Getting the house in order
Keeping homeless older teenagers safe

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Finally we must thank eight young people who took the time to speak to us about very difficult experiences in their lives. So many of us struggle to become adults but these young people are an inspiration. Forging their way forwards from complex circumstances to make an independent adult life for themselves, they were fantastic representatives for the other young people whose stories we have used in this report. We wish them all the best for the future and thank them wholeheartedly for their support.
Foreword

Every year 12,000 young people aged 16 and 17 go to their local authority for help because they have no-where to live. These young people often come from difficult circumstances and have complex lives. Sometimes they appear to be confident young adults, at other times timid children.

On the cusp between two worlds, they have to make big decisions. What is certain is that the help and support they receive during this crisis, a crisis that marks the end of childhood and the beginning of adult life, leaves a mark that stays with them forever.

As a society we have a duty to keep these vulnerable young people safe. We must protect them from harm and yet we are failing. The systems we have created, which are supposed to prevent homelessness and protect young people from danger do not work. They are vast systems with competing interests, weak safeguarding mechanisms and significant confusion. Furthermore, they treat these young people in a one dimensional manner, focussing only on finding them a home, rather than keeping them safe and viewing them as unique human beings who have certain strengths and are exposed to particular risks.

The outcomes of this confusion are obvious. People fall through the gaps. They continue to have crises because they continue to have problems. Some fall into a downward spiral which place them at risk of long-term homelessness as an adult. Some are put in terrible danger. Many have to cope on their own, adults before their time.

We must be optimistic. The solutions to keeping these vulnerable young people who are at risk of homelessness safe from harm are not beyond us. This report encourages us to think of this problem not in terms of homelessness, but as the failure of safeguarding. Instead of simply finding these young people a home we need to focus on keeping them safe. They might be safe with their families. They might need to live elsewhere. Wherever they are, they need to be protected from danger and supported to overcome their problems.

The recommendations we make will help with this. They are based on solid evidence and informed by the stories of young people The Children’s Society works with every day. We know, because we have seen time and again, that with a little help, some support and care these young people, whom so many have given up on, are capable of turning things round and going on to do amazing things. We will continue to support them to do this through our frontline work and by fighting for change at both the national and local level.

Matthew Reed
Chief Executive
The Children’s Society
Executive summary

Our research shows that every year at least 12,000 vulnerable children aged 16 and 17 face the challenge of homelessness. Whilst most of their peers continue to live at home with their parents, these vulnerable young people must face the adult world and live independently.

Young people aged 16 and 17 seek accommodation for many reasons. The breakdown of relationships with their families and carers and the need to escape domestic violence, abuse or substance misuse are some of the key reasons for homelessness among 16 and 17 year-olds.

The national data outlining the actual numbers of young people who face homelessness and their journeys through the system is not adequate. Our report estimates that only one in five of those who present themselves as homeless to their local authority get accommodated. Others either return to their families (with a small minority getting some help to rebuild relationships), seek help from homelessness charities or ‘sofa surf’ with friends and extended families. Some end up in the worst position of all – sleeping rough on the street or staying with someone who intends to do them harm.

Having no safe and stable place to call ‘home’ has an enormous impact on these young people, often detrimental to their emotional and economic well-being, safety and future life prospects. It puts them at enormous risk and presents obvious safeguarding dangers.

These young people need consistent support to overcome the challenges they face and stay safe. Yet the systems supposed to provide this support often fail due to their complexity. The support they actually receive, as well as the support they will be entitled to upon turning 18, depends on many factors: their history of being a looked after child prior to turning 16; the assessment they receive (or don’t) when they seek help because of homelessness; the suitability and safety of the accommodation they are placed in; and, crucially, whether there is someone to advocate on their behalf.

With so many variables the odds are not in the young people’s favour. Our report explores these odds, exposes failings and makes recommendations about how we can keep them safe and improve the support they receive.

‘I had no idea what to do [when my parents kicked me out]. I just made it up as I went along. It was weeks until I found out I could get help. I cried when I heard there was somewhere I could live.’

(from consultation with young people)

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\(^{a}\) For the rest of this report we will refer to the 16- and 17 year-old children as young people, but it is important to point out, from the beginning, that these young people are still children. They have a special protected status within law and are still deserving of all the additional safeguards and support we offer to younger children.

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Key findings

In autumn 2014 we sent freedom of information (FOI) requests to 353 local authorities at all tiers of local government. 259 responded and their responses allow us to make the following estimations:

- Every year approximately 12,000 young people aged 16 and 17 present as homeless to their local authority. The actual number may be significantly higher as the data on homeless 16 and 17 year-olds is not gathered consistently. Out of the 259 responses we received, only 114 local authorities could provide complete answers to our FOIs.

- Only half of young people who present as homeless receive assessment under the Housing Act 1996 and/or the Children Act 1989. In a large minority of cases the Children Act is not given precedence over the Housing Act as it should and as has been established in case law.

- As few as one in five of those who present as homeless get accommodated. And of them, only 20% are accommodated under section 20 of the Children Act 1989 (and become a looked after child) as required by the statutory guidance on the provision of accommodation for homeless 16 and 17 year-olds.

- The remaining four young people in every five do not receive assistance. Many are encouraged to return home to their parents, but less than 5% receive support to help rebuild their relationship with their parents or carers – a serious safeguarding concern.

- There are significant differences in the responses of the different tiers of local government to young people who present as homeless. Six out of every 10 young people are given accommodation if they are assessed under the Housing Act 1996, compared to four out of every 10 who are assessed jointly, or under the Children Act 1989, suggesting differing understandings of need.

- Only one in five local authorities offer advocacy support for young people who present as homeless despite the system being difficult to navigate. Our case studies show that the involvement of an advocate, and in some cases a legal professional, is needed to secure the right support for vulnerable young people.

- There are real gaps in local policies on what support should be offered to young people who were evicted from their accommodation, either because of behaviour, a high number of missing episodes or because they fell behind with their rent payments. Too often these young people are considered intentionally homeless and get little or no support. A similar picture emerged in relation to young people who repeatedly present themselves as in need of accommodation.

We have also examined 74 case studies of young people who needed help because of homelessness and were supported through our projects.

Our analysis shows that:

- The majority of young people who find themselves at risk of homelessness come from families who are known to social services. The young people and their families are attempting to deal with a variety of issues like substance abuse, bereavement, mental health problems, involvement in crime, or risks of child sexual exploitation and abuse.

- Many young people are forced out of homes by their families and some are at risk of homelessness from the age of 14 or 15, which is in line with our research on missing children suggesting that a quarter of those who go missing at that age feel forced to leave home.

- Most young people do not seek help straight away as they do not know that help may be available. They mostly rely on friends and extended families to provide them with a place to stay for the night as a short-term solution and only seek help when their options are exhausted.

- Many get little help to overcome their problems which often results in the young person’s behaviour deteriorating and consequentially in evictions from the accommodation they are provided with. The accommodation young people are provided with is often neither safe nor suitable, placing them at risk of child sexual exploitation, involvement in criminal activity or abuse.
Every year at least 12,000 young people aged 16 and 17 present to their local authority as homeless.

6,000 get a formal assessment.

6,000 are never formally assessed at all.

5,000 get assessed under the Children Act 1989 or jointly by housing and children’s services.

1,000 are assessed under the Housing Act 1996.

2,400 are found not to be in need of help and are sent home.

400 are found to be in need of help and are sent home with support.

1,000 become looked-after children.

2,400 are found not to be in need of help and are sent away.

850 are found not to be in need of any further support beyond housing and are accommodated by housing services.

350 are found to be in need of help but are housed without becoming looked-after children.

1,800 are housed with minimal or no support.

1,000 are housed with full support.

1,800 are found not to be at risk of homelessness and are housed.

850 are found not to be at risk of homelessness and are accommodated by housing services.

1,000 are housed with full support.

2,800 are accommodated.

1,725 are placed in supported accommodation*.

225 stay in hostels.

400 stay in Bed and Breakfasts.

275 are helped to rent independently in either private, council or housing association accommodation.

25 stay in accommodation attached to their further education college, or similar.

150 either reject the accommodation offered or make alternative arrangements of their own.

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6,000 are never formally assessed at all.

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25 stay in accommodation attached to their further education college, or similar.

150 either reject the accommodation offered or make alternative arrangements of their own.

* A very small number of homeless 16 and 17 year olds who become looked-after children may be placed with foster carers or in Children’s Homes.
Key recommendations

• To ensure that the guidance on the provision of accommodation and support for homeless young people aged 16 and 17 is implemented in full by local authorities, the responses to homeless 16 and 17 year-olds need to be monitored through new multi-agency inspections.

• Vulnerable young people assessed as being a ‘child in need’ should never be abandoned by services whose duty it is to safeguard children. The guidance on homelessness should be reviewed to clarify that even if a child refuses ‘looked after’ status they should still be entitled to have the same level of support and protection as a looked after child. In order to give legal protection to these vulnerable young people we recommend that a new legal status of a ‘vulnerable 16 and 17 year-old’ is considered.

• No child should be allowed to become intentionally homeless. The law and guidance need to change to clarify this.

• Vulnerable 16 and 17 year-olds should only be accommodated in places that are safe and able to meet their needs. The use of bed and breakfasts should be banned and standards for supported accommodation should be developed and adhered to with the relevant monitoring put in place.

• The government should collect and publish the data on 16 and 17 year-olds who present as homeless at all tiers of local authorities and record the assessment, support and accommodation provision they received. Such data monitoring would allow the assessment of the correct level of need to adequately commission services.

• All young people should receive written information about the advocacy support they are entitled to when they present as homeless, with contact details provided for the local service.

• We do not advocate that all young people who present as homeless should be accommodated by their local authority. Where young people are not at risk of harm in the family, good quality mediation with ongoing support for the young person and the family is a much more effective and less expensive solution in the long term compared to local authority accommodation. We do believe, however, that returning home to live with the family should not be the end of interaction between the child, their family and services, as happens all too often. Parents, carers and the young person should have a clear plan in place of what support will be offered to them when they go home.

The number of young people varied between different local authorities. On average somewhere between 2 and 13 for every thousand 16- and 17-year-olds, seek help.

