

The Highland Housing Register

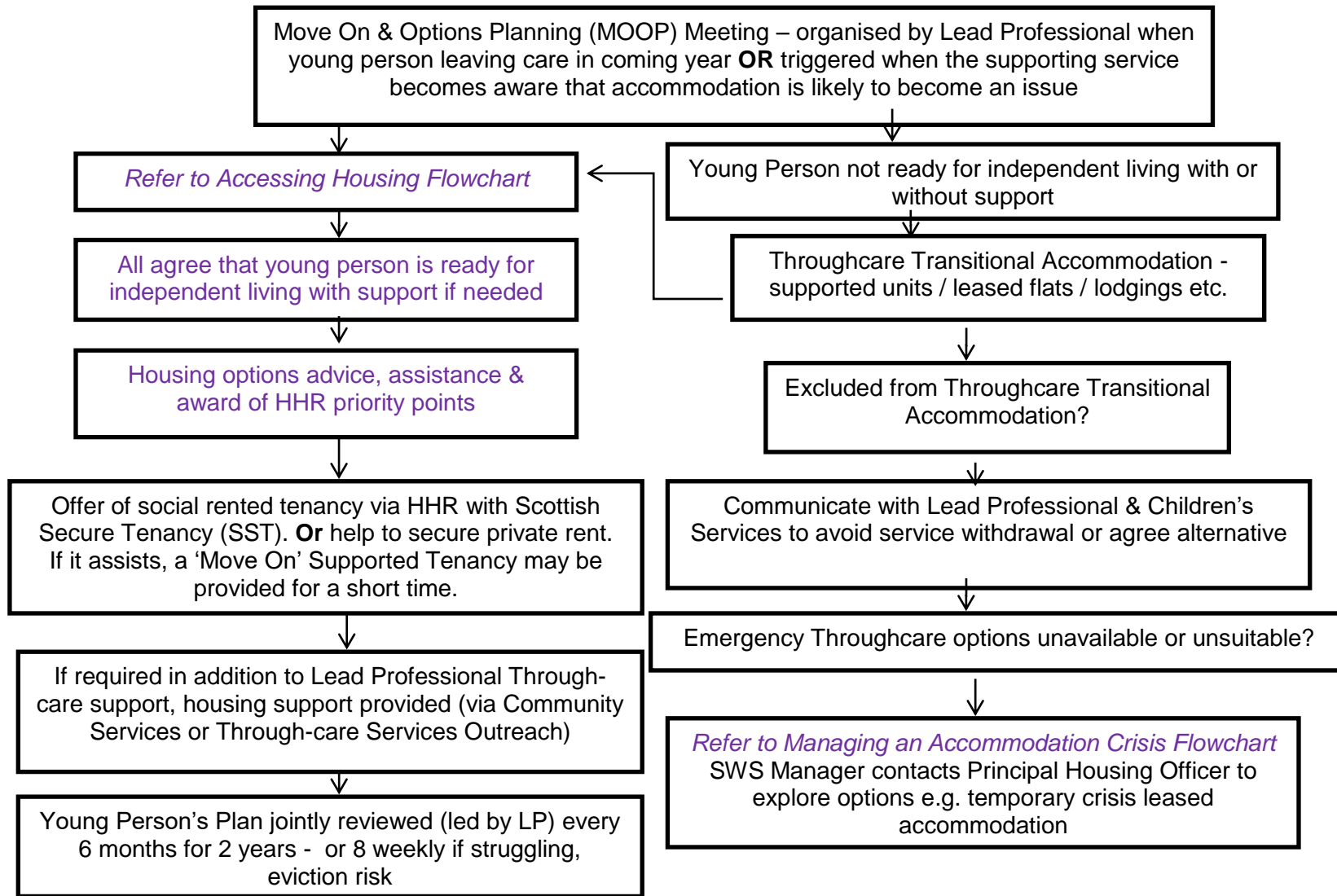


Highland's Housing Options Protocol for Care Leavers

*Protocol & Procedures for Providing
Accommodation and Support to Young People
Leaving Care*

May Update 2019

Housing Options Protocol for Young People Leaving Care - Accommodation Pathway (Summary)



Communication, Joint Planning & Joint Working

Accessing Housing - Summary – with 'Readiness Discussion Guide

Young person (YP) is encouraged & enabled to remain in positive, supportive care settings until ready to move on. And is supported to build up skills & knowledge to live independently successfully

YP, with Lead Professional support, considers their needs & aspirations for living independently.

Request for Move On & Options Planning Meeting made by Lead Professional to local THC Principal Housing Officer (PHO) at least 6 months before leaving care **OR** triggered when the supporting service becomes aware that accommodation is likely to become an issue. PHO designates Housing Options Officer (HOO) to lead on, and case manage, resolving housing solution.

Move On & Options Planning (MOOP) Meeting(s) held. Organised by Lead Professional (LP) & YP. To advise on **all** options so YP empowered to make informed & realistic decisions. And consider:

- Accommodation needs, aspirations (both short & longer term) and options.
- Ability to live independently (*use 'Readiness Guide below*).
- The preparation and support they need to live independently.
- Timescales for moving on.

Housing solution(s) agreed – including actions (who doing what) to progress these.

If social housing needed, Highland Housing Register (HHR) form completed with and / or submitted to HOO - who reviews & ensures **all** points in place. 'Move On' points awarded (*unless these being triggered at a more appropriate time following agreement that the Young Person is ready to move on*).

Until supply increases, YP applying to live in Inverness with 50 Move On points, will automatically be added to the lists for housing in all Inverness **Area** ('letting areas'). And if no established 'local connection' to the city, YP will also be automatically added to lists across the Inner Moray Firth area. Streets / communities agreed **unsuitable** (e.g. due to risk of harm) will be excluded.

An HHR Application is needed in all cases (even if no meeting held).

If a YP applies direct, their HHR form will be forwarded to a HOO. The HOO will fully review it, in consultation with the YP and their LP. This is to make sure that: all points have been applied; opportunities for rehousing the right time for the YP have been maximised; evidence of status is provided and; there is clarity about their ability to live independently and how any needs will be met.

Solution progressed. HOO to make contact with LP / YP, as agreed and at least monthly, to progress solution and ensure a seamless transition from care into independent living (with support if required). Use housing.options@highland.gov.uk if needed, to contact any housing officer.

Where accessing housing issues require to be **escalated**, contact to be made with Housing Link Officer (Michelle, michelle.gordon@highland.gov.uk, 01463 785158) in first instance and / or local PHO.

Multi-agency meeting involving Barnardo's, housing link officer and Care & Learning when necessary to review overall progress of applicants and young care experienced tenants.

Where on-going tensions between the wishes of the young person and agreed process, YP will be encouraged to work with Who Cares / conciliation support.

