

NO EXCUSES

PREVENTING HOMELESSNESS FOR THE NEXT GENERATION

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EXECUTIVE SUMMARY

This policy paper examines the causes of homelessness and the long-term impact on young adults.

NEW DATA REVEALS THAT OVER 14,000 16 AND 17 YEAR OLDS WHO FACED HOMELESSNESS APPROACHED 161 COUNCILS ACROSS ENGLAND FOR HELP IN THE LAST FINANCIAL YEAR.

Analysis of Freedom of Information (FOI) responses from 216 councils – not all of which could provide data – suggests that all too many homeless teenagers are not having their needs properly assessed and are being housed in unsuitable accommodation such as Bed and Breakfasts.

In No Excuses, we build on previous research to examine the causes of homelessness and the long-term impact on young adults. It explores whether homeless 16 and 17 year olds are being effectively safeguarded and helped by local authorities and suggests solutions to prevent both short-term risks and long-term damage to vulnerable young people.

LET DOWN

A serious case review of Child G by Wirral Local Safeguarding Children Board (LSCB) revealed a number of shortcomings in the support Child G received from a range of services before her death. The 17 year old had been in regular contact with health, special education, social care and housing services for most of her life, yet the review identified a lack of a multi-agency, holistic assessment of her needs and provided 111 separate recommendations for improvements in service. It also concluded that the local authority 'did not adequately consider its responsibilities under S20 Children Act 1989 to provide accommodation to Child G.'

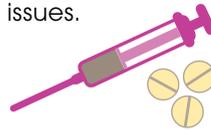
SCALE

New FOI data indicates that in the seven months to October 2012, **8,153** young people across **161** local authorities faced not having a stable, secure place to call home and approached their council for help. On an annual basis, this is equivalent to around **14,000** approaches for the last financial year.



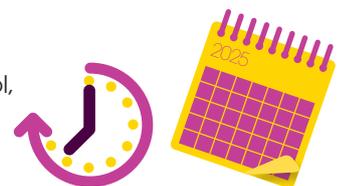
CAUSES

Six out of ten young people become homeless because relationships break down with their family, friend or partner¹. However, this is often intertwined with other causes, such as financial difficulties, substance misuse and mental health issues.



LONG-TERM DAMAGE

Homeless adults with complex problems reported risk factors which can lead to homelessness at a young age such as violence in the family home, exclusion from school, and running away from home in early life². If not properly addressed, such childhood experiences can result in homelessness and serious problems in later life.



Over a half of young people who contacted the councils surveyed were not properly referred to children's services or assessed.

LET DOWN

Analysis of FOI responses indicates that many councils may not be meeting their legal duty towards homeless 16 and 17 year olds. **Over half** of young people who contacted the councils surveyed were not properly referred to children's services or assessed, as set out in official guidance. Moreover, **17%** of 16 and 17 year olds were housed in unsuitable accommodation, such as bed & breakfasts and shared accommodation with adults.



WHERE WE NEED TO BE

Every local authority needs to ensure that they have the right services in place to prevent teenagers leaving or losing their home whenever possible, that their needs are properly assessed, that safeguarding issues are identified and managed, and they are housed in appropriate accommodation. Only then can some of the most vulnerable teenagers in our society have a chance to realise their potential.



Safeguarding young people, preventing homelessness and focussing on positive outcomes is essential.

CONCLUSION

The recent report into the death of Child G highlights the fact that, despite repeated calls for action, many councils are not meeting their legal obligations to 16 and 17 year olds who are homeless. Safeguarding young people, preventing homelessness and focussing on positive outcomes is essential. If we don't make progress on this issue, we risk turning the homeless young people of today into the homeless adults of tomorrow.



UNDERSTANDING THE ISSUE

The latest figures gained under Freedom of Information Act, indicate that youth homelessness is a significant issue.

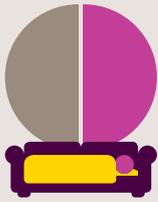
A SIGNIFICANT PROBLEM

The latest figures gained under Freedom of Information Act, indicate that youth homelessness is a significant issue. Based on the responses of **161** councils, **8,153** 16 and 17 year olds approached them for help with housing in the seven months to October 2012. On an annualised basis, this works out to around **14,000** approaches for the financial year 2012/13 across 161 councils in England.