Headline figures given in this report are rounded estimations that demonstrate the scale of youth homelessness.
1.1 16 and 17 year-olds at risk of homelessness

The last 30 years have seen big changes in lives of 16 and 17 year-olds. Changes in education, welfare, the job market and the rising cost of independent living mean that many more of them remain in their parents’ homes throughout late adolescence and well into adulthood. Figure 1 shows that more than 90% of all young people now aged 16 and 17 live at home, with many in full-time education or training.

This increased reliance of young people on support from their families is concurrent with increasing numbers of 16 and 17 year-olds who experience issues with their families.

Last year alone, 78,000 young people aged 16 and 17 were recorded as ‘children in need’ by their local authorities. The main reasons why they required help from children’s services were: abuse and neglect (35% of all cases); family dysfunction (18%); family in acute stress (11%); and absent parenting (11%). Our analysis of the official statistics show that 16 and 17 year-olds are considerably more likely to be found to be ‘in need’ as a result of abuse or neglect than any other age group of children. Absent parenting cases in relation to 16 and 17 year-olds make up a concerning 75% of all absent parenting cases in England.

Many adolescents on turning 16 face the prospect of finding a new place to call home. Most leave home due to conflict with, or even being forced out by, their parents or carers who no longer wish or are able to provide care and support for them. Some are trying to escape domestic violence, parental substance misuse, abuse or neglect. For others the reasons for seeking alternative living arrangements focus on their own lives: their inability to combat their own alcohol and drug use, gang involvement or being targeted for sexual exploitation.
The exact number who present as homeless to local authorities is not gathered consistently at the national or local level, or it is hidden among other data. This situation is recognised by local government:

‘Homelessness, and the resulting need for the provision of supported accommodation for young people, was cited by authorities as a key change [in the increased numbers of 16 and 17 year-olds becoming children in need and looked after]... 32 authorities provided data about children looked after at 31 March 2014 who had presented as homeless (ie not living with parents and having no fixed abode). 50% reported that there were none in 2013/14, and only three authorities, of differing demographics and location, had more than 10. Commentary from other authorities who did not provide data suggests that this is not easily recorded for many authorities, and the data here does not therefore concur with authority comments about the rise in homelessness.5

The research consistently points to the fact that only a small percentage of 16 and 17 year-olds who present themselves as homeless to local authorities are recorded and as such get help with housing or have their needs supported when they return to their families.6,7

1.2 Why is this report focused on the needs of 16 and 17 year-olds?

1.2.1 Legal case

The United Nations Convention on the Rights of the Child8 defines a child as ‘a person under the age of 18’, thus recognising that young people aged 16 and 17 may be vulnerable to abuse and neglect and require support to become independent and successful adults.

The Children Act 1989 – the key piece of legislation outlining the safeguarding duties and responsibilities of local authorities – also extends protection to all children under the age of 18. It places a duty on local authorities to ‘safeguard and promote the welfare of children within their area who are in need’ (section 17) and requires that they ‘provide accommodation for any child in need within their area who appears to them to require accommodation [including] for any child in need within their area who has reached the age of 16 and whose welfare the authority consider is likely to be seriously prejudiced if they do not provide him with accommodation [or] for any child within their area (even though a person who has parental responsibility for him is able to provide him with accommodation) if they consider that to do so would safeguard or promote the child’s welfare.’ (section 20)

Children who are accommodated and supported by local authorities under section 20 of the Children Act 1989 become ‘looked after children’ which entitles them to additional support while in the care of the local authority and to leaving care support from the age of 16. In order to qualify for support they need to be looked after for a total of 13 weeks since the age of 14. These weeks do not have to be consecutive. The entitlements to care leaver support include support with education, planning for the future and housing when they turn 18. They may also receive additional support if they become homeless again, during adulthood.

The Housing Act 1996 places a duty on local authorities to prevent homelessness and provide free advice and assistance to those who are in a situation of homelessness or are at risk of becoming homeless within 28 days. The act also defines priority need groups whose needs must be assessed and met. These groups include children. No need beyond housing is addressed by this legislation.

The legal interrelations between the Housing Act and the Children Act are complex and have been subject to a number of court cases.9 Therefore, in 2010, the government issued the statutory guidance on ‘Provision of accommodation for 16 and 17 year-olds who may be homeless and/or require accommodation’.10
It specifically clarifies that the Children Act takes precedence over the Housing Act. If a young person aged 16 or 17 seeks help from the local authority because of homelessness, their needs should be assessed under section 17 of the Children Act 1989 and if the child is found in need of accommodation they should become a looked after child under section 20.

Despite the legal and statutory guidance requiring that young people aged 16 and 17 who face homelessness should receive help and assistance under the Children Act 1989, many are still turned away or receive help under the Housing Act. A recent judicial review has found that some of the gatekeeping practices that result in people being turned away are illegal. The situation is further complicated because young people aged 16 and 17 are granted more agency in choosing what support should be put in place for them. As such they are able to refuse looked after status, creating more inconsistent treatment within the system.

1.2.2 The vulnerability of 16 and 17 year-olds

Even though 16 and 17 year-olds are recognised as children under the Children Act 1989, very often they are seen by professionals and wider society as young adults. Some professionals mistakenly believe that adolescents, particularly older adolescents, are capable of dealing with problems on their own, are resilient to the impact of neglect and do not require the same protection as younger children.

Research and statistics point to the contrary. Adolescence is a challenging period of time for young people, making them vulnerable to many risks. Research shows that through the adolescent years the brain undergoes complex transformations which continue into the early 20s. There is a proven link between the brain development in adolescent years and impulsive and risk taking behaviour. In addition, growing independence, a lack of maturity and experience, particularly in intimate and romantic relationships, and decreasing adult supervision, lead to young people aged 16 and 17 becoming more at risk of harm than other age groups. For young people from disadvantaged backgrounds these risks are magnified further.

Statistics confirms the vulnerability of 16 and 17 year-olds:

- Drug use is more common at this age than other ages. In 2014, 19.3% of 16–19-year-olds reported using illicit drugs in the past year, in comparison to only 13% of 25–29-year-olds. In addition, 6.6% of 16–19-year-olds also report being frequent drug users, as opposed to only 3.1% of all those aged 16 to 59.
- The Office of the Children’s Commissioner’s report into sexual exploitation by groups and gangs estimates that 7,260 young people aged 16 and 17 are at risk of child sexual exploitation.
- The National Crime Agency indicates that 16 and 17 year-olds make up 36% of potential trafficking victims.
- Young people aged 16-24 are the group most likely to become victims of crime.
- 17 year-olds are 25% more likely to self harm than 14-year-olds.
- In 2013, 25% of forced marriage victims were aged 16 and 17.

To minimise the risks and enable vulnerable 16 and 17 year-olds to move into adulthood at an appropriate pace they require support. This support needs to respect their increasing maturity, not use this emerging maturity as an excuse to ignore problems and abandon young people to cope on their own.

1.2.3 16 and 17 year-olds and financial independence

There is another reason why 16 and 17 year-olds who find themselves at risk of homelessness should receive more support rather than less: financial independence for young people of this age is not easily achieved in modern Britain.

Today, young people occupy the lowest place on the labour
market. Regardless of whether they are in education or not, young people are most likely to work within the ‘elementary’ occupational group with jobs like waiting tables or being a kitchen porter.\textsuperscript{21} Young people under the age of 18 are paid a national minimum wage of just £3.79 an hour, compared to £6.50 for those aged over 21,\textsuperscript{22} and the Office of National Statistics finds young people to be one of the groups most likely to be employed on zero hours contracts.\textsuperscript{23}

The minimum apprenticeship wage for 16–18 year-olds drops even further than the national minimum wage for this age group to just £2.73 an hour.\textsuperscript{24} Furthermore, past research and data collection has revealed that young apprentices may even be paid less than the £2.73 per hour they are entitled to. In 2012, 43\% of apprentices under the age of 25 were paid below the minimum wage while only 20\% of those over 25 were underpaid.\textsuperscript{25}

Similarly, the benefit system does not treat 16 and 17 year-olds the same way as adults. 16 and 17 year-olds are normally not entitled to any benefits if they are living at home or looked after by their local authority. If they live away from home, independently, they may be eligible for some mainstream benefits. Unlike to have made enough national insurance contributions to qualify for contribution based Job Seekers Allowance (JSA), 16 and 17 year-olds usually rely on the lower rate afforded by income based JSA – a maximum of £57.35 a week.\textsuperscript{26}

If they do opt for JSA, and want to avoid being sanctioned and having their payments stopped, they will have to be able to attend appointments, consistently apply for jobs and meet all other requirements. Recent research has highlighted how young people are much more likely to be sanctioned than older people, with an average of 8.4\% of people on JSA under 25 being sanctioned each month.\textsuperscript{27} Income support is the other option if JSA is not seen to be viable, but this is an even lower level of support.

It is difficult for young people to access Housing Benefits as they can only receive assistance with housing costs if they are liable to pay rent – this often presents problems as young people cannot sign a rental agreement if they are 16 or 17 unless they have a guarantor.

Even if they can prove eligibility, additional rules are placed on young single people under the age of 35 when applying for housing benefit, meaning they must either rent a room in shared accommodation or live in a bedsit. The national average rate for shared accommodation is currently £75 a week.\textsuperscript{28}

The Department of Work and Pensions own review of the system found that changes to how the rate is set has had more negative impacts on the under-35s than any other age group. Furthermore they found a 17\% national reduction in the number of landlords renting to the under-35s.\textsuperscript{29} Finding a landlord who will rent to them and then putting in place a guarantor, makes private rented accommodation an extremely unlikely option for 16 and 17 year-olds.

Most young people overcome reduced earning potential through reliance on their parents. For those who cannot live at home, for whatever reason, their prospects are very poor. With few landlords willing to take them, unable to sign a contract to rent a home, and most without the funds necessary for a deposit, their only options are the housing offers made by local government, either under homelessness legislation or stemming from the duty of care owed to all children by local authorities under the Children Act 1989.\textsuperscript{30}
1.3. Our report

The aim of this report is to outline where there are gaps in the provision of support and safeguarding responses to young people aged 16 and 17 who present as homeless and to offer solutions.

