**APPENDIX 7** - Young Person’s Pathway when they have nowhere to live (16/17-year-old)

KCC Responsibilities

Young Person (16/17)

Local Authority (LA) Housing Dept in the

District/Borough Council Responsibilities

KCC has a duty to assess the Young Person (YP) if they are a Child in Need. This is under Section 17 Children Act 1989. KCC also has a duty to refer the YP if we think they maybe homeless or threatened with homelessness (within 56 days) to Local Authority (LA) homelessness/housing options teams.

KCC has a general duty to:

(a) Safeguard and promote the welfare of children within their area who are in need; and

(b) Promote the upbringing of those children within their families by providing a range and level of services appropriate to those children’s needs.

A Child in Need is:

(a) A YP without services not able to maintain a good standard of health and development; or

(b) Without services their health and development are likely to suffer; or

(c) they are disabled.

KCC can provide accommodation to Children in Need under Section 20 where:

(a) There is no one who has parental responsibility for the YP; or

(b) The YP is lost or have been abandoned; or

(c) The person that normally cares for the YP is, for whatever reason, prevented from providing accommodation for them.

Section 20(3) Every local authority shall provide accommodation for any Child in Need within their area who has reached the age of sixteen and whose welfare the authority consider is likely to be seriously prejudiced if they do not provide them with accommodation.

If the YP refuses a Section 20, a CIN Plan will still be in place.

**Accommodated under Section 20 (S20) by KCC**

A Looked After Child and may be placed within foster care / placed in supported lodgings or semi-independent living – based on their level of need. A Social Worker (SW) will be allocated to the YP.

Whilst S20 – SW will look at possible mediation home where safe to do so.

Family Group Conferencing (FGC) will be set up to ask the YPs wider family / network to support you.

The Pathway Plan will set out how KCC will support the YP up to 18 and possibly beyond depending on their care leaving status.

The SW will support the YP to attend regular Pathway Plan meetings.

KCC will pay for the accommodation and ensure that the YP has some basic income equivalent to Employment and Support Allowance which the YP are not able to claim whilst being a Looked After Child.

The YP has nowhere to live/stay

KCC and/or the Local Authority (LA) need to understand the circumstances, wishes and feelings of the YP

The priority for KCC and the LA will be to support the YP to go home. However, if this is not possible or safe to do so, they will need to know:

* Where the YP normally live
* The YP’s date of birth
* Why the YP cannot go home
* Any other circumstances that impact on the YPs living environment such as their physical or mental health
* Whether the YP is receiving support from anywhere
* Whether the YP agrees their consent for KCC and the LA to provide the help they need (where not covered by legal or safeguarding)

KCC or the LA are likely to want to talk to the YPs parent(s)/carer(s)

A Joint Assessment (JA) will be arranged to review the YPs options. This will include KCC, the LA, the YP and their representative and an independent advocate.

The YP may need somewhere to stay while the JA is organised. KCC or the LA will identify suitable accommodation if the YP cannot stay with other family members or friends

If the YP cannot go home and there are no plans for the YP to go home, the YP will need to decide how they want to be supported, this is a requirement by law. An independent advocate will be sourced to support the YP make this decision.

The YP will be supported to resolve issues and be able to go back home safely. If this is the case, KCC or the LA can provide the YP with ongoing additional support during the transition back home.

Phase

The Local Authority (LA) must refer any homeless 16/17 young person to KCC Children’s Social Work Services for a CIN assessment.

The Housing Dept has a duty to assist a Young Person (YP) under the Housing Act 1996, the Homeless Act 2002 and the Homelessness Reduction Act 2017 if they meet the criteria. . The YP must be:

* Homeless or likely to be homeless within 56 days and
* Eligible for assistance (this is about their immigration status).

Prevention Duty: where a Local Authority (LA) is satisfied that an applicant is threatened with homelessness with in 56 days and eligible, it must take reasonable steps to help the applicant secure that accommodation that does not cease to be available for the applicant’s occupation

Relief Duty: where a LA is satisfied that an applicant is homeless and eligible it must take reasonable steps to help the applicant secure that accommodation becomes available for at least 6 months.

Under both the Prevent and Relief Duty there is some discretion for LA’s to decide exactly what the assessment should include, but certain matters must always be considered:

- the circumstances which led to homelessness or threatened homelessness

- the housing needs of the applicant

- what support would be necessary for the applicant and his/her household to have and retain suitable accommodation.

Both the Prevention and Relief Duty will always coexist with the duty to assess an applicant's need and produce a Personal Housing Plan (PHP), which is kept under review. The Plan should contain the steps to be taken to prevent or relieve the applicant's homelessness; the authority must try to agree with the applicant:

- any steps the applicant is to be required to take to find and retain accommodation for their household

- the steps the authority will take to assist the applicant in finding and retaining accommodation. The authority may also include steps which it considers would be a 'good idea' for the applicant to take, but which are not required of her/him.

**Accommodated by Housing**

Support will be provided by the Housing Officer to explore various housing options, including supported housing and steps to prevent or relieve homelessness captured within the PHP. The YP will need to pay their rent, service charges, own bills and meet their living costs through welfare benefits or their earned income. The YP may be referred back to Children’s Social Work Services if the LA reach a decision that they YP is intentionally homeless or is being evicted from temporary accommodation.

This might be in emergency temporary accommodation provided by the LA or the KCC e-beds, or Foster Care) – see the descriptions for more details. It should not be Bed and Breakfast.