

J O I N T	P R O T O C O L
	County Durham Joint Protocol for homeless 16 & 17 year olds

County Durham Joint Protocol For Homeless 16 and 17 year olds

**Comprehensive
Agency Guidance
Notes for Partners**

Reviewed: November 2017



1. Introduction.....	4
1.1. Purpose of the guide.....	4
1.2. What is the Joint Protocol?	4
1.3. Why have the Joint Protocol?	4
1.4. What are the benefits of having the Joint Protocol?	4
1.5. Who does the joint protocol cover?.....	4
1.6. What happens to care leavers?	5
1.7. What happens to 16 year olds who are still at school or under 16?	5
1.8. Referrals from Social Housing Providers	5
1.9. Referrals from Supported Accommodation Providers	6
2. An overview	6
2.1. The legislative context	6
2.1.1. Housing Act 1996	7
2.1.2. Homelessness Act 2002	7
2.1.3. Children Act 1989.....	8
2.1.4. Children Act 2004.....	8
2.1.5. R (on the application of G) v Southwark LBC.....	9
2.2. A brief overview of the process	9
2.3.	10
2.4. The joint protocol partners	12
2.5. How are referrals made?	12
3. Stage One: The Children’s Services Referral	13
3.1. Take a referral and assess the needs of a young person.....	14
3.2. Make contact with the family	14
3.3. Arrange emergency accommodation	14
3.4. Getting an income for the young person.....	15
3.5. Call a panel meeting.....	15
3.5. Responding out of hours	15
3.6. Panel meeting guidance	15
3.6.1. Scope of panel meetings	15
3.6.2. Who should arrange the panel meeting?.....	16
3.6.3. When should the panel meeting happen?	16
3.6.4. Who should be present?	16
3.6.5. What should happen in advance of the panel meeting?	16
3.6.6. What will happen at the panel meeting?	17
3.6.7. What happens after the panel meeting?	17
3.6.8. Single Assessment – Section 17	17
4 Stage Two: support.....	18

4.1	Lead responsibility	18
4.2	Ongoing temporary accommodation	18
4.3	Where the young person is determined a "Child in Need"	18
4.3.1	Section 17 provision	18
4.3.2	Section 20 accommodation	18
4.4	What if the young person is found not to be statutorily homeless?.....	19
4.5	What happens if the young person is found to be intentionally homeless?	20
5	Stage Three: review	20
5.1	Case Review	20
5.2	Reviewing outcomes after cases are closed	20
6	Monitoring of the protocol.....	20
7	Concerns	20
7.1	Inter-agency Concerns.....	20
7.2	Young People's Concerns.....	21
8	Information sharing.....	21
9	What is the role of partner agencies?	21
9.1	Children and Young People's Service - Young People's Service (YPS)	21
9.2	Housing Solutions Service	22
9.3	One Point, Services for Children, Young People and Families.....	22
9.4	Durham Works.....	22
9.5	Youth Offending Service.....	22
10	Agreed working definitions.....	23
10.1	Initial response	23
10.2	Active referral.....	23
10.3	Arrangements for emergency accommodation	23
10.4	Priority need.....	23
10.4.1	Eligible children:	23
10.4.2	Relevant children:	23
11	List of documentation.....	24
12	Useful contacts	25
13	Durham Staircase and Continuum of Need	26

1. Introduction

1.1. Purpose of the guide

This guide is intended to be a practical manual about the joint protocol for homeless 16 and 17 year olds in the county. The guide is intended for use by front line workers and service managers in organisations who are signed up to the protocol. It outlines the agreed joint working arrangements between agencies.

1.2. What is the Joint Protocol?

This joint protocol is an agreement that establishes the roles and responsibilities of different agencies towards homeless 16 and 17 year olds. It outlines the respective statutory responsibilities of the Durham County Council Children and Young People's Services (CYPS) and Housing Solutions (the Housing Authority).

In addition, it details the practical joint working arrangements between the housing authority, CYPS and other agencies that can assist with the housing and support of homeless 16 and 17 year olds in the county.

The joint protocol has been operational across the County since 2005.

1.3. Why have the Joint Protocol?

No single department of Durham County Council has full responsibility towards homeless 16 and 17 year olds. Both CYPS and Housing have statutory duties towards this vulnerable client group. See section on the legislative context for more details.

Alongside this, other statutory and voluntary agencies also provide a range of services to these young people. Without clear agreement on respective roles and responsibilities, young people are often passed between agencies and do not receive the appropriate or most timely services.

1.4. What are the benefits of having the Joint Protocol?

The joint protocol will lead to:

- clearer understanding of roles and responsibilities for workers, wider agencies and clients
- a reduced risk of young people falling through the net
- better working relationships between agencies
- young people accessing the most appropriate accommodation and therefore preventing future homelessness
- best use of limited resources and time.

1.5. Who does the joint protocol cover?

This joint protocol covers homeless 16 and 17 year olds and includes Children in Need.

Young people can be classed as homeless if:

- they have nowhere to live
- they are based in temporary accommodation such as a hostel, bed and breakfast, hotel or squat
- they cannot stay in their home because of violence or the threat of violence
- they are staying temporarily with friends or relatives who are unable or unwilling to accommodate them in the future
- They have somewhere to live but it is not reasonable to expect them to stay there.

Young people can also be classed as homeless if they are likely to become homeless within 28 days.

1.6. What happens to care leavers?

A Care Leavers Accommodation & Support Protocol (CLASP) operates in County Durham. This is a multi-agency protocol which includes Housing Solutions, accommodation providers and other relevant agencies.

Responsibility for assisting care leavers rests with the Young People's Service (YPS), part of Looked After and Permanence Service in CYPS, who lead on the CLASP. All care leavers are allocated a young person's advisor within the YPS who works with them to find suitable accommodation and offer support to them once they have found this.

1.7. What happens to 16 year olds who are still at school or under 16?

School-age 16 year olds (i.e. those in year 11 up until the school leaving date of the last Friday in June) are not to be taken through the Joint Protocol process, but are instead referred by partners directly in the first instance to First Contact Service, who will determine which service is best placed to meet the needs of the young person. This may involve a referral to the One Point Service for an Children's Services Referral or Single Assessment to be completed or a referral to Families First Teams..

If the situation cannot be resolved by One Point, which is a preventative service, a referral to the First Contact Service can be made for the referral to be escalated to level 4 services, such as Families First Teams.

In the event of out of hours contact, referrals should be made with the Emergency Duty Team (CYPS). Contact details for all services can be found on the back page of this guide.

1.8. Referrals from Social Housing Providers

Where a young person has applied directly to a Social Housing Provider through Durham Key Options for accommodation between the ages of 16-17 years, all applications should be deferred pending the calling of a Joint Protocol Meeting.

It is essential to ensure that young people requesting accommodation have the appropriate support in place before accessing independent accommodation. In these instances, the social housing provider will make contact with First Contact to request an assessment of the young person's needs.

First Contact will forward this referral to either One Point or YPS for an Children's Services Referral and the calling of a panel meeting (TAF). In most instances the referral will be forwarded to the One Point Service unless there are significant safeguarding concerns, which warrant the involvement of the YPS (level 4 service)

The process around these particular cases will follow the same route as for other young people presenting as homeless. If at the meeting it is agreed that the young person is ready for independence, support will be put in place for the young person to access accommodation via the provider.

Where young people are accessing an independent tenancy a referral for a floating support must be completed and a request for a Deed of Trust to be completed where necessary. It is essential that staff from the Housing Provider attend this meeting to explain more about managing an independent tenancy.

