**HOUSING**

**AND**

**SOCIAL WORK CHILDREN’S SERVICES**

**PROTOCOL**

**2018**

FOReWoRD

This Protocol has been agreed between Falkirk Council Housing Services and Children’s Services. It provides guidance on Falkirk Council’s responsibility for Falkirk’s care leavers and describes the strategic and operational arrangements and liaison between agencies supporting corporate parenting.

The Protocol has been agreed by the Champions Board Participation Group and Elected Members.

For terms of reference, “young person/young people” will relate to all care leavers who fall within the corporate parent responsibility, therefore within the scope of this Protocol.

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10. **INTRODUCTION**
    1. Falkirk Council is committed to encouraging and empowering Looked After young people to remain in a positive care placement until they are ready to move on, and to actively support and facilitate them to maintain positive supportive relationships with their carers when they leave.
    2. Falkirk Council recognises that safe, settled and sustainable accommodation and support is a crucial foundation for achieving positive outcomes for care leavers, and is committed to all young people having access to accommodation appropriate to their assessed needs when leaving care.
    3. Falkirk Council is committed to providing a range of accommodation and housing support options which meet the needs and wishes of care leavers.
    4. This Protocol aims to ensure a co-ordinated and consistent approach to the accommodation and support needs of care leavers. It is based on the principles of *Housing Options* *Protocols for Care Leavers (Scottish Government 2013*) and *Staying Put Scotland (Scottish Government 2013).*
    5. This Protocol reflects the priorities identified in the following plans:-

* Falkirk’s Community Planning Partnership
* Strategic Outcomes Local Delivery Plan 2016-2020
* Local Housing Strategy 2017-2022
* Integrated Children’s Services Plan

1.6 This Protocol reflects the Legal duties of the Council as set out in:-

* + - Adoption Act
    - Children & Young People’s (Scotland) Act 2014
    - Children (Scotland) Act 1995
    - Regulation of Care (Scotland) Act 2001
    - The Support & Assistance of Young People Leaving Care (Scotland) Regulations 2003
    - Housing Scotland Acts 1987, 2001, 2010 and 2014
    - Homeless Persons Interim Accommodation (Scotland) Regulations 2002
    - Homelessness etc ( Scotland) Act 2003

1. Principles
   1. Services will recognise that a young person’s wants and needs should be at the heart of all planning and decision-making. They will be listened to and their views taken into account.
   2. Statutory responsibilities and good practice guidance highlight the need for corporate parents to ensure practice is underpinned by legislation and guidance, and that this should inform all policies with care leavers.
   3. Every effort should be made to prevent care leavers from becoming homeless. Appropriate planning must take place to ensure that both the housing and support needs are met by a range of agencies working in partnership.
   4. In order to provide the most effective service to care leavers, information may need to be shared among corporate parents. This should be done timeously and proportionally: “the right information at the right time”. The Data Protection Act 1998 does not prevent information sharing where this is reasonable and expected, and in the interests of the individual concerned.

The Children and Young People (Scotland) Act 2014, Section 60(a) sharing information, advises that corporate parents must, in so far as reasonably practicable, collaborate with each other when exercising their corporate parenting responsibilities where they consider that doing so would safeguard or promote the wellbeing of children or young people to whom this Part applies.

* 1. A range of accommodation and support options will be available to eligible young people on leaving care and up until their 26th birthday.
  2. Processes used by corporate parents will enable young people to make successful and sustainable transitions out of care, into independent living.
  3. Young people must be made aware of the full range of options available to them, including being able to stay in their care setting until their 21st birthday (Continuing Care).
  4. As responsible corporate parents, partners should ensure that the young person is supported to make the accommodation of choice a success.
  5. Corporate Parent’s commitment to tenancy sustainment and the need to help prevent homelessness is crucial.

1. OUTCOMES

The Protocol will achieve the following outcomes:-

* All plans will be person centred and include the views of the young person.
* Young people will be offered flexible support which adapts to meet their needs.
* Young people leaving care will reside in a safe community environment within good quality accommodation.
* Young people will be able to learn from their experiences and never fall out of options.
* Corporate parents will share the responsibility of the young person.
* Young people will be informed, have choice and be in control.

1. ROLes and responsibilities

Housing Services and Children’s Services will work proactively together to develop and sustain a range of accommodation and support options to meet the needs and wishes of care leavers. Both services will ensure staff understand the Council’s corporate parenting responsibilities and provide appropriate joint training opportunities for staff in relation to the particular needs of Looked After children and care leavers.

4.1 **Children’s Services Responsibilities**

* + - Seeking the views of young people in line with the GIRFEC planning process.
    - Identifying a Lead Professional for the young person.
    - Progressing the young people’s plans, including contingencies.
    - Ensuring the young person has access to advocacy services.
    - Regularly reviewing progress to ensure that housing and support meets the young person’s needs.

4.2 **Housing Services Responsibilities**

* The provision of quality housing options advice at least 6 months before leaving care and after to assist a positive transition.
  + - Award maximum priority within the Allocations Policy to all young people leaving care.
    - Ensure care leavers are identified on Housing Management System in order to ensure all Housing Services staff are aware of their specific needs and liaise with relevant partners.
    - Collaborate with other housing partners, including Registered Social Landlords, to raise their awareness of their corporate parenting responsibilities and to develop a range of suitable, quality accommodation for care leavers.

4.3 **Together we will**

* + - work collaboratively to meet the needs of care leavers;
    - identify gaps in service provision;
    - develop and sustain a range of accommodation and support;
    - focus on tenancy sustainment through early identification of tenancy difficulties and agreeing actions;
    - promote independent advocacy.

1. **HOUSING AND CHILDREN’S SERVICES OPERATIONAL GROUP**

This group will meet on a monthly basis and will comprise representatives from Social Work and Housing.

The group will have the following purposes:-

* + - Review operational matters and day-to-day management arrangements.
    - Consider the accommodation and support need of care leavers at least 6 months prior to leaving care.
    - Identify young people who are experiencing difficulties in their accommodation at the earliest stage and agree actions.
    - Escalate complex concerns and suggest solutions to the Strategy Group.
    - Report outcomes for young people to the Housing & Social Work Strategy Group for review and planning purposes on a quarterly basis.
    - Report performance of the Protocol to the Housing & Social Work Strategy Group for review and planning purposes on a quarterly basis.

Young people will be informed when their circumstances will be discussed and have the right to attend the group.

1. **STRATEGIC ACCOMMODATION NEEDS GROUP**

This group will meet quarterly and will:-

* report progress to the Children’s Commission Leadership Group to ensure the Protocol is meeting the needs of care leavers;
* agree actions in relation to care leavers whose needs cannot be met through standard Protocol.

**7. EMERGENCY ACCOMMODATION**

* 1. Any placement into emergency accommodation will take into account the young person’s need for protection, stability and support and they will be placed in the most appropriate facility available as an interim measure.
  2. A Team Around the Young Person meeting will be held, within 3 working days, at which the most suitable accommodation option will be identified.

1. **COMPLAINTS AND APPEALS**

Complaints from young people in relation to the operation of this Protocol will be dealt with in line with Falkirk Council’s complaints policy. Appeals in terms of the allocation of housing and housing support will be dealt with in line with the appeals processes already established in allocation, homelessness and related policies.

1. **MONITORING AND EVALUATION**

The effectiveness of this Protocol will be monitored and evaluated by the Strategy Group reporting to the Children’s Commission Leadership Group.

Any amendments will be made annually and will take into account of feedback from the Champions Board and young people directly involved in the processes.