

# Statement of Best Practice in Joint Working between Glasgow City Council and Registered Social Landlords

(No.6)

## 6. YOUNG PEOPLE LEAVING CARE

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### 1. PURPOSE OF STATEMENT

- 1.1 To agree and to define the roles and responsibilities of GCC, GHA/LHOs and RSLs in ensuring that young people leaving care are given the best possible housing support and care services.
- 1.2 The statement will cover sixteen to twenty year olds (ie until the persons 21<sup>st</sup> birthday) who are leaving or who have been in GCC care.
- 1.3 To ensure that young people leaving care receive appropriate preparation and support and have Pathway Assessments, which provide clear details of their support needs, and how these will be met.
- 1.4 To ensure that appropriate housing is offered, maintained and that housing providers are aware of the support packages being put in place and the key contacts for a new young persons tenancy.
- 1.5 This statement is part of suit of 13, which can be accessed at via GCC web site (*insert link*), GGCNHS and GHA intranets and through the members pages of the web sites of SFHA and Glasgow and West of Scotland Forum of Housing Associations

### 2. CONTEXT

- 2.1 Young people leaving care in Glasgow require a Statement of Best Practice (SoBP) between GCC, GHA and RSLs to ensure that their housing and support needs are appropriately met. There are approximately 100 young people who leave the care of GCC every year. Only about 35 of these young people will seek permanent tenancies. The vast majority of these young people will have been received into the care of GCC because of care and protection issues. They may have experienced a range of neglectful and/or abusive situations that result in them being unable to live with their families. As a result of some of these challenges care leavers are on the whole a vulnerable group of young people who require particular attention to ensure they are not marginalized in wider society.

- 2.2 Despite some of their early experiences there are many care leavers who do very well upon leaving care . Within the last two years over 40 care leavers have attended university. At present over 40 care leavers are attending pre university entrance courses at various colleges.
- 2.3 There are however a significant number of young people who, as a result of their experiences, find it difficult to catch up with peers in wider society and continue to achieve poor outcomes. It is these young people who require additional support and guidance as they make the transition to adults within our communities.

### 3. **RELEVANT LEGISLATION**

- 3.1 This SOBP is based on the duties and responsibilities outlined in the following legislation and guidance:
- Children (Scotland) Act 1995
  - Regulation of Care (Scotland) Act 2001
  - Supporting Young People Leaving Care in Scotland 2003. Regulations and Guidance
  - The Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and the Homelessness etc. (Scotland) Act 2003
- 3.2 Further details of responsibilities and duties are outlined in the appendix.
- 3.3 Underpinning all of the above legislation and guidance is an emphasis on corporate parenting, that every effort should be made to prevent care leavers from becoming homeless and the need to ensure that both the housing and support needs of this vulnerable group of people are met by a range of agencies.

### 4. **AGREED PRINCIPLES**

- 4.1 Statutory responsibilities and good practice guidance highlight the need for good corporate parenting and for this to inform all policies with care leavers. This statement is based on the key principle:

**That every effort will be made to prevent care leavers from becoming homeless.**

- 4.2 Tenancy sustainment and the need to help prevent homelessness are crucial.

#### 4.3 This statement incorporates the following principles:

##### Social Work responsibilities:

- Comprehensive Pathways assessments for all care leavers
- Thorough preparation prior to allocation of a tenancy
- Clear support plans identified detailing the nature, extent and who will provide aftercare support as well as clear review plans

##### GHA/RSL responsibilities:

- The provision of good quality advice on housing and tenure options
- The provision of the best possible accommodation, i.e. suitable good quality accommodation
- Matching care leavers needs with choice of housing area
- Wherever possible, provision of a Scottish Secure Tenancy
- The provision of security of tenure in other accommodation arrangements, which insofar as is possible, protect an individual's rights
- Clear and consistent information on matters such as procedures, tenancy rights and responsibilities, referrals, assessments, support, care planning and management arrangements.
- A range of tenancy lease options to be developed for supported accommodation providers, if it is in the young persons interests

##### Social Work/ GHA and RSL joint responsibilities

- Tenancy sustainment to be a central focus for both housing providers and support agencies, this will include the early identification of problems with tenancies
- Promotion of independent advocacy

## 5. **REFERRALS**

5.1 For GHA the Choice Based Lettings (CBL) Team will coordinate all LHO referrals. Referrals to RSL's will be coordinated by a nominated person in each RSL. RSL's will inform the Leaving Care Services (LCS) Development Practice Team Leader (PTL) who their nominated person is when requested.