Specifically the report will explore:

- the extent to which the statutory guidance on homeless 16 and 17 year-olds is followed by local government. Special focus will be given to the differences between different tiers of local government and to the different stages of the young person’s journey through the system – from presentation to assessment to accommodation

- the experiences of the young people we have worked with, their safeguarding needs and how those are met through homelessness provision, and the extent to which young people have a real choice and a voice in the decisions made about their homelessness

- the accommodation provided and whether it safeguards vulnerable 16 and 17 year-olds or puts them at further risk of harm

- the experiences and responses to the crisis situations often experienced by 16 and 17 year-olds after they have been accommodated due to homelessness, such as evictions, refusal of help or repeat presentations of homelessness

- what more could be done to improve the lives of homeless 16 and 17 year-olds in England.
1.4. Methodology

This report is based on information obtained from three sources: freedom of information requests sent to all tiers of local government; analysis of 74 cases from our practice; and the findings of focus groups and interviews held with practitioners and young people.

- **Freedom of information requests (FOIs)**

  We asked the different tiers of local government questions on the number of young people who presented as homeless, which service took the lead in the assessment of their needs, and the outcomes of these assessments. We also asked about what procedures were in place to deal with the typical crises a 16 or 17 year-old might have once placed in accommodation.

  The FOIs that we sent to every local authority sought to establish the extent to which the guidance is being met. A total of 353 requests were sent and 259 responses were received, giving a 73% response rate. The response rate was highest among lower tier local authorities. The competency for housing sits at the lower tier. Children’s services sit with the upper tier whilst unitary authorities perform both functions. We received responses from 60% of unitary authorities, 74% of upper tier authorities and 82% of lower tier authorities.

- **Analysis of case notes**

  16 and 17 year-olds make up a significant proportion of the cases in our direct work with children and young people. For the purposes of this report we have analysed 74 cases where it was known that the young person has had an experience of seeking support from the local authority because of homelessness. These cases originated in projects that focused on the prevention of homelessness, supporting young people at risk, or advocacy projects where a young person had requested help resolving issues around accommodation. These cases represent a sample of young people we supported in 2014 during July, August and September, in different locations across England. These cases are the stories of 34 young men and 40 young women. The analysis focuses on the common features of their stories.

- **Consultation with young people and practitioners**

  Both of these sources are supplemented by the focus groups we carried out with practitioners and young people. We used these sessions to both explore specific issues and find out what young people think of the process – what they hoped for and what they got, what went wrong and what went right, and their fears and hopes for the future. We worked with eight young people and 15 practitioners from The Children’s Society working with 16 and 17 year-olds. We have used quotes from these sessions throughout the report.
Part 2. Young people presenting as homeless

2.1. Numbers

Based on responses received we can estimate that every year approximately 12,000 16 and 17 year-olds present themselves to their local council as homeless.

The responses show that the quality and completeness of the data collected differ significantly from one area to another. The scale of homelessness can be as low as two per 1,000 in some areas to 13 per 1,000 in others. In one area, an outlier, this rate reached 41 per 1,000. A few local authorities reported that they do not have any young people of this age presenting as homeless. The data demonstrated a highly significant correlation between levels of deprivation and homelessness, suggesting that there should be some variation, yet the inconsistencies are of too great a scale to be explained by level of deprivation alone.

The numbers of those presenting as homeless to their local authority has remained stable over the last four years. Those providing frontline services, however, are adamant that numbers are increasing. The Homeless Monitor Report England 2015 argued that changes (or the lack of change) in national trends ‘increasingly reflect changes in local authority management of homelessness’31 rather than being an accurate reflection of numbers. Our data supports this view. Over one in four local authorities reported that the numbers of young people had altered by at least 50% from one year to the next. For example, in one local authority, a year in which 105 young people had presented as homeless was followed by a year in which only 34 presented. Such fluctuations should not be expected given the stable national trends.

The lack of an accurate national picture on homelessness among 16 and 17 year-olds should be of great concern. Currently data is split between the Department for Communities and Local Government’s (DCLG) homelessness statistics and the Department for Education’s statistics on looked after children. Whilst it is possible to interrogate the DCLG’s data (indeed, it roughly accords with our estimates) it is impossible to extract the numbers of young people accommodated due to homelessness from the Department for Education.

Our estimates suggest, however, that every year at least 1,200 young people accommodated due to homelessness go either unrecorded at the national level, or recorded in a manner that makes their cases impossible to identify. This is 1,200 accommodation placements out of a total of 2,800.

The data is incomplete. The response is uncoordinated and there is no consensus about what constitutes a presentation, an assessment, or even an accommodation placement.

The numbers fluctuate at the local authority level. Gaps, unexplained changes, and poor data labelling are hiding the extent of homelessness among 16 and 17 year-olds.

If we are going to solve the problem of youth homelessness, it is vital that we have reliable national data so that we can establish need and ensure that the responses made can meet that need, which is likely to be higher than we think. What we do know is that for each individual the need is pressing, intense and complex, as our stories show.

‘Everyone thinks you did something wrong, that it’s your fault. You’re obviously the bad child that got kicked out. Rather than it being a two way street...’

(from consultation with young people)
2.2. Stories

The stories of young people supported though our projects make it obvious that young people who face homelessness have had difficult experiences throughout their childhood and early adolescent years. The reasons behind their homelessness, as shown below, are complex and present in multiple combinations (see Graphic A).

The reasons for homelessness are diverse, but the young people we spoke to felt that professionals mostly blamed them for falling out with their families and not making enough efforts to seek alternative solutions to their homelessness. The stories of young people show that they experience some very negative attitudes from professionals. Many young people regard seeking help from councils as their last resort, rather than the first port of call. About half of the young people whose stories we examined for this report were still living at home and sought help before they were made homeless.

The other half of our cohort was already trying to resolve their situation:

- 22% were staying at a friend’s house
- 9% with extended family
- 7% living with a boyfriend or girlfriend
- 4% in their own accommodation
- one person was found sleeping rough.

Young people work hard to first exhaust all the options available to them – family, partners, and friends are all called upon to provide a bed or a sofa. When these places are no longer available to them, and in some cases once the situation has reached a serious crisis point, young people finally ask for help from statutory services.

59% became homeless because their relationship with their parent or carer had broken-down.

12% had to move out because of relationships with friends, girlfriends or boyfriends
12% because of violence in the home
10% due to substance abuse
10% because their family was facing financial difficulty

These reasons are not mutually exclusive
2.3. How things can improve

Data collection about young people who present as homeless and their journeys through the system.

The response to our FOIs highlights how patchy and incomplete data on homelessness among 16 and 17 year-olds is. Out of the 259 local authorities that responded, only 114 could answer all the questions in our request. The remaining 145 could only provide partial responses or no responses to questions about numbers. One area where the data was particularly patchy was the outcomes of assessments. While data on the number of young people who presented as homeless and the number eventually housed was of a better quality, young people who may have many problems, but not necessarily end up being housed appear to get lost in the data collection systems in place.

Understanding the true scale of homelessness among 16 and 17 year-olds is a critical first step in addressing the issue. Collecting proper information about how many young people present, first time or repeatedly, and the reasons for homelessness would allow local authorities to plan and commission better services for this group of young people. This data is also needed at the national level so that local authorities can be held to account and to identify whether central government provides adequate funding. There is a need for more early intervention and prevention services for families to prevent and pre-empt crisis situations. The commissioning of this early intervention work would improve if the level of need were accurately assessed.

Data collection is important to help local authorities meet their sufficiency duty, which requires that they provide enough accommodation for young people in their area who are in need of it. Currently, many sufficiency strategies focus on accommodation for looked after children but fail to properly take into account the data on young people not accommodated under section 20.

This results in a lack of emergency accommodation for young people as well in insufficient numbers of appropriate placements for homeless 16 and 17 year-olds. In many of our case studies young people were asked to wait a few days, staying either with friends, or in very bad situations at home, whilst accommodation was found for them. Such a shortfall in accommodation may leave local councils open to legal challenges due to their failure to meet the sufficiency duty. Finally the recent judicial review demonstrates the need for better data collection in order to prevent illegal gatekeeping practices through increased transparency.

‘I stayed with my best friend and his nan. We were not going out or anything, he’s just a friend. I really liked it there. But I would go out for really long walks cos I felt bad being in the way. I’d leave so he could spend some time with his nan’

(from consultation with young people)

When they came to ask for help one quarter were sofa surfing with friends.
We recognise that local government is currently under extreme financial strain as it adapts to significant funding reductions, but we do not believe children should have to suffer the consequences of austerity. If we are to get a good national picture of vulnerable 16 and 17 year-olds at risk of homelessness, data collection procedures must change. We have therefore made a number of recommendations about this in Part 6 of this report.

‘Please refer to the Department for Communities and Local Government website for the P1E returns for any data we have’
(lower tier local authority)

‘it would take 20 minutes to locate and review each assessment therefore the cost of locating and retrieving the information exceeds the ‘appropriate limit’
(unitary local authority)

Julie’s story
Julie² was 17 when she fell out with her mother and left home. Her mother was trying to prevent Julie from seeing her girlfriend and the situation had become violent.

Julie moved in with her grandmother for a while but ended up living with her girlfriend permanently. She refused to go into supported accommodation and as a result was left without any support. The threat of homelessness combined with serious mental health problems that required intervention from child and adolescent mental health services resulted in Julie failing her college course that year.

Phil’s story
Phil had been sofa surfing for a few months after his parents asked him to leave home.

He was at the point where he could only spend one night on each sofa and occasionally was sleeping rough. His health was deteriorating. He had become difficult to engage. After a particularly traumatic night he presented himself in person to services asking for help. There were no appropriate beds available that night and so he walked away, putting himself back at risk.
Part 3. Assessments on presentation

3.1. Numbers

We used our FOIs to find out more about how young people who present as homeless are assessed. The government’s guidance on the assessment of 16 and 17 year-olds presenting as homeless stipulates that they should be assessed under section 17 of the Children Act 1989. Where young people present to housing authorities, the guidance requires that either joint assessments are conducted or a referral is made to children’s services to ensure that the child’s needs are assessed holistically.

3.1.1 The number of assessments

Responses to the FOIs show that half of those young people who present as homeless are formally assessed (Figure 2). Where assessments are undertaken the guidance is not always followed. The issue of the lack of formal assessments for all young people who present as homeless is important to explore further. Formal assessments under the Housing Act 1996 and the Children Act 1989 are not carried out in every instance as many areas conduct informal screening before a homelessness case is opened. This informal screening process varies across the country and some local authorities will inevitably perform it better than others. The problem is, however, that this informal screening process is unlikely to address all a young person’s needs. In addition, with the formal assessments under the two pieces of legislation, young people get certain rights – rights to appeal and review, assistance with advocacy and certain entitlements. The present system is not only likely to fail to meet young people’s needs holistically, it also disempowers them from a legal perspective.