Refer back to Accommodation Pathway Summary

Readiness for Moving On - Discussion Guide

This is to help you to move on to live independently successfully. It is to give everyone a good shared understanding about the steps you need to take to look after yourself and your home. It helps you to show others that you can care for yourself, make healthy life decisions – and so are ready to move onto take responsibility for your own home. It also helps you to plan your ‘next steps’ – for example, understanding the skills you need to learn, just like you would at home.

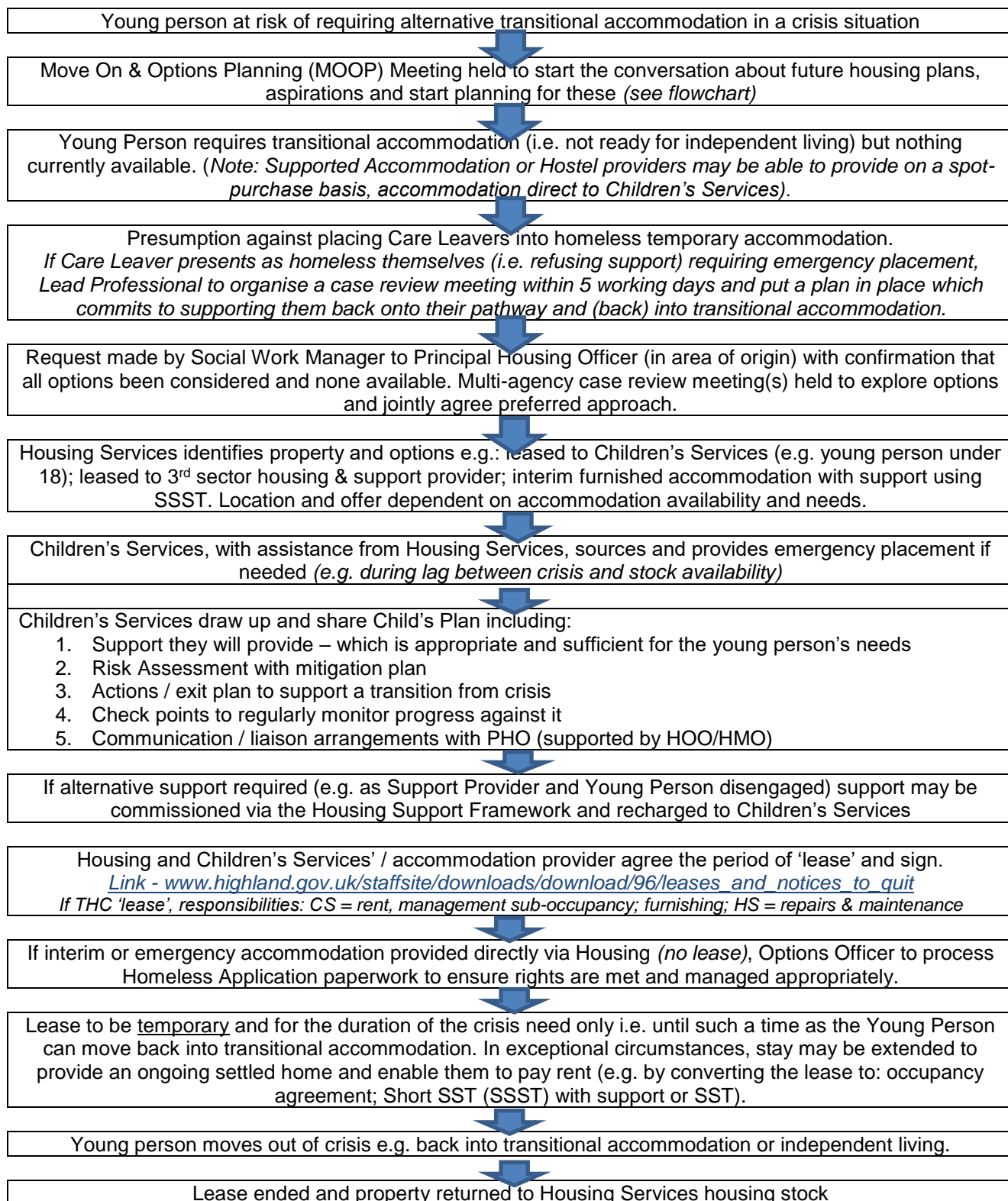
The topics are to help you think about issues & life skills that everyone needs to be aware of (even if they are in care or not). If it feels difficult talking about some of these (e.g. because you have not had experience), don't worry; it takes everyone a long time to become independent.

a)	Having & keeping a successful tenancy – <i>e.g. why you'd like & how you're going to do this</i>
b)	Making it work - dealing with the practicalities of living independently
c)	Managing money & paying housing costs
d)	Socialising - positive social & support networks
e)	When Life Gets Difficult - knowing how and when to ask for help
f)	Being a Good Neighbour & Part of a Community
g)	Keeping Safe & Managing Visitors
h)	Wider Activities & Taking Part - education, training, work
i)	<i>Use this space to add anything else</i>

May 2019

Managing an Accommodation Crisis – Summary

Corporate Parenting commits us all to ensuring that no care leaver has to become homeless to access accommodation or lacks support. Their welfare is to be ensured. Homeless 'hostel' accommodation is not appropriate. It puts people at risk and is not adequately supported. This sets out how we will abide by this in crisis. It recognises that young people may be: chaotic; at risk of harm; risk to others and may be more challenging for us to find ways to engage with. In delivering it, professionals will reinforce our commitment to solution focused joint working via e.g. good communication, case management & relationships.



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1. Introduction & Context

- 1 This Protocol sets out our roles and responsibilities which will make sure that, by working together, Highland's care leavers access the most appropriate accommodation and the right support (for as long as they need it) to sustain their own home. It focuses on young people aged 16-25 years who are 'Care Leavers' who were looked after away from home¹.
- 1.1 Access to a safe secure home is crucial to making a successful transition to adulthood. Support to develop independent living skills, sustain a tenancy, and help prevent issues which might lead to homelessness is also crucial. National research evidences this need as care leavers are particularly vulnerable when making the transition to adulthood and are frequently over-represented in homeless statistics².
- 1.2 We place the health, welfare and development of our children and young people at the centre of the planning and delivery of services. We also have substantial legislative duties towards care leavers (set out in Appendix 1).
- 1.3 The Protocol involves the following key organisations. **Each are invited to sign up to it again.** Other organisations may also play a part in addressing the needs of young care leavers. Appendix 2 sets out key contacts. Key organisations are:
 - Highland Housing Register (HHR) Partners (i.e. Highland Council, Albyn Housing Society Ltd, Cairn Housing Association, Pentland Housing Association, Lochalsh & Skye Housing Association, Lochaber Housing Association); NHS Highland;
 - Barnardo's Springboard & Works Services; Gateway (Highland Homeless Trust Ltd.); YPeople; Who Cares?; Aberlour.
- 1.4 The Children and Young People (Scotland) Act 2014 places duties on corporate parents to ensure the best possible outcomes for care leavers into adulthood. Through the Act, young people are to be encouraged to remain in care for longer. Appendix 3 summarises what they should expect. The Highland Council has increased supports to meet their needs and range of transitional accommodation options are shown in Appendix 4.