1.9. Referrals from Supported Accommodation Providers

As with referrals from social housing providers, supported accommodation providers will contact First Contact in the first instance when a young person aged 16/17 years is applying directly to them for accommodation. All applications should be deferred pending the calling of a Joint Protocol Meeting.

First Contact will forward this referral to either One Point or Young People's Service for an Children's Services Referral and the calling of a panel meeting (TAF). In most instances the referral will be forwarded to the One Point Service unless there are significant safeguarding concerns, which warrant the involvement of YPS (level 4 service)

The process around these particular cases will follow the same route as for other young people presenting as homeless. If at the meeting it is agreed that supported accommodation is appropriate for the young person, support will be put in place for the young person to access accommodation via the provider.

2. An overview

2.1. The legislative context

Young people in housing need require One Point, CYPS, local housing authorities and other local agencies to work together if they are to get appropriate services. This need for co-operation is recognised in legislation and accompanying guidance (these are outline below) which highlights an expectation from government that Children Services and local housing authorities forge proactive links with each other to ensure they can comply fully with the inter-relating pieces of legislation and prevent failures in responsibilities and standards of care.

The Homelessness Code of Guidance for Local Authorities (2006) reminds us that the Secretary of State considers that housing authorities should take steps to prevent homelessness wherever possible, offering a broad range of advice and assistance for those in housing need. The One Point Service has a key role to play to help prevent homelessness within County Durham.

Preventing homelessness means providing people with the ways and means to meet their housing, and any housing-related support, needs in order to avoid experiencing homelessness. Effective prevention will enable a person to remain in his/her current home, where appropriate, to delay a need to move out of current accommodation so that a move into alternative accommodation can be planned in a timely way; to find alternative accommodation, or to sustain independent living.

This protocol plays an important role in assisting the local authority and other agencies to achieve their prevention objectives and targets.

In line with the Code of Guidance, the principles of the protocol are that, generally, it will be in the best interests of 16 and 17 year olds to live in the family home, unless it would be unsafe or unsuitable for them to do so because they would be at risk of violence or abuse. It is not unusual for 16 and 17 year olds to have a turbulent relationship with their families, and this can lead to temporary disagreements and even temporary estrangement. Where such disagreements look likely to lead to actual or threatened homelessness the housing authority should consider the possibility of reconciliation with the applicant's immediate family, where appropriate, or the possibility of him or her residing with another member of the wider family.

2.1.1. Housing Act 1996

Parts VI and VII set out the legal framework for assisting homeless people and allocating housing.

Section 175: A person is homeless if they have no accommodation available in the UK or elsewhere, or if they cannot secure entry to it, or it is not reasonable for them to occupy it.

Section 189: A person is in priority need if they or their partner are pregnant, have dependent children, are vulnerable due to old age, mental illness or handicap or physical disability or other special reason, or are homeless as the result of an emergency. (Amended by Homelessness Act 2002)

Section 191: A person becomes homeless intentionally if they deliberately do, or fail to do, something that causes them to lose their accommodation.

Section 185: A person is not eligible for assistance if they are a person from abroad who is ineligible for housing assistance, or they are subject to immigration control.

Section 193: Local authorities have a duty to secure accommodation for two years (amended by Homelessness Act 2002) if the person is found to be eligible for assistance, in priority need and unintentionally homeless.

CLG Guidance on the Housing Act 1996 recommended that housing and CYPS should have joint protocols in place to ensure that each play a full role in providing support to the client group.

2.1.2. Homelessness Act 2002

Amended Parts VI and VII of the Housing Act 1996. The main changes which impact upon young people are:

- a duty on all local housing authorities to develop a strategic approach to tackling homelessness
- a new duty to provide long term accommodation for unintentionally homeless people in priority need the extension of the priority needs groups to include:
 - 16 and 17 year olds, whose support networks have broken down irrevocably and who are not owed a duty by social services as a relevant child or a child in need
 - 18 to 21 year olds leaving care who are former relevant children*, people aged 21 or over who are vulnerable due to being looked after, accommodated and fostered by the local authority, who are not relevant students

- people who are vulnerable as a result of violence, being in the armed forces or in prison

2.1.3. Children Act 1989

Section 17 places a general duty on Children Services to safeguard and promote the welfare of children within their area who are in need, by providing a range and level of services appropriate to those children's needs.

A child in need is defined as someone who is aged under 18 and:

- is unlikely to achieve or maintain a reasonable standard of health or development without the provision of appropriate services by a local authority, or
- whose health or development is likely to be significantly impaired or further impaired without the provision of appropriate services by a local authority, or
- who is disabled

Section 17(5) allows Children Services to call upon other agencies (particularly voluntary and community organisations) to provide services on their behalf.

Section 20(1) states that every local authority shall provide accommodation for any child in need within their area who requires accommodation as a result of:

- there being no person who has parental responsibility for him
- being lost or having been abandoned
- the person who has been caring for him/her being prevented from providing suitable accommodation or care

Section 20(3) states that accommodation shall be provided for any child in need who has reached the age of 16 and whose welfare the authority considers is likely to be seriously prejudiced if they do not provide her or him with accommodation.

Under section 27 of the Children Act 1989, Children's Services can ask a housing authority to help in delivering services for children in need. The housing authority must comply with such a request to the extent that it is compatible with their own statutory duties and other obligations.

DoH Guidance on the Act recommends that close liaison between Children's Services and housing is necessary and may be best achieved through the establishment of formal arrangements.

2.1.4. Children Act 2004

In autumn 2003 the Government published the Every Child Matters Green Paper. This led to the Children Act 2004. The emphasis in the Act is on the increasing need for agencies to work together and establish procedures to enable the sharing of information about children and young people at risk. This means that joint protocols between agencies will play an increasingly important part in formalising processes between agencies.

2.1.5. R (on the application of G) v Southwark LBC

The Judgment in the case of R (on the application of G) v Southwark London Borough Council was given by the House of Lords on the 20th May 2009. The issue was "if a child of 16 or 17 who had been thrown out of the family home presents himself to a local Children's Services authority and asks to be accommodated by them under section 20 of the Children Act 1989, is it open to the authority instead to arrange for him to be accommodated by the local housing authority under the homelessness provisions of Part 7 of the Housing Act 1996?"

The Judgement confirmed that Children's Service authorities should presume that any lone, homeless child should be provided with accommodation under section 20(1) of the Children Act 1989, unless the child is not in the Local Authority's judgement (based on an initial assessment under section 17, Children Act 1989), a child "in need".

In summary, the Judgement suggests that

- any child of 16 or 17 who is homeless is likely to be a child in need
- The local Housing Authority can provide immediate temporary accommodation under Part 7 of the Housing Act (1996) if they have reason to believe that the child is likely to be in priority need. Once immediate temporary accommodation is found, CYPS should then assess the child under section 17 of the Children Act (1989) unless they can be reconciled back in to the family home very quickly.

2.2. A brief overview of the process

The protocol process involves several stages as detailed in the diagram on the next page. All homeless 16 and 17 year olds will be given a Joint Protocol assessment to identify their housing and support needs. This can be carried out by any of the named agencies partner to the protocol.

Where more than one agency is required to work together to meet the needs of a young person, a panel meeting will be called and a support package put in place.

Under the protocol not every homeless 16/17 year old is directed for a homelessness assessment. Only where this is the best option for the young person will this be carried out.

