

Subject:	Housing and Support for Young People aged 16-25 Joint Commissioning Strategy		
Date of Meeting:	14 October 2013		
Report of:	Pinaki Ghoshal		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to seek Committee approval for the Housing and Support for Young People aged 16-25 Joint Commissioning Strategy. See Appendix 1. A separate report is also being presented to the Housing Committee on September 25th.
- 1.2 The Strategy is attached as Appendix 1 and is summarised in the body of the report. The Strategy follows the Housing and Support for Young People Needs Assessment (October 2012, see Appendix 2), and consists of an action plan based around 3 key Strategic Outcomes
- Increase the numbers of young people who are prevented from homelessness
 - Young People have a more positive transition to adulthood through the provision of a Young Peoples' accommodation and support pathway
 - Better use of resources through Joint Commissioning approach to accommodation and support for young people

2. RECOMMENDATIONS:

- 2.1 That the Committee approve the Housing and Support for Young People aged 16-25 Joint Commissioning Strategy.
- 2.2. That the committee approves the procurement of new services as outlined in section 4.3

- 2.3 That the committee grants delegated authority to the Director of Children's Services to award the contract following the recommendations of the evaluation panels and the results of the tendering processes

3. SUMMARY OF CURRENT SERVICE PROVISION FOR YOUNG PEOPLE

- 3.1 The Department of Communities and local Government (DCLG) have been working with local authorities and national homelessness agencies to assist them to improve their response to young people who need housing and support. This includes the creation of a 'Young Peoples' accommodation pathway'. The concept of a local pathway is also promoted in the Ministerial Working Group Report 'Making Every Contact Count'. The pathway approach requires and promotes an integrated approach across councils and with all agencies working with young people.

Throughout the development of this strategy Brighton and Hove worked closely Anna Whalen, until recently a DCLG national advisor.

3.2 Housing Services

Young peoples' housing services are funded by the 'Supporting People' Welfare Grant and the Homelessness Prevention Grant. Accommodation based support and floating support are currently part of the Integrated Support Pathway (ISP). The ISP is based on a banding approach to advice and support services. In respect of young people:

- Sussex Central YMCA Young Peoples Housing Advice Service is in Band 1 and supports young people at risk of homelessness.
- A range of hostels are included in Band 2
- Supported accommodation is in Band 3
- Floating support for young people is in Band 4.

Housing also provides a small amount of funding to support Sussex Nightstop which provides short term accommodation for young people within family homes.

3.3 Children's Services

Children's services have specific duties to provide accommodation for looked after children, care leavers and unaccompanied Asylum Seeking children. Accommodation provided includes foster placements and supported lodgings and there is a budget for young people who are not in settled placements.

Children's Services contract with Sussex Central YMCA to provide 5 bed spaces (accommodation and support) within their supported housing provision.

3.4 Summary of Need

During 2012/13, 155 16 and 17 year olds presented to Housing Options for assistance with housing during the year, and the Sussex Central YMCA Housing Advice Service recorded working with 960 18-25 year olds. Housing related support performance indicator forms show that during 2012/13, 420 young people aged 16-25 were supported by Housing related support services in the city. This includes supported accommodation and floating support, where the young person receives support irrespective of where they live.

4. SUMMARY OF CHANGES AND ACTIONS PROPOSED IN THE HOUSING AND SUPPORT FOR YOUNG PEOPLE AGED 16-25 JOINT COMMISSIONING STRATEGY

4.1 Increase the numbers of young people who are prevented from homelessness

The key changes proposed in the strategy are to:

- Establish a joint assessment system that ensures the families of 16 and 17 year olds receive a joint visit by a social worker and a housing officer
- Review family mediation services funded by Children's services and Housing
- Review universal prevention work through schools and youth provision to ensure young people are provided with the right information and messages about leaving home
- 'Promote a 'Twin track 'approach i.e. targeted work to identify those at high risk of homelessness before they reach the age of 16/17, and family support and prevention programmes as part of Early Help provision

4.2 Young People have a more positive transition to adulthood through the provision of a Young Peoples' Accommodation and Support Pathway

The key changes proposed in the strategy are to:

- Work with partners to create a Young Peoples' Housing Pathway to include all services providing information and advice about housing and other aspects of young people's lives during the transition to adulthood
- Review assessment and allocation functions to ensure joint working and accountable decision making for services that young people receive from the council's housing and children's directorates.

4.3 Better use of resources through Joint Commissioning approach to accommodation and support for young people

The key changes proposed in the strategy are:

- Housing, Children's Services and Adult Social Care (in respect of transition arrangements) to agree set of outcomes to included in all future service specifications
- Housing, Children's Services to confirm a joint commissioning budget and plan to support a new Young People's Pathway which is within existing resources and value for money

The Joint Commissioning Plan includes development and/or procurement of:

- Services to sustain joint assessment and home visits
- High support provision for young people with a high level of need
- Supported Lodgings service (possibly with 'respite' beds where the young person stays for a limited period to enable family mediation)
- Remodeled floating support services to meet the needs of young people in temporary accommodation, including those with dependent children.
- Alternatives to current temporary accommodation.
- Remodeled support arrangements, to provide low cost accommodation for young people with low support needs (specifically 18-25 year olds)
- An integrated Young People Advice Service in the city from 2015. This would include the existing Housing Advice Services and other advice service commissioned under Children's services.

