

## Report to CABINET

# Care Leavers and Homelessness

### Portfolio Holder:

Councillor Hannah Roberts, Cabinet Member for Housing  
Councillor Amanda Chadderton, Cabinet Member for Childrens'  
Councillor Zahid Chauhan, Cabinet Member for Health and Social Care

**Officer Contact:** Emma Barton, Director of Economy

### Report Author:

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**Ext. 5163**

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### Reason for Decision

Oldham Council's Corporate Parenting Strategy supports the principle that children looked after should be supported on their journey to independence. As part of the Strategy's review, the role of housing as part of the Corporate Parenting offer is being strengthened. This, supported by wider discussions at a Greater Manchester level, has led to proposals to ensure that care leavers who become homeless receive the support of full rehousing duties up to the age of 25.

### Executive Summary

With a focus on homelessness, this report helps emphasise Oldham's commitment to supporting and genuinely caring for the care leavers across the borough. This builds upon existing provisions such as free prescriptions, discretionary council tax rates and free bus passes. It gives an outline of work streams which have been taking place within the Council and Greater Manchester around care leavers, and the resulting recommendations which refer to how homelessness legislation is applied, and how this sets Oldham apart – in a positive way – from many other local authorities in England. This report therefore seeks approval for the adoption of these recommendations, and a new approach to enhancing the support available for care leavers through the homeless service provision in Oldham.

### Recommendations

This report recommends that:

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- I. Oldham Council adopts the principle that all care leavers up to the age of 25 are to be found as being in 'priority need' under homelessness legislation;
  - II. Oldham Council adopts the principle that no care leaver up to the age of 25 should be found intentionally homeless.

## Care Leavers and Homelessness

### 1 Background

- 1.1 Oldham Council is committed to its role as a corporate parent, including to young people who have left its care upon reaching adulthood.
- 1.2 Under homelessness legislation, young people who were formerly in care aged 18-20 are automatically in 'priority need'. This means that if they become homeless there is a duty to provide temporary and potentially permanent accommodation.
- 1.3 Care leavers aged 21 and over do not have an automatic priority need under homelessness legislation, but the local housing authority must take into account the effect that being in care may have had on that young person in assessing whether they should be deemed as vulnerable. If they are found to be vulnerable, they will be owed the same housing duties as 18-20 year olds in terms of the local authority having a duty to provide temporary and potentially permanent accommodation.
- 1.4 The duty to provide permanent accommodation does not arise where someone has been found to have become intentionally homeless. This refers to a deliberate act or omission which has resulted in that person's homelessness; for example a deliberate non-payment of rent or giving up accommodation which was otherwise suitable.
- 1.5 The Children & Social Work Act 2017 introduced a new duty on local authorities to provide Personal Adviser (PA) support to all care leavers up to age 25, if they want to access this. This does highlight a difference from the homelessness legislation outlined above, which the recommendations in this report seek to address.
- 1.6 In addition this change in legislation, the Greater Manchester (GM) Care Leaver's Trust has been endorsed by the GM Children's Board to develop a 'core offer' across GM for all care leavers. This includes several work streams and a proposed guarantee that:
- Care leavers 18 – 21 years will be able to travel for free on buses across Greater Manchester;
  - No care leavers will be made intentionally homeless;
  - Care leavers will be able to access a clear, consistent education, employment, and training offer;
  - There will be access to a mentor for every care leaver that wants one;
  - Care leavers will be supported as a priority group within the health economy.
- The Council is not statutorily obligated to adopt this core offer, but it is certainly good practice in terms of supporting young people as a Corporate Parent.
- 1.7 The recommendations in this report seek to respond to both the change in legislation brought about by the Children & Social Work Act 2017, and the recommendations of the GM Care Leaver's Trust.

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## 2 **Current Position**

### 2.1 **Intentional Homelessness**

2.1.1 The GM Care Leaver's Trust 'core offer' includes a proposal that no care leavers will be made intentionally homeless. There is currently no age limit applied to this, although other proposals in the offer apply to care leavers aged 18-21. This report proposes that this is applied to 25 – in line with when young people can receive a wider package of support from Personal Advisors.

2.1.2 Oldham Council rarely makes care leavers intentionally homeless, so the impact of the recommendations in this report would be minimal:

- In 2018/19, only one intentionally homeless decision was issued – and an accommodation solution was found for the young person;
- In 2017/18, only one intentionally homeless decision was issued – and this decision was overturned on review;
- In 2016/17, no intentionally homeless decisions were issued.

### 2.2 **Priority Need**

2.2.1 In order to fully bring respective legislation in line in terms of age and provide a comprehensive offer to Oldham's care leavers, it is also proposed that housing treat all homeless care leavers as priority need up to the age of 25.

2.2.2 This proposal could have a financial cost attached in terms of guaranteeing accommodation; however as per point 2.4 of this report most young people who have been looked after are found to be vulnerable as a result of this and consequently awarded priority need status anyway.

2.2.3 It is difficult to estimate the full impact of this proposal, as housing did not monitor whether people had formerly been in care prior to April 2018 – unless they were found to be vulnerable as a result of this. Points 2.3-2.4 of this report provide more information on demand from young people stating to have formerly been in care during the 2018/19 financial year for consideration.