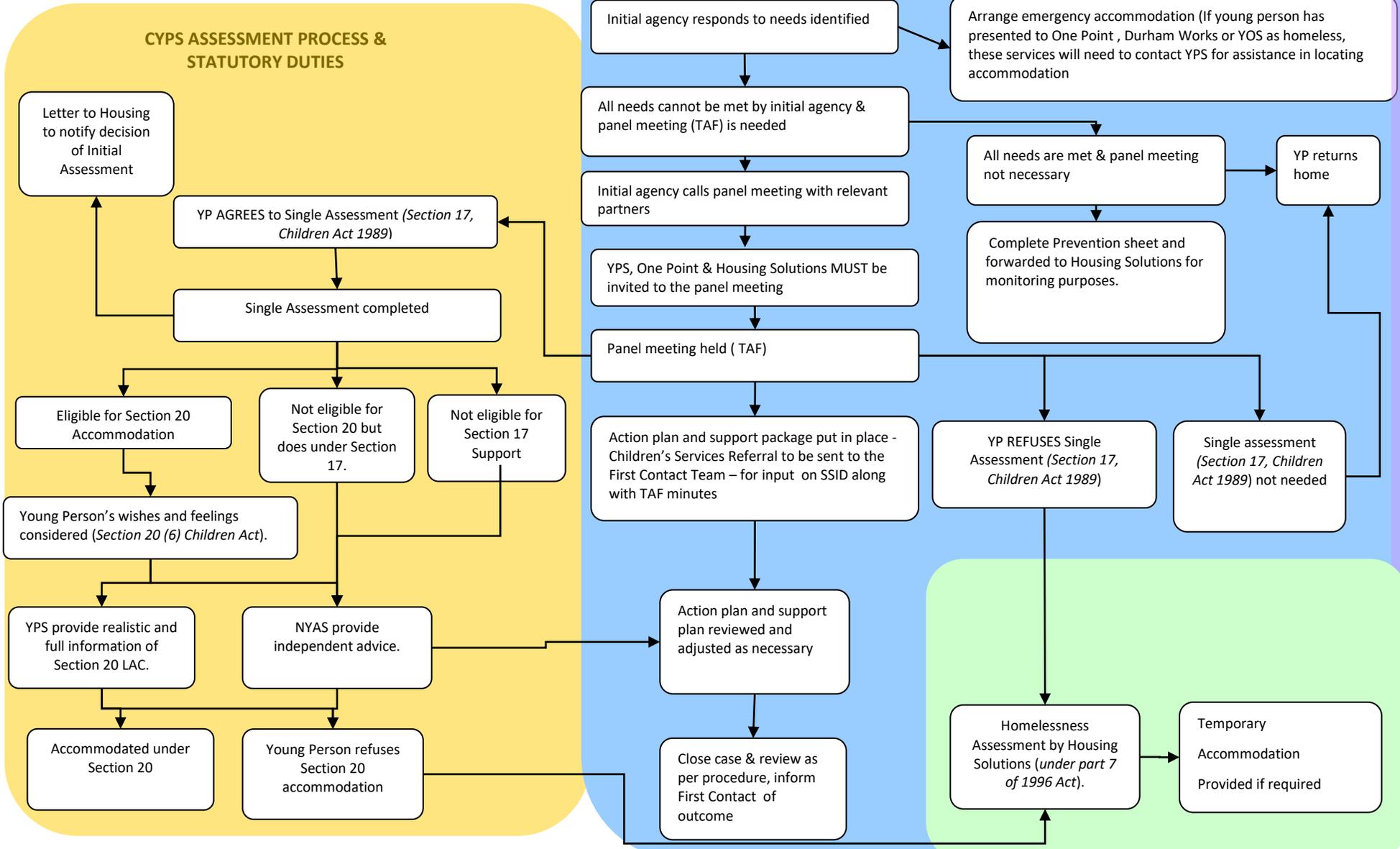
The outcomes for young people will be reviewed after an agreed length of time.

JOINT PROTOCOL PROCESS FLOWCHART

November 2017

JOINT	PROTOCOL
	County Durham Joint Protocol for homeless 16 & 17 year olds

ALL AGENCIES RESPONSIBLE AS PER GUIDANCE NOTES –



Young person's return to family, wider family and friends network or independent living

HOPE Support Officers

JOINT PROTOCOL – June 2017

Referrals from Housing Providers and Supported Accommodation Providers – Request for a JP Meeting

List of Housing Providers & Supported Accommodation Providers

Housing Providers

County Durham Housing Group (incorporating East Durham Homes, Durham City Homes, Dale & Valley Homes)

Karbon Homes (incorporating Derwentside Homes, Cestria and ISOS)

Livin

North Star (covering Teesdale area)

Accent Homes

Supported Accommodation Providers

Stonham Home Group (Incorporating Stage 2, Towers House, Teesdale House, Woodlands Road, Grove Road)

DASH

Coney Avenue & School View Young Parents Projects

Roc Solid

YMCA

Moving On

Housing Providers & Supported Accommodation Providers Role

Young Person presents to a Housing Provider or Supported Accommodation Provider for accommodation between the ages of 16-17 years

The Housing Provider or Supported accommodation provider makes contact with family to discuss situation and discuss a referral to the Joint Protocol Process

Where the Young Person/Family are agreeable to a JP meeting, the provider will call First Contact to request that a JP/Children's Services Referral is completed and a JP Meeting arranged (*Providers will need to provide basic details to First Contact*)

First Contact's Role

Telephone Referral made by one of the providers listed.

First Contact to accept the referral details over the phone from the Provider and complete the basic details on the Early Help Assessment

First Contact to refer the Assessment on to the One Point Service or Young People's Service in order that a JP meeting can be arranged to discuss the homelessness issues with the young person and their family. (*if there are no safeguarding issues, then most referrals would be directed to One Point Service in the first instance to arrange a JP Meeting, as per the Staircase of Need and service thresholds under Single Assessment processes*)

One Point & Young People's Service Role

To act upon referral received from First Contact and arrange JP Meeting in line with the JP Protocol Guidance

2.4. The joint protocol partners

Below is a list of the key agencies involved with the joint protocol process:

- Children and Young People's Service - , Young People's Service (YPS)
- Durham County Council Housing Solutions Service
- One Point Service
- Youth Offending Service
- Durham Works
-
- Durham Key Options Partners – Social Housing Providers
- Supported Accommodation Providers within County Durham

2.5. How are referrals made?

All homeless 16 and 17 year olds (except for those still in Year 11, see section 1.8 above) will be referred to, or present to, one of the agencies listed above to instigate the joint protocol process.

3. Stage One: The Children’s Services Referral

The aim of the Children’s Services Referral is to identify and meet the immediate needs of the young person whilst ensuring he/she is engaged in the assessment process, which will enable his/her needs to be assessed and appropriate mechanisms put in place for support and accommodation.

The Children’s Services Referral incorporates an assessment of the young person’s situation and past experiences. It will highlight any additional needs the young person may have other than accommodation needs. The past history, support needs and accommodation needs of a young person all act as a indicators of the support services which may need to be involved. This will be carried out by the agency to which the young person presents. This initial agency will retain lead responsibility for the young person during this first stage.

The table below details the key elements of the Children’s Services Referral and the agreed role of each partner agency in delivering its response.