Figure 2: Young people assessed as a percentage of those presenting as homeless

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3.1.2 The types of assessments

More positively, our analysis of the responses shows that out of approximately 6,000 young people who receive an assessment when they present as homeless, the majority, 5,000, get assessed either jointly by housing and children’s services or by children’s services alone. (Figure 3)

However, the remaining 1,000 cases only receive the assessment under the Housing Act, contrary to what is required by the Southwark judgment and the statutory guidance. In four out of every 10 assessments housing services are taking the lead as the first, or only, point of contact. This is contrary to the government’s guidance which states that ‘the lead agency will be children’s services’. As we will discuss in more detail when looking at the outcomes of assessments under the Children Act, it seems clear that children’s services find themselves poorly suited to dealing with housing issues.

This failure to fully implement the guidance is also apparent in two tier local authorities, where a fifth of the assessments carried out by the lower tier are carried out by housing services alone with no referral made to children’s services. This denies young people an opportunity to get the support they need immediately and consequentially the support they may be entitled to on turning 18. The data suggests the situation is better in unitary local authorities where less than 5% of cases are assessed by housing services alone.

As we will see, neither housing services nor children’s services alone are able to provide a sufficient response for young people. Housing services are unable to meet all the needs of these young vulnerable people whereas children’s services can see need, but seem extremely reluctant to accommodate young people.

Figure 3: Numbers of different assessments
3.2. Stories

When a 16 or 17 year-old presents as homeless it is important that all their needs are assessed holistically, not just whether their claim for housing support is valid. The outcome of the assessment under the Children Act 1989 can have important consequences for both the young person and their family. For the young person it could mean the difference between dedicated and well targeted support and being left alone to deal with their problems which may include abuse and neglect.

For the family, an intervention from Children and Family Services could improve parenting capacity and family relationships, perhaps preventing younger siblings having to face similar problems in the future, as occurred in several of the cases analysed for this report.

Stories of young people show that in youth homelessness cases both young people and their families are in great need of targeted support.

3.2.1 The majority of young people have been known to children’s services prior to presenting as homeless

One of the most important characteristics that these young people often share is a history of interactions with children’s services (see Graphic B).

It is clear that the interventions these young people had previously received had not been effective in halting the long-term deterioration in the relationships between a young person and their parent or guardian. Neither had they managed to resolve the other issues faced by the young people. Case notes show that some of the young people had particularly traumatic childhoods but in many cases the specific issues that contributed to homelessness seemed to be more confined to problems that had arisen in adolescence.

At least half of the case studies were previously known to Children’s Services

- 9% had a Child Protection Plan in place
- 9% had, at some point, been a looked-after child
- 6% had run away from home or from care
- 26% were either a ‘child in need’ or known to services in other ways
‘I hate my mum and dad. I didn’t realise how bad it was. They manipulated me, blackmailed me, since I was a kid. It was only when I left I realised we weren’t normal.’

(from consultation with young people)

3.2.2 In addition to homelessness young people face other problems

One of the common themes throughout the case studies was that young people who seek support with homelessness also face a challenge of dealing with many other issues. Each young person, on average, was attempting to cope with two major personal issues, excluding the problems faced by those within their wider family. Some of them are interrelated and may have links to why a child needs support with accommodation, but most have roots in their experiences prior to turning 16 (see Graphic C).

The sample of case studies also contained the stories of young people undergoing counselling, young carers and some young people with special educational needs.

The provision of accommodation can be life-changing for some young people, but accommodation alone will never be sufficient to help them resolve all the issues they face. They need support from different services and in many cases different services will have to work closely together to ensure that young people can move into adulthood successfully.

These young people faced many issues:

- **almost one third** had a serious mental health problem
- **almost one third** had experience of the criminal justice system
- **over one quarter** were at risk of child sexual exploitation
- **one quarter** had problems with drugs and alcohol
- **fifteen percent** were not in education, employment or training
3.2.3 Issues families face

The stories we looked at show that young people do not leave home just because they have fallen out with their mum and dad. The families that they come from usually have a myriad of problems that all work to exacerbate the poor relationships between parents and child.

We have calculated that each family, on average, was dealing with five different problems (see Figure 5).

Other issues included long-term illness, debt, disabilities, overcrowding and teenage pregnancy.

With all of these problems it is unsurprising that families struggled to maintain positive

The young people were living in families that, on average, were trying to cope with 5 major problems like substance abuse, unemployment, depression, bereavement or domestic violence.

Figure 4: Family issues
relationships. Stretched parents and young people trying to cope with significant neglect and trauma are unlikely to get along easily. The present system does not adequately address these additional needs, instead focusing on the immediate solution to a housing crisis rather than considering what help might be needed in the long term to make independent living a sustainable reality.

3.3. How things can improve

Access to advocacy and high-quality advice when decisions are made

With the odds so heavily stacked against them, young people clearly need help if they are to navigate this system and get all the assistance they need.

Across the country however, advocacy is not necessarily the norm. Responses to the FOIs showed that only one in five young people who seek help because of homelessness have access to dedicated and independent advocacy services. Over 80% of the councils that responded to our FOIs (220 councils) said that they offered no dedicated advocacy support for young people who present to the council as homeless. There were however some councils that offered alternative models. A third of those who did not have a dedicated homelessness advocacy service did at least have a universal advocacy service that young people could access.

15% of local authorities reported that they commissioned an independent youth homelessness support service.

These services, in our experience, often find themselves advocating with their local authority on behalf of the young people they are trying to help.

The guidance on the provision of accommodation to homeless 16 and 17 year-olds stresses the importance of young people’s wishes and feelings being taken into account when decisions are made about their housing and support needs.

The guidance clearly states that young people should have access to advocacy as the decisions that are made on their presentation as homeless are extremely important:

‘It will be essential that the young person is fully consulted about and understands the implications of being accommodated by children’s services and becoming looked after... In particular, the possible risk of becoming homeless intentionally in future, and the implications of this for further assistance with accommodation, should be made clear to the young person... This information should be provided in a ‘child friendly’ format at the start of the assessment process and be available for the young person to take away for full consideration and to help them seek advice.

...Young people should have access to independent advocacy and support to assist them in weighing up the advantages and disadvantages and coming to a balanced decision’

We cannot overstate the importance of advocacy for successful resolution of homelessness issues among 16 and 17 year-olds. Advocacy for vulnerable young people is an issue The Children’s Society has campaigned on for many years. Our research demonstrates that advocacy is cost effective and vital in making sure children and young people’s voices are heard by those in positions of power over their lives.

From our consultation with young people and practitioners we heard about the impact of good advocacy on young people’s lives:

‘They put me back on my feet, I wouldn’t be where I am without them’

(from consultation with young people)
The young people we talked to really valued having an adult who would stick by them during their homelessness. If professionals can take the time to develop a trusting relationship then young people will rely on them and listen to their advice. Having an adult they can rely on also helps them to successfully overcome future crises as they know who they can go to for support. Homelessness services need to provide their young people with one reliable and professional point of contact. The young people were very clear that they valued having that one trusted professional to go to for advice and support.

Our practice, as well as research from other organisations tells us that for many young people advocacy offered at the time of a homelessness crisis is the only way for young people to secure support. Advocates often have to challenge local authority decisions, pursue partners like child and adolescent mental health services, Job Centre Plus staff, college support staff, doctors and social workers in order to make sure the young person gets all the help they need. They also spend a considerable amount of time explaining to the young people how decisions are made and what the consequences might be if they reject the help of children’s services, for example:

“We have been in positions where we have literally been counting days and trawling through case notes to try and get a child their 13 weeks so they can have care leaver support”

(from consultation with practitioners)

Feedback from practitioners suggest that considerations about the current and future costs of placements and the entitlements linked to those heavily influence the decision made about where a child is placed. Anecdotally, we were told that in some cases only the threat of legal intervention prompts the child to be given the option of becoming a looked after child, even when the need is high, as in the story of Justin, see right.

If vulnerable 16 and 17 year-olds are to be effectively safeguarded by services and supported into independence then the quality of advice provided to them must improve. They must have one adult they can trust and rely on and must have access
Justin’s story

Justin, aged 18, an asylum seeker, had been accommodated under section 20 of the Children Act prior to turning 18.

When he turned 18 the local authority claimed that he had not been in their care for the 13 weeks necessary for him to gain full care leaver status. He was about to be evicted and made homeless. The Children’s Society sought clarification with children’s services about the length of time he had been accommodated under section 20 of the Children Act and helped the young person seek legal advice on the prospect of judicial review. Before the judicial review commenced the local authority reconsidered and decided to grant Justin care leaver status.

Bridget’s story

Bridget was 17 when she left her father’s home and presented as homeless.

Her father was in considerable debt and when she came to seek help she had holes in her shoes and leggings. Bridget was given £30 from the homelessness prevention fund to get a new pair of shoes and some underwear.

Helen’s story

Helen was 15 when she first presented at risk of homelessness. She came to ask for help several times before she turned 18.

Helen rarely ate, surviving off sandwiches, and when she met her support worker she usually had not eaten for about 12 hours beforehand. Her relationship with food was complex as she did not have any money to buy food, but would often refuse when offered something to eat.

to advocacy when they do not feel like they are being heard. As such we have made a number of recommendations around advocacy and advice in Part 6 of this report.
The complex journeys, good and bad, through the assessment process

Assessments

- Joint Assessment
- Children Act Assessment
- Housing Act Assessment

Decision

- In need of accommodation and support
- In need of support but not in need of accommodation
- Not in need of accommodation or support
- In need of support and accommodation but refuses looked-after status
- Not in need of support but in need of accommodation
- Not at risk of homelessness
- At risk of homelessness

Outcomes

- Becomes a looked-after child Section 20
- Returned home with Section 17 support
- Accommodated under Section 17 without Section 20 entitlements
- Returned home with minimal or no support
- Accommodated under the Housing Act
Part 4. Outcomes of assessments

4.1. Numbers

4.1.1 Overall picture

Our request also asked about the outcomes of the complex assessment process (see chart 1). We enquired about the outcomes of Children Act assessments to unitary and upper tier local authorities and we asked the lower tier to tell us about the outcomes of the assessments they perform under the Housing Act 1996. Of note is the finding that, whilst almost 60% of upper tier authorities were able to tell us about the outcomes of their assessments, only about a third of unitary authorities were able to do so. A total of 74% of lower tier authorities could tell us about the outcomes of their assessments.

