

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

(No.6)

6. YOUNG PEOPLE LEAVING CARE

1. PURPOSE OF STATEMENT

- 1.1 To agree and to define the roles and responsibilities of GCC Leaving Care Services (LCS), and Registered Social Landlords (RSL's) in ensuring that young people leaving care are given the best possible housing support, access to permanent accommodation and care services.
- 1.2 The statement will cover sixteen to twenty-five year olds (i.e. until the persons 26th birthday) who are leaving or who have been in GCC care on or after their sixteenth birthday.
- 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.

2. CONTEXT

- 2.1 Young people leaving care in Glasgow require a Statement of Best Practice (SoBP) between LCS and RSLs to ensure that their housing and support needs are appropriately met. The SoBP recognises the additional Corporate Parental responsibilities and duties that public services hold for this particular group of young people. The SoBP reflects the fact that no one single agency can meet the distinct and diverse needs of young people leaving care, but by working together agencies can secure good outcomes for our care leavers.
- 2.2 There are approximately over 400 young people receiving a Leaving Care Service in Glasgow. Only about 50 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.
- 2.3 Despite some of their early experiences there are many care leavers who do very well upon leaving care . GCC LCS can point to a growing number of care leavers who have made a successful transition from childhood in adulthood across a range of indicators. The LCS/GHA Protocol can report a successful 8 year period of operation where over 200 care leavers have been supported into permanent tenancies, the vast majority managing to sustain those tenancies, with additional supports.

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
- Children and Young People (Scotland) Act 2014
- The Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001
- The Homelessness (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, and 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 working in partnership.

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 we work together to ensure that young people access the right support to access and sustain their own home.

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. Young care leavers will be supported to apply to relevant RSL's for permanent accommodation prior to referred for permanent housing through the Protocol
- Clear support plans identified detailing the nature, extent and who will provide aftercare support as well as clear review plan responsibilities

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.

LCS 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
- The provision of agreed ongoing tenancy support and the promotion of independent advocacy

5. THE PROTOCOL PROCESS (please see Flow Chart)

5.1 Referrals will be co-ordinated by a LCS Protocol Co-ordinator, and an RSL 'Care Leaver Champion'. RSL's will inform the Leaving Care Services (LCS) nominated person 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:

Pre Protocol

1. The Pathway Coordinator (Social Worker) will identify a young person as 'ready' for a permanent tenancy as part of the Pathway Assessment process. The appropriate housing provider(s) will be identified and young person will be assisted to register with the/those housing providers.
2. The Pathway Co-ordinator will contact an RSL 'care leaver champion' to consider housing options and prospects with the aim of identifying an appropriate Housing Association to register with (the aim is NOT to assess whether the client is ready for a permanent tenancy, as this assessment has already taken place through Pathways). **Young Person is assisted to register with the appropriate Housing Association.**
3. The Pathway Co-ordinator will complete a Pathway Assessment of their accommodation needs. The assessment will identify the tenancy-sustainment skills of the individual and detail the level of support required and the Social Work plan for providing these supports.

LCS Screening

4. The LCS Protocol Co-ordinator will liaise with the Pathway Coordinator to ensure that appropriate information/evidence of 'tenancy readiness' is contained in the Pathway Assessment, together with robust package of support before submitting the young person to the Protocol.

RSL Screening

5. The RSL 'care leaver champion' ensures that appropriate information/evidence of 'tenancy readiness' is contained in the Pathway Assessment, together with robust package of support.
6. The LCS Protocol Co-ordinator and RSL 'care leaver champion' will convene a case conference involving the young person, their Pathway Co-ordinator, named housing supporter, and the relevant Housing Association 'care leaver champion'. **This meeting will determine progression onto the Protocol for the young person.**

Post Protocol

7. Once accepted onto the Protocol, the RSL Provider should assign the young person 'priority' status within the RSL's allocations policy and should seek to offer a suitable property as soon as possible, not exceeding 6 months.
 8. Once a tenancy is identified, the RSL 'care leaver champion' will inform the LCS Protocol Co-ordinator of the offer in the first instance, who will facilitate the information being passed to the young person. When an offer is made the opportunity to view the property will remain open for 3 days. An extension may be granted by the RSL Provider if circumstances prevent the young person from viewing within 3 days.
 9. The Pathway Co-ordinator and named housing supporter to ensure that the young person responds to the offer and accompanies them to the viewing.
 10. Where an offer is refused the LCS Protocol Co-ordinator will assess if the offer refusal has been reasonable. If the refusal is deemed to be reasonable, the LCS nominated person will liaise with the RSL 'care leaver champion' to ask for a further offer to be made.
 11. Where the offer is accepted, the RSL, Pathway Co-ordinator, named housing supporter, and young person will continue to work together to ensure that the young person maintains their tenancy.
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- 5.2 The LCS Protocol Co-ordinator will liaise regularly with RSL 'care leaver champions' to ensure that all outstanding applications for care leavers are progressed.
 - 5.3 The LCS Protocol Co-ordinator will provide regular updates on the progress of the LCS Protocol including the production of an Annual Report.

APPENDIX 1

1. LEGISLATION, REGULATION & GUIDANCE

Children (Scotland) Act 1995

- Section 17 details a Local Authority's 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 updated 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.

Children and Young People (Scotland) Act 2014

This Act increases the population eligible for 'Aftercare' support up until their 26th birthday (Section 60(2a)) and introduces a new obligation on Local Authorities to secure some care leavers in their looked after placement, or suitable accommodation, up to their 22nd birthday. These changes reflect the principles of Staying Put Scotland (Oct 2013).

The Act recognises that the needs of looked after children and care leavers are often complex, reflecting backgrounds of trauma, loss and instability and supports cannot be met by one agency alone, and identifies a number of persons and organisations as 'Corporate Parents' (Section 56). It establishes a new legal framework within which services are to work together in support of children, young people and families. The Act identifies an outcome for Corporate parents to consider is 'providing safe, secure, stable and nurturing homes for looked after children and care leavers'.

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.