

Effective Accommodation Planning for Resettlement

(Developed by South & West Yorkshire Resettlement Consortium and adopted by Yorkshire and Humber Directors of Children's Services)

Ensuring timely knowledge of address on release for all young people

Key standards

- 1. *Young people in custody should know a month in advance of their release date where they will be living on release.***
- 2. *Escalation should take place as soon as a difficulty in obtaining suitable accommodation is identified, and at a minimum a month before release.***
- 3. *Heads of Service should raise issues with the Director of Children's Services as soon as a difficulty is identified and no later than 7 days prior to release.***
- 4. *The social worker and YOT case manager must liaise to ensure that their plans are aligned, and arrange joint visits a minimum of once a month to ensure this aligned plan is jointly reviewed. Visits should be facilitated by the secure estate, and may include accommodation providers.***
- 5. *No young person should be released to present as homeless or to temporary accommodation for assessment.***
- 6. *Following the initial sentence planning meeting the young person's accommodation situation and plans should be referred to a local planning panel with senior management representation from Housing, Social Care and Youth Offending - either a meeting or a virtual e-mail group.***
- 7. *Temporary release to support successful accommodation placement should be scheduled for all young people as part of sentence planning.***
- 8. *Consideration should be given to the young person's support package to maintain their accommodation.***

1. Background

- 1.1 Nationally and locally accommodation has been identified as a key issue for resettlement. The Youth Justice Board wrote in 2015 to Chief Executives and YOT Board Chairs asking them to review and improve the situation for those being released. The HMIP / CQC / Ofsted inspection on resettlement also highlighted accommodation as a key factor, and suggested young people should be aware of their address on release two months beforehand. Research shows that the success of all other resettlement pathway depends on having suitable accommodation available well before the pre-release period.
- 1.2 The South and West Yorkshire Resettlement Consortium undertook some analysis of young people leaving custody and found that in nearly half of cases young people did not know the address they would be returning to a month in advance of release. A small number of these are young people returning to family where issues were being resolved until late in sentence. However, the majority are aged 16-17, and Children in Care. These standards have been developed to support this small number of young people who are not returning to the family home, although they have relevance beyond that.
- 1.3 The number of young people in custody is reducing. Those within the cohort are a high risk and vulnerable group with complex needs. The cost benefits for longer term savings on custody, mental health interventions and harm to the community justifies an investment in accommodation for resettlement.

- 1.4 The Standards have been developed through discussions with representatives from Social Care, Housing and Youth Offending Teams across South and West Yorkshire. Cross cutting all the standards should be the importance of including the young person's views in decision-making. Following initial consideration by the Yorkshire and Humber DCS's in September 2015 the DCS meeting in December 2016 approved these standards for implementation across Yorkshire and Humber.

2. Legislation, judgements, guidance and interpretation

Children's Act 1989 <http://www.legislation.gov.uk/ukpga/1989/41/part/III/crossheading/provision-of-accommodation-for-children>

Section 20(1)

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;
- c) the person who has been caring for him is being prevented from providing him with **suitable** accommodation or care.

Section 20(3)

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

Section 20 (4) A local authority may provide accommodation for any child within their area (even though a person who has parental responsibility for him is able to provide him with accommodation) if they consider that to do so would safeguard or promote the child's welfare.

All of these are separate provisions, not a combined test

Following the Southwark judgement the key question is does the child in need require accommodation, *not* do they need to be looked after?

Housing Act 1996

<http://www.legislation.gov.uk/ukpga/1996/52/part/VII>

S183 - Reason to believe homeless or threatened with homelessness within 28 days

S184 – if reason to believe, then duty to investigate

4 statutory tests: Eligible, homeless, priority need, intentionally homeless and 1 other test - not statutory - local connection

S188 – interim suitable accommodation

S193 – homeless decision – 'accepting' the main homelessness duty

Existing YJB guidance: Custody and resettlement: section 7 case management guidance

<https://www.gov.uk/government/publications/custody-and-resettlement/custody-and-resettlement-section-7-case-management-guidance> -the escalation timescale for our standards has been taken from existing YJB guidance

The charity St Basils offer training and support to Local Authorities <https://www.stbasils.org.uk/how-we-help/our-services> on issues relating to young people, accommodation and support.

For any further information please contact resettlement@leeds.gov.uk