¹ I.e. Cared for away from their normal place of residence, by foster or kinship carers, prospective adopters, or in residential care homes, schools or secure units. See:

<https://beta.gov.scot/policies/looked-after-children/>

² CELCIS Briefing: www.celcis.org/knowledge-bank/search-bank/inform-housing-options-and-care-leavers/

- 1.5 An Accommodation Protocol has been in place for several years. Around 43 care leavers over the last 3 years have been housed across Highland via the Protocol³.

2 Aims/Purpose

- 2.1 Through this Protocol we are aiming to achieve **successful stable independent living in the community**. We are committed to ensuring a co-ordinated response so that none of our care leavers become homeless on leaving care or lack support to achieve independence and stability in the community.

3 Outcomes & Principles

- 3.1 We will ensure that care leavers when leaving care receive:
- a consistent service;
 - a completed pathways assessment which includes their views;
 - effective information and advice on housing and their options
 - access to appropriate accommodation (if possible, in an area of their choice);
 - appropriate help and support during their transition to independence
 - access to an appeals and resolution process.
- 3.2 By doing so, the hope is that all young people will experience: improved health and wellbeing; improved social networks; increased opportunities; increased employment prospects; and improved confidence.
- 3.3 We support the following principles:

Principle 1 – Connection and Belonging - In planning an individual's transition the provision of appropriate, person-centred and sustained support is central. There will be an emphasis on assisting people to develop personal and professional support networks. Support will reflect the notion that to survive and thrive, individuals need to be part of a network of positive relationships.

Principle 2 – Readiness of Care Leavers - "Readiness" is someone's ability to effectively care for themselves. We will make sure that they are properly assessed, their needs identified and support organised before they move. Looked after young people will be encouraged, enabled and empowered to remain in positive, supportive care settings until they are ready to move on.

³ This included 27 moves into Highland Council tenancies and 16 into RSLs. 1 in 3 were housed in Inverness. It does not include young people with particular needs who moved into adult services.

Principle 3 – Corporate Parenting - Being a good corporate parent is about much more than working together to fulfil statutory duties. Children who have been looked after often do not have the support and help that others can expect from families - as corporate parents, it is our responsibility to provide extra support and help. Whenever we are dealing with a young person who has previously been looked after, we will:-

- Take extra care to make sure that they understand what we are saying to them or what we are asking them to do.
- Provide help, if needed, so they can address their situation.
- Be alert for vulnerability and assist to link with services where needed
- Engage with any supports already in place.
- Recognise that they may make mistakes and as far as possible, support them to move on.

Principle 4 – Care Leavers’ Views – Young people will be supported to be actively involved in all decision making processes that directly affect them. We will make sure that people have all relevant information, and opportunities to share their views. We recognise that the advantages of engaging our young people in decision-making can be far-reaching. When people have the opportunity to identify problems and solutions, they are more likely to own the decision, take responsibility for its success or failure. Young people learn to manage change and achieve improvements in their lives.

Principle 5 – Information Sharing & Communication - We will recognise that in order to provide the most effective service for care leavers, information may have to be shared among different service providers. We will do this in line with the Highland Data Sharing Partnership Guidance and ensure that information is shared timeously and proportionally; ‘the right information at the right time’. The Data Protection Act 1998 does not prevent information sharing where this is ‘reasonable and expected’, in the interests of the individual concerned. Good communication supports effective joint working. All parties will know who the key contacts in other agencies are. If possible, we will always seek the young person’s consent to share information.

Principle 6 - Equality and Diversity – we will help address inequalities associated with socio-economic disadvantage and provide a range of housing options.

4 Summary of Responsibilities

4.1 Services Working with Young People / Highland Council’s Care & Learning / NHS Highland responsibilities:

- a) To ensure that where possible, no-one leaves care without an assessment and support plan in place.
- b) Enable comprehensive Pathways Assessments and clear support plans for all care leavers that detail: support needs; the support and / or aftercare services that will be delivered to respond to those needs and, information/evidence on 'tenancy readiness'⁴. These will be passed to housing providers at the point of referral.
- c) To support care leavers to: choose an appropriate time to leave care; to be well prepared practically and emotionally to make a positive and sustained transition; to choose suitable and realistic accommodation; be and feel safe; generate an income or receive financial assistance.
- d) Thorough preparation prior to leaving care so that they are able to live independently successfully⁵ and maintain a tenancy successfully (e.g. skills for setting up and maintaining a home; budgeting; understanding what to do if issues occur etc.).
- e) Referrals for housing via the Protocol will be made when the young person is assessed as 'tenancy ready' as the evidence is that tenancies break down if the young person is not tenancy ready.

4.2 Housing provider responsibilities:

- a) The provision of appropriate good quality accommodation when required.
- b) Wherever possible, provision of a Scottish Secure Tenancy and, in other accommodation arrangements, to provide security of tenure which as far as possible, protect an individual's rights.
- c) The provision of good quality advice on housing and options. This will be person-centred, tailored to each young person's needs and will deliver high quality realistic, practical advice and support.
- d) Clear and consistent information on matters such as tenancy rights & responsibilities, processes, referrals, support & management arrangements. And advice on what to do in case of issues or difficulties including preventing homelessness.
- e) Housing support in secure tenancies.

4.3 Shared responsibilities:

- a) To ensure that none of our care leavers become homeless on leaving care or have a lack support to achieve independence and stability in the community.
- b) To avoid crises, unplanned placements and conflict through good communication, forward planning and supporting positive relationships.

⁴ 'Readiness' is the ability ...to care effectively for themselves, and covers a range of important developmental areas; secure, positive, social and support networks; practical skills and knowledge, engagement in education, training or employment. In each of these the young person must demonstrate the ability to make healthy life decisions (Scottish Government, 2013)

⁵ We will work together to improve how we support young people to become 'tenancy ready'.

- c) To include the young person in decision making.
- d) To reach effective and positive solutions through a robust person-centred approach which is flexible enough to accommodate the evolving and often complex needs of young adults in transition.
- e) Tenancy sustainment as a central focus for all. This will include: the early identification of problems with tenancies; stable, consistent care and support to address these issues; awareness of support arrangements, good communication on issues and regular contact.
- f) To support good transitions - Housing Officers & Support Workers will support: pre-allocation meetings; housing-led tenancy sign-ups; joint settling in visits and effective on-going link ups. If possible, enabling those leaving transitional supported accommodation to continue working with the same worker.
- g) Monthly meetings between key stakeholder services to review cases and consider any tenancy sustainment issues.
- h) To ensure widespread understanding and awareness of the protocol.

