

Crawley Borough Council

**Report to Overview and Scrutiny Commission
3 October 2016**

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**Report to Cabinet
5 October 2016**

West Sussex Joint Scrutiny Task and Finish Group Housing Provision for Care Leavers

Report of Councillor K Sudan on behalf of the Joint Scrutiny Task and Finish Group, **OSC/250**

1. Purpose

- 1.1 The attached report sets out the findings and recommendations from the West Sussex Joint Scrutiny Review of Housing Provision for Care Leavers which was undertaken by a Task and Finish Group of which Councillor Sudan was the Commission's representative. This was set up by the West Sussex Joint Scrutiny Steering Group.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission:

That the Commission examines the work of the Joint Scrutiny Task and Finish Group and endorses their findings, deciding what comments, if any, it wishes to submit to the Cabinet.

- 2.2 The Cabinet is recommended to:

- a) endorse the findings of the Joint Scrutiny Task and Finish Group, reviewing the current approach for Care Leavers provision and how this is dealt with in West Sussex, and;
- b) ensure that the endorsement be passed on to West Sussex County Council to enable them to implement appropriate amendments and the relevant approaches.

3. Reasons for Recommendations

- 3.1 As part of its ongoing commitment to undertake joint scrutiny in West Sussex, the overarching West Sussex Joint Scrutiny Steering Group agreed to set up a Joint Scrutiny Task and Finish Group to undertake a review of the current policy of housing provision for care leavers in West Sussex.
- 3.2 The Task and Finish Group agreed the following terms of reference for the review:-
- a) To review the housing provision for young people leaving local authority care to ensure the accommodation needs and associated support in the community for young people leaving care are identified and procedures put in place to ensure that agencies are identified and procedures

put in place to ensure that agencies work in partnership to achieve it. This part of the review should also include reviewing the Joint Working Protocol which has recently been created.

- b) To review the proposed changes to the allocation of Housing Benefit/Universal Credit to assess any potential impact on young people under the age of 21 years who are leaving the care of the Local Authority.

3.3 The proposed outcomes to be achieved from the review were:-

- a) To ensure that the Joint Working Protocol is working effectively to enable housing providers to provide an adequate range of accommodation to meet the assessed needs of young people as they leave care and to give care leavers the best start in the transition to independent adulthood.
- b) To obtain clarification from the Government on whether or not young people aged under 21 years of age are to lose their entitlement to housing benefit until they reach 21 years.
- c) To recommend any further changes if appropriate and necessary.

4. Reporting

- 4.1 Under the Joint Scrutiny Protocol, the task group member will liaise with their authority's responsible colleagues for the issue under review, as well as the scrutiny officer to ensure that the review and its outcomes are communicated more widely within the authority in order that all members may be informed and involved.
- 4.2 The task group report will be finalised by task group members before circulation to the relevant decision-makers and the task group will generally report to the relevant decision-makers within the West Sussex local authorities.

5. The findings of the Task and Finish Group

- 5.1 The final report of the West Sussex Joint Scrutiny Task and Finish Group has been included as Appendix A to this report. Within this appended report it details the investigations of the Task and Finish Group, as well as their recommendations and the rationale that support their proposals.

6. Implications

- 6.1 There may be some implications relating to the implementation of the options. These are set out within the report.

7. Background Papers

- 7.1 None

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West Sussex Joint Scrutiny Task and Finish Group

Housing Provision for Care Leavers Scrutiny Review

Report by the Joint Scrutiny Task and Finish Group

1.0 Summary

- 1.1 This report sets out the findings of the West Sussex Joint Scrutiny Review of Housing Provision for Care Leavers which was undertaken by a Task and Finish Group set up by the West Sussex Joint Scrutiny Steering Group.
- 1.2 The Task and Finish Group has identified a number of very important recommendations set out below which it believes , if implemented, will help in the provision of housing accommodation for care leavers in West Sussex and these also have the potential to benefit the communities in West Sussex.
- 1.3 All Councils will need to consider these recommendations carefully in the spirit that they are made. An explanation of the recommendations and the findings from the review are also set out later in this report:-

Recommendations:-

A common and flexible policy across the County to be introduced regarding “local connection”

(1) Taking into account the evidence provided during the review and the subsequent guidance on allocation policies across the County provided by the West Sussex Strategic Housing Group, the Task and Finish Group considers that there is sufficient scope within allocation policies across the County to facilitate care leavers securing accommodation in suitable locations for them which in the long term will help them settle quicker and make the transition into independent living easier. This may be within another local authority area. Districts and Boroughs across the County should be proactive in using the scope provided by existing flexibilities within their housing allocation schemes to this end in the spirit of the Joint Protocol launched in November 2015.