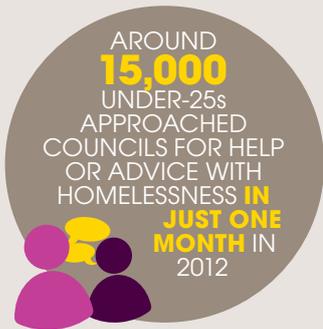
However, this figure could be significantly greater. Inconsistent reporting by councils of young people approaching them for help and the hidden nature of youth homelessness make giving a precise figure problematic.

What we do know is that many homelessness charities report seeing more young people in recent years and that 16 and 17 year olds make up a significant proportion of this group³.

YOUNG & HOMELESS 2012



FIVE OUT OF TEN HOMELESS CHARITIES REPORTED SEEING **MORE UNDER-25s** IN 2012 THAN THE PREVIOUS YEAR



AROUND **15,000** UNDER-25s APPROACHED COUNCILS FOR HELP OR ADVICE WITH HOMELESSNESS **IN JUST ONE MONTH** IN 2012



ONE IN FOUR OF CLIENTS APPROACHING CHARITIES AND COUNCILS FOR HELP ARE **AGED 16 AND 17**

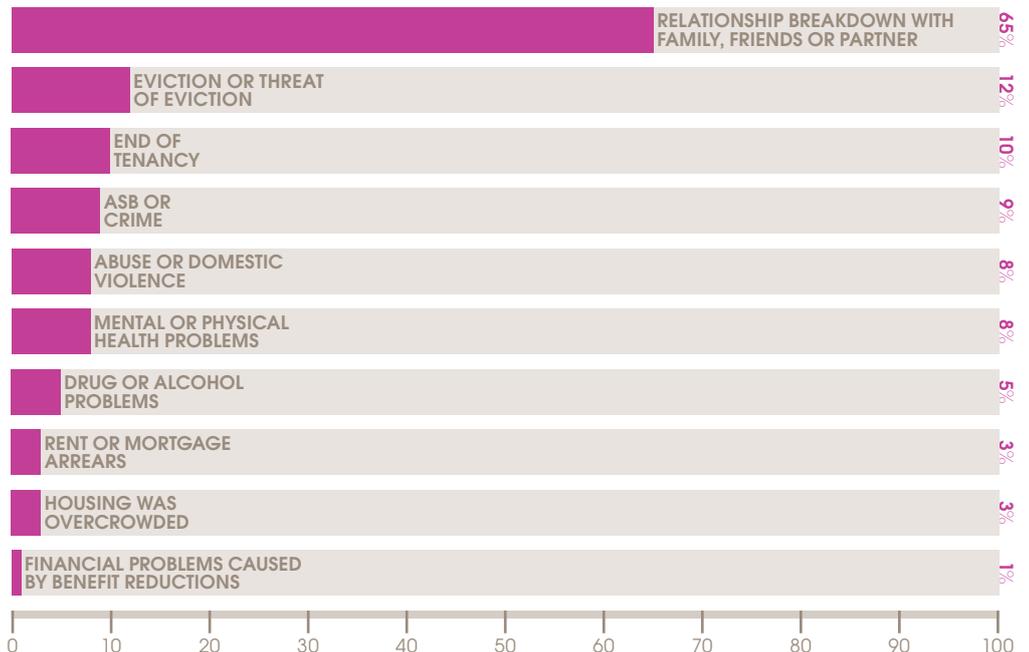
WHAT ARE THE CAUSES?

RISK FACTORS AND TRIGGERS

The main reason 16 and 17 year olds find themselves homeless is because of a breakdown in relationships. However, what is clear is that there are often underlying risk issues behind this which have been present for many years, for example, abuse, violence and financial difficulties within families.