5.0 KEY PRESSURES & CHALLENGES:

- 5.1** There has been an increase the number of 16 and 17 year olds in housing needs and/or insecure accommodation presenting to the Children in Need Team leading to referrals to the Temporary Accommodation and Allocation Team.

6. RELEVANT BACKGROUND INFORMATION

- 6.1.** The needs assessment which provided the evidence base for this project was completed in October 2012. The needs assessment focussed on:
- Referral and assessment pathways and services provided to meet the council's statutory responsibilities
 - Housing and Support provision for young people aged 16-25 (including young people who are looked after by the local authority, who are care leavers, who are unaccompanied asylum seekers or who are teenage parents).
 - Prevention of homelessness among young people

- 6.2. A Working Group of Housing and Children's Services staff was set up in April 2013 to manage the delivery plan linked to this strategy including piloting and allocations panel and planning for the joint assessment process.

7. COMMUNITY ENGAGEMENT AND CONSULTATION

- 7.1. There have been three main consultation phases with this project
- During the development of the needs assessment service users, council staff, community and voluntary sector organisations and service providers were asked to feedback on the content. Services users were specifically surveyed on their views.
 - A consultation portal was set up to facilitate engagement on the design and content of the Commissioning Strategy. Thirty six responses were received. Visits were made to services to talk to young people.
 - Council staff and community and voluntary sector organisations were consulted during the Equalities Impact Assessment.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

The funding of the proposals within this report will be the joint responsibility of the Children and Housing departments. For the analysis of the financial implications on the Housing department budget please refer to the report submitted to the housing committee on the 25th September 2013.

The proposal as outlined in the report require an annual investment of £0.592m from the children's services budget allocation for 16+ provision. The current full year projected spend by children's services on 16 + accommodation is forecast to be £0.961m, therefore the new commissioning arrangements have the potential to reduce costs by circa £0.369m per annum.

The current spending levels are in excess of the available budget and an overspend is reported in the Targeted Budget monitoring (TBM) report for children's services. Therefore, if the current arrangements and service levels are maintained, additional funding would need to be identified. It is anticipated that the potential savings identified above would negate the need for an increase in the 16+ accommodation budget in future years.

There are a number of potential risks that would adversely impact the cost reductions available including: increased demand due to welfare reform and other factors; the ability of the Housing Department to continue to procure accommodation at current rates; the increased need for support and non-accommodation costs.

There may be some initial costs relating to the set-up phase of the project and funding has yet to be identified to cover this.

Legal Implications:

Members are advised that that the objectives set out in this report fall within the council's statutory and policy obligations. The council has a range of statutory obligations in respect of housing young people by virtue of statute and regulation, both in relation to housing law and in relation to the law relating to duties to children. Case law and statutory guidance in this area recognises that integrated services can assist in the delivery of a seamless, child-centred response to the needs of young people who are homeless, or threatened with homelessness

The interface between housing law and the duties owed arising under the Children Acts are legally complex and require different departments to work together. For the young person a duty to ensure they have suitable accommodation is absolute and owed to them by the local authority as a whole, irrespective of which service ultimately takes responsibility for securing that accommodation. In this respect a joint strategy is likely to enhance the prospect of the local authority ensuring the joined up approach which is required in order to meet those legal duties, irrespective of which type of legislation ultimately applies in individual cases.

The joint strategy fulfils the expectations of the 2010 Statutory Guidance entitled 'Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation' which advises local authority housing and children's services departments to work together to secure a range of suitable housing and support services for young people and their families, and recommends that Housing Homelessness Strategies and Supporting People or Housing Related Support Strategies should be drawn up to deal with the accommodation and support needs of vulnerable young people. The Guidance was issued by the Secretary of State for Communities and Local Government and the Secretary of State for Children, Schools and Families under section 7 of the Local authorities Social services Act 1970 and section 82 Housing Act 1996, and so should be followed.

Under Part III of the Children Act the local authority children's services and their partners have a duty to identify and support families where children and young people may be at risk of negative outcomes, including homelessness in the future, by delivering integrated and targeted services in their area. The council is also required under the Homelessness Act 2002 to undertake a review of homelessness in its areas and to formulate an effective policy to deal with it in consultation with the social services. In addition one of the key objectives of the council's Single Homelessness Strategy is to work with services for single homeless people to prevent homelessness, through early identification and intervention.