(2) That when placing Care Leavers into accommodation, Officers in the District and Borough Councils should ensure that they are aware that certain areas are not suitable for housing of Care Leavers. Avoiding those areas will help Care leavers make that transition into independent living much easier.

Providing Good quality and Consistent support throughout time in Care and sometimes beyond the end of Care

(3) The Task and Finish Group considers that Officers should be encouraged to provide good quality and consistent help and support from an early age and ensure that the same support worker is allocated to a young person in care even if they are moved to a different area.

(4) The Task and Finish Group also considers that Care assessment should be based on need rather than age based, realising that some young people need support for much longer than others - Care should not just come to a stop at 18.

Care Leavers - Policy in West Sussex

(5) That representations be made to the Government requesting that the statutory duty to provide accommodation for Care Leavers by a County Council should be extended to age 21 rather than 18 to provide more flexibility and support for care Leavers and help them in their move to independent living.

(6) That West Sussex County Council and the District and Borough Councils work with accommodation providers to provide more communal type living accommodation in West Sussex to help Care leavers into independent living.

(7) That West Sussex County Council be requested to amend its Young People's Service provision for Care Leavers to provide support via the Young People's Service from age 16 rather than 18.

(8) That there should be a universal Care leavers Policy approach across all Councils in West Sussex to assist with co-ordination etc.

Joint Protocol on Housing Provision for Care Leavers

(9) That Officers from West Sussex County Council ensure that the Joint Protocol is fully implemented as soon as possible and that all Councils are involved in the Pathway Planning meetings and other discussions.

(10) To help in the implementation of the Protocol it is suggested that all Districts and Borough Councils should have a named Link Officer responsible for Care leavers in their area, making communication easier and clearer.

Future Monitoring of Housing Provision for Care Leavers

(11) That the Task and Finish Group be retained to meet on a quarterly basis as a Countywide group to oversee the process of housing provision for care leavers and ensure that improvements are being undertaken to the process. If it is not possible to do this via the Joint Scrutiny process then it should be referred through the West Sussex Corporate Parenting Panel.

Housing Benefit/Universal Credit - Potential Impact on Young People under the age of 21 years who leave Local Authority Care

(12) That Officers continue to monitor the situation and undertake further lobbying if it subsequently proves that young people leaving Local Authority Care are not to be exempted.

2.0 Background to the review

2.1 As part of its ongoing commitment to undertake joint scrutiny in West Sussex, the overarching West Sussex Joint Scrutiny Steering Group agreed to set up a Joint Scrutiny Task and Finish Group to undertake a review of the current policy of housing provision for care leavers in West Sussex.

2.2 The following Councillors were appointed to the Task and Finish Group from each Council in West Sussex:-

Ann Bridges - Adur District Council

Norman Dingemans - Arun District Council

Norma Graves - Chichester District Council

Karen Sudan - Crawley Borough Council

Alan Britten - Horsham District Council

Chris King - Mid Sussex District Council

Keith Sunderland - Worthing Borough Council

Chris Oxlade and Bob Smytherman - West Sussex County Council

Officer support for the Task and Finish Group was provided by:-

Carl Burton - Principal Manager, Business Improvement, Family Operations, Care, Wellbeing and Education, West Sussex County Council

Graham Vagg - Service Manager, Young People's Service, West Sussex County Council

Mark Lowe - Policy Officer, Adur and Worthing Councils

2.3 The Task and Finish Group met on 2 March, 4 April and 18 April 2016 to undertake the review and review the evidence provided. Discussions were also held with the West Sussex Strategic Housing Group on 23 May 2016 to finalise the report.

Councillor Keith Sunderland from Worthing Borough Council was appointed as Chairman of the Working Group.

2.4 The Task and Finish Group agreed the following terms of reference for the review:-

- To review the housing provision for young people leaving local authority care to ensure the accommodation needs and associated support in the community for young people leaving care are identified and procedures put in place to ensure that agencies work in partnership to achieve it. This part of the review should also include reviewing the Joint Working Protocol which has recently been created.
- To review the proposed changes to the allocation of Housing Benefit/Universal Credit to assess any potential impact on young people under the age of 21 years who are leaving the care of the Local Authority.