5. Young Person's Views and Young Person Planning

- 5.1 All young people who are looked after by the Highland Council will require an assessment of their future requirements and aspirations in relation to accommodation, support, training employment etc. This will be undertaken before they leave care. This is a young person centred activity that will enable their ambitions and support needs to be outlined and understood. The Highland Council is committed to improving outcomes for care leavers including accommodation, health and education and so supporting a Young Person's Plan is a corporate responsibility.
- 5.2 Young Person Planning has three components: Young Person's Views, My World Assessment and Young Person Plan. The assessment is informed by the views of the young person. The Young Person's Plan must be completed within 3 weeks of the assessment and completed prior to the young person leaving care. Only in exceptional circumstances should young people be moved on from care without a Young Person's Plan or against the recommendation of the plan (e.g. when the young person decides to leave care in an unplanned way).
- 5.3 Because the My World Assessment in relation to transition should not be completed before the young person leaves care, there will be direct links with the Looked After Child's Planning review process. The Lead Professional will continue to have responsibility for its review for the planning process and transition to Throughcare Services.
- 5.4 The following sections set out how accommodation needs will be met. Albeit not every young person will require housing to meet their needs.

6 Accessing Housing

- 6.1 Care Leavers, at the point of leaving care, are treated as a priority group under the terms of the Highland Housing Register Allocation (HHR) Policy via 'leaving care, care & support' priority points. This priority is applied by the Principal Housing Officer when the young person is considered to be ready for independent living. The priority enables them to be shortlisted for and offered, and therefore access a social rented tenancy in Highland from one of the HHR landlords as close as possible to the time when they are ready to move on. All allocations will be made in line with the HHR Allocations Policy. (Available on www.highland.gov.uk Direct link: www.highland.gov.uk/info/925/council_housing/244/apply_for_a_council_house⁶
- 6.2 In line with our Corporate Parenting responsibilities, Care Leavers⁷ who were not housed through this protocol at the point of leaving care will be eligible for this priority status if services agree that there is a clear need to re-house them, and there is risk of homelessness without this.
- 6.3 The Council's housing options approach ensures that anyone who needs help to achieve a sustainable housing outcome gets the advice and assistance that they need. If someone has been securely housed via the protocol, this priority status will not be applied again. There may be exceptional circumstances. We will ensure that young people who have previously been in care are advised accordingly and know how to get help to manage their future housing aspirations and moves.
- 6.4 We will be aware that young people who have previously been in care are at a greater risk of homelessness. We will do all we can to prevent this and will recognise that this may involve a broad understanding of issues and challenges.
- 6.5 Some young people who have previously been in care may wish to resolve their housing issues themselves and approach us directly (e.g. having dis-engaged from SWS). To support good joint working:
- If applicants aged 16-25 years indicate (e.g. on their HHR or homeless application) that they were in previously in care, the Housing Options Officer will advise them that they may be entitled to Aftercare Services

⁶ The Highland Council's Homelessness Policy is also available on the website at www.highland.gov.uk

⁷ A young person (aged 16 to 25) who ceased to be looked after on or after their 16th birthday.

or support to meet their needs if they are eligible⁸. And will help them to make contact with those services in their relevant local authority area.

- Generally, only young people who are engaging with Aftercare Services will be eligible for the 'Leaving Care, Care & Support' priority points. It is important that everyone is encouraged and supported to take up their rights.
- If they were looked after in Highland, the housing team will contact Aftercare Services to request confirmation of this status.
- If a young person known to have been previously in care is in line for an offer of accommodation but there has been no contact regarding their application from Aftercare Services, the Resource Manager - Looked after Children, Care & Learning should be informed.
- If the agency working with the young person has reason to believe that the young person may directly approach housing providers for housing, they should alert Housing by contacting the local Highland Council Principal Housing Officer or emailing: housingoptions@highland.gov.uk. This will ensure discussions can take place.
- Any offers to care leavers, who are being actively supported by Aftercare Services or Care & Learning, out with this protocol, should be agreed with Aftercare Services. If an offer goes ahead without their approval, any damage or rent arrears⁹ which the tenant is unable to fund the cost of, would be the responsibility of the housing provider.

Preparing to Leave Care & Planning

- 6.6 Paragraph 4.1 sets out how young people will be supported before they leave care.
- 6.7 Planning will be in accordance with Highland Practice Model. Co-ordination of accommodation requests will be via the young person's Lead Professional and referral onto The Principal Housing Officer (PHO) responsible for the area that the young person wishes to reside in.
- 6.8 The Lead Professional, in consultation with the Principal Housing Officer (PHO), will be responsible for convening a Young Person's Plan Meeting, ensuring that relevant people who the young person wishes to be present

⁸ I.e. if they are a young person (aged 16 to 25) who ceased to be looked after on or after their 16th birthday. LAs have a duty to provide 'Aftercare' support to all eligible care leavers under 19 years, unless they are satisfied that the young person's welfare does not require it. All care leavers aged 19 – 26 are entitled to an assessment and, if assessed as having eligible needs which cannot be met by other means, the LA must provide them with 'such advice guidance and assistance as the LA considers necessary to meet those needs'. A local authority may, but it is not legally required to, provide 'Aftercare' to care leavers 26+ years.

⁹ Legally, looked after young people are excluded from applying for benefits (including for housing costs) until they are: 18; 19 if in supported accommodation, 21 if in full time education. Housing costs are met by Social Work if the accommodation offer has been agreed by them.

are notified. Young Person's meetings are more effective before a young person leaves care or is no longer looked after. This meeting should be convened at least six months before leaving care or triggered as soon as possible, when the supporting service becomes aware that accommodation may be likely to become an issue.

- 6.9 The meeting will consider the young person's views and plan relating to:
- Accommodation needs, aspirations (in both the short and longer term) and options.
 - The level of competency and skill of the young person to move towards independence (*e.g. see 'Readiness for Moving On Discussion Guide'*).
 - The level of preparation and support that will be required (including support to enable them to manage, maintain and sustain their tenancy, with a view to successfully living independently of support).
 - The timescales for moving on.
 - Their SHANARRI outcomes (i.e. Safety; Health; Achievement; Nurturing; Activities; Respect and Responsibility; Inclusion).
- 6.10 This or future planning meeting(s) will clarify: support objectives / anticipated outcomes; arrangements; liaison with housing support (including its withdrawal in due course) and how potential disengagement will be managed.
- 6.11 The meeting Chair must record in writing the results of their discussions and share them with the Lead Professional and the young person if they do not attend.