CAUSES OF HOMELESSNESS AMONGST YOUNG PEOPLE

SHARE OF YOUNG PEOPLE PRESENTING AS HOMELESS Source: Young & Homeless, 2012

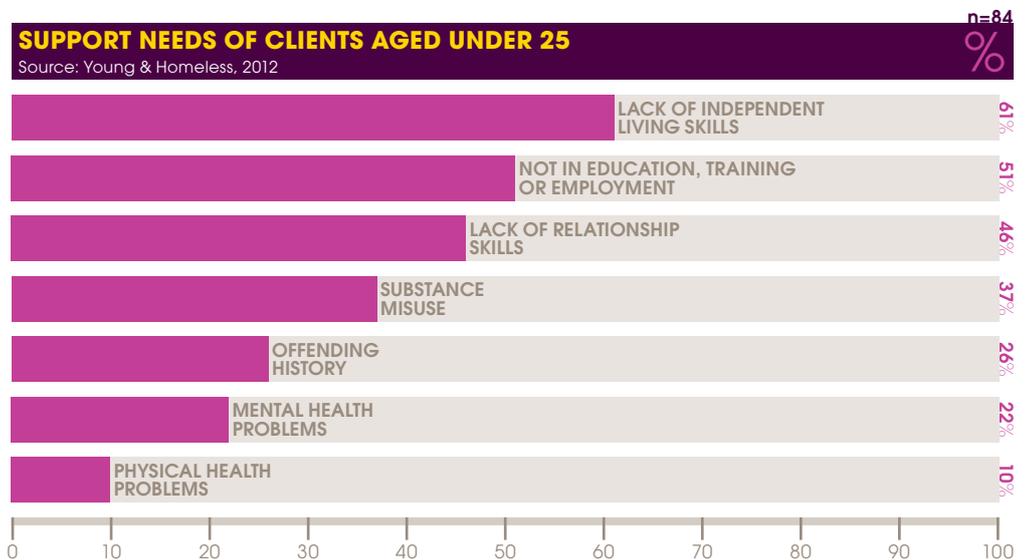


Young homeless people often have a range of complex needs which can prevent them from realising their potential.

HIGH SUPPORT NEEDS

Young homeless people often have a range of complex needs which, if they are not supported to overcome, can prevent them from realising their potential.

As well as drug, alcohol and mental health issues, having a lack of skills to live independently or build relationships can be common. Many are not in education, training or employment.



ECONOMIC AND SOCIAL DRIVERS

All of these challenges must be seen against an increasingly tough backdrop for young people. The high number of young people not in education, training or employment⁴, slow economic growth, a lack of affordable accommodation, wide-ranging changes to the welfare system and cuts in public spending on youth services are all putting additional pressures on families and young people and the available opportunities for housing and employment.

Left unsupported by social care and housing agencies, the most vulnerable young people are at high risk of significant harm.

WHAT ARE THE COSTS?

What is clear is that if left unsupported by social care and housing agencies, the most vulnerable young people are at high risk of significant harm, including child sexual exploitation, mental health problems, self-harm, substance misuse and violence. Some are at risk of being recruited by adults into involvement in criminal activity, including gang related crime.

It is critical we support these young people to gain the skills and positive life experiences they need to make progress.

SHORT-TERM

The complex problems often experienced by homeless 16 and 17 year olds shows how difficult it can be for them to make the transition into adulthood.

They are often vulnerable and can miss out on the opportunities other teenagers have to learn, develop and move to independence. It is critical we support these young people to gain the skills and positive life experiences they need to make progress at such a critical stage of their life.

LONG-TERM

Research with adults who have experienced long-term homelessness indicates that a high proportion have experienced traumatic problems in early life.

One study of older adults⁵ found that **34%** of homeless people with the most complex problems had run away from home for at least one night, while **16%** had been part of a family that had experienced homelessness or spent time in local authority care.

What this underlines is the need to target support at families and teenagers at risk of homelessness, and ensure effective services are in place if young people get to the crisis point of becoming homeless.

Base 452

EXPERIENCE OF HOMELESS ADULTS WITH COMPLEX NEEDS



if homelessness cannot be prevented, local authority children's services should provide accommodation and support to homeless 16 and 17 year olds under the Children Act 1989.