Figure 5 represents the national and local picture of how many children out of those who present as homeless get assessed and accommodated. It is clear that very few young people get accommodated following assessments. We estimate that on average only one in five young people who present as homeless get accommodated. The support they receive as a result of these assessments is an issue of concern as explained in the sections that follow.

This graph highlights a number of interesting trends. It shows that the level of formal assessments is lowest among unitary local authorities. It also shows that upper tier local authorities appear to be ‘passing on’ many of the young people they assess to housing services at the lower tier whilst only housing a minority of young people through giving them looked after status. Lower tier local authorities appear to be taking the brunt of cases in the two tier system. Finally, we can also speculate that if the same trends that happen between two tier authorities happen within unitary ones, the unitary authorities may also be relying heavily on alternative accommodation scenarios – for example the Housing Act or section 17 of the Children Act rather than using section 20, as the guidance recommends.

Figure 5: Young people assessed and accommodated as a percentage of those presenting as homeless
4.1.2 Assessments under the Children Act 1989

In 2009 the case of R (G) v the London Borough of Southwark saw the House of Lords rule that when a young person is found in need of accommodation it means that they are vulnerable enough to be a child in need under section 17 of the Children Act 1989 and therefore should be housed under section 20 as a looked after child.

This ruling came about because a young person had been housed by a local authority’s children’s services and referred to a number of services in the borough but was refused section 20 looked after status because the council felt they had managed to fully support him. The Southwark case therefore is not only about children’s services taking responsibility over housing services, it is also about children’s services having to take a holistic approach to helping young homeless people where they assess and attempt to meet all their needs.

Our analysis shows that assessment under the Children Act 1989, although now undertaken in the majority of cases, rarely results in the provision of consistent and appropriate support for young people.

Figure 6 presents the estimated number of decisions in relation to the 5,000 young people assessed under the Children Act. The breakdown of numbers clearly shows that only a third of young people who receive assessment under the Children Act are recognised as children in need and only one in five is likely to become a looked after child under section 20 of the Children Act 1989. The majority, after a supposedly holistic assessment, are found not to be in need of any help or assistance.

Figure 6: Number of young people receiving each type of decision under the Children Act
The inequitable nature of the solutions found for those who do qualify for housing support is also an issue of great concern. Only 20% of assessments result in children becoming looked after with the full range of support that entails, as explained in the case study below. Almost the same number of young people are housed under different provisions such as section 17 or the Housing Act, receiving only minimal support as explained in the case study below. Both groups of young people are vulnerable. Both groups are equal in size. Many are living alone for the first time. The differences in how they are treated however are stark.

4.1.3 Assessments under the Housing Act
Approximately 1,000 young people end up being assessed only under the Housing Act. When young people present to housing services and are fully assessed under the housing legislation, six in 10 are housed.
This 60% success rate seems completely removed from the national figure for young people presenting as homeless who get accommodation, which we estimate to be about 20%. This significant difference may be due to the homelessness test under the Housing Act 1996 being simpler and easier to apply than a Children’s Act assessment. Or it could be because housing assessments focus on housing alone, whilst children in need assessments must focus holistically on issues the child and their family face. Most importantly however, it highlights just how difficult it is to receive any help under the Children Act. The Children Act should provide a much more effective mechanism to support and safeguard these vulnerable young people, but if the system is to work, the thresholds at which assistance will be offered under the act need to be lowered because at the moment getting help and assistance under this act is clearly far, far too difficult.

When the young people in the case studies were assessed

35% were reunited with their families to continue living at home
25% were accommodated
20% returned to live with extended family or friends without future support
10% found private rented accommodation
10% other (did not engage with services/found a solution on their own

‘None of this arguing, about which department is responsible, is supposed to be seen by the young people. They are supposed to get a seamless service. But they know. They see it when they meet with housing officers and social workers at the same time – there is always tension. And they might not know it, but so many delays are caused by these disputes.’ (from consultation with practitioners)
4.2. Stories

The analysis of our case studies accords with the data obtained through our FOIs. The outcomes of assessments for young people who came to the attention of our projects are presented in Graphic 4.

In reality such outcomes of assessments mean that the majority of young people get very limited or no support at all. Many find themselves again at risk of homelessness. Having encountered once the unwillingness of services to offer them help, many young people do not ask for help again. They seek alternative solutions, exposing themselves to risks of exploitation and engagement in criminal behaviours.

Indeed establishing who is responsible for these young people when they present as homeless appears to be a perennial problem. As housing departments and children’s services argued behind the scenes to attribute the responsibility somewhere, we struggled to ascertain where the final responsibility laid in our own cases.

Loren’s story

Loren was 16 when she left home because of her mother’s alcoholism and her brother’s violence.

Known to children’s services due to long-standing vulnerabilities she became a looked after child. She began to receive child and adolescent mental health services and educational support and her attendance at school began to improve. She even got a part time job. During this time mediation work between Loren and her family resulted in her being able to return home to live, but with continuing support from children’s services.

Christine’s story

Christine was kicked out of her home by her stepfather.

She had a series of vulnerabilities around depression, eating disorders and child sexual exploitation. She refused to become a looked after child. Surviving off her earnings of £15 a week from a part-time job, along with reduced income support and her Disability Living Allowance, Christine returned home due to the financial struggle. At home her health further deteriorated and her risk of child sexual exploitation increased. She presented as homeless a second time and was placed in supported accommodation but not as a looked after child. She continued to live off small earnings and benefits, ending her education to try and find a better paying job.
Getting the house in order

Keeping homeless older teenagers safe

‘They [my parents] are the reason I had to leave but they still give me lifts to see my psychiatrist. I prefer my step dad, he calms my mum down. And he has been good with my drug problem. He’s helped me.’ (from consultation with young people)

4.3. How things can improve

4.3.1 Support for young people who return home

Where the child is not at risk of harm at home and is not assessed as being in need of accommodation, it is important to provide support both to the young person and to the family to enable them resolve the issues that led them to present as homeless and to develop positive relationships. Looking at the stories of young people we supported in our practice it is clear that all young people who present as homeless have a number of issues. Therefore, whatever the final decision is, these young people require some degree of support to prevent things deteriorating again.

In 32% of the case studies we examined, both parent and child actively engaged in proper family mediation. In two thirds of these cases, mediation was successful in rebuilding families and preventing homelessness. The case study below explains the benefits of good support and family mediation.

Mediation does not always work. In 16% of all cases mediation was completely refused by either parent or child highlighting how late in the day some young people seek help. When a child has to move out of home, though it is important to help the child maintain a positive relationship with at least one family member or carer. For many of the young people whose stories we examined family members still offered vital help, from encouraging them to seek help with their own issues (eg with substance misuse), to providing financial support (eg money for rent deposits or help with travel costs), or even occasional treats or respite in the form of things like games consoles or weekends away.

If vulnerable young people are turned away and sent home they may still be at considerable risk. If we are to effectively safeguard these vulnerable young people no one should be sent home without further support and help.

Figure 7: Percentage of young people housed by assessment outcome

- Accommodated under the Housing Act 1996: 36%
- Not in need but housed: 21%
- In need and housed: 13%

Accommodated as a looked-after child

Housed but not as a looked-after child
As such we have made a number of recommendations about this in the concluding section of our report.

4.3.2 The Children Act taking precedence over the Housing Act

The FOI data suggests that, despite the statutory guidance on homeless 16 and 17 year-olds having been in place for almost five years, there are still considerable differences between the different tiers of local government in how they interpret the interrelation between the Children and Housing Acts. The guidance clearly states that the Children Act should always take precedence over the Housing Act. Yet the data presented below and analysis of protocols suggest that this far from the case. Whilst at the assessment stage, the Children Act may be taking precedence over the Housing Act. When it comes to who will be financially responsible for accommodation, children’s services are obfuscating their responsibility by either housing young people under section 17 of the Children Act or passing the cases over to housing services.

Figure 7, left, shows that about one fifth of all assessments are undertaken only under the Housing Act. The rest are all done with the involvement of children’s services and yet still more young people are housed under provisions other than section 20 – the recommended outcome.

Tricia’s story

Tricia was approaching her GCSEs when her parents confronted her about her cannabis use and shoplifting. Tricia was approaching her GCSEs when her parents confronted her about her cannabis use and shoplifting. As a result of the confrontation Tricia left home to stay at a friend’s house. Tricia’s parents contacted The Children’s Society’s Checkpoint Service in Torbay for help. Mediation began slowly. Initially they communicated through text messages. Eventually Tricia agreed to move home. The presence of Tricia’s dedicated Checkpoint homelessness prevention worker at the reunion helped to ease the tension. Her parents also received help from Checkpoint and put a strategy in place to try to keep Tricia safe. It took a long time, another spell for Tricia in a respite placement, and a lot of careful and consistent work from Checkpoint to improve the situation for Tricia. She continues to live at home, studying for her AS-levels and getting help to stop using cannabis.
Where the decision is made to accommodate a young person, the majority are not accommodated under section 20 of the Children Act. An estimated 1,800 out of 2,800 are accommodated either under section 17 of the Children Act or under the Housing Act, offering very minimal or no additional support for young people.

A review of the protocols, written by local authorities to enforce the 2010 guidance, reveals that interpretation of the guidance differs considerably from place to place. The key issues are:

- Some protocols allow a young person to be refused on their approach without any assessment of need being undertaken if the responsible person, in many cases not a social worker, believes that there is no need. The high numbers who present but do not get assessed suggest this practice is widespread. Furthermore, dramatic changes in one quarter of local authorities, where the numbers presenting have fallen by over 50% in a year, suggest that gatekeeping practices have significant consequences.

- Some protocols specify that if a child is provided with accommodation then there is no need to undertake a child in need assessment (London Borough).

- Some protocols suggest that section 17 ‘child in need’ assessment is not undertaken by default but instead that the young person ‘will be informed about his right to request assessment as child in need’ (southern unitary local authority).

- A number of protocols refer to the ‘resourcefulness of a child’ (some link this to Frazer competence) as one of the deciding factors about whether the child can be accommodated outside section 20, or even if they should receive an initial assessment to determine whether they are a ‘child in need’ (northern unitary local authority).

