



## Children's Safeguarding and Social Work and Homeless Services

Joint protocol for working with 16 and 17 year  
olds presenting as homeless or at risk of  
homelessness

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## 1 Aim of protocol

Some young people may present as homeless or at risk of homelessness because they have either left home or find it difficult to remain living at home. This is often due to conflict with parents and difficult family circumstances, and sometimes because of abuse and harm.

Camden's Children's Safeguarding and Social Work (CSSW) and Homeless Services have a joint statutory duty to meet the needs of young people aged 16 and 17 years who are homeless or at risk of becoming homeless.

This protocol sets out how CSSW will work in partnership with Homeless Services and Housing providers to safeguarding and promote the welfare of young people aged 16 and 17 who are homeless or at risk of homelessness as part of the implementation of Camden's wider Homelessness and Rough Sleeping reduction strategy.

## 2 Scope

The protocol applies to all young people aged 16 and 17 who present as in need and are homeless or at risk of becoming homeless. Services that are involved in the implementation of the protocol are:

- Children's Safeguarding and Social Work
- Homeless Services
- Integrated Youth Support Services
- Youth Offending Service
- Schools and colleges in Camden
- Support workers within the Young Person's Pathway.

## 3 Principles

- The young person's safety and welfare is paramount.
- Services will work to support families to stay together where it is consistent with the young person's welfare. Where a young person has been provided with emergency accommodation prior to the completion of assessment, CSSW will continue to work towards a return to the family home.
- All the young person's developmental needs will be assessed to ensure they receive appropriate support services to help them achieve good outcomes and provide them with opportunities for success in adult life.

## Young people's homeless protocol

- Where accommodation is provided, it will be suitable for the individual young person's assessed needs and use of bed and breakfast accommodation will be avoided. Risk assessments will inform placement decisions in order to safeguard all young people within the Young Person's Pathway.
- All agencies will promote multi-agency working practices to ensure integrated services and clear referral pathways so that young peoples' identified needs are met in a timely manner.
- Agencies will respect the young person's status as a young adult moving towards independence whilst balancing this against any continued need for safeguarding and support.
- Information will be shared in line with good practice and on a "need to know" basis. The young person's privacy and confidentiality will be respected where this is consistent with promoting their welfare and the welfare of others.
- Agencies and workers will work collectively and individually to ensure this protocol is implemented and that there is a genuine integration of services so that no young person is left without appropriate support.

## 4 Legal framework

- Young people aged 16 and 17 who are homeless or at risk of becoming homeless are likely to be vulnerable and may need services and intervention to safeguard and promote their welfare. A young person is at risk of homelessness if it is likely they will become homeless within 56 days.
- CSSW and Homeless Services have a joint duty to meet the needs of these vulnerable young people:
  - CSSW has a duty to provide accommodation to young people aged 16 or 17 who are assessed as being in need and meet the criteria for accommodation under section 20 of the Children Act 1989 (see section 5.1).
  - Homeless Services owe a duty to young people aged 16 or 17 who are eligible and homeless and in priority need under Part 7 of the Housing Act 1996 (see section 5.2).

## Young people's homeless protocol

- Under the statutory guidance *Provision of accommodation for 16 and 17 year olds who may be homeless or require accommodation*, both services have joint responsibility towards young people who are homeless or at risk of homelessness. However duties under the Children Act must take precedence and young people must be assessed by CSSW before decisions are taken on what duties are owed to the young person in terms of providing support and accommodation.
- Local authorities have a duty to support families to stay together and prevent young people from becoming homeless by working with families to resolve issues or find young people an alternative home within their family and friends network. This should be the initial response from CSSW and rehabilitation work should begin immediately and carry on during the assessment process.
- If a young person presents as homeless with nowhere safe to stay that night and is consequently at risk of significant harm, they should be provided with emergency accommodation under section 20 of the Children Act whilst assessment of their needs and further need for accommodation is carried out. If a young person aged 16 or 17 years old is accommodated for more than 24 hours they will become looked after.

## 5 Eligibility for services

### 5.1 Eligibility for services under the Children Act 1989

A young person presenting as homeless or at risk of homelessness must be provided with accommodation under section 20 if assessment shows that they are in need **and** meet the threshold for accommodation under section 20.