### 2.3 **18-20 year olds**

2.3.1 In 2018/19, 36 young people aged 18-20 who stated to have formerly been in care presented themselves as in need of housing assistance:

- 18 of these young people just required advice on their situation;
- 18 were found to be homeless or at risk of homelessness;
- 13 of this 18 were homeless.

2.3.2 Presentations from care leavers do appear higher than the same time last year; however due to a change in legislation and monitoring in April 2018 it is not possible to establish a direct comparison.

### 2.4 **21-24 year olds**

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2.4.1 In 2018/19, 24 young people aged 21-24 who stated to have formerly been in care presented themselves as in need of housing assistance:

- 10 of these young people just required advice on their situation;
- 14 were found to be homeless or at risk of homelessness;
- 10 of this 14 were homeless.

2.4.2 Of those who were found to be homeless, 8 were provided with temporary accommodation as there was reason to believe that they may be vulnerable. This may suggest, therefore, that the impact of automatically applying priority need to this age group would not be too great.

## **2.5 Local connection**

2.5.1 A concern which was raised during the consultation stage of these proposals was that young people from outside of Oldham may come here to take advantage of a more lenient homelessness offer.

2.5.2 The Homelessness Reduction Act 2017 makes provisions for referrals to other local authorities where someone does not have a 'local connection' to the area they have presented as homeless to. A provision has always existed in homelessness legislation, but the 2017 Act made it possible to do this at an earlier stage. Therefore, even if care leavers from other areas do present to Oldham – they can be reconnected to the local authority they do have a connection to.

## **3 Options/Alternatives**

3.1 Option 1: Agree the following proposals:

- I. Oldham Council adopts the principle that all care leavers are to be found as being in 'priority need' under homelessness legislation until the age of 25;
- II. Oldham Council adopts the principle that no care leaver should be found intentionally homeless until the age of 25

3.2 Option 2: Do nothing: The number of care leavers who are found to be intentionally homeless or not in priority need are low; however this does still mean that some of Oldham's young people could miss out on a full housing duty if they become homeless.

## **4 Preferred Option**

4.1 Option 1 is preferred, in order to promote the best possible outcomes for young people to whom Oldham Council has a duty as a corporate parent. By adopting principles that all care leavers up to the age of 25 should be treated as in priority need and unintentionally homeless, they are being offered the best chance to succeed on their pathway to adulthood and independence.

4.2 This option does have some potential controversies, in that young people will not necessarily face 'consequences' for their actions – for example being evicted due to antisocial behavior. However, it does recognise that as care leavers, the Council has a duty to ensure these young people are allowed to learn from their mistakes and move on with its support, like young people who have not been looked after may be able to with their own families.

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4.3 This decision is not outside the current budget/policy framework.

## 5 **Consultation**

5.1 Consultation has been undertaken with staffs in both housing and Children's Social Care, who are supportive of this proposal.

5.2 The wider Care Leaver Offer and Corporate Parenting Strategy have been consulted upon via a number of channels, including Oldham Youth Council. Care Leavers and Children Looked After in Oldham are in support of proposals which will bring them greater security and priority in terms of housing.

## 6 **Financial Implications**

6.1 There are no significant direct financial implications to adopting this policy. However, it is possible that it could lead to a small increase in the number of people put into temporary accommodation (2 using the data from 2018/19)

6.2 It is not the intention to amend any budgets for temporary accommodation at this stage. If any increase becomes quantifiable and material a further decision on that can be made in the next full financial year.

(David leach / John Hoskins)

## 7 **Legal Services Comments**

7.1 As alluded to in this report there is no legislation requiring the council to class all care leavers up to the age of 25 as being in priority need in relation to Housing purposes. However, this proposal would further highlight the commitment that the Council is making to tackle homelessness within the Borough and highlight its commitment to its corporate parenting role. Failure to adopt this option could have a negative reputational impact in comparison to those authorities that have taken the option. Option 1 is recommended.

(Alex Bougatef - Group Lawyer, Legal services)

## 8. **Co-operative Agenda**

8.1 Developing a core offer to care leavers promotes openness, responsibility and accountability, whilst encouraging housing and Children's Services to work together with their partners in all sectors.

## 9 **Human Resources Comments**

9.1 None.

## 10 **Risk Assessments**

10.1 The proposal sets out how the Council would strengthen its commitment as a Corporate Parent and tackling homelessness. It is likely on present information held this will come at some extra cost of temporary accommodation. The Council has to balance the extra benefits against this cost. (Mark Stenson – Head of Corporate Governance)

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- 11 **IT Implications**
- 11.1 None.
- 12 **Property Implications**
- 12.1 None.
- 13 **Procurement Implications**
- 13.1 None.
- 14 **Environmental and Health & Safety Implications**
- 14.1 None.
- 15 **Equality, community cohesion and crime implications**
- 15.1 None.
- 16 **Equality Impact Assessment Completed?**
- 16.1 No.
- 17 **Key Decision**
- 17.1 No.
- 18 **Key Decision Reference**
- 18.1 N/A.
- 19 **Background Papers**
- 19.1 N/A.
- 20 **Appendices**
- 20.1 N/A.