In May 2009, the House of Lords made a landmark judgment in the case of R (G) v London Borough of Southwark⁶. Known as the 'Southwark Ruling', the judgment clarified the law, making clear that if homelessness cannot be prevented, local authority children's services should provide accommodation and support to homeless 16 and 17 year olds under the Children Act 1989.

The Lords ruled that the legal duties under the Children Act 1989 take precedence over duties within the homelessness legislation. Therefore the ongoing duty to accommodate and assist should normally fall to children's services not the housing services of a local authority. The judgment also clarified that the specific duty owed under section 20 of the Children Act 1989 takes precedence over the general duty owed to children in need and their families under section 17 of the same Act (see page 8).

In April 2010, statutory guidance was issued on how councils should deal with 16 and 17 year olds at risk of homelessness⁷. The guidance underlines that:

- Children's services should be the lead agency with regard to assessing and meeting the needs of 16 and 17 year olds who seek help because of homelessness.
- Where a 16 or 17 year old seeks help from children's services as homeless or at risk of homelessness, children's services must assess whether the young person is a 'child in need' and determine whether any duty is owed under section 20 of the Children Act 1989 to provide accommodation.
- Where a 16 or 17 year olds has nowhere to stay that night then children's services must secure suitable emergency accommodation for them.
- Bed & breakfast accommodation is unsuitable for 16 and 17 year olds.
- Young people can still approach housing departments for help, but if it is clear that the young person is homeless or at risk of homelessness, a referral must be made to children's services as well as a homelessness investigation being triggered. Housing can place a young person into suitable emergency accommodation under section 188 of the Housing Act 1996 until the outcome of the 'child in need' assessment is known.
- It is 'essential that services for homeless 16 and 17 year olds are underpinned by written joint protocols' between local authority housing services and children's services.

THE LEGAL RESPONSIBILITIES OF COUNCILS, IN BRIEF

Where a homeless (or at risk of homelessness) 16 or 17 year old seeks help from local authority children's services, or are referred by another agency including housing services, then children's services must assess whether the young person is a 'child in need' and determine whether any duty is owed under section 20 of the Children Act 1989 to provide the young person with accommodation.

Section 17 of the Children Act 1989 sets out the responsibilities of local authorities to provide services for children in need and their families. A young person is considered to be a 'child in need' if:

- They are unlikely to achieve or maintain, or have the opportunity to achieve or maintain, a reasonable standard of health or development without the provision of services by the local authority;
- Their health or development is likely to be significantly impaired, or further impaired, without the provision of services by the local authority; or
- They are disabled.

Section 20(1) of the Children Act 1989, requires that: 'Every local authority shall provide accommodation for any child in need within their area who

appears to them to require accommodation as a result of:

- a. There being no person who has parental responsibility for him;
- b. His being lost or having been abandoned; or
- c. The person who has been caring for him being prevented (whether or not permanently, and for whatever reason) from providing him with suitable accommodation or care.'

Section 20 (3) of the Children Act requires that:

'Every local authority shall provide accommodation for any child in need within their area who has reached the age of 16 and whose welfare the authority consider is likely to be seriously prejudiced if they do not provide them with accommodation.'

If a young person is accommodated under section 20 they become a 'looked after child', and with this they are afforded further protection and rights with a range of support and services, including a named social worker and a care plan. Young people who are 'looked after' will also then qualify for leaving care support and services up to the age of 21 or in some cases, up to the age of 25⁸.

It was made very clear that while a local authority can offer services and support to a young

person under section 17 of the Act, they cannot substitute the section 20 duty with section 17 powers. It is not legal to place a young person aged 16 or 17 who is alone, homeless and not with their family in accommodation under section 17.

The five tests are:

- Are they a child?
- Are they a child 'in need'?
- Are they usually resident in the area of the local authority?
- Do they require accommodation?
- What are their wishes and feelings about becoming looked after?

The homelessness legislation acts as a safety net for any homeless 16 and 17 year olds who are assessed as not being owed a duty under section 20 of the Children Act 1989. They may be assessed as having a priority need for accommodation under Part 7 of the Housing Act 1996 and the *Homeless Priority Need for Accommodation (England) Order 2002*. In this case a young person may still get practical support through Section 17, but this does not include the provision of accommodation.