A young person will be regarded as a **child in need** where they are unlikely to have the opportunity of achieving or maintaining a reasonable standard of health or development without the provision of services by CSSW, or their health or development is likely to be significantly impaired or further impaired, or if they are disabled.

Local authorities **must provide accommodation** to any young person if they meet any of the following criteria:

- they have no-one who has parental responsibility for them
- they are lost or abandoned
- the person who has been caring for them is prevented (whether or not permanently, and for whatever reason) from providing them with suitable accommodation

## Young people's homeless protocol

- their welfare is likely to be seriously prejudiced if they are not accommodated..

A child or young person (including a 'child in need') who does not meet the above criteria (for example because their parent is still able/willing to provide suitable accommodation and their welfare is not otherwise threatened) will not be eligible for accommodation under section 20(1). and would likely not be owed a homelessness duty (for example because they have suitable accommodation available and are not homeless).

Local authorities **may** accommodate young people who do not meet the above criteria but whose vulnerability means that providing accommodation under section 20 is the best means of safeguarding and promoting their welfare.

Where a young person is accommodated under section 20 for over 24 hours they will become looked after and will be provided with all the services that are owed to all looked after children but the young person **must** consent to this and the implications of becoming looked after must be fully explained to them.

If a young person is assessed as being a child in need but not in need of accommodation, CSSW can provide services to support the family under section 17 of the Children Act 1989 and the young person will have a child in need plan.

### 5.2 Eligibility under homelessness legislation

Young people will be assessed under Part 7 of the Housing Act 1996 **only after it has been established that they are not owed a duty by CSSW under section 20 of the Children Act**. This may be because they are not eligible or have a parent/guardian able to provide suitable accommodation.

A young person will be owed a homelessness duty if they are:

- eligible to access public funds
- assessed as homeless or at risk of homelessness within 56 days.

## 6 Referral and notification

All referrals for young people who are homeless or at risk of homelessness should be sent to CSSW in the first instance as CSSW is the lead agency under the statutory guidance. Where a young person presents to Homeless Services they should be referred on to CSSW for assessment.

## **6.1 Referring agencies**

Agencies that are likely to refer young people for help because of homelessness include schools, college and the Integrated Youth Service.

Workers may be approached by young people who are homeless or at risk of homelessness including young people who are considering leaving the family home.

Initial work with the young person could explore:

- their individual circumstances
- where they are currently living
- whether they are able to remain or return home and whether they will need services to support this, for example through mediation
- whether there are other family members who can look after the young person.

## **6.2 Criteria for referral**

Workers should make a referral to CSSW where:

- the young person has already left or been excluded from the family home;
- the home environment is not safe for the young person and places them at risk of harm;
- the young person's behaviour is putting them or others at risk and parents are unable to manage this behaviour;
- the young person is particularly vulnerable to poor outcomes if they remain at home;
- the young person and their family will require services and support from CSSW to enable them to remain at home or go to live with another family member.

## **6.3 Making referrals to CSSW**

All referrals to CSSW must be made to the Children and Families Contact Service by way of the e-CAF referral record. Young people may also refer themselves by contacting the Contact Service. The Contact Service manager will make a decision on the referral within 1 working day and referrers will be notified of the outcome.

- Cases where there is no imminent threat of homelessness and the young person is likely to remain living at home may be referred to the Early Help Service or support services and a mediation service, including a Family Group Conference.

## Young people's homeless protocol

- Cases where the young person is homeless or at risk of homelessness because of conflict with their parents will be referred to CSSW for assessment and mediation, including a Family Group Conference.
- Homeless Services have a duty to refer any young person aged 16 or 17 who presents as homeless or threatened with homelessness onto CSSW immediately for assessment and a decision on whether a duty is owed under section 20 of the Children Act 1989. Housing workers should contact the Children and Families Contact Service to discuss the case in the first instance and make a referral by e-CAF.
- CSSW has a duty to notify Homeless Services of any young person aged 16 or 17 who will receive a service from CSSW because they are homeless or at risk of homelessness. This is to ensure a joint response and integrated service delivery from both services.
- Before sending the notification the social worker must obtain the young person's consent as well as their consent to sharing the young person's contact details with Homeless Services.
- Notifications to Homeless Services should include a summary of any initial assessment of the young person's situation and what services and support CSSW will provide.

