

Committee: Sustainable Communities Overview and Scrutiny Panel

Date: 5 September 2017

Wards: All

Subject: Care Leavers and Young People Accommodation Option

Lead officers: Steve Langley, Head of Housing Needs
Sarah Daly, Head of Service LAC, Permanency & Placements

Lead members: Councillor Martin Whelton, Cabinet Member for Regeneration, Environment & Housing
Councillor Katy Neep, Cabinet Member for Children's Services

Contact officers: Steve Langley

Recommendations:

- A. To inform the Sustainable Communities Scrutiny Panel about issues relating to housing support for care leavers and young people.
 - B. To discuss the challenges and opportunities of providing "housing choices" for Young People.
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of this report provides information about the Statutory Requirements on the council to ensure that older children in care and care leavers have suitable accommodation.

2 DETAILS

- 2.1 The statutory guidance is clear that care leavers should expect the same level of care and support that others would expect from a reasonable parent. The local authority responsible for their care should make sure that they are provided with opportunities they need, which include more than just offering housing.
- 2.2 The legal framework for care leavers aims to make sure that they receive the right support and services in their transition to adulthood, including access to accommodation. General homelessness legislation also provides a safety net for young care leavers experiencing homelessness.
- 2.3 The legislation most relevant to care leavers' accommodation needs is the Children (Leaving Care) Act 2000, which imposes accommodation duties on local authorities. All local authorities have a statutory duty to ensure that all eligible and relevant care leavers are placed in suitable accommodation when leaving care. In addition older care leavers (21 years+) may be classed as being in priority need under homelessness legislation meaning local authorities have a duty to provide them with housing or support.

2.4 Members should also be aware that The Children and Social Work Bill is currently sitting within the report stage of Parliament but is yet to be implemented (likely timescale of autumn 2017).

A core part of the Bill will see Local Authority responsibility for Care Leavers move from ending at 21 to ending at 25. Information has been gathered in line with the new Bill to ascertain the numbers of young people who fall into the Care Leavers cohort affected by the proposed changes. As of February 2017, there were 100 young people identified who are based in London Borough of Merton between the ages of 21 to 25 years old who would be eligible for further services under the changes in the Bill.

In view of the proposed changes in the Bill, London Borough of Merton would be required to review its current offer to care leavers incorporating an offer of Personal Advisor support up to the age of 25, financial support, access to education & assistance, Training & Employment, appropriate Housing including supported accommodation and Mental Health & Counselling services.

- 2.5 In providing accommodation for young care leavers, the regulations and guidance stipulate that local authorities should:
- avoid moving and disrupting young people who are settled;
 - assess young people's needs and prepare them for any move;
 - offer a choice of accommodation (where practicable);
 - provide a support package to go with the accommodation;
 - have a contingency plan in case accommodation arrangements breakdown.
- 2.6 Where any proposal for a young person to move to different accommodation, as part of the process to prepare for their transition to adulthood, then their pathway plan must include an assessment of the skills that they will require to be ready for this change. This plan should also include an assessment as to the "suitability" of any potential accommodation for the young person.
- 2.7 Although the council's duty to provide accommodation for care leavers ends when they reach the age of 18 years, the Council must ensure that our care leavers' new homes are suitable for their need, offer sufficient support and are linked to wider plans and aspirations.
- 2.8 For many young people, moving straight from care to independent living is too big a step. A young care leaver may be able to make a more successful transition if there is a choice of returning home for a short time, remaining with a former carer, or moving to supported lodgings or to a semi-

independent option with some support, depending on the young person's needs.

- 2.9 The Access to Resources Team and Housing Options Team work closely with the 14+ Team to ensure that the accommodation needs of individual young people are met through a variety of different accommodation options. This duty inevitably leads to the council providing support for a wide range of accommodation to ensure that the accommodation needs of our care leavers are met.

3. **ACCOMMODATION OPTIONS**

3.1 **Staying Put**

The Children and Families Act 2014 places a legal duty on local authorities to support every care leaver who wants to stay with their former foster carers until their 21st birthday.

- 3.2 A Staying Put arrangement is where a former relevant child, after ceasing to be looked after, remains in the former foster home where they were placed immediately before they ceased to be looked after, beyond the age of 18.

- 3.3 It is the duty of the local authority:

- To monitor the Staying Put arrangement; and
- To provide advice, assistance and support to the former relevant child and the former foster parent with a view to maintaining the Staying Put arrangement (this must include financial support), until the child reaches the age of 21 (unless the local authority consider that the Staying Put arrangement is not consistent with the child's welfare).

- 3.4 The intention of Staying Put arrangements is to ensure that young people can remain with their former foster carers until they are prepared for adulthood, can experience a transition akin to their peers, avoid social exclusion and be more likely to avert a subsequent housing and tenancy breakdown.

- 3.5 Merton has a current "Staying Put" policy which sets out the expectations of carers and young people who remain in placement under this scheme.