Accessing Accommodation

- 6.12 The pathways shown at the start of this guidance summarise processes and options.
- 6.13 It is recommended that every young person meets, together with their lead professional, with a Housing Options Officer (HOO) or the PHO. This provides an opportunity for discussion around aspirations, options and housing. The aim is to provide the young person with advice and assistance about all their available options so that they are empowered to make informed and realistic decisions and can resolve their issues in a way that is right for them. It may include helping them to complete their Highland Housing Register (HHR) application form.
- 6.14 The young person's HHR application should be forwarded onto to the PHO in the relevant area so that they can be given appropriate priority within the HHR allocation process. It should reflect their needs and choices together with information on their 'tenancy readiness' and assessed ability to sustain independent living. When completing their application, the young person

should be encouraged to maximise their opportunities by considering all the HHR landlords and a wide range of communities. Due to limited housing and high demand, it takes much longer to be housed in some communities than others so they should be made aware that securing housing in some communities is unlikely in the short term and be encouraged to make realistic choices.

- 6.15 Access to a secure tenancy is the preferred option for all care leavers who do not require more supportive accommodation. Care leavers must be given the maximum security tenure appropriate. In all cases a tenancy agreement (or contract) should be used. Where a young person has been assessed as being at high risk of homelessness and requiring a significant level of housing support in order to sustain their accommodation, it may be appropriate to consider a temporary tenancy agreement such as a Short Scottish Secure Tenancy (SSST) for a short time (i.e. using an Interim Accommodation Order¹⁰, as per Scottish statutory instrument 2002 no.412). This can be converted into a Scottish Secure Tenancy (SST) without requiring a move and helps people have a good opportunity to settle with the help of ongoing support to develop their tenancy skills and confidence. This may also be appropriate if the young person has been placed in emergency accommodation as no other suitable options are available. These types of 'Move On' supported tenancies will be determined on a case by case basis and not used as a matter of course. In all such tenancies, the young person's progress of their independent living skills will be reviewed at 8 weekly intervals by the core group of professionals and the young person in line with Highland Practice Model, or more frequently as required.
- 6.16 Where a young person wishes to share with someone, the risks of signing a joint tenancy at the start of the tenancy should be highlighted. Single named tenancies may help to safeguard their accommodation and avoid homelessness. This in recognition that care leavers may have fewer support options if the relationship breaks down. It is important that each partner understands their rights and options should the relationship break down e.g. Matrimonial Homes (Family Protection) (Scotland) Act 1981, assignation, rights under homeless legislation. An alternative is for the care leaver to have their own tenancy with other people lodging with them. The Housing Officer should advise on rights and options supported by the Lead Professional.
- 6.17 Notwithstanding the above, sharing a tenancy may be a positive choice whilst moving towards an independent tenancies. Sharing has the benefits

¹⁰ For guidance & criteria which requires to be met see 9.39 Scottish Government Code of Guidance <http://www.gov.scot/Publications/2005/05/31133334/33465>

of companionship, shared living costs and more affordable rent. We will ensure people are supported to have successful sharing experiences.

Enabling Successful and Sustainable Tenancies

6.18 Our activities to help young people sustain their tenancies will include the following (as these are known to work):

- Focusing more strongly on preventative, rather than reactive, measures;
- Allocating the right property for the young person;
- Helping to prepare them to take on and establish their tenancy;
- Delivering the right messages from the outset (e.g. with regard to rent payment or visitors), and focusing on the best ways of getting messages across to them during the sign-up process;
- Assessing any risks to their tenancy sustainment and taking action to manage these
- Providing practical help to prevent debt
- Acting quickly and appropriately for that young person when rent payments fall behind or there are tenancy breaches
- Promoting an ‘adult to adult’ relationship and working in ways that encourage the young person to take responsibility for their tenancy obligations
- Supporting good communication– including making sure that the young person is aware of all the help and support available
- Recognising the importance of the personal relationship that the officer establishes with the tenant;
- Recognising and enabling positive networks (e.g. with families / extended families) through access to mediation, conflict resolution and by demonstrating the ‘stickability’ of services and support if issues occur
- Good information sharing and communication and positive relationships with partner services.
- Holding and making use of good quality information to identify where tenancies may be at risk of failure.
- Monitoring and tracking the progress of Care Leaver tenants. And understanding how many tenancies are ‘thriving’ or ‘failing’.

6.19 Regardless of the type of accommodation, the Housing Officer, with their support provider, will take the young person through a sign-up process and ensure that they know who their Housing Officer is and how they can help, and that they are aware of, and understand, their rights and responsibilities and know who to contact if there are difficulties. This is the first opportunity to emphasise a ‘good neighbour & tenant culture’ and a “payment culture” in relation to rent which will give them a better chance of sustaining their current or future accommodation and will help them remain debt free.

6.20 Housing Officers will undertake a tenancy sustainment risk assessment and support sustainment by: putting in place actions to manage any

potential issues; regular contact; and early intervention / support. As a minimum, they will carry out a new tenancy visit within 1 month covering: who and how to contact if problems arise; how to have a good tenancy; claim benefits if appropriate; avoid debt; and address any other issues.

- 6.21 All parties will ensure that the young person is helped to remain debt free and given support to prevent and manage arrears themselves as quickly and effectively as possible. This includes ensuring that key parties who can provide help and support are informed as soon as possible if arrears are accruing. Case conferences should be called if necessary and always as part of any pre-court actions. It may include housing teams 'fast-tracking' to a visit to discuss arrears, manage payments and link them into support as soon as they occur (rather than visiting after 2 reminder letters).
- 6.22 If the young person's tenancy fails and comes to an end, all agencies will ensure that the young person is supported to ensure that the underlying issues which caused the break-down do not occur again in future tenancies. This may include a placement in transitional accommodation.
- 6.23 The Council's Promoting Positive Behaviour Approach¹¹ helps ensure that anyone living in temporary housing is positively supported to find solutions and manage issues which may put their tenancy at risk and so they can sustain their accommodation.
- 6.24 Advice and information to help the young person make good choices and deal with any issues is available from a variety of other organisations including: the Citizens Advice Bureau and The Highland Council's Welfare Support Team. Who Cares? Scotland provides an independent advocacy services for care leavers and may help the young person with decision making and expressing their views to services when issues arise.
- 6.25 The Young Person's Plan will be reviewed at 6 monthly intervals for 2 years (or until 26th birthday) by the core group of professionals and the young person in line with Highland Practice Model, or more frequently as required e.g. if they appear to be struggling with their tenancy, there are issues with their tenancy particularly if they are at risk of eviction or being moved. This will take place within the Successful Moves Meeting. All area teams and organisations are expected to feed in information as necessary to this meeting with a view to ensuring a successful tenancy.
- 6.26 If a care-leaver's tenancy comes to an end (excluding transfers), housing officers will **in all cases** ensure that their tenancy file includes clear information on the reason. Unless the young person has moved on

11

positively, where a tenancy ends within 24 months, a case review should be carried out by the local housing team to identify issues or improvements.