## 7 Supporting families

CSSW and Housing have a joint duty to support families to stay together and help young people to remain at home as this is likely to be in their best interests and is part of Camden's strategy to prevent and reduce homelessness.

- Whenever a young person presents as homeless or at risk of homelessness CSSW will initially work with the young person and their family to help them address and resolve issues that are leading to conflict and/or explore options for the young person to live with members of the extended family or friends.
- All young people presenting as homeless or at risk of homelessness will be offered mediation services for 6-12 weeks to help them and their parents improve relationships and enable young people to remain at home.
- Where assessment shows the young person to be in need, CSSW will provide services and support under section 17 to meet the young person's needs and help them remain living with their family.



## Young people's homeless protocol

- Where it may not be possible for the young person to remain at home, CSSW will help families to explore alternative care for the young person within their extended family and friends network using Family Group Conferences to facilitate this. These arrangements can be supported under section 17.
- Where it may be possible that no CSSW duty may be owed, Homeless Services will provide advice and guidance on legislation and options.
- In general, a young person who is being assessed and undergoing mediation will not be provided with accommodation prior to the end of the assessment.

## 8 CSSW assessment

All 16 and 17 year olds presenting as homeless or at risk of homeless will be assessed by CSSW as lead agency to establish the young person's needs and their eligibility for services including whether they meet the threshold to be provided with accommodation.

CSSW will carry out a specialist child and family assessment for 16 and 17 year olds presenting as homeless or at risk of homelessness in order to:

- establish whether the young person meets the eligibility criteria for a service as a child in need and whether they need to be accommodated under section 20 as set out in section 5;
- identify their specific developmental needs and what support they will need to achieve good outcomes now and support needed for a successful transition to adulthood;
- make a recommendation on the most appropriate services and interventions to meet their needs.

Cases will be allocated to a CSSW social worker and the assessment will be completed within 35 days.

Social workers should consider the factors listed in appendix 1 when deciding whether the young person is a child in need. This decision will be based on the professional judgement of the assessing social worker taking into account each young person's unique circumstances.

The assessment will be multi-agency, and include contributions from all agencies working with the young person and their family. Social workers will also seek advice from colleagues in Homeless Services with regard to the issue of homelessness when appropriate, for example where there may not be a duty owed under the Children Act.

## Young people's homeless protocol

As part of the assessment process, social workers should visit the family home and interview family members to assess the quality of family relationships and whether it is safe for the young person to remain living there. Social workers should also look at potential alternative accommodation within the family and friends network.

If the young person is already living away from the family home, social workers should visit the accommodation to establish if it is safe, suitable and meets the young person's needs and whether it is sustainable.

The views of young people and parent's/carer's on the young person being accommodated should be taken into account when recommending services and interventions to be provided under the Children Act.

If a young person who is **already known to CSSW** presents as homeless or at risk of homelessness, their allocated social worker will carry out a repeat child and family assessment and refer the case to the Care Pathways Panel.

## 9 Care Pathways Panel

All assessments will be reviewed at the monthly Care Pathways Panel, attended by:

- the Director of CSSW (Chair)
- CSSW Head of Service (Vice chair)
- Independent Reviewing Officer (IRO) service manager
- Representative from CAMHS
- Representative from Education
- Resources representative.

The assessing social worker will present their assessment to the Panel for a decision to be made about their status which may include:

- The young person is able to return home or to suitable alternative accommodation and homelessness has been prevented;
- The young person is a child in need who should be accommodated under section 20 (or continue to be accommodated where emergency accommodation has been provided);
- The young person is not eligible for section 20 accommodation and is not homeless or threatened with homelessness and no housing duty is owed.

## Young people's homeless protocol

- The young person is not eligible for section 20 accommodation but there remains a risk of homelessness; the Homelessness Service should be notified and will notify the young person if any duty is owed.

If the young person has been assessed as being in need but does not meet the criteria to be accommodated under section 20, CSSW will provide a statutory social work service under section 17 to support the young person to remain at home and the young person will have a child in need plan.

If the young person is assessed as not being in need, advice and guidance on housing options will be provided by Homeless Services.

### 10 Young person's consent to accommodation

When working with young people, it is important that their views, wishes and feelings are sought and taken into account and that this is an ongoing process through mediation, assessment and beyond.