✓ Indicates agreed responsibility by agencies	Young People’s Service (YPS)	Housing Solutions Service	Youth Offending Service ¹	One Point Service/Durham Works
1. Take referral and complete Children’s Services Referral form.	✓	✓	✓	✓
2. Make contact with family within 24hrs to explore return home options and instigate a home visit	✓	✓	✓	✓
3. Arrange emergency accommodation if young person is not able to return home or stay with friends or extended family	✓	✓	Liaise with YPS	Liaise with YPS
4. Help to claim benefits	Liaise with One Point Service	Liaise with One Point Service	✓	✓
5. Living expenses for immediate use if benefit claims unsuccessful and no other sources of finance available.	✓	Liaise with YPS	Liaise with YPS	Liaise with YPS
6. Call panel meeting(TAF) with agencies needed (identified through the completion of the Children’s Services Referral form)	✓	✓	✓	✓

In order for the protocol to work effectively **it is imperative** that responsibility should not be passed between agencies unless specified above.

¹ Youth Offending Service works with existing clients only

3.1. Take a referral and assess the needs of a young person

When a 16 or 17 year old presents to you as homeless, you should contact First Contact to identify whether an Children's Services Referral or Single Assessment have previously been completed and gain information from them about current and/or past involvement this will assist in the next stage of completion of the Children's Services Referral form. This helps establish the young person's housing situation and will also highlight any other issues that may affect the young person e.g. offending history/support needs. It will indicate which agencies need to be involved with the young person.

3.2. Make contact with the family

Arrangements should be made to undertake a home visit. This allows for open dialogue with the parents/carers and the young person as to the issues that have led to the homelessness issue. This needs to happen to explore the options for a return home, even if it is just a temporary return with a planned exit to follow. Research shows that 16/17 year olds are better off at home unless at risk of harm.

It may be possible to avoid the young person becoming homeless following discussions with the family and the provision of support to the family through the use of universal and targeted services. Where a young person is able to remain at home, then there will be no need for a Joint Protocol Meeting to be called.

3.3. Arrange emergency accommodation

This involves exploring options for temporary accommodation for the same night. In the first instance agencies need to explore options for a temporary return home or stay with other family or friends if appropriate.

Only if arrangements between family and friends cannot be made should emergency accommodation be arranged.

To arrange emergency accommodation:

- Ensure the young person is happy to be placed in emergency accommodation
- Contact Young People's Service to determine if there is any availability within Unplanned Emergency Supported Lodgings.
- If there is no availability within unplanned Emergency Supported Lodgings, then alternative emergency accommodation will need to be sourced. YPS will provide assistance to YOS and to One Point/Durham Works in locating suitable emergency accommodation.
- Once a placement is identified, you should contact the relevant **Young People's Service Team Manager AND the Housing Solutions Team Leader** to seek agreement for the placement. (This ensures any shortfall between benefits and charges are met)
- The young person will need assistance to get to the emergency accommodation. It is expected that the agency to which the young person presented to homeless should assist with transport etc.
- The young person will need to complete a housing benefit form to ensure the payment of rent is covered.
- Contact HOPE Support Officers to arrange support in the accommodation up until the Panel Meeting occurs.

3.4 Getting an income for the young person

Benefits will be claimed on behalf of young people to cover the crisis situation. The named agencies (YOS, One Point Service/Durham Works, Housing Solutions and YPS) will offer support and expertise through this period. They will also help the young person to make longer-term benefit claims.

Depending on circumstances, Severe Hardship or Income Support may be claimed by the young person. For payment to be made it may be necessary for Job Centre Plus or Income Support to prove that the young person is estranged from their family. Further information or assistance is available from your local One Point Service

All young people will be actively encouraged and supported to claim housing benefit to cover the costs of any emergency accommodation. This will help ensure that expenses incurred through the protocol, such as rent, are kept to a minimum.

3.5 Call a panel meeting

If it is deemed necessary from the Children's Services Referral for several agencies to be involved in a case then you will need to organise a panel meeting. **A representative from the One Point Service, Young People's Service and Housing Solutions must be invited to every Panel Meeting organised.** The young person and their carers/parents should also be invited to the meeting.

The practitioner who is working with the young person should contact First Contact to identify whether a Children's Services Referral or Single Assessment and Team Around the Family (TAF) process is current or has been previously in place.

If this is the case, the practitioner should endeavour to make contact with the Lead Professional (LP) and gain information from them about current and/or past involvement that will assist in the completion of the Children's Services Referral. If the Lead Professional (LP) is still involved with the young person they should be invited to the Initial Joint Protocol Panel Meeting (Initial TAF) and should represent the work of the Team around the Family (TAF).

3.5 Responding out of hours

If a homeless 16 or 17 year old presents out of hours they should be directed to the Emergency Duty Team, CYPS or the Housing Solutions out of hours team.

(See sheet at Point 12 for contact details)

3.6 Panel meeting guidance

3.6.1 Scope of panel meetings

A panel meeting should be arranged for all young people with support needs where their needs cannot be met solely by the first agency they present to.

The purpose of the meeting is to make a collective decision on the young person's case and agree the most appropriate way forward for the individual based on their situation and needs.

3.6.2 Who should arrange the panel meeting?

Whichever agency the young person presents to and carries out the Children's Services Referral should arrange the panel meeting.

3.6.3 When should the panel meeting happen?

If the young person presents as homeless and is placed in emergency accommodation that day the panel meeting should be convened for the **next agreed panel day**. All panel meetings take place on set days (Tuesdays and Thursdays)

In the event that the young person has short term suitable accommodation, but is still at risk or going to become homeless a panel meeting should be convened within 5 working days or less depending upon the circumstances.

In the intervening time, HOPE Support Officers should be made aware of the young person and appropriate support offered.

3.6.4 Who should be present?

The Children's Services Referral should identify which key agencies need to be involved with the case and attend the panel meeting.

This should include the young person, relevant agencies, TAF Lead Professional (LP) (where appropriate), and anyone else the young person requests to attend.

The One Point Service, Housing Solutions and YPS must be present at each panel meeting. This is so that the Panel Meeting can decide if a Section 17 Single Assessment (see section 2.1.3 above) needs to be carried out. In the rare cases that the YPS cannot attend the panel meeting should proceed as normal and at this meeting a recommendation should be made as to whether the young person requires a Single Assessment under section 17.

IF the YPS is not present and the panel meeting feels that a young person would benefit from a Single Assessment under section 17, the lead individual for the panel meeting must contact the team manager from YPS to discuss the recommendation of the panel that a Single Assessment be undertaken. If the team manager is in agreement, they will then allocate the case to a worker within YPS to undertake a Single Assessment. If the team manager is not in agreement with the recommendation of the panel meeting they will advise the young person and the panel members and give their reasons in writing.

An invitation should be made to the parents/carers.

3.6.5 What should happen in advance of the panel meeting?

The young person should be prepared about what to expect at the panel meeting and options that may arise out of the meeting, including the possible involvement of YPS.

Copies of the Children's Services Referral form should be circulated to all panel members in advance of the panel meeting.

3.6.6 What will happen at the panel meeting?

The panel meetings should be structured so a consistent format is followed to allow those involved to establish the key facts on the individual's circumstances and ensure the most appropriate response to their needs is made. A panel meeting checklist has been devised to assist with this.

Paperwork for panel meetings has been devised and should always be used to record the discussion and decisions made and the young person's views.

Where a Children's Services Referral or single Assessment Team Around the Family (TAF) does exist, then the Initial Meeting will agree who should need to engage with the TAF to ensure the ongoing support for the young person's accommodation is taken forward within this setting.

If a Team Around the Family (TAF) does not exist, then at the Initial Panel Meeting there should be a discussion and decision as to whether the young person will require ongoing help and assistance of a range of agencies to secure good outcomes and meet identified needs. If the JP Initial Panel Meeting, in consultation with the young person, agrees this would be beneficial, then the Panel will agree who will carry out the Lead Professional role. The Lead Professional (LP) will then register the outcome of Joint Protocol Panel Meeting/Children's Services Referral with First Contact.