3.6 **Semi-Independent Accommodation**

- 3.7 This can be provided through the private market in shared or solo accommodation for young people who are not yet ready to take on their own tenancies. This provides the young person with a safe place to live as well as an agreed number of hours of support a week.

- 3.8 This support can either be increased or decreased as necessary and is aimed at ensuring that young people and care leavers are supported through the transition into independent accommodation.

- 3.9 As at 31 January there are a total of 89 young people living in semi-independent accommodation. 14 are under the age of 18 of whom 3 are unaccompanied asylum seeking children. Of the 75 young people aged 18+ who are placed in SIA's 29 (38%) were formally asylum seeking young people and continue to have no recourse to public funds.

3.10 Social Housing

3.11 There are 9542 numbers of households on the Council's Housing Register seeking a social housing tenancy. It is well known that demand for accommodation greatly exceeds supply and between April 2016 until the end of January 2017 there have been only 201 successful lettings. Of these lettings:-

- 109 were 1 bedroom dwellings
- 59 were 2 bedroom dwellings
- 31 were 3 bedroom dwellings
- 2 were 4 bedroom dwellings
- 0 were 5 bedroom and above.

3.12 Notwithstanding this point care leavers are entitled to social housing accommodation under Band D of the Council's Choice Based Lettings Scheme operated by the Council's Housing Needs Service. An annual amount of rehousing to General Needs Housing Association homes is made available for care leavers leaving the council's care, who have no viable home base, but have achieved the necessary stage of readiness and preparation to live independently. the care leaver nominations quota for housing is currently 15.

3.13 Prior to making a Choice Based Lettings Nomination, Social Workers evidence that a young person has successfully completed a Life Skills Programme and that an assessment of their readiness has indicated that a nomination is appropriate. The assessment of readiness includes a detailed review of the Pathway Plan.

3.14 In the year to date (February 2017) nineteen nominations have been made and thirteen properties have been offered and accepted by Care Leavers, with a further two tenancies likely to commence shortly. In the main these properties are one bedroom self contained flats. This number is currently seen to be sufficient to meet demand, although the matter is kept under review. However, if the number of properties available to care leavers were to increase, this would have a real and immediate impact on the availability of social housing properties for other vulnerable groups, including homeless people.

3.15 Private Renting

3.16 The continuing decline of social housing properties becoming available for letting is well rehearsed and accordingly alternative housing options may need to be explored. Currently the role of the privately rented sector in meeting the housing needs of care leavers is being explored so as to increase the housing choice for young people.

3.17 From the age of 18 years, but before the age of 22 years, care leavers can access permanent properties in the private rented sector, which is what other young people are unable to do to secure themselves a tenancy due to the fact that benefit restrictions are not applicable to them. For example a care leaver can access Housing Benefit to assist their move into a one

bedroom property, whereas a non-care leaver can only have “shared room” rate.

- 3.18 This would allow care leavers to have more choice in finding and securing suitable accommodation. Of course, there are downsides with the private rented sector i.e. less security of tenure, more expensive rents and the need to meet upfront costs such as rent deposits and possibly rent in advance. That said the role of the private rented sector is likely to increase as many more households turn to this form of tenure to meet their housing need, including the most acute form of need – homelessness.

3.19 Bed and Breakfast

- 3.20 Statutory guidance is already clear that B&B accommodation is not considered to be suitable accommodation. In response to the findings of the Education Select Committee, following its review of post-16 care leaver support, DfE will amend guidance to make clear that emergency placements in B&B should be exceptional and limited to no more than two working days. We believe this strikes the right balance - setting clear expectations about the quality of support for young people, while retaining the flexibility necessary to ensure that B&B can be used if it is the best way to meet a young person’s needs.

- 3.21 We currently have no care leavers placed in B&B accommodation.

4. ALTERNATIVE OPTIONS

- 4.1 None

5. CONSULTATION UNDERTAKEN OR PROPOSED

- 5.1 None for the purposes of this report.

6. TIMETABLE

- 6.1 Progress against rehousing is monitored throughout the year.

7. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 7.1 Many care leavers are entitled to claim Housing Benefit from 18 years old in order to cover the costs of their rent. Where care leavers remain in placements beyond their 18th birthday, rather than accessing their own tenancy and Housing Benefit, this present financial costs to the Council. Asylum seeking young people are not eligible to claim benefits. Reductions to leaving care placements rely upon adequate supply of accommodation for those leaving care as well as young people reaching the necessary stage of readiness to live independently.

8. LEGAL AND STATUTORY IMPLICATIONS

- 8.1 There are no specific legal implications and currently policy and practice ensures compliance with the statutory corporate parenting obligations to young people leaving care and with national policy and legislation for the support of care leavers.

9. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1 There are no equalities implications within this report.

10. CRIME AND DISORDER IMPLICATIONS

10.1 None for the purposes of this report.

11. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

11.1 None for the purposes of this report

12. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

None

13. BACKGROUND PAPERS

13.1 None