2.5 The proposed outcomes to be achieved from the review were:-

- To ensure that the Joint Working Protocol is working effectively to enable housing providers to provide an adequate range of accommodation to meet the assessed needs of young people as they leave care and to give care leavers the best start in the transition to independent adulthood.
- To obtain clarification from the Government on whether or not young people aged under 21 years of age are to lose their entitlement to housing benefit until they reach 21 years.
- To recommend any further changes if appropriate and necessary.

3.0 Evidence

3.1 As part of the review, the Task and Finish Group agreed that it would gather the evidence and supporting information for the review from those connected with Care Leavers and Care Leavers themselves. The Working Group interviewed the following:-

- Carl Burton - Principal Manager, Business Improvement, Family Operations, Care, Wellbeing and Education, West Sussex County Council
- Graham Vagg - Service Manager, Young People's Service, West Sussex County Council
- Stephen Humphries - Team Manager, Young People's Services, West Sussex County Council
- 3 Care Leavers
- 3 Personal Advisors - Bex Linford, Paul Wilkinson and Theresa Kiely

3.2 West Sussex CAMHS were also asked for their views but did not respond in detail and also a local Children's Care Home in Worthing was asked for views but did not respond.

3.3 The Task and Finish Group consulted with District and Borough Council Lead Housing Officers responsible for the Joint Working Protocol for Care Leavers and also the West Sussex Strategic Housing Group..

3.4 The Task and Finish Group is grateful for the evidence provided.

4.0 Housing Provision for Care Leavers in West Sussex - Background

- 4.1 As part of this review, the Task and Finish Group has been advised that Local Authorities have a duty as a corporate parent to ensure continued involvement in supporting young people as they leave the care of a County Council and move into independence until they are 21 years of age (or up to 25 years if they are accessing Higher Education). West Sussex County Council is committed to ensuring that care leavers and children in need receive targeted, high quality supported accommodation.
- 4.2 West Sussex County Council discharges its duty to provide a leaving Care Service for 18+year olds through the Young Peoples Service (YPS). The YPS currently provides the leaving care duty to 310 young adults. The statutory duty to provide accommodation to this cohort ends at age 18. The expectation is that young people will be supported into independent living by their Personal advisor. The independent living can be a range of differing provision from self-contained private accommodation, Houses of Multiple occupation or accommodation provided by the local Housing Authority etc. Children's social care provides the services prior to 18 and have worked with 178 young people in West Sussex in the 16-18 key transition phase and will be planning for independence during this crucial time, with a specific focus in pathway planning on future housing options.
- 4.3 Evidence provided to the Task and Finish Group confirmed that although the majority of care leavers did make the transition into independence, there were a cohort who found that transition difficult or who might be involved in anti-social behaviour who were incredibly difficult to house and were at acute risk of homelessness. That number made up approximately 20% of the overall figure of 18-21 year olds. These 20% of Care Leavers (62 people) are at acute risk of homelessness.
- 4.4 Young people in care and leaving care could be highly vulnerable and were at risk of experiencing multiple accommodation moves, and/or in the case of young people leaving care were at risk of becoming homeless. When such a situation occurs West Sussex County Council is able to support young people to find accommodation at short notice and/or in a crisis. However, assessing a young person fully to ensure that the best options for them are fully explored and delivered could take several days. That was done through a recently contracted specialist emergency provision that was staffed 24/7 and operated two units in Horsham and two in Crawley placed at the existing Foyers within each respective area. That was already having a positive impact and reducing the need for the use of unsuitable accommodation in those circumstances such as bed and breakfast.
- 4.5 The Task and Finish Group was advised that West Sussex County Council procured a variety of accommodation that supported young people either in and/or in the process of leaving care. A review of that process was currently being conducted to understand current need and associated accommodation provision and support in order to determine whether or not any differing type of accommodation and/or associated support was required.
- 4.6 To assist communication between the County Council and the District and Borough Councils regarding the needs of care leavers with respect to their housing needs, a Joint Protocol had been launched in November 2015. At the time of this Scrutiny review it is

too early to critically analyse the impact it has had, however, it is considered by the Group who had designed the Protocol that the situation is improving because of the Protocol being in place.