The panel meeting must discuss whether a Single Assessment is needed and plan when this will be carried out and the process for this. The representative from the YPS will explain what a Single Assessment is.

This agency should record the discussion/decisions of the panel using the authorised paperwork.

3.6.7 What happens after the panel meeting?

The actions/timescales listed should be adhered to and progress monitored by the identified lead agency.

3.6.8 Single Assessment – Section 17

A Single Assessment determines if a child is a "Child in Need" within the definition of the Children Act 1989. If a Single Assessment is deemed necessary, this will be carried out by staff from the YPS within the relevant timescales. This assessment will identify the child's needs and services required to meet those needs. Accommodation under Section 20 of the Children Act 1989 (see section 2.1.3 above) may be one of those services.

If a Single Assessment is not deemed necessary, the Joint Protocol will continue as normal. If further issues arise that may mean that the young person's needs need to be reconsidered, a subsequent panel meeting will be called and YPS will reassess the need for a Single Assessment.

The panel meeting will record the outcome of the discussion on the TAF Initial Meeting Minutes Sheet if a Single Assessment is necessary.

4 Stage Two: support

4.1 Lead responsibility

After the panel meeting lead responsibility passes to the Lead Professional identified at the Panel Meeting.

The lead agency will work with the young person and other identified agencies to co-ordinate services and reach a satisfactory outcome for the young person.

4.2 Ongoing temporary accommodation

Until a determination has been made as to the likely duty owed under the Children Act, accommodation will continue to be provided by Durham County Council's Housing Solutions Service under section 188 of the Housing Act 1996. (Temporary Accommodation duty). Once a determination is made, i.e. if the decision is that there is no child in need duty, this will trigger further enquiries under Part VII of the Housing Act 1996, as to the priority need status under s.189 of the young person. Where a determination is made that the child is in need, this will require further accommodation and support provision by CYPS, unless a later request for assistance is made to Housing Solutions to assist in the provision of accommodation for the child.

Where accommodation is required any costs for this will be jointly shared between CYPS and Housing Solutions.

Children's Services Referral

If the Young Person is assessed as being owed a duty under S20 CA 1989– CYPS will confirm date at which financial responsibility for the young person transfers to YPS.

4.3 Where the young person is determined a "Child in Need"

4.3.1 Section 17 provision

Where the young person's needs are to be met through section 17, this means that the young person is identified as a "Child in Need." The Joint Protocol will continue as normal, but the CYPS Children in Need Procedures will also apply. This means that the YPS would take the lead in these cases and run the joint protocol alongside within the framework of the Children in Need Procedures. The other partners would continue their involvement as appropriate.

The Single Assessment will determine if accommodation should be provided under section 20.

4.3.2 Section 20 accommodation

If the Single Assessment identifies the need for section 20 accommodation, the provision of such accommodation would need to take account of the young person's views. Information will be given to the young person, in writing and verbally, by NYAS, as an independent agency, which explains the choices and options the young person has in relation to being accommodated under Section 20. A partnership leaflet has been designed for young people to clearly outline the choices and options available from NYAS, YPS and Housing Solutions.

If a child is accommodated under S20 the CYPS, Children Looked After procedures would apply as well as the Joint Protocol and as with Section 17, YPS would take the lead with other partners assisting as appropriate.

Accommodation under section 20, may be provided by placing the young person in foster care, residential care or under the provision of S.23(2) (f) i.e. making such other arrangements as seem appropriate to them. This may be a placement in emergency temporary accommodation, preferably in accommodation which is supported.

YPS is able to work with others in order to discharge their duty re accommodation under section 20, i.e. housing and Supporting People services. For most 16 and 17 year olds in these cases, Supported Accommodation is likely to be an appropriate option. This will ensure continuity in accommodation at 18 and a preferential band (1) in the County's Allocations policy for Social Housing.

If the young person does not want to be accommodated under S20, they must be judged competent by the YPS to make such a decision and have had the benefit of advice about the consequences of making such a decision. This advice will be delivered by the YPS and through the written guidance in the partnership leaflet. The young person will also be advised to seek their own legal advice and helped to access this. Young People will also be able to contact NYAS (National Youth Advocacy Service) for independent advice and support.

If the young person refuses section 20 accommodation and is either judged not to be competent to make that decision and/or at serious risk of harm, YPS will seek legal advice on the next steps.

If a young person refuses section 20 accommodation, and is deemed to be competent to make that decision but is still in need of accommodation, the duty to support with accommodation falls to the Housing Authority under the Homelessness legislation and the child would be in Priority Need.

If a child chooses the homelessness route after refusing section 20, but is then found to be Intentionally Homeless (i.e. having caused themselves to be homeless through their own act or omission) under the Housing Act, the Joint Protocol would then need to take that case back to Panel Meeting to revisit the section 20 offer.

4.4 What if the young person is found not to be statutorily homeless?

If a young person is not deemed to be a Child in Need and found not to be statutorily homeless then Housing Solutions has very limited duties owed to the young person. Equally, unless there were exceptional circumstances, Children and Young People's Service, YPS teams are unlikely to find the young person to be a child in need and therefore they too have limited duty owed to the young person.

In these circumstances, One Point Service and Youth Offending Service (if they are already involved in the case) will work with the young person to explore other housing options available to them.

It is envisaged that the most likely reason a young person is to be found not homeless will be that the parents/guardians will offer for the young person to return home. Clearly, child protection issues must be paramount in these cases and no young person will be expected to return to a potentially abusive situation.

If family relationships are not abusive but present a barrier to a return home, Housing Solutions will offer mediation to the young person and their family to try to agree a return home. Support can be offered to the young person and their family through the use of universal and targeted services.

4.5 What happens if the young person is found to be intentionally homeless?

If a young person is not deemed to be a Child in Need or they refuse accommodation under Section 20 but are then found to be intentionally homeless, a panel meeting will be reconvened to revisit the Section 20 offer.

All young people have a right to a review of the homelessness decision within 21 days of being notified. It may be that as part of the support package delivered to a young person a request for review will be made. In some exceptional circumstances this could also be followed by an appeal against the original decision.

5 Stage Three: review

5.1 Case Review

Housing Solutions, One Point/Durham Works, YOS or YPS will review each case every six to eight weeks to ensure all outcomes of the family plan are being actioned in line with the needs of the young person. The responsibility for calling the review meeting will lie with the lead professional for that case. Children's Services Referral

5.2 Reviewing outcomes after cases are closed

In order to assess the effectiveness of the Joint Protocol process, Housing Solutions will collect information on exit from the service and follow up each young person six and 12 months after their case has been closed to check their housing situation and other outcomes. These results will be reported to the Joint Protocol Operational Meeting.

6 Monitoring of the protocol

The success of the protocol is measured on the numbers of young people prevented from becoming homeless and the successful sustainment of tenancies of young people who have been through the protocol.

7 Concerns

7.1 Inter-agency Concerns

Where disagreements occur about referrals, service provision or the conduct and behaviour of staff from either service, the individual staff member should discuss these in the first instance with their own line manager. The manager will then determine an appropriate course of action in the context of the disagreement, from a range of options.

Providing effective supervision and support to the staff member to re-establish good working relationships or negotiate a compromise acceptable to both services.

Organising a meeting between line managers to re-establish good working relationships or negotiate a compromise acceptable to both services.

Discussing concerns with senior management to explore strategic solutions or compromise.