Data Sharing

6.27 Young people will be supported and encouraged to sign the data sharing agreement (Appendix 5). This can be updated by use with other support organisations. If consent is not given or withdrawn, information sharing will be in line with the Highland Data Sharing Protocol and Partnership.

Arrangements for Joint Working

6.28 The 'Successful Moves' Meeting will be the key group for joint working and ensuring good outcomes for all care leavers. It will:

- a) Support good communication between services.
- b) Enable effective and joined up responses to any issues.
- c) Agree approach for those who require housing or are ready to move from their current temporary accommodation or placement.
- d) Agree approach to anyone at risk e.g.: requiring additional support; in unsuitable housing; at risk of losing or failing in their accommodation.
- e) Support the monitoring of all care leavers progress towards sustainable living.
- f) Carry out 6 monthly reviews of young people's plans (and more frequent reviews where needed).

6.30 This Group will also

- Monitor how this Protocol works in practice and its outcomes.
- Identify and agree how outcomes, and services, can be improved.
- Consider how to report outcomes and achievements.
- Promote Best Practice.

6.31 Membership will include Aftercare Services representatives, THC Care & Learning, Community Services and support or accommodation providers.

7. Requests for Emergency Accommodation

7.1 If immediate accommodation is required and no transitional accommodation is immediately available, the Lead Professional will make contact with the Principal Housing Officer and consideration will be given to the circumstances that have created the emergency and decide what action should be taken.

7.2 If a Care Leaver presents as homeless and is offered emergency accommodation, the Lead Professional must be informed on the first available working day, and a planning meeting will be convened within 5 working days.

- 7.3 The Children (Scotland) Act 1995 states that the welfare of the child is paramount. This legislation covers young people up to the age of 18 but the principles must be observed for all care leavers under this protocol. Consequently, any placement in emergency accommodation must take into account the need for protection from exploitation and abuse. A risk assessment of the accommodation will be carried out by Community Services and where possible will consider the individual needs of the care leaver and appropriate arrangements put in place to ensure that care leavers are offered protection.
- 7.4 If a temporary emergency placement e.g. in an HMO is used, whilst homeless paperwork / application should be maintained (to ensure that their 'case' can be managed effectively) it is important that the young person does not perceive themselves to be homeless as a result of the way they are treated (through use of language; required to 'present' as homeless etc.).
- 7.5 In an extreme emergency situation where all suitable alternatives have been assessed and none identified, to enable Care & Learning to deliver guidance and support with tenancy/ independent living skills, appropriate accommodation may be made available e.g. through a Lease¹² to Care & Learning (and/or an organisation of their choice) via the Area Housing Manager. This will be a temporary measure for an agreed period. Aftercare Services will be responsible for supporting any young person accommodated in this type of accommodation and for rent, management sub-occupancy and furnishing. The increase in transitional accommodation should reduce the likelihood of such requests.

Movements in and Withdrawal of Accommodation

- 8.1 Where possible, any movements in accommodation are planned and where possible the views of the young person taken into consideration. In practice such moves must be agreed with the core group and the young person. The circumstances that may give rise to such movements or the withdrawal of accommodation will be explained clearly to the young person upon taking up any offer of temporary accommodation to ensure they know their rights and responsibilities.
- 8.2 Care Leavers should never have their accommodation withdrawn or changed while they are subject to compulsory support. Any consideration of the withdrawal or change of accommodation must be subject to an

¹² Template Service Level Agreements and Leases are available on the Council's intranet at:
www.highland.gov.uk/staffsite/downloads/download/96/leases_and_notices_to_quit

emergency core group conference. **If a young care leaver is asked to leave temporary accommodation outwith business hours the accommodation provider will contact the Out of Hours Emergency Social Work Service.**

- 8.3 Where such a movement in accommodation cannot be planned, the Lead Professional must be informed on the first working day after the move and a Core Group Meeting arranged within five working days.

9. Young Person's Appeals and Complaints Process

- 9.1 Effective communication between the Area Housing Team and Lead Professional should prevent unnecessary delays in allocation and movements and support early intervention to prevent potential homelessness. A review of the Young Person's Plan must be called as soon as possible when arrangements for the provision of accommodation break down. Attending this review will be the young person, the appropriate manager and the Core Group. The purpose of this review will be to restore the Young Person's Plan in relation to accommodation and support needs.
- 9.2 Care leavers are legally entitled to a fast and transparent appeals and complaints service under the Regulation of Care. This enables them to appeal against the way their (including accommodation and support needs) Plan is being delivered when they believe it is not working satisfactorily.
- 9.3 Appeals and complaints can be made verbally or in writing by the young person or their representatives and will be considered by the Core Group Panel and managers in line with existing agency complaints procedures. These procedures do not replace the young person's right to make a formal complaint to e.g. Highland Council or Barnardo's.

10. Representation

- 10.1 Disagreements between services and agencies will be resolved through the Lead Professional and Principal Housing Officer Community Services / the Housing Association's senior housing officer. If unresolved, then via the Resource Manager Looked After Children and THC Area Housing Manager / RSL Service Manager.
- 10.2 Complaints regarding allocations can be raised through the Council's or other housing provider's complaints procedure.
- 10.3 In the event of any potential eviction actions involving care leavers/young people who have been looked after being raised, whilst the principles and procedures set out in this protocol will be followed, the landlord's arrears policy will apply. And there will be early notification and communication with

the support provider and Through Care services (i.e. Lead Professional and Resource Manager Looked After Children).

Appendix 1 - Legal Framework

Any looked after young person (regardless of their placement type or the legal route by which they became looked after) who ceases to be 'looked after' on and after their 16th birthday is a 'care leaver'.

The **Children (Scotland) Act 1995** (as amended) set out that local authorities have a legal duty to:

- prepare young people for leaving care or ceasing to be looked after
- provide advice and assistance to young people who have ceased to be looked after on or after their 16th birthday. And provide aftercare support until the care leaver turns 19, and to assess any eligible needs for aftercare support until they turn 26 (or beyond in some cases)

Duties are set out in the Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003. [Guidance on aftercare](#) is available.