The council must be able to fulfil its obligations under the provisions of the Housing Act 1996 to provide advice and assistance to homeless persons in its area, and specifically to accommodate homeless 16 to 17 years old who are in need, ex-care leavers under 18, and vulnerable care leavers of any age pursuant to the Homelessness (Priority Need for Accommodation) (England) Order 2002.

The services provided to young people seeking help because of homelessness, or risk of homelessness, should have due regard to the expectations of the statutory guidance referred to above. These include that where the initial approach or referral for housing assistance is made to housing services, the authority should treat the approach/referral as an application for assistance under Part 7 of the 1996 Act. The authority is required to consider whether there is reason to believe the young person may be homeless or likely to become homeless within 28 days (section 184 of the 1996 Act) and, if so, the authority will need to make inquiries to determine whether any duty is owed under Part 7 of the 1996 Act. If there is reason to believe the young person may be eligible for assistance, may be homeless and may be 16 or 17 years of age, the authority will have an immediate duty to secure interim accommodation (section 188(1) of the 1996 Act) pending a decision whether any substantive duty is owed under Part 7. Such accommodation must be suitable for a 16 & 17 year old and, in considering suitability, authorities should bear in mind that 16 and 17 year olds who are homeless and estranged from their family will be particularly vulnerable and in need of support. The Secretary of State considers that Bed and Breakfast accommodation is unsuitable for 16 and 17 year olds.

Statutory Guidance provides that if the young person may be homeless or may be likely to become homeless within 28 days, housing services should make an immediate referral to children's services for an assessment of their needs under S 17 Children Act. This applies to all 16 and 17 year old applicants without exception. Children's services must undertake and complete an initial assessment as soon as possible, and within the expectations of the statutory guidance known as Working Together. Under the statutory guidance referred to above housing services should continue to secure accommodation under section 188 (1) until they have notified the young person whether any substantive duty is owed under Part 7 of the 1996 Act.

The question of whether any substantive duty is owed under Part 7 of the 1996 Act will depend in part on the outcome of the assessment by children's services, and whether any duty is owed under section 20 of the 1989 Children Act. Where children's services have accepted that they have a duty under section 20 duty to provide accommodation, and the 16 or 17 year old has accepted the accommodation, the young person will not be homeless in law and no further duty will be owed under Part 7 of the 1996 Act. The duties to the young person will arise under the Children Act 1989.

Section 17(6) Children Act 1989 specifies that services provided under that section to young people can include the provision of accommodation. However, if a child is provided with accommodation under section 20 Children Act 1989, that child then becomes a 'looked after' child. It is a specific duty that a local authority **MUST** provide accommodation to a child if the criteria in section 20(1) Children Act 1989 are met. These are that the child must be 'a child in need' within the local authority's area who requires accommodation as a result of:

- there being no person who has parental responsibility for him; or
- his being lost or abandoned; or
- the person caring for him being prevented from providing him with suitable accommodation (for any reason including the parent being unable to function as a parent).

The extent to which a young person should be accommodated under S20 or otherwise will turn on the individual circumstances of the case. If a child is 'looked after' under S20, the local authority then owes additional general duties to the child under section 22 Children Act and also becomes liable to provide leaving care support under the Children (Leaving Care) Act 2000.

There may be procurement implications with respect to the proposal relating to the commissioning of accommodation as an alternative to the current temporary accommodation provision and these will need to be dealt with in accordance with the procurement rules when the need arises.

*Lawyers Consulted: Natasha Watson and Amma Boetang
Date 12th September 2013*

Equalities Implications:

An Equalities Impact Assessment has been carried out and will be finalised in September 2013.

The Equalities Impact Assessment concluded that there were no major Equalities Implications as a result of the strategy. The actions from the Equalities Impact Assessment will be included in the strategy delivery plan, and/or taken forward by the Youth Homeless working group plan as appropriate.

Sustainability Implications:

There are no sustainability implications

Crime & Disorder Implications:

Are dealt with in the Needs Assessment and recognised as a key aspect of the Young Person's Pathway e.g. for young people known to the Youth Offending Service.

Risk and Opportunity Management Implications:

A financial risk assessment has been completed in respect of the business case for a pooled commissioning budget and plan.

Public Health Implications:

Are dealt with in the Needs Assessment and recognised as a key aspect of the Young Person's Pathway e.g. in respect of young people with mental health and or substance misuse issues or who are at risk of becoming teenage parents.

Corporate / Citywide Implications:

The strategy highlights the links with the council's Corporate Plan 2013/14

9. EVALUATION OF ANY ALTERNATIVE OPTION(S):

9.1. The proposed Joint Commissioning Strategy sets out an alternative to current arrangements which do not provide value for money.

10. REASONS FOR REPORT RECOMMENDATIONS

10.1. To achieve improved outcomes for young people and ensure value for money for the council.

11. Appendices:

Appendix 1 – Housing and Support for Young People aged 16-25. Joint Commissioning Strategy: Children's Services and Housing.

Appendix 2 – Link to Needs Assessment [Housing | Home](#)