7.2 Young People's Concerns

Young people going through the Joint Protocol should be made aware of complaints and comments procedure and appeal processes if relevant of each agency that is working with them.

Young people should be encouraged to seek legal advice when either a homeless decision or a decision under the Children Act 1989 has been made about them.

Durham County Council Children and Young People's Service holds a contract with National Youth Advocacy Service (NYAS) to provide advice and advocacy services, which can be accessed by Looked After Children, Care Leavers and Children in Need. Young People can be supported to access this service; where appropriate and information provided by the Lead Practitioner

8 Information sharing

The effective working of the joint protocol relies on the sharing of information between agencies; it is of paramount importance that those agencies clearly acknowledge that any information relating to a service user is of a sensitive nature and must be kept confidential at all times. All service users are asked for their permission to have their details both recorded and shared and may withdraw their permission at any time. Please refer to the information sharing protocol which accompanies the joint protocol.

9 What is the role of partner agencies?

9.1 Children and Young People's Service - Young People's Service (YPS)

Services for 16 & 17 year olds classified as "in need" are delivered by YPS. 16 year olds who are still in Year 11 at school are always dealt with by the Families First Teams.

Homeless 16 and 17 year olds may present directly to Children and Young People's Services. In these cases the YPS will provide the initial response and take responsibility to make the necessary contact with other agencies.

The YPS will attend each initial panel meeting and become involved in all cases where:

- a young person directly presents to them
- young people are known to YPS (and there has not been a significant lapse in time since this involvement)
- Young people are identified as having more complex needs than just housing and life skills support needs. (For example, chaotic lifestyle with substance misuse issues, refer to Durham's Staircase and Continuum of Need)
- Where a young person is deemed intentionally homeless.

The level of service offered by YPS will be dependent on the needs of the young person but will be compatible to the duties owed under the Children in Need procedures.

9.2 Housing Solutions Service

Homeless 16 and 17 year olds can present directly to the housing authority. In these cases, the Housing Solutions team will provide the initial response.

Housing Solutions will become involved in all cases where 16 and 17 year olds are presenting as homeless and a homelessness assessment is required following the initial panel meeting.

Housing Solutions will assist in placing the homeless 16 or 17 year olds in temporary accommodation when requested to do so by a partner agency, unless they have already fulfilled their duty to the young person.

Housing Solutions will have a duty to secure suitable accommodation for homeless 16 and 17 year olds where they are not a Child in Need or have refused support from the YPS, are found to be unintentionally homeless and in priority need and a return home is not an option.

It is not part of this protocol that every young person is automatically given a homelessness assessment. It is recognised that this is not always the best course of action for the young person.

HOPE Support Officers will undertake the following tasks:

- offer support to young people placed in temporary accommodation
- offer advice and support to young people throughout the process (pre and post assessments)
- to work with services to assist young people found to be intentionally homeless
- to dovetail support with floating support schemes where appropriate
- to contribute appropriately with partner agencies in providing a holistic package of support to the young person

9.3 One Point, Services for Children, Young People and Families

The One Point Service is an Integrated Team consisting of Health and Social Care staff. The One Point Service has 10 hubs across County Durham and is a front line prevention service designed to provide better outcomes for children, young people and families.

9.4 Durham Works

Our Durham Works Transition Advisers are based in each of the One Point hubs, and work with Young People who are not in education, employment or training (NEET). Whilst transitions advisers can provide support to young people, they are unable to act as a lead professional and hold regular TAF meetings.

9.5 Youth Offending Service

The Youth Offending Service (YOS) is a prevention service and criminal justice agency that works with young people at risk of offending and with young people who have offended. The YOS works with young people up to the age of 18 years old. They offer support to their service users to access suitable accommodation, education, training and employment and other services.

Under the protocol the YOS will provide the initial response to all homeless 16 and 17 year olds who are already working with them on other issues.

They may get involved in panel meetings where the young person has had recent involvement. This will be determined on a case by case basis.

10 Agreed working definitions

10.1 Initial response

This is the Children's Services Referral carried out by the agency where a young person originally presents. It includes arranging emergency accommodation for the young person if necessary, contacting the parents/carers, organising living expenses and taking information about the young person's situation.

10.2 Active referral

This means making contact with an agency prior to the young person contacting or visiting the agency. It includes the forwarding of the relevant Early Help paperwork. Wherever possible staff should accompany the young person to other agencies for interviews, where they are deemed necessary.

10.3 Arrangements for emergency accommodation

Before a young person is referred for emergency accommodation all appropriate options for the young person to stay temporarily with family or friends will be explored.

10.4 Priority need

Under the Homelessness Act 2002, all homeless 16 and 17 year olds are in priority need unless they fall within the categories below;

10.4.1 Eligible children:

Young people aged 16 and 17 who are looked after by Children and Adult Services for at least 13 weeks (need not be consecutive weeks) since the age of 14 and who are still looked after on or after their 16th birthday.

10.4.2 Relevant children:

Young people aged 16 and 17 who have been looked after by Children and Adult Services for at least 13 weeks (need not be consecutive weeks) since the age of 14 and who have left care.

Responsibility for both eligible and relevant children rests with Children and Adult Services. There is a protocol for eligible and relevant young people, the Care Leavers Accommodation and Support (CLASP). The CLASP is a partnership between Children and Adult Services and Housing (see contact details at back).

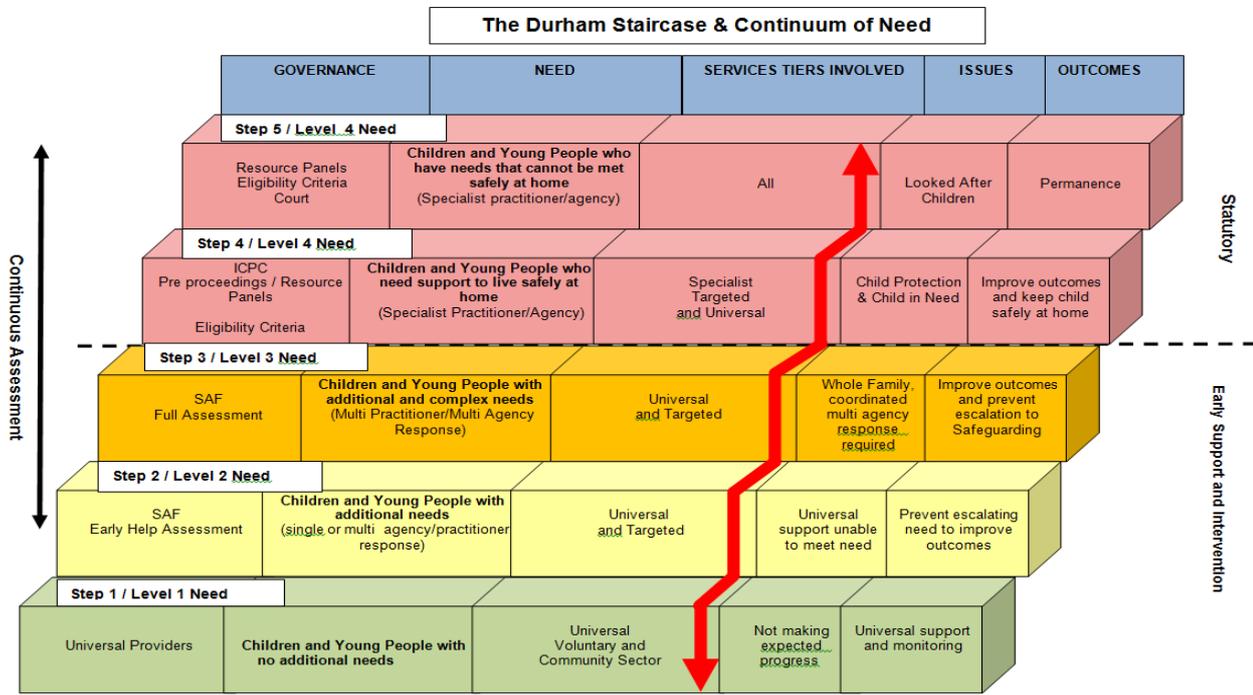
11 List of documentation

- Quick reference guide
- Agency guidance notes
- Children's Services Referral form
- Information sharing leaflet
- Initial Meeting Record and Minutes
- Information sharing protocol
- Parent's Leaflet

