. [Kent Agency Assessment](http://www.kenthousinggroup.org.uk/protocols/kent-agency-assessment/)

**8.2** KCC will ensure the young person has an up to date care leaving pathway plan which takes into consideration their tenancy readiness. The PA will obtain an information sharing consent form from the care leaver to share the accommodation section of the Pathway Plan. -*Appendix 1.* The care leaver and PA will also ensure that ID documentation, is available- *Appendix 2*.

**8.3** The PA will support the care leaver to understand the options being presented to them by the housing officer and assist in providing information as needed.

**8.4** The housing officer will make an assessment, based on the information provided by the young person and their PA, as to whether the care leaver is able to live independently. The PA will assist the young person to complete a housing register application to enable the young person to bid for properties under the Kent Homechoice scheme unless this has been previously submitted.

**8.5** The young person will be taken through a variety of housing options, such as private rented accommodation, supported accommodation, social housing with a view to identifying an appropriate option.

**8.6** The LHA will note on their system that the young person is a care leaver with details of their allocated PA

**8.7** Where a district is in agreement to do so, a direct offer of accommodation may be made.

**8.8** Where the care leaver has been jointly identified by the LHA and PA as having more complex needs requiring support, the PA will refer to other accommodation providers and agencies so that appropriate accommodation can be identified.

**8.9 The PA will** ensure that the Care Leaver is supported to identify suitable accommodation.

**8.10 The LHA will** seek to place the Care Leaver in accommodation within a reasonable time frame.

**8.11** With the Care Leavers consent the LHA and the PA will be included in all correspondence with the Care Leaver.

1. **TENANCY SUSTAINMENT AND SUPPORT**

**9.1** It is important that every effort is made to ensure that a tenancy does not break down as research shows that there is a higher risk of this happening in the first months of living independently. The PA will attend any viewings of potential accommodation with the care leaver.

**9.2** Where a young person is placed in accommodation, the PA will make themselves known to the landlord with a view to being a point of contact. The PA will initially monitor the situation, but if there is a risk of breakdown in the tenancy, the landlord will notify the PA immediately with an indication as to how critical the situation is so that they can raise the issue with the Care leaver and consult with the landlord and housing officer as needed.

**9.3** The PA will contact the young person to ascertain what further support is needed with immediate effect and action this immediately in a severe crisis. The PA will notify the housing department immediately. A meeting will be scheduled by the PA with the Accommodation team and LHA lead person and 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.

**9.4** The young person will be informed by their PA and the landlord that their actions may deem them intentionally homeless due to their actions/behaviour and the implications of this decision being made.

**9.5** If the tenancy cannot be sustained and the care leaver is at risk of becoming homeless, a planned move to alternative accommodation should be arranged wherever possible. Consideration will be given to all types of alternative accommodation.

**9.6** In the rare event that a care leaver presents as homeless, they are classed as a priority group; however, the LHAs can discharge their duty into the private rented sector.

1. **DISPUTE RESOLUTION**

Any difference of opinion over areas of responsibility and proposed action should initially be dealt with by the PA and housing officer. If the issue cannot be resolved at this point, the case should be referred jointly to the housing options/needs manager of the relevant local housing authority and the relevant Team manager of the 18+ Service for joint resolution.

1. **MONITORING AND REVIEW**

This protocol will be monitored jointly by the Accommodation Manager from the 18 + Service and the Chair of KHOG on a quarterly basis.

Monitoring will include:

Number of care leavers obtaining accommodation in the private sector

Number of care leavers placed in supported accommodation

Number of care leavers placed in general needs social housing

Number of care leavers presenting as homeless

The protocol will be subject to review annually starting from April 2018.

**APPENDIX 1**

**INFORMATION SHARING CONSENT FORM FOR A REFERRAL TO THE LOCAL HOUSING AUTHORITY**

**I give my permission for:**

**Kent County Council – 18 Plus Service**

**and/or**

**............................................................................................. Housing authority**

**and/or**

**............................................................................................. Other Agency (please specify)**

**to share any necessary information in respect of future accommodation including the housing element of my pathway plan and make any necessary enquires about me in relation to this referral (this includes sharing the outcome of any assessment or enquiries).**

**Name...............................................................................................**

**Signature.........................................................................................**

**Date.................................................................................................**

**The terms ‘necessary information’ and ‘necessary enquiries’ mean that the agencies on the list will only share information or ask for information about you that they need in order to:**

* **assess their responsibilities to you;**
* **decide on the type and location of accommodation that will be secure for you;**
* **decide with you on the type and duration of support that will be put in place for you.**
* **All information will be processed and used in accordance with the General Data Protection Regulation (GDPR) May 2018**

**The right of access**

**You have a right to ask what personal information is held about you and to request a copy of your information. This is known as a ‘subject access request’ (SAR).**

**SARs need to be made in writing and we ask that your written request is accompanied by proof of your address and identify.**

**If you are seeking to obtain specific information (e.g. about a particular matter or from a particular time period), it helps if you clarify the details of what you would like to receive in your written request.**

**If someone is requesting information on your behalf they will need written confirmation from you to evidence your consent for us to release this and proof of ID (both yours and theirs).**

**We have 30 days within which to provide you with the information you’ve asked for (although we will try to provide this to you as promptly as possible).In response to SARs, we will provide you with a copy of the information we hold that relates to you.**

**For a SARs request or to access the relevant privacy policy, contact your Local Authority directly via the following emails:**

**Ashford Borough Council** **foi@ashford.gov.uk**

**Canterbury City Council –** **dataprotection@canterbury.gov.uk**

**Dartford Borough Council -** [**https://www.dartford.gov.uk/by-category/council-and-democracy2/subject-access-rights-data-protection-act-1998**](https://www.dartford.gov.uk/by-category/council-and-democracy2/subject-access-rights-data-protection-act-1998)

**Dover District Council –** **dataprotection@dover.gov.uk**

**Folkestone & Hythe District Council -** **Information.Officer@folkestone-hythe.gov.uk**

**Gravesham Borough Council –** **gdpr@medway.gov.uk**

**Maidstone Borough Council –** **kenthomechoice@dover.gov.uk**

**Sevenoaks District Council –** **dataprotection@sevenoaks.gov.uk**

**Swale Borough Council –** **sar@swale.gov.uk**

**Thanet District Council –** **foi@thanet.gov.uk**

**Tonbridge & Malling Borough Council –** **foi@tmbc.gov.uk**

**Tunbridge Wells Borough Council –** **dataprotection@twells.gov.uk**

**APPENDIX TWO**

**FORMS OF IDENTIFICATION NEEDED FOR HOUSING APPLICATIONS**

***Note: Please check with the relevant Local Housing Authority***

**The minimum needed for proof of identification:**

* **Birth certificate/ photo driving licence/passport/student photo id etc.**
* **Care leaver to know their National Insurance number as referrals to certain housing providers cannot be made without this.**
* **Proof of income (a bank statement or benefit award letter).**

**THE ABOVE PROTOCOL IS AGREED BY:**

**SARAH ROBSON CHAIR OF KENT HOUSING GROUP**



**-------------------------------------------------------- DATED -20/02/18**

**NICK CRICK INTERIM HEAD OF SERVICE, 18+ CARE LEAVERS SERVICE**

**& UASC STRATEGIC LEAD AND OPERATIONAL MANAGER**



**---------------------------------------------------------- DATED 20/02/18**

**JOHN LITTLEMORE CHAIR OF KENT JOINT POLICY AND PLANNING BOARD**



**----------------------------------------------------------- DATED --20/02/18**