The Children Act must be the primary way that we support, safeguard and accommodate vulnerable 16 and 17 year-olds. Children’s services however, often fail to solve housing crises and they are too slow to accept that there is need. In order to overcome this we recommend joint assessments become mandatory and that assessment under the Children Act is reformed to better meet the needs of adolescents.
4.3.3 Young people refusing to go into care

Local protocols on homelessness among 16 and 17 year-olds demonstrate that in many areas it is an accepted norm that they may refuse support under section 20. In response to a question about what policies are in place when a young person refuses accommodation under section 20, most answers suggest that they would be referred to housing services. Less than a third asserted that they would continue to support the young person despite their decision not to be taken into care as a looked after child. Only one in 10 local authorities proactively said that children’s and housing services would work together to come up with a joint solution.

The protocols, responses and learning from our direct work with young people suggest that such refusal is often seen as a reason to deny any further help to a young person. This is despite the statutory guidance stating:37

‘Lack of cooperation is no reason for the local authority not to attempt to carry out its duties under the 1989 Act. In these circumstances, the assessment will need to involve careful recording of how the authority has attempted to engage with the young person to assess their needs’

Simon’s story

Simon was 16 years old and living with his mother and siblings until they became homeless.

After living in a tent for a few weeks Simon’s four younger brothers and sisters were assessed by local children’s services and became looked after children under section 20 of the Children Act 1989. Simon’s mother was housed by the local authority housing services but refused to let Simon live with her, making him homeless. Simon was bounced between two different local authorities because both claimed that he did not have a local connection to qualify for support even though his siblings were looked after by one of these local authorities. Whilst this dispute was ongoing he was placed with a host family and given a support worker. When assessed to become a looked after child the social worker decided that because he now had housing with a host family and a support worker, Simon did not meet the threshold to become looked after. This is despite Simon having gone through exactly the same experiences as his looked after siblings.
## Getting the house in order

### Keeping homeless older teenagers safe

**Looked after under section 20 of the Children Act 1989** | **Accommodated under the Housing Act and/or section 17 of the Children Act 1989**
---|---
Looked after children will have their pathway plan developed by children’s services, allowing them to think ahead | ✓ Young people who are not looked after will only get minimal support. There is no requirement for a pathway plan to be put in place

The young people’s accommodation is paid for by children’s services up to the age of 18 | ✓ Young people are responsible for claiming benefits and paying for their accommodation and all other expenses

Depending on local policy they may receive pocket money or special allowances for birthdays and other occasions | ✓ No special allowances for birthdays or other occasions

Pathway plans include education and career planning | ✓ There is a duty on young people to participate in education or training but no specific support

All looked after children have named health professionals and have improved access to health services, including mental health services | ✓ Young people do not have any additional entitlements for health support and are not seen as a priority by mental health services

All looked after children are entitled to advocacy support if they want to make a complaint or representation about the services they receive | ✓ They are not entitled to advocacy support

They are entitled to have an independent visitor | ✓ No entitlement to an independent visitor

If a crisis occurs at the accommodation, eg as a result of behaviour deteriorating, children’s services continue to support them and will find them a new placement | ✓ If there is a crisis situation in their accommodation which results in eviction the young person can be seen as intentionally homeless and denied further support

On turning 18 as a care leaver, young people remain a priority for housing support | ✓ On turning 18 a young person will not be entitled to any additional support and will not be seen as a priority group for housing purposes.

They are also entitled to support from children’s services up to the age of 21, or even 25 in some cases. | ✓

This table clearly shows why the Children Act needs to take precedence both to ensure quality provision and uphold the rights of children.
Refusal to become a looked after child and opting for independent living or supported accommodation provided under either section 17 of the Children Act or under the Housing Act has serious short-term and long-term consequences on a young person’s entitlement to support.

The consequences of making the wrong decision are serious. Yet many young people have to make this decision and often without fully understanding the extent of its implications. Anecdotally we have heard of instances where both housing and children’s services have described each of their offers in the least favourable terms making it difficult for a young person to know what to do. For the young person the choice is difficult. Especially considering that many have just become independent of their parents for the first time – a personal victory many find difficult to give up.

As the analysis of cases studies show, many young people who seek help because of homelessness have a history of ineffective interactions with statutory services. Many also feel judged and as if children’s services are not on their side. It is not surprising then that when young people face the decision of whether to become a looked after child or rely on housing support alone, they choose the housing support. Without advocacy many also do not feel that they understand the difference between two types of support offered, or what their entitlements will be on turning 18.

16 and 17 year-olds have the right to refuse looked after status, but local authorities do not have the right to abandon them because of this. As such we recommend a new legal status of ‘vulnerable 16 and 17 year-old’ to ensure that all 16 and 17 year-olds get the help and support they need.

4.3.4 Entitlements for those who were known to children’s services prior to turning 16

It was alarming to see a significant number of case studies of young people who prior to turning 16 have been known to children’s services either as looked after children, children in need or because they were on child protection plans. Only children who have been looked after for at least 13 weeks between the ages of 14 and 16 are entitled to leaving care support on turning 16. All other children have their earlier histories almost erased and have to start the process anew when they present as homeless on turning 16.

This system, based on the length of ‘looked after’ status and not on the real needs and issues that a young person faces, does not seem fair. From conversations with young people and practitioners it became clear that in many cases advocacy services need to be in place to ‘fight the child’s corner’. Interviews with practitioners suggest that the system of who qualifies for the leaving care support is too limiting and does not meet the needs of 16 and 17 year-olds who, throughout their adolescent years, had numerous interactions with the children’s services yet often get dismissed at the age of 16 without any support.

The cases studies also highlight that 16 and 17 year-olds are often treated differently to their younger siblings even where they face the same child protection issues at home as the story below illustrates:

‘Social workers are a waste of space anyway. I didn’t want another. I just wanted to be independent so it seemed the simplest option [to refuse section 20]’

(from consultation with young people)
Part 5. Accommodation

5.1. Numbers

Our analysis of the FOIs shows that approximately 2,800 young people are accommodated by local councils every year. Only about 1,000 of them get accommodated as looked after children under section 20. Others are accommodated with minimal support either under section 17 of the Children Act or under the Housing Act. Of all who present as homeless we estimate that only 20% get accommodated.

In relation to where young people get accommodated, the responses show a positive trend over the past four years (see Figure 8). More young people are now supported in accommodation.

In 2013, despite it being against the rules, 8% of young people were still being placed in a Bed and Breakfast.

Figure 8: Percentage of young people housed in different kinds of accommodation

A small number of children with looked after status may be accommodated with foster carers or in children’s homes. They are included in the supported accommodation category.
accommodated in supported accommodation units than in 2010 when the statutory guidance came into force, which clearly stated that bed and breakfast accommodation is not appropriate for housing young people even on an emergency basis. Nevertheless, local authorities continue to use bed and breakfasts to accommodate young people and although the numbers have decreased, this practice cannot be overlooked. The decline in bed and breakfasts and the rise of supported accommodation has been marked over the last four years, the speed of such change may have had consequences on the quality of the accommodation provided.

From our direct work in this area we know that young people placed in bed and breakfasts are often some of the most vulnerable: those evicted from other types of accommodation, those leaving mental health settings and those awaiting more stable placements.

### 5.2 Stories

Supported accommodation is now the most common type of accommodation used by local authorities to house young people who present as homeless and in need of accommodation under both the Housing Act 1996 and the Children Act 1989. Almost half of the young people whose stories we examined for this study had a stay in supported accommodation at some point during their homelessness. Only one quarter ended up living in supported accommodation long term and so for the other quarter the stay in supported accommodation was only a short-term fix whilst mediation was carried out with their parents or they sought another place to live.

Looking at the stories of young people we supported through our practice it is clear that the quality of the accommodation (whether it is supported accommodation or hostels), as well the quality and availability of support provided, differs significantly – not just from one area to another, but also within the same or between different types of accommodation.

Young people who we supported through our projects experienced a number of risks while living in supported accommodation, hostels or bed and breakfasts.

### 5.2.1 Risks

**Sexual exploitation**

About a quarter of young people whose stories we explored have been known to be at risk of sexual exploitation. Through analysis of the case studies, as well as through interviews with practitioners, we found numerous, highly worrying examples where, as a result of being placed in supported accommodation, hostels or bed and breakfasts, young people were targeted by predatory individuals for sexual abuse:

- Five young people placed in the same hostel were groomed and sexually exploited by a group of 10 men. The young people had been going missing on a regular basis and found in the company of men, often under the influence of drugs. Despite concerns raised by voluntary sector organisations and the police, the young people did not recognise their sexual exploitation. In this case the police investigation resulted in men being charged with various sexual offences.

- A young girl recently released from a youth offending institute was placed in supported accommodation where she was targeted by men looking to sexually exploit her. After a series of complaints by The Children’s Society staff the supported accommodation provider decided to relocate the
girl in order to protect her from the risk. The men found her new accommodation however and continued to exploit her. They began to exploit another young person living next door at the new placement whilst also targeting the old placement where a new vulnerable young person was living.

- Homeless young people were placed in a bed and breakfast emergency placement as a result of an eviction. It came to the attention of those advocating for them that the owner was a schedule 1 offender.
- A 16-year-old male forced to leave the house by his mother was placed into bed and breakfast style accommodation by his local authority. He was found with a 12-year-old girl in his room. She was referred to the local safeguarding hub amid fears that the 16-year-old boy may have been sexually exploiting her.

**Substance misuse and involvement in criminal behaviours**

A quarter of young people whose stories we examined experienced problems with substance misuse. Again from case studies and from consultations with practitioners and young people we came across too many examples of placements resulting in young people being enticed to use drugs, sell drugs or controlled by perpetrators through drugs.

- A 17 year-old girl with severe depression and estranged from her family was placed in bed and breakfast style accommodation where there is public and frequent drug taking by other people in the accommodation.
- Young people were placed in a hostel being targeted by people who sell them drugs, in many cases ‘legal highs’. In some instances they lent them money to buy drugs and then required them to repay their debt with interest. Those young people who could not pay were forced into criminal behavior or street begging to repay the debt.
- A young person in supported accommodation was encouraged to take drugs and then got involved in shoplifting in order to fund her drug habit.
- A young person who went missing from their accommodation who was found on the street distributing drugs.
- A young woman was placed in another local authority’s area in independent provision to help her move away from a gang. She was placed in an estate known for its own gangs. Little support was provided to help her move away from gang culture and soon she started getting involved with the gang in the new location.