12 Useful contacts

Children's Social Care – Young Peoples Service	You must make initial contact via First Contact, indicating the young person is via the joint protocol arrangements. They will then put you in contact with the local team or pass on the details of the referral.	
	First Contact Service	03000 26 79 79
Children's Social Care	Emergency Duty Team (after 5pm and at weekends)	03000 26 79 79
Young People's Service	Team Manager (South): funding for emergency accommodation for Easington, Sedgefield, Wear Valley and Teesdale areas only	03000 26 22 71
Young People's Service	Team Manager (North): funding for Emergency accommodation for Derwentside, Durham City, Chester le Street areas only	03000 26 22 71
Housing Solutions (JP Co-ordinator – Dave Ridley)	Countywide Housing Advice Line	03000 26 80 00 Email: housingsolutions@durham.gov.uk
CDYOS	County Durham Youth Offending Service	03000 26 59 18
One Point – Stanley	Hub Manager	03000 26 11 14
One Point – Consett	Hub Manager	03000 26 11 21
One Point – Chester le Street	Hub Manager	03000 26 11 12
One Point – Durham	Hub Manager	03000 26 11 15
One Point – Seaham	Hub Manager	03000 26 11 17
One Point – Peterlee	Hub Manager	03000 26 11 16
One Point – Bishop Auckland	Hub Manager	03000 26 11 19
One Point – Barnard Castle	Hub Manager	03000 26 11 20
One Point – Newton Aycliffe	Hub Manager	03000 26 11 18
One Point – Ferryhill	Hub Manager	03000 26 11 13
CLASP	Young People's Service	03000 26 22 71

13 Durham Staircase and Continuum of Need



Appendix 2 – Children’s Services Referral

Children’s Services Referral

If a child is in immediate danger dial 999

If you are worried about a risk of significant harm to a child it is essential that you share your concerns by contacting **First Contact on 03000 267979**

This form should be used to refer a child and family for;

- ✓ **Early help (level 2)** – targeted provision for children with additional needs which can be met by a single practitioner/agency or where a coordinated multi agency response is needed
- ✓ **A request for targeted provision (level 3)** –for children with multiple issues or complex needs where a coordinated multi agency response is required
- ✓ **A safeguarding child concern (level 4)** – services to keep children safely at home, where a statutory response is required for intensive support

If you are unsure about whether or not to make a referral, or which service will best help the family and safeguard the child, please refer to the [0 – 19 Levels of Need Tool](#). Other information can be found via the [Durham DSCPwebsite](#).

Email the completed form to
firstcontact@durham.gov.uk

First Contact
03000 26 7979

Referral type

Early help referral Safeguarding referral

Consent

1. Early help support or targeted support – Level 2 & 3

Consent

For an early help referral, **the referral must always be discussed with the family and consent for the referral should always be sought from those with parental responsibility.**

Have you obtained consent from the family to discuss and share information with appropriate agencies?

Yes

We will not be able to progress your request for Early Help unless consent has been agreed

2. Safeguarding concern – Level 4

Consent

For a safeguarding children referral, **it is good practice to inform those with parental responsibility of your referral, unless to do so would place the child at further risk of harm.**

Have you obtained consent from the family to share information with appropriate agencies?

Yes No

If no, reason why

Have you informed the family that you are making a referral?

Yes No

1. Referrer details

Name	
Role/Agency/Team/Department	
Address	
Email address	
Telephone	

1a. Child's details (Please complete Section 1b for further children). **Please gather this information if not known.**

Name of child		Religion
Also Known As/alias		Ethnicity
Date of Birth or Expected Date of Delivery		Immigration status
Age		Interpreter/signer needed?
Gender	M <input type="checkbox"/> F <input type="checkbox"/> Unknown <input type="checkbox"/>	GP name and practice
Education provider/employer		Does the child have a disability?
Own agency reference number (e.g. NHS No, UPN)		State diagnosis if known and SEN statement if known
Child's address and postcode		Does the child have an Education Health and Care Plan? (EHCP)

1b. Siblings and other related children's details

Child's full name	DOB EDD	Gender	NHS No UPN	Address	Relationship to child referred? e.g. brother, sister	Ethnic Origin	Mother's full name	Father's full name

2a. Parent/carer details

Adult's/parent's full name	DOB	Gender	Address and contact number	Relationship to child referred? e.g. mother, father, step parents, parental partner	Ethnic origin	Do they have parental responsibility
						Yes <input type="checkbox"/> No <input type="checkbox"/>

						Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>

2b. Other significant adults details

Adult's full name	DOB	Gender	Address and contact number	Relationship referred? e.g. grandp family friend et

3. Reasons for referral

What are you and/or the family concerned about?	
What is the impact on the child(ren)?	
What do you think needs to happen to ensure the safety of the child(ren)?	

4. Development of referred child (Please describe the key areas of need identified)

Think about - disability, young carer, educational attainment, educational attendance, school exclusion, health, social presentation/relationships/behavioural problems/self-esteem, emotional wellbeing, child sexual exploitation, child abuse/neglect, pregnancy.

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5. Parental/carer capacity (Please describe the key areas of parental need or risk)

Think about - relationship, disability, learning disability, substance misuse, domestic abuse, mental wellbeing, criminality/anti-social behaviour, 'risk to children' status, looked after child, pregnancy, how these affect parental capacity, do both parents have current contact, support from extended family members.

6. Environment

Think about - home conditions, risk of homelessness, household finances, parents employment status, number of house moves - in last 2 years, anti-social behaviour, relationships in the community, acknowledgement of needs, willingness to engage in offers of support, dangerous animals

Have you completed the Home Environment Assessment Tool? **Yes** **No** Have you attached the Home Environment Assessment Tool? **Yes** **No**

7. What are the strengths/ protective factors?

Think about - support from extended family members/friends, engagement with your/other services, this may include the Voluntary and Community Sector organisations - what is working well.

8. Are there any known risk factors to professionals/staff if visiting the family home? (If yes, please explain why)

9. Involvement of other services

Which other services are **currently or were previously** involved with the child and family (name, agency), if known. This may also include Voluntary and Community Sector Organisations that provide social/community based services and activities for adults, children and young people i.e. drops in services, community projects, sports clubs, art clubs

Child(ren) /family	Name/agency	Purpose	Ongoing or Ended when/why?