In particular they should be informed of the implications of being accommodated under section 20, including how they will be supported as a looked after child, how being accommodated will affect their benefit entitlement and what support they will be entitled to subsequently as a care leaver.

They should also be given accurate information about what assistance may be available to them from Housing under the Housing Act 1996 if they do not become looked after, and how any entitlement to assistance by Housing will be determined. In particular, the possible risk of becoming intentionally homeless in future and the implications of this for further assistance with accommodation should be made clear to the young person. This is to ensure that the young person is able to make an informed decision when consenting to accommodation.

The steps taken to ensure that the young person was properly informed must be clearly recorded on the case record. Social workers should also refer young people to independent advocates at Coram Voice where this may be appropriate and useful for the young person.

If the young person does not consent to being looked after, CSSW should consider whether they are competent to make this decision under the Mental Capacity Act 2005 and whether there are any safeguarding concerns that will require further action as a result of this decision.

## 11 Looked After Children services

Where a young person becomes **looked after**, CSSW will ensure they have:

- an allocated social worker who will visit them on a 6 weekly basis or more frequently if required
- an Independent Reviewing Officer who will ensure Camden is meeting all their statutory requirements as corporate parents to the young person
- suitable accommodation within the Young Person's Housing Pathway or other local authority accommodation according to their assessed needs
- a placement plan setting out how key workers will work with young people on a day-to-day basis in order to safeguard and promote their welfare
- a pathway plan setting out what services and support will be made available to the young person to help them live independently and make a successful transition to adulthood
- review meetings held every 6 months to look at whether their pathway plan is achieving planned outcomes and ensure the young person is receiving adequate support and services.

## 12 Young People's Pathways

### 12.1 Description of services

The young people's pathway is a specialist housing service offering semi-independent accommodation where young people have an allocated keyworker working with them to develop basic life skills with a view to moving on through the pathway towards an independent tenancy.

All housing pathway accommodation is commissioned and monitored by Camden Supporting People directorate through a quality assessment framework to ensure standards are suitable for young people.

All referrals to the pathway are dealt with by the Young Person's Pathway Referral Co-ordinator who will liaise with the housing providers and find a suitable housing option for the young person.

Pathways accommodation has been designed to provide the most suitable level of support for young people based on their needs as they move towards independence. Initially young people will live in accommodation with 24 hour on-site cover from staff, but once they make the necessary progress and are ready they can move on to more self-contained accommodation with visiting support.

## Young people's homeless protocol

Young people with specific needs or circumstances, for example young parents, will be accommodated in **specialist accommodation**, for example, mother and baby units. The pathways also has a virtual team of professionals from a variety of agencies such as health, CAMHS and substance misuse available to provide support to young people within the pathways with specialist needs.

Young people's progress within the pathway will be assessed and monitored by their allocated social worker and housing key worker through statutory pathway reviews arranged by their social worker on a 6 monthly basis, where decisions on their movement through the pathway will be taken.

### **12.2 Role of Housing support workers and providers**

Housing support workers and providers will:

- work in partnership with CSSW social workers and other professionals in the young person's network to implement the young person's pathway or child in need plan
- contribute to any CSSW assessments of the young person's needs
- where appropriate, support any mediation or other work to enable the young person to return home
- keep the social worker informed of the young person's progress and any key events or incidents
- attend all professional meetings and reviews of the young person's plan
- notify the social worker if the young person goes missing from their placement in line with the Camden Safeguarding Children Board Missing Children protocol
- make appropriate child protection referrals where the young person is at risk of significant harm (see section ?).

## 13 Young people from outside Camden

Young people presenting as homeless in Camden but from whose address they are homeless or at risk of homelessness is in another borough may not be eligible for accommodation under section 20 from Camden. If the prevention or relief duty under homelessness legislation is owed, an assessment will be made as to whether it is appropriate to refer the young person back to their original local authority under the Pan London protocol for prevention duty or under section 198 of the Homeless Reduction Act.

## Young people's homeless protocol

However, Camden will ensure that an assessment is carried out of any young person presenting as homeless and that any immediate needs of the young person are met pending any referral to another authority. In the event of the other authority disputing responsibility for the young person, Camden will assess and provide for the young person as if they were Camden's responsibility until this is resolved.