- 4.7 West Sussex County Council provides £2,800 to each care leaver to aid independence which was a very generous independent living grant (ILG) which was above the national average. That grant is a reflection of the cost of living in West Sussex, however, even with this settlement young people leaving care still cannot afford to enter the private rental sector as landlords often want a deposit, six months rent in advance and a guarantor. The ILG can help towards that cost but is also needed for essential furnishings etc. West Sussex County Council also act as a guarantor for some young people for six months and will underwrite any losses incurred by the landlord but the housing market is proving incredibly difficult for the young people to access.
- 4.8 The Task and Finish Group was also advised that work was already progressing to develop an overarching strategy for the use of accommodation for young people in and leaving the care of the Local Authority. That work is to be situated in the context of the review of the Sufficient Strategy scheduled to be completed by January 2017 and it will also align with the re-procurement of all accommodation contracts and the evaluation/initiation of newly proposed schemes and delivery of services in that arena.
- 4.9 Further improvement work is to be initiated via a re-procurement process and a timetable has been drawn up. Details of the overarching actions that are to be taken within the coming 18 months will also see completion of an accommodation strategy, the review of the sufficient strategy and the re-procurement of support for young people to live independently. The new supported accommodation pathway will be procured by April 2017.

5.0 Findings and Recommendations (See recommendations at the start of the report).

Background to recommendations:-

5.1 Providing accommodation for care leavers in suitable and sustainable locations

- 5.2 The Task and Finish Group received evidence from a Care Leaver who had had experience of seeking accommodation in West Sussex. He expressed concerns about the housing allocations criteria and how the 'local connection' policy operated. He had connections with the Worthing area but considered that there should be a common accommodation policy across West Sussex and that the local connection with the County should take precedent rather than the area because of negative connections he had with his local area. He was on a waiting list for accommodation in the Worthing area but was concerned about his safety and negative associations with the local area.
- 5.3 The Task and Finish Group also received evidence from a Care Leaver who had been placed in Bognor Regis because of a 'local connection' but had been very concerned about the placement because of negative associations with the area linked to drugs and addiction. She too considered that the local connection should apply to West Sussex rather than a local area which would have enabled her to have taken up a fresh start in a new area which would have made the transition from care to independence that much easier.

5.4 The Task and Finish Group considers that it is important that Care Leavers should not be placed in an area where there is evidence that it is not suitable for them or is an area where they feel unsafe. There are flexibilities within the existing allocation policies of Districts and Boroughs across the County which enable care leavers to be accommodated in a different local authority area to that with which they hold a local connection where it is evidenced that there is a need for this on safety or other reasonable grounds. A new policy is not, therefore, required but the Task and Finish Group would wish to see Districts and Boroughs pro-actively making use of existing flexibilities in meeting the housing needs of care leavers.

5.5 Providing Good quality and Consistent support throughout time in Care and sometimes beyond the end of Care

5.6 Evidence received from the Care Leavers also indicated that it would help if there was good quality and consistent help and intervention support provided from a younger age. Having the same support from the same Social Worker from an early age would have all been factors that would have had a more positive impact on the Care Leavers lives and helped in the move to independent living in independent accommodation.

5.7 Also, one Care Leaver advised that support for her move into independence was dramatically reduced when she had turned 18. She considered that she should have received less foster care placements and more consistent support would have helped her long term.

5.8 Care Leavers - Policy in West Sussex

5.9 The Task and Finish Group has also received evidence suggesting that there is a need to change the way Care Leavers are dealt with in West Sussex. Evidence provided has led the Task and Finish Group to consider that Care Leavers accommodation in West Sussex should be provided up until the age of 21 rather than 18 which would give more flexibility and ensure that Care Leavers who require more support are assisted into independent living for longer. It is recognised that the statutory requirement only applies to age 18 but it is considered that the representations should be made for the statutory duty to be extended to apply up until 21 and the County Council should seek to amend its Policy to allow the Service to provide support until 21. Also, it is considered that there is a need for the Service to start working with Care Leavers from a younger age of 16 rather than 18. The earlier start in that support would help in the transition to independent living and help long term in the housing service provision. Again, that would require a Policy change at the County Council level.

5.10 Evidence also suggested that there was a need for more communal type living centres accommodation to be provided in West Sussex such as the Y Centre in Horsham and the Foyer in Chichester. This type of accommodation would be beneficial and help Care Leavers in the transition into independent living rather than expecting them to live completely independently from the age of 18. Finally in this area the Task and Finish Group consider that there should be a universal care leavers policy across all Councils in West Sussex to assist with co-ordination etc.

5.11 Joint Protocol on Housing Provision for Care Leavers

5.12 The Task and Finish Group have consulted with the District and Borough Councils

for their opinions on the introduction of the new Joint Protocol on Housing Provision for Care Leavers which had been introduced and signed off in October 2015 by all of those Councils.