ARE WE MAKING PROGRESS?

FINANCIAL SENSE

An independent evaluation of Depaul UK's Reconnect Family mediation service in Oldham found that homelessness was prevented for 82% of young people referred. The local authority that commissioned the service saved £26 for every £1 spent.

LET DOWN

In 2012, Kent County Council and Dover District Council were heavily criticised for 'inexcusable failures' by the Local Government Ombudsman. They agreed to pay compensation after failing to assess and provide suitable accommodation for a 16 year old boy who spent nine months living in a tent, sleeping on sofas and selling most of his possessions to survive. Despite the police, the youth offending service, the YMCA and a local drug and alcohol service expressing concern, Kent failed to support the boy as a 'child in need' as defined by the Children Act 1989, and Dover failed to fulfil its duty to him as a homeless person.

PREVENTION

There is a strong case for supporting young people to remain at home with their families or in wider family networks, when it is safe to do so. Not only is it likely to be better for many young people to remain at home but it is likely to reduce future episodes of homelessness in later life. We know that becoming homeless at a young age can have a negative impact on economic, physical and emotional wellbeing⁹.

While there is no comprehensive data about prevention, existing research found that local authorities were able to prevent homelessness amongst 16 and 17 year olds in **41%** of cases¹⁰.

Early action by agencies to mediate between young people and their families is key to achieving this. However, evidence suggests that services like family mediation schemes are by no means universal and those that do exist come under increasing pressure because of funding cuts.

There is also a major preventative role for education work in schools and other youth provision, in particular peer education and mentoring schemes, highlighting the reality of homelessness and leaving home at a young age.

ASSESSMENT

Statutory guidance states that a young person should receive an initial assessment from children's services unless 'they are able to determine very quickly that the young person is not homeless and does not require support'. The same guidance outlines how this should be carried out in line with best practice¹¹.

The analysis of FOI responses indicates that local authorities are relying heavily on housing services to assess and provide support for young people with housing needs.

Over half of young people (59% in 2012/13) who approached councils with housing needs were referred directly to housing options instead of children's services.

Moreover, **less than half** of young people were referred to children's services at any time during their assessment process.

Our analysis of FOI responses from 54 local authorities for 2012/13 indicates that around a third of young people did not receive an initial assessment by children's services once referred to them. This share has remained broadly unchanged over the past three years.

LET DOWN

A Serious Case Review into the death of Child S, in Manchester, concluded that the support provided by various agencies was not consistent with the House of Lords judgement following the Southward ruling and did not consider section 20 of the Children Act. The 17 year old, an Eastern European who had been abandoned by his father, was passed between children's social care, the no recourse to public funds team and the youth offending service. At no point were the individual's needs fully assessed, partly due to confusion over his age. Child G floated between various B&Bs before being found hanged in his room. The review criticised 'significant limitations' in agencies working together, concluding that many areas of his life 'could and should have been addressed' prior to his death.

A BETTER OPTION

The Community Host scheme is an innovative new way to support young people at risk of homelessness. The scheme works with young people aged 16-17 years who for various reasons cannot live at home with their families, by placing them with carefully selected Community Hosts, where they can be provided with family support, and a room of their own. Each Community Host is supported by a worker from South London YMCA who ensures that the young people involved in the scheme are happy, safe and that their needs are fully met. They also help young people develop the life skills needed to move on to future independent accommodation.

SUPPORT

FOI responses indicate that there has been an increase in the number of young people accommodated by housing options receiving support from children's services, from **37%** in 2009/10 to **55%** in 2012/13.

In general, of the young people who received an initial assessment from children's services in 2012/13, **40%** received support under section 17 of the Children's Act 1989, while **10%** were accommodated under section 20.

This shows that many young homeless people are not being assessed or offered support by children's services under section 20 of the Children Act 1989.

HOUSING

Analysis of the FOI responses found that **17%** of homeless young people were housed in unsuitable accommodation in 2012/13: **8%** were housed in bed & breakfasts and **9%** in shared accommodation with adults.