### 14 Young people in custody

CSSW and YOS will work in partnership to ensure that young people aged 16 and 17 who are leaving custody and may be homeless or at risk of homelessness have suitable accommodation available on release and this will be jointly planned during resettlement planning.

If the young person already has an allocated CSSW social worker, they should attend any resettlement meetings; a representative from CSSW should also attend if a young person will be referred to CSSW under this protocol. CSSW should always attend where the young person was looked after prior to custody and will need to become looked after again on release.

Where possible, the focus of work should be ensuring young people can return home to live with their family or another family member and mediation services or a Family Group Conference should be considered to support this.

### 15 Young parents

If the young person is a parent and is to be accommodated under section 20, consideration will be given to the needs of the family but it will not automatically follow that the child will become looked after. A separate assessment of the child will be carried out to establish their needs and the young person's parenting capacity before a decision is made on whether the child should also be looked after or what other action may need to be taken. If the young person is pregnant, a pre-birth assessment should be carried out.

When working with young parents and expectant mothers, social workers will ensure:

- if the parent/young person is to become looked after they are allocated suitable accommodation within the Pathway
- the professional network is fully involved in planning for the young person and their child
- the young parent can access their full entitlement to benefits and maternity grants.

## 16 Safeguarding and child protection

CSSW have a responsibility to investigate any child protection concerns and take any necessary action. Staff should refer to "*Working together to safeguard children*" (DfE 2015) and *London Safeguarding Children Board child protection procedures* for full details.

If a young person's situation or behaviour raises serious concerns about their safety, or the safety of other children and young people, keyworkers should make a child protection referral to the young person's allocated social worker. This may be where the young person:

- is in a violent or abusive relationship
- may be being sexually exploited
- may have been trafficked or be a victim of modern slavery or exploitation
- is in contact with the perpetrator of suspected abuse
- is pregnant or is caring for their child and there are concerns for the (unborn) baby's safety and welfare
- exhibits behaviour that puts them or others at serious risk
- goes missing and there are concerns for their welfare; staff should refer to the Camden Safeguarding Children Board guidance on missing children
- is known to have committed offences against children.

Some young people's circumstances make them more vulnerable to harm and abuse and allocated social workers and housing key workers need to be aware of the following:

- **Child sexual exploitation** describes situations where a young person takes part in sexual activity in return for goods, food or accommodation. It normally takes place in the context of an exploitative relationship where there is a power imbalance between the young person and the perpetrator, for example a much older boyfriend, and where consent has not been freely given.
- **Modern slavery and child trafficking** are criminal offences involving holding a person in slavery or servitude or requiring them to carry out forced or compulsory labour. It is also an offence to traffic people with a view to exploiting them. Modern slavery can include child sexual exploitation or the criminal exploitation of young people on the "county lines" model where young people are forced to carry drugs and weapons to other parts of the UK.

## Young people's homeless protocol

- **Going missing** can put young people at risk and can be an indicator the young person being involved in child sexual exploitation or trafficking. Social workers and key workers need to be aware of their role in carrying out risk assessments and reporting young people as missing under the Camden Safeguarding Children Board missing children protocol.
- Some young people living in pathway accommodation may be at risk either because they are involved in **gang activity** or **because they become a victim of gangs**. Social workers and keyworkers need to be aware of any potential gang involvement and carry out risk assessments

For details of guidance on these safeguarding issues please visit the CSCB website: [www.cscb.org](http://www.cscb.org)

## 17 Young people's Pathway Panel

The young person's pathway panel is convened by housing commissioners and providers, with attendance by representatives from CSSW and YOS. The Panel meets fortnightly to discuss difficult or complex cases or arising issues and make decisions about what action needs to be taken. The purpose of the panel meeting is to discuss those young people who are either:

- young people who are in need of further services and support from CSSW to enable them to either access or maintain a place within the Pathway
- young people whose changing needs require a move within the pathway
- young people who are at risk of being evicted from their current supported accommodation provision because they present with a high level of risk to themselves and/or others
- young people who are likely to be evicted from the Young People's Pathway and will not be offered another place within the pathway
- young people who are not using pathway accommodation
- any incident of violence or anti-social behaviour requiring a community safety response.

The panel will also share information on young people who are involved in gangs or serious youth violence.