- 5.13 The purpose of the Protocol is to ensure that there is a joined up approach to ensure that accommodation needs and associated support in the community for young people leaving care are identified and procedures put in place to ensure that agencies work in partnership to achieve this. The Protocol also aims to address practice relating to those young people aged 16/17 as they approach adulthood.
- 5.14 Although the Protocol has only recently been introduced in October/November 2015, there has been a mixed response to how effective its implementation has been. The Task and Finish Group was also advised that the implementation of the Protocol will involve retraining staff, communication with districts and borough councils across the County, partnership working and building relationships. Therefore the effects of the Protocol are not likely to be seen for at least six months after implementation.
- 5.15 Adur and Worthing Councils, however, were concerned the process did not seem to be working very effectively and had had a few cases where Care Leavers presented as being in housing need but their Caseworkers had not addressed other concerns which affected the Care leavers ability to secure and then maintain accommodation. There were other concerns from Arun District Council that the Protocol had not really been invoked or followed since its inception and that Officers had not been invited to Pathway Planning meetings.
- 5.16 On the positive side Mid Sussex District Council were of the view that since the Protocol had been introduced there had been more positive engagement with leaving care staff and that communication had generally improved. Crawley Borough Council were also positive about the new Protocol as their view was that there should be very few situations now when it should be necessary for a Care Leaver to make a homeless application.
- 5.17 The Task and Finish Group has noted the views of the Councils and considers that the Protocol should be fully implemented as soon as possible to ensure its effectiveness and it is imperative that all Councils attend the Pathway Planning meetings. Implementing the Protocol will assist Care Leavers and result in savings for all Local Authorities, working together in partnership and enable all the local authorities to provide all care leavers with the best start in the transition into independent adulthood and the Joint Protocol has the potential opportunity to put in place strong checks and balances to support Care Leavers.
- 5.18 Future Monitoring of Housing Provision for Care Leavers**
- 5.19 Having identified a number of recommendations to help improve the housing provision process for care leavers, the Task and Finish Group is very keen to ensure that progress is going to be made and that this area of work can be continue to be monitored at a Member level.

5.20 Housing Benefit/Universal Credit - Potential Impact on Young People under the age of 21 years who leave Local Authority Care

5.21 As part of its terms of reference for the review, the Task and Finish Group was asked to review any changes to the allocation of Housing Benefit/Universal Credit to assess any potential impact on young people leaving Local Authority care under the age of 21 years. At the time of the review it was not clear and no confirmation had been received as to whether or not young people leaving care would be subject to the proposed changes in benefits. What was known was that following a request from the West Sussex County Council, Corporate Parenting Panel, West Sussex Cabinet Member for Children, Peter Evans, had written to the Rt Hon Lord Freud, Minister of State for Welfare Reform regarding the matter and seeking any clarification. Lord Freud's response advised that there would be exemptions which would include vulnerable young people, including those who might not be able to return home to live with parents. Officers are, however, continuing to monitor the situation with the Department for Education and also via the National Leaving Care Benchmarking Forum. It was also not clear how housing providers would re-claim Housing Benefit for Care Leavers which was a potential risk and those processes would likely be introduced in April 2018.

6.0 Legal

6.1 Under Section 111 of the Local Government Act 1972, the Councils have the powers to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.

6.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything that individuals generally may do (subject to any current restrictions or limitations prescribed in existing legislation).

7.0 Financial implications

7.1 There may be some financial implications relating to the implementation of the options set out in this report.

8.0 Conclusions and proposals

8.1 Having reviewed the evidence provided, the Task and Finish Group has identified a number of key recommendations set out above which it believes the Councils across West Sussex should consider implementing to help improve Housing Provision for Care Leavers across West Sussex. There is already a great deal of effort and commitment from Officers to help improve the quality of the lives of those looked after children seeking to move into independent living. The Task and Finish Group values and welcomes this work but it believes that there is some scope to improve some of the procedures and policies to make that transition from care into independent accommodation that much smoother to improve the quality of lives of those young people and it urges all Councils to look in detail at these issues to make improvements as recommended.

8.2 The Task and Finish Group makes these recommendations on the basis of what it sees as a need. It is hoped that the Group will be able to meet again to monitor progress on behalf of all Councils in West Sussex to ensure that progress is being

maintained.

9.0 Recommendations

9.1 That the recommendations set out in this report be endorsed by all Councils in West Sussex.

Background Papers:

None

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