**Impact on mental health**

The stress of living independently for the first time and with uncertainty about the future has a huge impact on the mental health of young people. The decisions on placements do not often into take into account the fragility of a young person’s mental health:

- A young girl who had been trafficked into the country was placed in a hostel with men despite being terrified of males and requesting accommodation exclusively for women.
- Young women were housed in multiple bed units with males and young people associated with gangs.
- A young person living in fear of being robbed by other tenants.
- A young women assessed as being at risk of suicide was living in an all male house with other young people who were known to be involved in drug dealing.
- A young person with severe depression was left alone in supported accommodation, with no visitors, for days at a time.

**In all of the cases described in the above section** The Children’s Society took action to safeguard these young people, raising their concerns with the relevant authorities and challenging them when necessary.
5.2.2 Issues with accommodation and evictions

Many providers of accommodation for 16 and 17 year-olds are making enormous efforts to ensure that young people stay safe and are supported to develop skills for independent life. We came across such examples as well in our exploration of issues in practice.

Some of the key components of a successful placement appear to be where: young people are able to develop trusting and stable relationships with those providing accommodation (or with advocates from voluntary sector organisations); young people are helped to develop practical skills such as cooking and dealing with bills; providers are aware of safeguarding issues and know how to deal with them appropriately.

Unfortunately, in too many cases all of these protective and enabling factors are not present, thus leaving children exposed to risks and falling through the gaps in services. According to our case study analysis for example, 1 in 5 of the young people ended up losing their accommodation on at least one more occasion. The main reasons are listed below:

**Behaviour**

The circumstances required for a young person to exhaust all options offered by children’s and housing services might seem quite extreme but our data suggests it is a more common outcome than might be expected, especially when one in five of the young people lost their accommodation at least once. The reason for many evictions centres on behaviour. In our cases, where a young person had to leave their supported accommodation, two fifths of exits from accommodation were to do with behaviour; they involved crime, drug use, and violence.

**Going missing**

We came across a number of cases where young people lost their placements due to going missing. Often, as part of the license agreement that young people sign upon taking up supported accommodation, they undertake to sleep in the accommodation for a set number of nights every week or risk losing their tenancy. In one third of our cases of eviction the reason for loss of accommodation was related to the young person not using their accommodation enough, or running away from placements.

**Breakdown of relationships with accommodation providers**

This failure of the relationship between the young person and staff in supported accommodation occurred in one quarter of the cases where young people lost their placements. Sometimes this was due to different expectations about how they would live together, but in some cases it is due to unprofessional behaviour by hosts. In one case a host was verbally abusive to the young person they should have been supporting. In another they went through a young girl’s things while she was out of the house. This highlights how the level of training and professionalism among hosts and support workers in supported accommodation may not be good enough to offer high-quality and effective assistance to these vulnerable young people.

5.2.3 Financial support

Although in our sample of stories from practice we did not come across a huge number of cases where young people lost their accommodation due to rent arrears, worries about financial issues have been frequently mentioned both by practitioners and young people. The case studies from our practice suggest that young people who are not accommodated under section 20 struggle financially and live in fear of destitution. In order to survive many rely on working low paid jobs for as many hours as they can muster, or cobble together a
series of different benefits in order to make rent payments and feed themselves. Most of the young people would struggle to control their personal finances even in more stable living conditions.

In the case study analysis we saw how little money young people had to live on if they could not rely on the support of their families. With this in mind we asked local councils about what financial support they provided to young people trying to set up their first home. 40% of local authorities stated that one of the only mechanisms they had for helping young people with the financial cost of living alone was through local welfare assistance schemes. The two other major sources of help available came in the form of either a local charity that ran a furniture project or from the leaving care grant.

• **Reliance on benefits.** The benefits the young people in our case studies were relying on were either Jobseekers Allowance or Income Support payments. In addition, young people would use college bursaries (that have replaced the old Education Maintenance Allowance system), Personal Independence Payments, Disability Living Allowance, and housing benefits to make ends meet. All of these payments are aimed at addressing specific challenges like travelling to school, coping with a disability, or paying rent, but the young people we work with had to rely on them to buy food, pay rent and meet any other needs.

• **Work does not pay.** For seven of the young people we were able to find out how much they earned in work. This came to an average of £121 per week. For five young people we were able to find out the cost of their rent. This came to an average of £57 per week – roughly half of the average income. We also heard stories of a young person on a zero hours contract at a fast food restaurant and a young man earning the apprentice’s minimum wage of £2.73 an hour trying to live independently. These figures should not be used in any serious way but they do illustrate how even young people in work struggle to become financially independent. The reality is that the majority of the young people did not have a job and had to live exclusively off various benefits and hardship payments.

• **Dealing with debt and financial crisis.** In crisis young people often find themselves in dire financial straits. There were a few 16 and 17 year-olds who, when presenting as homeless, had no bank account and did not have access to their national insurance number. Rent arrears, even if only small, often put a huge stress on the young people’s finances. In the extreme case of a young girl with £4,000 arrears on her rent for supported accommodation, where she should have been supported with her finances, her financial situation could not be repaired. Those young people seeking to rent privately usually had to rely on crisis support to put down a deposit for a flat.

• **Financial abuse.** When leaving home, young people often found themselves being financially abused by their parents. One father used his daughter’s Personal Independence Payments to pay off gambling debts. There were often disputes when passing over incomes like child benefit, or other payments from parent to child. Some parents withheld birth certificates and national insurance numbers making life just that little bit more difficult.
5.3 How things can improve

5.3.1 16 and 17 year-olds and intentional homelessness

In our FOIs we enquired about the actions taken by local authorities when young people who had been housed are evicted or at risk of eviction. In their responses only 1% of local authorities positively stated that they would never make a 16 or 17 year-old homeless. 11% explicitly said that they would look to establish whether or not the young person had become homeless ‘intentionally’. About 25% would refer the young person to another provider outside the offer made by the council, which suggests that some of the most intractable problems of youth homelessness in this country are dealt with exclusively by charities or housing associations. The remaining answers suggested that each issue would be dealt with on an individual basis. In some cases young people may be re-referred back for assessments to children’s services.

The responses, as well as learning from our practitioners, suggest that it is still possible for 16 and 17 year-olds to become intentionally homeless. This is particularly true in cases where young people refuse to become looked after and/or are accommodated under different provisions as Jeff’s story demonstrates.

Jeff’s story

Jeff was 16 when he became homeless. He was assessed as a child in need and offered accommodation under section 20 of the Children Act. Jeff refused to become looked after and instead was placed in a local foyer under the Housing Act 1996. In the foyer he began experimenting with drugs. The drug use escalated and eventually he was evicted from the foyer. Housing services decided to give him one more chance in bed and breakfast style accommodation but he was soon evicted from there as well and was homeless again. Housing services considered him to have become intentionally homeless by refusing their help and continuing his destructive behaviour. They referred his case to children’s services again but because he had previously refused assistance, children’s services claimed they too could do nothing for him. Jeff remained homeless, sleeping rough.
Young people at risk of intentional homelessness must be better protected. As such we have made recommendations around a new legal status to protect these vulnerable 16 and 17 year-olds.

5.3.2 Financial independence

It is clear that the financial situation of 16 and 17 year-olds at risk of homelessness, or in supported accommodation, is extremely precarious. Research conducted by The Children’s Society in 2013 into Local Welfare Assistance Funds found that 10 schemes reported restricted access for those aged under 18 and that in eight cases an award would not be considered where the applicant is aged under 18. This restriction limits access for 16 and 17 year-olds to an important safety net.

Another key difference between those young people who receive care leaver status and those who refuse it concerns their access to housing benefit. Care leavers are exempt from the shared accommodation rate of housing benefit until the age of 22 and instead receive the one-bedroom rate – on average receiving an extra £15 a week.

There are actions that could be taken to improve the economic situation of these vulnerable young people. As such we make recommendations around reforming local welfare assistance and exempting those with the new ‘vulnerable 16 and 17 year-old’ status from the shared accommodation rate in order to bring their situation in line with care leavers. We also make some recommendations about budgeting under Universal Credit. These recommendations can all be found in Part 6.

5.3.3 Safety and suitability of accommodation

Supported accommodation is
not regulated and there are no inspections for the quality of provision. Support workers do not necessarily have to have any qualifications and there is little or no on the job training. As explained above the lack of proper oversight leads to young people being exposed to risks.

The rules around supported accommodation are not robust. Most people live in supported accommodation under a license agreement. This is the weakest form of tenancy available in England and gives young people very few methods of legal redress if they feel mistreated. Complaints can only be made to the local authority, or ultimately the Local Government Ombudsman. There are however robust minimum health and safety requirements that ensure the accommodation is clean, hygienic and light.

If supported accommodation is going to be the main solution to a 16 or 17 year-old in a housing crisis then it needs to improve. There must be standards, well qualified staff and inspections. We make a series of recommendations about this in the concluding section of this report.

Nationally, we estimate that in 10 of young people receiving accommodation from the local authority are placed in supported accommodation

‘No one visited me for days. There are always doors banging. I have no idea who is staying there’ *(from consultation with young people)*
Part 6: Conclusions and recommendations

The issue of homelessness among 16 and 17 year-olds is a complex one, both in terms of the reasons behind it and the responses to it. There are some key learning points and key messages that come out strongly through the numbers we have presented and the stories we have examined.

From the stories told by young people it is absolutely clear to us that homelessness, or the risk of homelessness, is a very serious safeguarding matter affecting children aged 16 and 17. Homelessness is a culmination of issues in the lives of children and families that statutory services have not responded to effectively, or have even ignored, through a child’s adolescence. If the right support is not provided when help is sought because of homelessness, it may mark the beginning of an adulthood plagued with problems of an even bigger magnitude.

In many cases this risk appears much earlier in children’s lives as the majority of children (and their families) are known to children’s services prior to turning 16 and feel that they do not have a choice but to seek a new home. The case notes we examined tell stories of young people who are lonely, lost, angry, under pressure, fearful of the future, exploited by manipulative and predatory adults, or resigned to a life where their dreams and aspirations cannot be realised.

The responses to our FOIs paint a picture of a complicated system where vulnerable children are seen as ‘resourceful’ and are expected to overcome a number of barriers to get the safeguarding response they are entitled to. The system places on a child the burden of making the right decision and does not offer a second chance once that decision is made.

The law already recognises that homelessness among 16 and 17 year-olds requires a safeguarding response. There are examples of local areas that develop good safeguarding responses to this group of children and young people, but good practice is very patchy. A number of changes must take place to ensure that all children aged 16 and 17 are safeguarded and supported to become successful adults.