## Young people's homeless protocol

In any of these cases, the panel should consider what extra support the young person needs in order to keep them within the Young Person's Pathway or any alternative accommodation that should be offered by CSSW, and when it is appropriate. to work jointly with Homeless Services to ensure the young person receives the right advice and guidance on future housing options..

Any referral to the panel for a young person who is accommodated under section 20 will be notified to the young person's allocated social worker and Independent Reviewing Officer so that a statutory LAC review can be convened.

### 18 Discharge from care

As the duty to provide accommodation under section 20 only applies where the young person is homeless, any young person who is accommodated under section 20 who successfully returns home or who subsequently does not appear to require a place on the housing pathway will be discharged from care.

It will be made clear to young people at the placement agreement meeting that any overnight stays must be agreed in advance with housing support workers and the allocated social worker. This will be monitored by housing support workers.

If there is clear evidence that the young person is consistently returning home for long periods of time, including overnight, this will be notified to the social worker who will make a decision on whether or not the young person continues to require s.20 accommodation.

In making this decision, the social worker will look at:

- the level of contact with the family
- the amount of time spent in the supported housing accommodation
- whether or not the home environment remains safe and suitable for the young person
- the young person's relationship with their family.

### 19 Leaving care services

Young people who are accommodated under section 20 at ages 16 and 17 years will qualify for a LAC service until they are 18 years old. However, if they qualify as an eligible or relevant child (aged 16 or 17 years old who has been looked after by CSSW for more than 13 weeks between 14 to 17 years), or former relevant child they will normally be entitled to a full leaving care service up to the age of 21 (or 25 if they request continuing support).

## Young people's homeless protocol

They will only cease to be entitled to a leaving care service if they have returned to living with their parent or someone with parental responsibility or residence order for a continuous period of at least 6 months and that relationship has not broken down.

Young people who are Looked After for less than 13 weeks prior to their 18<sup>th</sup> birthday will not be entitled to a leaving care service. However, they may be eligible for limited support from CSSW that will focus on providing support for their education, training and employment.

## 20 Benefits

CSSW has a duty to support looked after children financially up to the age of 18, and young people who are accommodated under section 20 will not be able to claim benefits. However young people who are registered disabled or who have children may be able to claim some benefits and social workers will advise on this.

Young people aged 16-18 who are not subject to section 20 (Looked After Children status) but who are living separately from their parents in pathway accommodation having been placed there by Homeless Services will be able to claim income support or job-seekers allowance and will need to apply for housing benefit to pay for their accommodation.

Following assessment, the social worker will, where necessary, refer the young person on to the Connexions Service for help to apply for benefits. The social worker will provide a copy of the child and family/homelessness assessment and a letter stating that the young person is living independently, is estranged from their parents and will not be accommodated under section 20 of the Children Act.

When a looked after young person is 18 years old, they will be eligible to claim benefits and their personal advisor in the Leaving Care team should help in making their claim.

## 21 Recording and management information

CSSW case records will be kept on the division's electronic case recording system, MOSAIC. Management information will be generated from MOSAIC by staff based in the Quality Assurance Unit.

Records kept by providers in relation to pathway provision and outcomes for individual young people will be kept on the SPOCC computer system and will provide quarterly reports tracking young people's progress.

## Young people's homeless protocol

Management information and reports will be shared with key stakeholders via the Supporting People commissioning group in order to ensure the implementation of this protocol.

Records on young people kept by housing providers must be returned to CSSW once the young person has left the pathway as the records form part of the young person's looked after records which may need to be accessed by them in the future.

Records kept by Homeless Services in relation to any homelessness duty accepted will be recorded on the current database and reported in accordance with homelessness requirements.

## 22 Multi-agency working

### 22.1 Framework

Under the Children Act 2004, all agencies have a duty to co-operate to safeguard and promote the welfare of children and young people. To achieve this, all agencies will:

- share information, including assessments, in a timely manner and in line with agreements regarding confidentiality
- attend all meetings and reviews or provide a written report where attendance is not possible
- contribute to assessments where appropriate
- play an active part in monitoring the young person's progress against the aims set out in their plan
- maintain a reasonable level of inter-agency contact, particularly where the young person is in crisis
- consult with other agencies regarding any case decisions, especially decisions to end services or discharge from care.