Although the situation has improved since 2009/10, when **25%** of young people were housed in unsuitable accommodation, placing vulnerable young people in bed & breakfast goes against statutory guidance and is unacceptable.

Moreover, placing young people in accommodation used by older adults should raise concerns about whether safeguarding of vulnerable individuals can remain effective.

WHERE NEXT?

We call on every local authority to minimise the risk of young people ending up homeless and, if they do, to provide that young person with the support they need to stay safe, avoid becoming homeless again and to realise their potential.

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The Youth Accommodation Pathway¹² provides a model of support to young people who are at risk of homelessness. It focusses on prevention but also offers tailored accommodation options and a supportive transition into adulthood to avoid the crisis of homelessness.

We urge all local authorities to adopt this approach, and consider the following steps to help put this into practice.



KEY STEPS PREVENTION

- Education in schools on the reality of housing choices for young people, including peer education initiatives.
- Targeted work to identify young people at high risk of homelessness and work with them and their families. Youth services can play a key role in this.
- Provision for family mediation, family group conferences and other prevention services up to the age of 18.
- Where mediation doesn't work, efforts should be made to house young people with members of their family or friends, where it is safe to do so.

SOMETHING TO ASPIRE TO...

Depaul UK workers visit schools to educate young people.

Their work with schools helps to make students more aware of what homelessness is, how and why young people can find themselves in such difficult situations and what they can do to avoid becoming homeless.



KEY STEPS ASSESSMENT

- Local authority housing and children's services departments should work together better, providing a single gateway through which young people can seek help and have their needs assessed.
- This joint working must be recognised and acted upon in the form of a joint protocol, which sets out a mutually agreed vision, objectives, systems and processes. Existing guidance sets out a framework for this¹³.
- Departments must be resourced to commission or provide support accordingly.

SOMETHING TO ASPIRE TO...

St. Basils Youth Hub and Youth Line provide a single point of help to Birmingham's young people.

The helpline is available 24/7 and trained staff are able to provide initial advice to young people facing homelessness.

Run in partnership with the council and other charities, the Youth Hub has trained workers to fully assess a young person's needs. Statutory assessments are undertaken by housing and children's services. The Youth Hub also provides advice, options, family mediation and has access to short stay accommodation and support for the complex problems young people often face.



KEY STEPS HOUSING

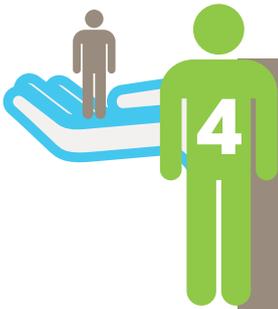
- Every local authority needs to provide access to suitable emergency accommodation for homeless young people
- Local authorities and providers need to work together to ensure young people are able to access a range of accommodation options, including improved access to supported lodgings, private rented sector, shared accommodation and social housing.

SOMETHING TO ASPIRE TO...

New Forest Night Stop has provided 1,800 nights of safety to more than 250 young people.

Through a team of 30 trained volunteers, the service provides free emergency accommodation in the homes of 'hosts'. They also get meals, laundry, baths, travels costs, toiletries and practical support with benefit claims and progression of their housing case.

Volunteers aim to provide a listening ear, as well as a sense of belonging and trust.



KEY STEPS SUPPORT

- There needs to be a focus on, and co-ordinated care for, homeless young people with complex needs to prevent problems escalating and becoming entrenched.
- Statutory agencies such as Child and Adolescent Mental Health Services (CAMHS), youth offending teams, and drug and alcohol teams should have strong links with local homeless agencies. This should include agreed referral routes and other partnership agreements to ensure that young people with more complex needs receive the support they require.
- Support should be provided to help young people access education, training, employment and other services so they can reach their potential.

SOMETHING TO ASPIRE TO...

Centrepoint's learning team help young people to rebuild their lives.

They assess each young person's needs, goals and aspirations and help them plan steps to get their life back on track.

As well as support with education and training, the service also provides work-related opportunities, building the financial, emotional and life skills that can help young people avoid future homelessness.