Homelessness prevention

Loving and supporting families provide fundamental support for 16 and 17 year-olds. More needs to be done to prevent homelessness among 16 and 17 year-olds. This is possible if young people and their families receive help earlier to deal with situations that lead to the breakdown of relationships, and before the situation has escalated to the point that young person leaves home to sofa surf with friends or extended family.

To improve the prevention of homelessness:

- Children’s services should look at family relationships when assessments and responses are planned for children in need, children in and out of the looked after system, missing children and children with child protection plans who are under the age of 16.

- Professionals, including those in education, health and mental health services should have training to raise awareness of the homelessness issues among 16 and 17 year-olds. They should be given information about how to refer young people to get help earlier, before the situation escalates with their families or young people become at risk of harm.

- Children’s services should provide support to families and young people in cases where the young person was assessed as not in need of accommodation and returned home. This support needs to address the issues in their family relationships as well as addressing other issues that both the family or the young person faces.

- The government should amend section 1 of the Children and Young Persons Act 1933 to raise the age of a child victim of cruelty and neglect from 16 to 18. Such a change would reiterate the message that children aged 16 and 17 need
to be safeguarded and that parents are responsible for their children up to the age of 18.

- When a young person presents as homeless due to specific reasons, such as overcrowding at home, parental substance misuse, or parental mental health, this information should be shared with the relevant services to ensure that parents are provided with support to resolve the issues.

Assessments

Our case studies clearly indicate that young people who present as homeless have many, very valid reasons to seek help. It is very concerning though that the data suggests that only half the young people who present as homeless get assessed at all, and of them, approximately one in five still only get assessed under housing legislation, highlighting the fact that the system of referrals between the different tiers does not work. Many young people are slipping through the net because they are seen as young adults, rather than vulnerable children and because the child protection system does not adequately allow for assessment of risks experienced by adolescents outside the family environment. Turned away once, young people may not ask for help again. To improve assessment process:

- The government should amend the statutory guidance so that all young people who present as homeless are assessed and clear reasons recorded for the outcomes of the assessment.
- The government should amend the statutory guidance to stipulate that young people aged 16 and 17 who present as homeless should always receive joint assessments no matter what tier or department of a local authority they present in.
- Social workers should receive better training on responding to vulnerable adolescents.
- The Department for Education should work on the development of an assessment that is specifically focused on adolescents and which should be included in the Working Together Guidance.

Support

Our report shows that almost twice as many young people are accommodated under the provisions other than section 20 of the Children Act 1989 compared with those who are accommodated, in line with the guidance, as looked after children. As a result children do not get the looked after status and correspondingly miss out on all entitlements for care leavers when they turn 18. Many young people appear to make this choice either due to their bad experiences with statutory services in the past or because they do not have the full information about what such a decision entails. It also appears that the narrowly defined conditions for leaving care support create a perverse incentive to keep children out of the system to avoid costs in the future rather than allowing for a flexible approach tailored to a young person’s needs. Whilst young people are entitled to receive flexible support, children’s services certainly do not have the right to abdicate their responsibilities in relation to the children they must safeguard. To improve the support homeless children receive:

- The statutory guidance on the accommodation for homeless 16 and 17 year-olds should be reviewed to clarify that young people who are assessed as children in need of support (section 17) and who refuse to become accommodated under section 20 (as looked after children) should be given the status of a ‘vulnerable 16 or 17 year-old’ which would allow greater flexibility of responses but ensure the same level of entitlements and support as ‘looked after’ status. The guidance needs to specify that these young people should still have a pathway plan drawn, specifying what support they get to address their needs and the entitlements they should have before and after turning 18.
• The statutory guidance should also be amended to stipulate that where a vulnerable young person is assessed to be in need, but refuses to become looked after, they are allowed to change their mind if the solution they chose does not work for them or if risks escalate and they need to be supported without any further delay.

• No child who has been known to local authorities prior to turning 16 either as a child in need, a looked after child (where the 13 week period threshold for leaving care support is not met), or a child on a child protection plan should be refused to be assessed when they present as homeless. Such inquiries should always be made by housing or children’s services at the point of presentation. And such children should always be offered support to resolve the issues they face.

Accommodation

In too many cases the quality of accommodation and the lack of support at the accommodation places children at risk of sexual exploitation and criminality. The issues of both the safety and quality of accommodation for homeless 16 and 17 year-olds needs to addressed to reduce risk. To improve the safety and quality of accommodation:

• Local authorities, as part of their sufficiency duty, should review responses to all young people who present as homeless and underpin their sufficiency strategies with comprehensive data about those who present, the assessments undertaken, decisions made and types of accommodation provided.

• The sufficiency strategies of local authorities must explain what accommodation is commissioned to cover provision of emergency and long-term accommodation for young people who seek help because of homelessness.

• The use of bed and breakfasts for young people who present themselves as homeless should be banned.

• The range of accommodation that is used as ‘supported accommodation’ should have enforceable standards developed and should be inspected by Ofsted against these standards.

• There should be requirements for accommodation for 16 and 17 year-olds to be in areas that are safe.

• There should be a requirement around the level of training for those who are supporting young people in supported accommodation. It should include knowledge around child sexual exploitation and reporting missing incidences, conflict de-escalation, positive behaviour management and, most importantly, safeguarding referrals.

Data collection

The report shows that there is a real lack of reliable and comprehensive data on homeless 16 and 17 year-olds which prevents local authorities from commissioning adequate prevention services, as well as planning responses to 16 and 17 year-olds who need an accommodation and safeguarding response. To improve data collection:

• Local authorities should collect comprehensive data on homelessness among 16 and 17 year-olds, which should include: the number of all young people who present as homeless; the number of assessments undertaken both under the housing legislation and the Children Act; the outcomes of assessments; and accommodations offered. This data should underpin the
commissioning of services for this group of young people and their families.

• Both the Department for Education and Department for Communities and Local Government should publish full analysis of their data on homelessness among 16 and 17 year-olds as part of monitoring the full implementation of the statutory guidance on the accommodation of homeless 16 and 17 year-olds.

Oversight and monitoring

The report highlighted how the current statutory guidance on homeless 16 and 17 year-olds gets interpreted in many different ways at the local level resulting in children not getting the right assessment or being accommodated under provisions other than section 20 of the Children Act 1989 and falling through the gaps when things deteriorate. To improve the oversight and monitoring of the responses to young people aged 16 and 17 who present as homeless:

• Ofsted should undertake a thematic inspection of local authorities’ responses to homelessness among 16 and 17 year-olds, and develop recommendations for the improvement of services and how to include these issues in multi-agency inspections, particularly addressing how this issue can be inspected across all tiers of local government.

• Responses to homeless 16 and 17 year-olds should be inspected as part of new multi-agency inspections with a focus on the implementation of the statutory guidance as well as other safeguarding responses, for example when a child goes missing from accommodation that is not regulated.

• The Office of the Children’s Commissioner should monitor access to advocacy services for young people who seek help because of homelessness.

Advocacy, advice and guidance for young people

One of the key messages that came through very strongly in our exploration of homelessness among 16 and 17 year-olds was that many young people are not getting any help to navigate the system. Many of them find themselves for the first time in situations where they have to make very important decisions without fully understanding all the consequences. In circumstances where they do not have those adults around them whom they can trust or turn to for advice, many fall prey to individuals seeking to exploit them. There may be a number of professionals involved who will see the child sporadically, but no one who has a trusting and stable relationship with a young person. To improve outcomes for young people:

• All young people who are seeking help because of homelessness should be informed about their right to have advocacy support and be given the contact details of the advocacy provider in their area. The guidance should be amended to clarify this.

• The young people should also have access to legal advice if they find it difficult to understand their rights and entitlements.

• To ensure that there is a consistently good response to young people across local areas the Department for Education should develop young person friendly guidance on the entitlements and processes young people should expect when they seek help because of homelessness.
• Young people who are accommodated because of homelessness should be entitled to have a key professional who they see on a frequent basis and who will be the key link between the young person and other professionals involved in the young person’s life.

Financial issues

It is very difficult for young people to realise financial independence. For those 16 and 17 year-olds who reject the help of children’s services it can be extremely hard. Homeless 16 and 17 year-olds, even once housed by their local authority are continuing to live in significant poverty. To improve their financial position we recommend:

• Every local authority needs to have a local welfare assistance scheme which does not exclude 16–17 year-olds from support.

• All vulnerable under-21-year-olds should be exempt from the shared accommodation rate. This would bring the situation of 16 and 17 year-olds facing homelessness into line with care leavers who are exempt from the shared accommodation rate until the age of 22.

• For 16 and 17 year-olds who are to be in receipt of Universal Credit special considerations need to put in place. They need to be identified as a group that needs budgeting support and we recommend that, as such, they receive multiple smaller payments of their universal credit rather than a monthly lump sum to help with budgeting and that their housing benefit is paid directly to their landlord.
References


9 See R (L) v Nottinghamshire County Council [2007] EWHC 2364, R (M) v Hammersmith and Fulham [2008] UKHL 14, and R (G) v Southwark [2009] UKHL 26, respectively, for the development of case law in this area.


Getting the house in order
Keeping homeless older teenagers safe


Getting the house in order

Keeping homeless older teenagers safe
The Children’s Society

The Children’s Society has helped change children’s stories for over a century.

We expose injustice and address hard truths, tackling child poverty and neglect head on. We fight for change based on the experiences of every child we work with and the solid evidence we gather.

Through our campaigning, commitment and care, we are determined to give every child in this country the greatest possible chance in life.

About our work with 16 and 17 year-olds

The Children’s Society works with vulnerable 16 and 17 year olds who are at risk of homelessness in many ways. Some come into contact with our services specifically focusing on the prevention of homelessness while others seek help from advocacy projects. We help many young people because they are experiencing, or at risk of, child sexual exploitation, running away or involvement in crime. We work with children in care and care leavers, many struggling to find a place to call home. And we have projects which assist young migrants or those trying to overcome substance abuse.

Even though the main reason of our involvement with all of these young people is not always homelessness, too many of them rely on our practitioners advocating on their behalf to make sure that their needs are assessed, the accommodation they are provided with is safe and appropriate and they have access to additional help such as mental health services, or careers advice to plan for their future. It is this frontline work with these young people that has compelled us to present their stories in this report.