5.2 For those care leavers where the Local Authority has statutory responsibilities and duties the process of obtaining tenancies will be as follows:

1. The Pathway Coordinator, in conjunction with the young person will complete a Pathway Assessment of their accommodation needs. The assessment will detail the level of support required and the Social Work plan for providing these supports. The appropriate housing provider(s) will be identified.

2. The Pathway Coordinator will forward the referral form, the accommodation section of the Pathways Assessment and a copy of the housing application form (the original must be lodged at the LHO or RSL) to the Leaving Care Services (LCS) Development Practice Team Leader (PTL). The Pathways Assessment will clearly illustrate the level of support to be provided to the young person to sustain the tenancy. Any relevant issues which may affect the young person's ability to manage a tenancy will be highlighted. This will take place at least 3 months prior to the care leaver moving on from the present supported accommodation.
3. The LCS Development PTL will pass the referral and assessment to GHA's CBL Team or the nominated person in other City based RSL's within 3 days. The LCS Development PTL will liaise with the Pathway Coordinator if any further information is required within these 3 days. The Pathway Coordinator will provide any information required within these 3 days.
4. Within GHA the CBL Team will consider all referrals and pass to the appropriate LHO. If any information is required the LHO will liaise with the LCS Development PTL. Similarly, the nominated person within RSL's will liaise with the LCS Development PTL if further information is required.
5. The housing provider should seek to offer a suitable property within 6 weeks. If this timescale is unlikely to be met the housing provider should indicate an approximate estimate of availability to LCS.
6. When an offer is made the opportunity to view the property will remain open for 3 days. An extension may be granted by the LHO /RSL if circumstances prevent the young person from viewing within 3 days. When the tenancy is accepted, in most cases GCC will provide a Section.29 grant to purchase furniture for the tenancy. If there is a time gap between the young person signing for tenancy and moving in GCC will assume responsibility for the payment of rent (this is not expected to be longer than two weeks as this should be sufficient to purchase furniture from Section.29 monies)
7. The LHO/RSL will advise the Pathway Coordinator and the LCS Development PTL when an offer is made to a young person.
8. The young person will advise the LHO/RSL within a maximum of 2 days if the offer is acceptable.
9. Where an offer is refused the LCS Development PTL will assess if the offer made has been reasonable. If it is deemed to be

unreasonable the LCS Development PTL will liaise with the CBL team/ RSL and ask for a further offer to be made.

10. Where there is dispute between Social Work Services and the housing provider about the suitability of an offer attempts will be made locally to resolve the issue. If this fails a case conference will be held. The LCS Development PTL, Pathway Coordinator and if it is a GHA referral a representative from the CBL Team, and the LHO will be present. If it is an RSL referral the nominated person at the RSL will be present. If a resolution cannot be sought the matter must be dealt by either the Operational Manager or Principal Officer for Leaving Care Services, the GHA Senior Policy Officer or senior manager at the RSL.
11. The LCS Development PTL will ensure that the CBL Team and relevant RSL's are made aware of all outstanding applications for care leavers.
12. The LCS Development PTL and the CBL Team or nominated person will have regular meetings to discuss current referrals.
13. The Pathways Coordinator will review the support plan for each care leaver at least six weeks, three months and six months after the care leaver has moved into a tenancy. The housing provider will be given the opportunity to take part in these reviews
14. The LCS Development PTL will meet with the GHA Senior Policy Officer and senior managers at RSL's every three months to review the interim protocol.