Part 9 (Corporate Parenting) of the Children and Young People (Scotland) Act 2014 places duties on local authorities and others to ensure the best possible outcomes for care leavers into adulthood. Corporate parenting is "the formal and local partnerships between all services responsible for working together to meet the needs of looked after children, young people and care leavers". Section 58 states that every corporate parent must:

- Be alert to matters which, or which might, adversely affect the wellbeing of an eligible young person
- Assess the needs of eligible children and young people for any services or support provided
- Promote the interests of eligible children and young people
- Seek to provide eligible children and young people with opportunities to promote their wellbeing
- Take appropriate action to help eligible young people access those opportunities
- Keep their approach to corporate parenting under constant review, seeking out improvement

[Statutory guidance on corporate parenting](#) and [guidance on being a good corporate parent](#) is available. [More information is available on CELCIS website](#)

U.N. Convention on the Rights of the Child 1989 - This international framework outlines the rights of the child up to their 18th birthday. It includes:

- A right to an adequate standard of living for their physical, mental, spiritual, moral and social development.
- Young people deprived of their family environment are entitled to special care and protection paying due regard to their cultural background.
- Decision making about accommodation must take contact with family, protection from abuse, neglect and exploitation, health, leisure and recreation activities into account.

Children (Scotland) Act 1995 - Section 29 sets out the main responsibilities to young people who cease to be looked after and accommodated.

Regulation of Care (Scotland) Act 2001 (The Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003) - includes duties on local authorities to:

- carry out assessments of the needs of care leavers (My World Assessment Young Person Planning)
- establish procedures for considering complaints and representations regarding the manner in which functions of the local authority have been discharged. This will include the provision of appropriate accommodation

They cover the manner in which assistance is to be provided and the way in which My World Assessment and Young Person Planning is to be undertaken.

The Housing (Scotland) Act 1987 updated by The Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003:

- Anyone over the age of 16 must have access to a housing list
- Local authorities must ensure that advice and assistance is available free of charge to anyone who asks for it
- If a person applies to a local authority for accommodation, or for assistance in obtaining accommodation, and the authority have reason to believe that he may be homeless or threatened with homelessness, they shall make such inquiries as are necessary to satisfy themselves as to whether he is homeless or threatened with homelessness, is intentionally homeless and has a local connection.
- People assessed as unintentionally homeless with a connection to the local authority area are entitled to permanent accommodation
- If required temporary accommodation must be provided whilst a homeless assessment is being carried out. And where appropriate until a permanent offer of housing can be made.
- Applicants have a right to a review of their homeless decision
- Registered Social Landlords must comply with a local authority's request to provide accommodation.

Local authorities must conduct a housing support assessment for applicants who are unintentionally, or threatened with, homelessness and that they have 'reason to believe' need housing support services. Housing support is defined¹³ as:

- (a) advising or assisting a person with personal budgeting, debt counselling or in dealing with welfare benefit claims;
- (b) assisting a person to engage with individuals, professionals or other bodies with an interest in that person's welfare;
- (c) advising or assisting a person in understanding and managing their tenancy rights and responsibilities, including assisting a person in disputes about those rights and responsibilities;
- (d) advising or assisting a person in settling into a new tenancy.

The Scottish Government's Prevention of Homelessness Guidance further states that: "care leavers should never leave the looked after system without careful advance joint planning to ensure that they do not enter the homelessness system at all. Appropriate accommodation and any required support should be in place prior to any looked after child leaving care".

¹³ Housing Support Services (Homelessness) (Scotland) Regulations 2012

Appendix 2 – Key Contacts

Housing & Tenancy Support Teams

- For **Highland Housing Register** Landlord contacts, see Council website:
www.highland.gov.uk/info/925/council_housing/244/apply_for_a_house/6

Highland Council Community Services

- Telephone: 01349 886606 (*Emergency Out Of Hours 01349 886691*)
- Email: housing.options@highland.gov.uk

Housing Contacts:

Caithness Area

Principal Housing Officer – Margaret Ross

Tel: (01955) 609549 (direct dial)

Area Office, Market Square, Wick

Sutherland Area

Principal Housing Officer – Marina Grant

Tel. 01408635388 (direct dial)

Drummuie Area Office, Golspie

Ross & Cromarty Area

Principal Housing Officer – Derek Manson

Tel: (01349) 868462 (direct dial)

Ross House, High Street, Dingwall

Skye and Lochalsh

Principal Housing Officer – Jenny Bruce

Tel: (01478) 613829 (direct dial)

Address: Tigh na Sgire, Park Lane, Portree IV51 9GP

Lochaber Area

Principal Housing Officer – Morag Cameron / David Wood

Tel: (01397) 707217 (direct dial)

Address: Lochaber House, High Street, Fort William PH33 6EL

Inverness, Badenoch & Strathspey and Nairn Areas

Housing & Homeless Service Manager – Julie Vivers

Tel: (01463) 785141

Social Work Services - Children & Families Teams

- See 'Social Care Contacts' on Highland Council website:
http://www.highland.gov.uk/info/1347/social_care_and_health/456/social_work_contacts
- Social Work Out-Of-Hours Team : 08457 697284

Barnardo's Springboard Contacts Details

- Children's Services Manager, Barnardos Springboard, Ross House, 14 Ardross Street, Inverness, IV3 5NS Tel: 01463 718436

Supported Accommodation & Support Services

- Gateway, 57 Church Street, Inverness, IV1 1DR. Tel. No: 01463 718 693
- YPeople: 73-77 Old Perth Road, Inverness, IV2 3JH. Tel: 01463 218808

Appendix 3 – Understanding Leaving Care – Extract from Shelter Scotland

Care leavers are entitled to additional support from the council and from social work. This section explains your rights when you leave care and how you can get further help.

Who are care leavers?

Care leavers are young people who were looked after by the council's social work department when they turned 16 but are now moving on to live independently.

You will be a care leaver if:

- you have been supervised by a social worker whilst living at home
- you have lived in a children's home or residential school
- you have lived with a foster family or kinship care.

When can I leave care?

You can leave care once you are 16. However, just because you can leave doesn't mean you have to. If you would prefer to stay in your current accommodation, you should discuss this when you are making your pathway plan (see 'what is a pathway plan' below). *(Evidence shows that those who stay longer in the care system have better outcomes. Guidance recommends that organisations assist and strongly encourage young people to 'stay put')*

Before I leave care

Leaving care and getting your own place is a big step, so it's important that you're well prepared. Your local council has a legal duty to help you make your plans to move on, and to support you in your transition to independent living. This usually involves the children's services department taking the lead with you, but will probably also involve the housing department, local voluntary organisations and others.

How can the council help?

When you leave care the council must make sure that:

- you have all the information you need to make decisions about your future
- you have a suitable place to live when you leave care
- you have the opportunity to get all the skills you need to live independently
- you have a plan for your future, called a 'pathway plan'.

What is a pathway plan?

Before you leave care, the council will help you create a plan of action for your future known as a 'pathway plan'. There are three stages involved in creating a plan:

What do you want

It's important that you let the council know what you want to do when you leave care. You'll be asked to attend a meeting with social work and your pathway co-ordinator (the person responsible for making sure that your plan is drawn up and you have all the support you need to follow it). This will give you the opportunity to talk about your current situation and what you want to do in the future.