CONCLUSION

When young people approach services for help, it is critical that they get the right support. If we fail to safeguard these vulnerable young people, we risk turning the homeless young people of today into the homeless adults of tomorrow.

While we recognise the current pressure that many local authorities are under, with major cuts to public services, this is no excuse for children's services to avoid their responsibilities to homeless 16 and 17 year olds.

The recent report into the death of Child G highlights the fact that, despite repeated calls for action, many councils are not meeting their legal obligations.

We are extremely disappointed with this lack of progress and urge children's services to work in partnership with their housing department to establish effective joint protocols, to ensure that young homeless people get the help and support they need and are entitled to under the law and statutory guidance.

The Youth Accommodation Pathway and existing guidance on the Children Act 1989 offer local authorities practical steps to prevent and respond to homelessness among 16 and 17 year olds. It is vital these are put into practice and, as a sector, we are committed to working alongside our local partners to achieve this.

METHODOLOGY

The above analysis is based on a Freedom of Information request made by Inside Housing in October 2012. Inside Housing requested information from all English councils around the number of 16 and 17 year olds with housing needs approaching councils for support and how councils are dealing with them. Not all local authorities could provide responses to the questions because they do not record the required information: only 161 local authorities in 2012/13 recorded the number of young people that approach them for housing support. In some cases, a local authority could provide responses to some of our questions but not all: for example, 112 local authorities in 2012/13 recorded the number of young people that were referred directly to housing options to be assessed.

Despite data being unavailable for all 326 English local authorities, we are confident the shares reported in the above analysis provide a good indication of local authorities' practices when supporting 16 and 17 year olds. The smallest number of local authorities used in our calculations was 49, which means our calculated share is within 12.9 percentage points of the actual share for England¹⁴. The largest number of local authorities used in our calculations was 161, which reduces the margin of error from 12.9 percentage points to 5.4 percentage points.

END NOTES

1. Homeless Link, Young and Homeless 2012, December 2012.
2. Suzanne Fitzpatrick et al, Multiple Exclusion Homelessness in the UK, Briefing Paper1, 2012.
3. Suzanne Fitzpatrick et al, Multiple Exclusion Homelessness in the UK, Briefing Paper1, 2012.
4. According to Office for National Statistics, for January to March 2013, there were 1.09 million young people (aged from 16 to 24) in the UK who were Not in Education, Employment or Training (NEET).
5. Homeless Link, Tackling homelessness and exclusion: Understanding complex lives 2011.
6. G was a 17 year old who was homeless and approached Southwark Council's children's services department requesting that they provide him with accommodation and support under section 20 of the Children Act 1989. Although the council accepted that G was a 'child-in-need' and was homeless, it did not accept that he 'required' accommodation. Instead, it held that, because he was a resourceful teenager, he simply needed 'help with accommodation', such as assistance to find a flat of his own and to claim housing benefit. G appealed against this decision but the Court of Appeal agreed that the council's decision was not unreasonable. G then took the case to the Law Lord and won. The Lords decided that children's services could not deny entitlement to children if they fulfilled the criteria set out in the law.
7. Department for Children, Schools and Families & Communities and Local Government, Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation, April 2010.
8. The Children (Leaving Care) Act 2000 sets out the criteria for eligibility as: any young person who has been looked after for 13 weeks or more, after their 14th birthday and are still looked after on or after their 16th birthday.
9. Suzanne Fitzpatrick et al, Multiple Exclusion Homelessness in the UK, Briefing Paper1, 2012.
10. Homeless Link, Young and Homeless 2012.
11. Department for Children, Schools & Families & Communities and Local Government, Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation, April 2010.
12. St Basils, Developing positive accommodation and support pathways to adulthood - <http://bit.ly/StBasilsReport>
13. Department for Children, Schools & Families & Communities and Local Government, Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation, April 2010, p. 17.
14. The margin of error is calculated using 95% confidence interval.

**INSIDE
HOUSING**



**St
Basils**
Works with young people

YMCA

www.homeless.org.uk/take-a-step

 www.facebook.com/homelesslink

 @HomelessLink