## **6. ASSESSMENT**

- 6.1 LHO's and RSL's will allocate accommodation to young people for whom GCC has responsibility under the **Children (Scotland) Act, 1995** and **Supporting Young People Leaving Care in Scotland, 2003 Regulations and Guidance**.
- 6.2 Social Work Services will assess each care leaver's support and accommodation needs via the Pathways assessment and provide a copy of the accommodation section to the relevant LHO or RSL. This will include an assessment of the suitability of the care leaver for permanent tenancies.

## **7. SERVICES TO BE PROVIDED**

- 7.1 GHA and RSLs will work with GCC to develop a range of supported and permanent accommodation options that are appropriate to the needs of young people leaving care. GHA and RSLs will ensure that appropriate accommodation is offered, in consultation with GCC staff.
- 7.2 Social Work Services will provide a Pathways assessment for all care leavers that they have statutory responsibilities for.
- 7.3 GCC will seek a Scottish Secure Tenancy for care leavers where there is an assessed need for permanent accommodation. Young people should be given the maximum security of tenure appropriate to their accommodation

# **APPENDIX 1**

## **1. LEGISLATION, REGULATION & GUIDANCE**

### **The Housing (Scotland) Act 2001**

Requires local authorities to undertake an assessment of housing needs and conditions in their area and produce a Local Housing Strategy. It is for individual authorities to determine local priorities but their Local Housing Strategy must complement Community Plans and the Homeless Strategy. Local authorities will want to ensure that the needs of their young people ceasing to be looked after are reflected in the Local Housing Strategy.

### **The Homelessness (Scotland) Act 2003**

This Act has amended section 25 of the Housing (Scotland) Act 1987. This amendment means that the person aged 16 or 17 assessed as homeless are now included in the statutory definition of applicants to be considered as having a priority need for accommodation. In addition, anyone assessed as homeless who is aged 18 to 20 who was looked after by a local authority when they ceased to be of school age or at any subsequent time will also be considered to be in priority need. However, this legislation should not be used as the main route for accessing accommodation for young people ceasing to be looked after.

### **Children (Scotland) Act 1995**

- Section 17 details a local authorities duty to provide advice and assistance with a view to preparing a child for when he or she is no longer looked after by a local authority
- Section 21 details co-operation between local authorities and other bodies
- Section 29(1) there is a duty to advise, guide and assist care leavers under 19 and under Section 29(2) there is a power to provide young people between 19 and 21 to advise, guide and assist unless the local authority is satisfied that the young person's welfare does not require it

### **Regulation of Care (Scotland) Act 2001**

- Section 73 (1) amends Section 29 of the Children (Scotland) Act 1995 to include duties on local authorities to:

- Carry out a pathways assessment of needs of young people who have been looked after and who they have a duty or a power towards under Section 29
- Section 73 (2) gives Scottish Ministers a power to make regulations on services for young people ceasing to be looked after in Scotland

**Supporting Young People Leaving Care in Scotland 2003 Regulations and Guidance on services for Young People Ceasing to be Looked after by Local Authorities.**

These regulations and guidance came into force on 01/04/2004. They update the provision of throughcare and aftercare support for young people who have been looked after by local authorities in Scotland. They make provision for a range of supports to care leavers including **accommodation** and state that:

- The pathways assessment and plan will have set out what kind of accommodation best meets the needs of the young person and how this is to be obtained.
- Where the responsible authority has assisted a care leaver by providing them with or supporting them in accommodation the authority must ensure that any such accommodation is suitable.
  - Young people should not be placed in unsuitable bed and breakfast or hostel accommodation.
  - However, it is recognised that some young people will want to stay in accommodation that may not be considered suitable by the authority. These issues should be explored in the pathway plan and the young person's wishes taken into account.
- Accommodation and support services should be flexible and focus on the individual needs of the young person:
- Young people should be given the maximum security of tenure appropriate to their accommodation.