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Email the completed form to: firstcontact@durham.gov.uk

Please remember to include all relevant attachments if available;

- Chronology
- Home Environment Assessment
- Family Engagement Risk Assessment
- EHCP
- Other (please state)

<http://www.durham-scp.org.uk/professionals/early-help-and-neglect/single-assessment-procedures/>

Appendix 3 – Housing Solutions Service - Deed of Trust Procedure (Version 3 Issued January 2016)

1. Introduction

- 1.1 The Council is the Local Housing Authority and Social Services Authority for County Durham. The Council has a duty to provide accommodation for persons who have not, as yet, attained the statutory age of majority (eighteen years) under section 20 of the Children Act 1989 and Part VII of the Housing Act 1996.
- 1.2 There is a joint protocol for 16/17 year olds and a Care Leavers Accommodation and Support Protocol in place between Children and Young People's Services and the Housing Solutions Service to ensure that the Council complies with its statutory duties and for each service to assist the other in securing a package of support for minors that meets their needs. In practice, it has been standard for the Council to secure tenancies for children but those arrangements have usually been on the basis of the providers' standard tenancy agreement.
- 1.3 A minor is not able to hold a legal estate in land by virtue of section 1(6) of the Law of Property Act 1925. Any tenancy granted was therefore considered to be a tenancy in equity. This is not a legal estate in land, but a form of agreement between the organisation granting the tenancy and the minor as to the rights and responsibilities of the tenant in occupying the premises.
- 1.4 However, the case of Hammersmith and Fulham London Borough Council v. Alexander-David [2010] Ch. 272 confirmed that seeking to secure a tenancy for a minor in such a manner was not effective. The Court of Appeal took the view that in essence the organisation granting the tenancy was making a declaration pursuant to paragraph 1(1) of Schedule 1 of the Trusts of Land and Appointment of Trustees Act 1996 that the tenancy would be held on trust by the organisation for the benefit of the minor.
- 1.5 This has subsequently created a number of problems for Social Landlords. Where such a trust has arisen, the Landlord is not able to seek possession as it has a duty as trustee to act in the best interests of the child. Seeking possession against that child is unlikely to ever be in the child's best interests. This has meant that Social Landlords

began to face difficulties in securing possession where there was anti-social behaviour and/or rent arrears.

In order to avoid falling into the situation highlighted by the Hammersmith case it is proposed that a third party, who is not the Landlord, will be appointed to act as the trustee of a tenancy with the child occupying the property as the beneficiary. In appropriate cases this will be a family member, but when required the County Council will act as trustee (either because the child is looked after, or is in need under s17 Children Act 1989). This should protect the Landlord's interests in the event that possession is to be sought as well as protecting the child's interests by supporting the child to obtain their own legal advice.

- 1.6 To ensure this protocol operates effectively, the Housing Solutions Core Team will operate as the main administrator of the process. This will ensure a central spreadsheet of all Deeds of Trust established for 16/17 year olds will be appropriately managed and monitored and the process to support young people who face legal action to end occupation is completed appropriately and to support the young person to access legal advice.
- 1.7 In light of the Council's statutory duties it is essential that the Local Authority is able to secure accommodation for children. In the case of 16 and 17 year olds this may well include independent living without supervision but with support from the Local Authority.
- 1.8 It is considered to be appropriate to use a Deed of Trust to secure the accommodation where the child is to be housed through a third party Registered Social Landlord.
- 1.9 This protocol should **only** be used when there is no other responsible person to sign the tenancy for the young person, and only following agreement at a Joint Protocol Panel Meeting. Where there is a responsible adult, the housing providers own procedure should be followed to secure accommodation for the young person.

2. The protocol

Pre Application for Durham Key Options:

2.1 In all cases where a 16/17 year old applies to Durham Key Options a Joint Protocol meeting will be called by the Housing Provider. This will be arranged via a referral to First Contact to request an assessment and JP meeting to be arranged. First Contact will then refer the request to the most appropriate team. Where a 16 / 17 year old first approaches Housing Solutions, One Point, Youth Offending Service or Children & Adults Service, the first point of contact organisation will call the Joint Protocol. At this panel meeting alternative housing options will be discussed and / or what support can be put in place to support the young person to remain at home, if appropriate. Where the panel conclude that Durham Key Options is a suitable housing solution for the client, an agreement will be made that the Homeless Temporary Accommodation Support Service (HTASS) (Joint Protocol) support worker will be contacted by the Housing Provider upon property match to commence the Deed of Trust procedure.

2.2 Once a referral by the Housing Provider has been made to HTASS – a further Joint Protocol meeting will be called to agree any support required to assist the young person to move into and sustain their home. This will not delay the signing of the Deed of Trust; the panel meeting is solely to assess any ongoing support needs. If support is required, HTASS will deliver this support for up to 14 weeks.

3. General principles

3.1 Where Durham County Council is to act as the trustee and sign the Deed of Trust, the responsible department will be Children & Adult Service. Signing the Deed will be completed as soon as possible to limit the void costs of match property.

3.2 Where a Deed of Trust has been signed it is for the Housing Provider to monitor. Where issues arise and a further Joint Protocol is deemed appropriate the Housing Provider will call a new Joint Protocol to discuss appropriate action and support to sustain the tenancy.

3.3 Where action is required to recover possession of a property secured via a Deed of Trust, the Housing Provider will serve notice on the trustee - Durham County Council Housing Solution's Core Team. The Housing Provider will further call a Joint Protocol Panel Meeting before issuing court proceedings for possession.

3.4 Where a young person is approaching their 18th birthday, it is for the Housing Provider to monitor and take appropriate action to issue a tenancy agreement.

4. Requesting a Deed of Trust

4.1 The Council will act as trustee for the young person in question. The proposed Deed of Trust is attached to this as Appendix 38.4. While the Deed creates a trust it is worded to ensure that it does not give rise to any guarantee of rent by the Council, unless there is a statutory duty by Children and Young People's Services to pay the rent on behalf of the young person. This could be the case, where the young person is a care leaver or a looked after young person under the age 18yrs.

5. Support prior to possession proceedings

5.1 The landlord in all cases will ensure that the signature to the Deed of Trust (Children & Adults Services) is notified of any proposed or actual legal proceedings to seek possession of the property to ensure the young person is able to access appropriate legal advice. This should be done following a Joint Protocol meeting called by the Housing Provider prior to court action to recover possession.

5.2 In the event that the Registered Provider was seeking to enforce the terms of the tenancy agreement then the third party trustee would act in the best interests of the young person and would encourage the child to instruct Solicitors. This would be done once a Joint Protocol had met to review support arrangements to seek to prevent eviction.

5.3 Anyone at risk of eviction is entitled to legal aid subject to a financial assessment. However for those under the age of 18, there is no need for a financial assessment to be completed and they should be referred to the Civil Legal Advice Service.

5.4 The above procedure enables the Council to discharge its statutory duties while at the same time ensuring that Landlords are able to enforce the terms of their tenancy agreements without difficulty.

6. Securing legal advice prior to proceedings

6.1 Where Durham County Council has signed a deed of trust for a young person, this will ensure that they will support the young person to secure appropriate legal advice should legal action be taken to end occupation of the property.

6.2 Durham County Council will work with the young person to ensure they are aware of the legal action against them.

6.3 Encourage and support the young person to take legal advice

7. Monitoring

7.1 Where a Deed of Trust is to be established the relevant referral form will be submitted to the Housing Solutions Core Team. (See below).

7.2 The Housing Solutions Core Team will update the relevant information onto the spread sheet. If at any time legal action is taken to recover the property, the signatory to the deed of trust will notify the Housing Solutions Core Team who will further update the spreadsheet sheet and contact the young person to establish if any further advice and support is required and that the referring Housing Provider has called a Joint Protocol.

8. Appendices & Guidance

Appendix 38.2 – Form requesting Deed of Trust with Flow chart

Appendix 38.3 – Referral to Housing Solutions to notify of potential legal action to end tenancy

Appendix 38.4 – Deed of Trust.