You can choose someone to come along to your meetings with you, to support you and make sure your opinions are taken seriously. This person may be a relative, a teacher, support worker or foster carer. They are known as a 'young person's supporter'.

Getting assessed

Social work will then assess your situation to decide what support you'll need to carry out your plan. They'll need to talk to other people in your life, such as your parents or guardian, carers, teacher, doctor, careers adviser and anyone else you'd like to be involved. If there's anyone you don't want them to talk to, let them know.

Drawing up the plan

Once the assessment is completed, you and your pathway co-ordinator can draw up your pathway plan. This will outline:

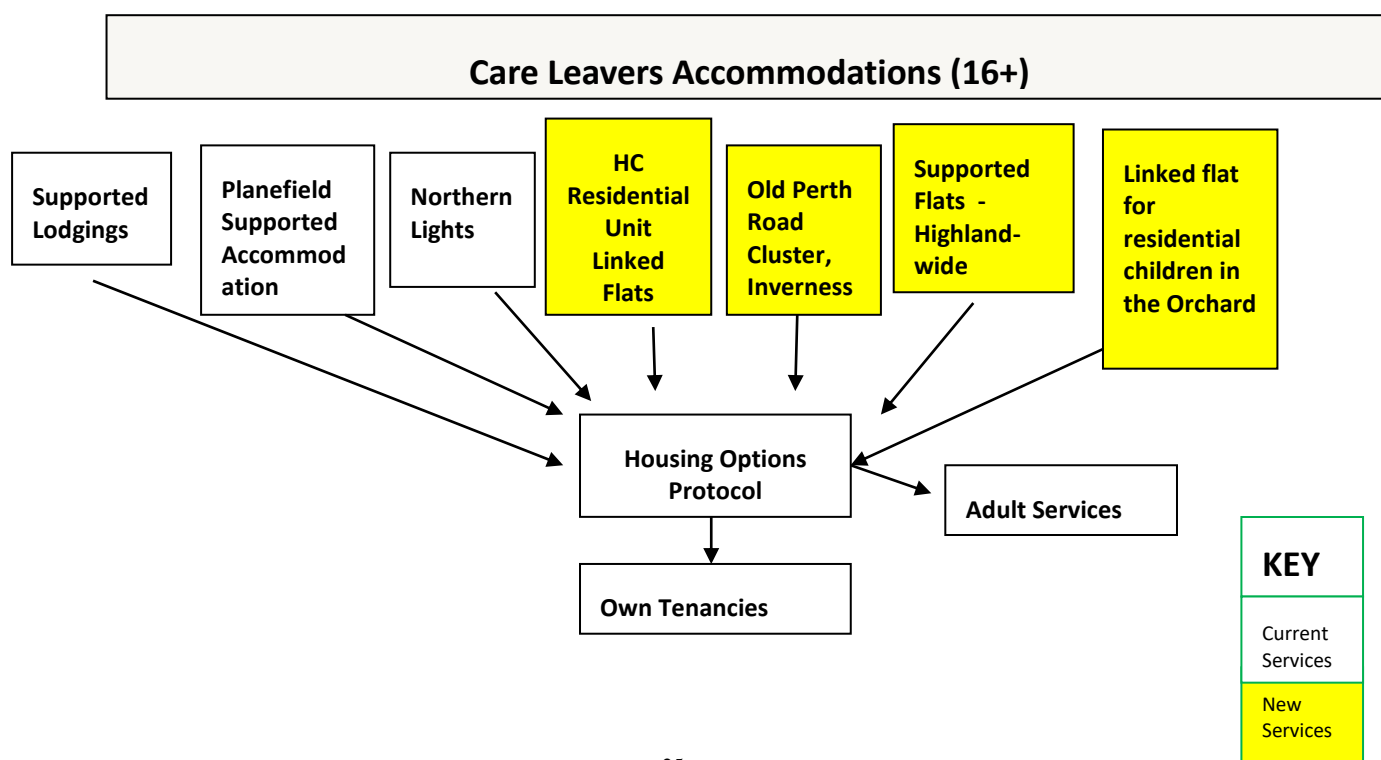
- where you are going to live
- how you will afford to pay rent and living expenses
- whether you will continue your education, start training or look for a job
- how you will cope living on your own
- what the council is going to do to help you carry out your plan.

The plan isn't set in stone - it will be reviewed regularly and you can update and change it as you go along. The Council has a responsibility for keeping in touch with you and making sure you have the support you need until you are 26 years old.

Links to more information

http://scotland.shelter.org.uk/get_advice/advice_topics/finding_a_place_to_live/leaving_home/what_if_im_leaving_care
<http://www.gov.scot/Topics/People/Young-People/protecting/lac/careleavers>

Appendix 4 –Care Leavers Accommodation Strategy Diagram (as at 1/8/17)



App 5 – Data Sharing Agreement Template - For adapting by any organisation



Successful Independent Living – Sharing Agreement

Barnardo's Springboard, The Highland Council, and the other Highland Housing Register (HHR) Landlords* are committed to working together to make sure care experienced young people get the best possible support to successfully access and keep their own homes.

We want to make sure that no-one become homeless, falls into debt or struggles with keeping their home. Getting the right help in place for you may need us to share information. We will only share relevant information – such as information about your housing application; or information which will help us make sure you have a successful tenancy and do not lose it.

To support this we have set up a data sharing agreement. We need your written consent for this data sharing to take place. You can withdraw your consent at any time by notifying Barnardo's or the Highland Council. Your consent ends when you are no longer being supported by Barnardo's.

I agree that:

- You can share data with my HHR landlord and / or Barnardo's which can help me with my housing issue and / or may prevent me from losing my tenancy.
- You may use this to help me to: meet my housing needs; prevent me from losing my tenancy; prevent me from homelessness and; assess what help I may need to set up and / or sustain my home.

Please let us know you agree by ticking this box

Name (print)	
Signature & date	
Barnardo's Scotland Representative Name, Signature & date	
THC Community Services Representative Name, Signature & date	

Additional Information

The Highland Housing Register Landlords (i.e. The Highland Council, Lochalsh & Skye Housing Association, Albyn Housing Society, Cairn Housing Association, Lochaber Housing Association and Pentland Housing Association), collect and use information (data) about all of their customers and store it in accordance with the Data Protection Act 1998. This means that they will keep your information safe & secure. All information will be treated in confidence. It will be placed in secure files. It will be used for the purposes stated above. You can see your records on request. For independent advice about data protection, privacy, and data sharing issues contact: Information Commissioner at: **Telephone:** 01625 545745 **Email:** mail@dataprotection.gov.uk **Website:** www.informationcommissioner.gov.uk