### 22.2 Confidentiality and information sharing

All information provided by the young person is confidential and will not be disclosed to third parties unless:

- the young person has given their consent to the information being shared
- it is necessary to share the information in order to protect the young person or others from significant harm
- under court order

## Young people's homeless protocol

- there is a statutory power under the Crime & Disorder Act 1998 to share information with a relevant authority (police, local authority or health authority) for the purposes of preventing crime.

By law, young people aged 16 and 17 are deemed capable of giving informed consent to information sharing and must consent unless they lack the mental capacity to make this decision.

In these cases, the principles of the Mental Capacity Act should be followed; the allocated social worker will decide who should provide consent on their behalf. Normally this would be a parent or someone with parental responsibility. If this is not possible, guidance may have to be sought from the Courts.

Young people will be told at the outset that in order to receive a full service from CSSW, they need to give written consent to CSSW to obtain information from other services and the police where relevant and to share information with other professionals, including housing support workers.

In discussions with young people, workers will make clear what information needs to be shared, with whom and why. Where information is being shared, workers will pass on only relevant information for the stated purpose.

It is lawful for agencies including the police to share information regarding young people who are involved in gangs and offending in order to protect other young people within the pathway accommodation or to stop the commission of a crime.

Information gathered for the CSSW assessment will be made available to Homeless Services for the purposes of homelessness prevention or to assist the assessment under the Housing Act 1996. Any such assessment will be undertaken alongside the CSSW assessment in order to prevent the young person becoming homeless and to prevent unnecessary delays.

### **22.3 Dispute resolution**

The aim of this protocol is to encourage decisions to be taken jointly and to ensure that the needs of young people are addressed by the most appropriate agency within the framework of legislation and good practice.

In the event that professionals and agencies disagree with any decisions taken by another agency, this will be resolved under the CSCB escalation policy available at: [https://cscb-new.co.uk/?page\\_id=10980](https://cscb-new.co.uk/?page_id=10980)

## **22.4 Training**

All workers who are responsible for implementing this protocol and who come into direct contact with young people will receive safeguarding children training provided by the Camden Safeguarding Children Board to the relevant level depending on their level of contact with young people. Staff will also receive CAF training.

CSSW social workers should receive training on working with homeless young people as part of their core training. Housing support workers who work directly with young people will be able to access social work training provided by CSSW and the Camden Safeguarding Children Board.

## **2.5 Monitoring & review**

This protocol will be reviewed on a 12 monthly basis by senior managers from CSSW and Homeless Services.

## Young people's homeless protocol

### Appendix 1:

Factors to be considered by children's services when assessing 16-17 year olds who may be children in need (*Prevention of homelessness and provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation DfE 2018*)

<b>Dimensions of need</b>	<b>Issues to consider in assessing children's future needs</b>
Accommodation	Does the child have access to stable accommodation? How far is this suitable to the full range of the child's needs?
Family and social relationships	Assessment of the child's relationship with their parents and wider family. What is the capacity of the child's family and social network to provide stable and secure accommodation and meet the child's practical, emotional and social needs?
Emotional and behavioural development	Does the child show self-esteem, resilience and confidence? Assessment of their attachments and the quality of relationships. Does the child show self-control and appropriate self-awareness?
Education, training and employment	Information about the child's education experience and background. Assessment as to whether support may be required to enable the child to access education, training or employment.
Financial capability and independent living skills	Assessment of the child's financial competence and how they will secure financial support in the future. Information about the support the child might need to develop self-management and independent living skills.
Health and development	Assessment of the child's physical, emotional and mental health needs
Identity	Assessment of the child's needs as a result of their ethnicity, preferred language, cultural background, religion or sexual identity.

Young people's homeless protocol

Appendix 2: links to relevant legislation and statutory guidance

The Children Act 1989

<https://www.legislation.gov.uk/ukpga/1989/41/contents>

Prevention of homelessness and provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/712467/Provision\\_of\\_accommodation\\_for\\_16\\_and\\_17\\_year\\_olds\\_who\\_may\\_be\\_homeless.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/712467/Provision_of_accommodation_for_16_and_17_year_olds_who_may_be_homeless.pdf)

The Housing Act 1996

<https://www.legislation.gov.uk/ukpga/1996/52/contents>

Homelessness Reduction Act 2017

<http://www.legislation.gov.uk/ukpga/2017/13/contents/enacted>

Homelessness Code of Guidance

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>