

**Report to the Cabinet Member for Children, Young People and Schools and to the Cabinet Member for Adult and Community Services**

**Report submitted by: Head of Children's Social Care**

**Date: Wednesday 8 March 2017 and Monday 13 March 2017**

**Part I**

Electoral Division affected:  
(All Divisions);

**Funding for Supported Housing for Care Leavers and Young People who are Homeless**

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**Executive Summary**

This report focuses on reviewing how we fund and procure supported accommodation services for young people. It is proposed that the retained £1.35M of Supporting People funding is pooled with current budgetary provision for supported accommodation for care leavers in order to provide a more cost effective approach to supporting young people.

This will be achieved by extending Supporting People contracts until September 2018 and reviewing processes in relation to assessment, prioritisation and control of access to Supporting People services, with a view to ensuring that young people to whom the County Council owes a statutory responsibility are able to access services.

Activity will be monitored by the Access to Resource Team and the findings will inform future commissioning intentions. In order to fulfil our responsibilities as a corporate parent and to avoid the "cliff edge" faced by care leavers at 18, it is proposed that services can be accessed by young people aged 16 to 21 years old.

This is deemed to be a Key Decision, and the provisions of Standing Order No. 25 have been complied with.

## **Recommendation**

The Cabinet Member for Adult and Community Services and the Cabinet Member for Children, Young People and Schools are recommended to approve:

- (a) The pooling of £1.35M of Supporting People funding and £3.6M of Children's Social Care funding for supported accommodation for young people;
- (b) That services can be accessed by 16 to 21 year olds to whom the County Council owes, or has previously owed, a statutory duty under the Children Act 1989 and that in exceptional circumstances, where there is capacity, other young people who find themselves homeless between the ages of 18 and 21 years old can access services on a time limited basis.

## **Background and Advice**

The Local Authority has a statutory duty to ensure that there is sufficient accommodation to meet the needs of children looked after who are preparing to leave care, to support their move into independence, and to provide suitable accommodation to all 16 and 17 year old young people who have left care.

In addition, guidance states that, when young people leave their care placement, the Local Authority must ensure that their new home is suitable for their needs and linked to their wider plans and aspirations, for example located near their education or work. The guidance suggests that moving directly from a care placement to living independently will often be too big a step for young people and that it is good practice for local authorities to commission a range of semi-independent and independent living options with appropriate support (for example supported accommodation schemes, foyers, supported lodgings and access to independent tenancies in the social and private rented sectors with flexible support).

Keep on Caring Supporting Young People from Care to Independence (July 2016) sets outcomes which the State, as corporate parents, will support care leavers to achieve including that care leavers should experience stability in their lives, and feel safe and secure.

When care leavers turn 18, children's services are normally no longer legally responsible for accommodating them unless they are in a Staying Put arrangement. However, there remains a key role for local authority leaving care teams to continue to work closely with Housing Services colleagues to ensure that 16 and 17 year-old care leavers remain in suitable accommodation when they turn 18, using the sort of options listed above; or, if they are ready, to help them to secure and maintain an independent tenancy. Helping care leavers to understand the options available in their local housing market and to prepare for the challenges of maintaining their own home are a key part of the pathway planning process.

The Local Authority is required by statute to have a 'Staying Put' policy. The main aim is to identify those young people who have 'established familial relationships' with their foster carers, offering them the opportunity to remain with their carers beyond their 18<sup>th</sup> birthday and potentially up to their 21<sup>st</sup> birthday, delaying their transition into independence.

The Children's Social Care Innovation Programme is being utilised to rethink transitions to adulthood for young people in the children's social care system, with a focus on developing new ways to provide care leavers with the personal support networks they need to thrive. This includes piloting 'Staying Close' – a variant of Staying Put but for young people leaving residential care. It seeks to enable young people to live independently, in a location close to their children's home, and receive ongoing support from the home.

The House of Lords Judgment *G vs. Southwark* in May 2009 clarified the responsibilities of Children and Young People's Services towards homeless 16 and 17 year olds and the interrelationship between duties under the Children Act 1989 and Part VII of the Housing Act 1996 (as amended by the Homeless Act 2002). The judgement clarified the legal position that the duty under section 20 of the 1989 Act takes precedence over the duties in the Housing Act 1996 (as amended by the Homelessness Act 2002) in providing for children in need who require accommodation, and that the specific duty owed under section 20 of the Children Act 1989 takes precedence over the general duty owed to children in need and their families under section 17 of the 1989 Act.

Joint statutory guidance states that all 16 and 17 year olds who present themselves as homeless to either a local housing authority or a children's services authority, should be assessed by children's services under the Children Act 1989 to determine whether they are a child in need, as set out in Section 17 of the Act and, if so, whether a duty exists to offer accommodation under Section 20 of the Children Act.

### **Current Provision**

There is a range of supported accommodation available and used across the county for this cohort of young people, including:

- **External leaving care/semi-independent living provision currently spot purchased individually or sourced via the North West Leaving Care Framework by Children's Social Care**

The projected spend for 2016/17 is estimated to be £3.6M for external leaving care/semi-independent living placements.

- **Supported accommodation provided through the Supporting People block contracting arrangements (including semi-independent and independent supported accommodation schemes, foyers, supported lodgings, emergency accommodation)**

Currently the accommodation and housing management is funded from rents and housing benefit and the support is funded from Lancashire County Council's Supporting People (SP) Budget, which has an annual spend of £2.5M. 361 units of supported housing are commissioned for young people and 15 units for teenage parents. In September 2016 Cabinet approved proposals to cease all Supporting Funding with the exception of £1.35M which was to be retained for supported accommodation services for young people. At the time, it was agreed that options for pooling budgets would be explored with Children Social Care Funding to try to

find a more cost effective approach to commissioning supported accommodation for young people.

An analysis of the type and extent of needs of young people in SP accommodation in 2015/16 compared to care leavers placed in external placements, suggests that SP provision is able to support young people with a high level of complex need (e.g. domestic abuse issues, mental health issues, substance misuse issues). Analysis also suggests that the weekly cost of providing accommodation through the block purchased Supporting People commission is considerably cheaper than the cost of placements purchased through the NW Leaving Care Framework/spot purchasing arrangements outside of the framework for similar services (e.g. minimum of 34% per week for like for like 1 bed self-contained type properties).

### **Recommendation**

It is recommended that the £1.35M Supporting People funding is pooled with the current £3.6M Children Social Care spend, and that this funding is used to both extend the current Supporting People contracts and to pay for spot purchasing arrangements where the needs of young people are so high that they cannot be safely supported in Supporting People services.

It is recommended that care leavers and young people who were homeless between the ages of 16 and 17, and were assessed as a child in need, are able to access services up to the age of 21, in line with government policy to reduce the "cliff edge" facing care leavers at 18 and the County Council's commitment to fulfilling its role as corporate parent.

A sub group of the Housing Reference Group, which will include representatives from social care, district councils, and providers, will be set up to agree a process for assessing, prioritising and controlling access to services. The new Access to Resources Team will also monitor the number of young people accessing block contracted Supporting People services and spot contracted services. This information will then determine our commissioning intentions from 2019, when existing contracts will reach their maximum extension date.

Given that landlords cannot afford to carry void properties, the Housing Reference Group will consider options for offering 18-21 year old who become homeless for the first time access to services on a very time limited basis where there are voids in a service. Systems will have to be put in place so that this arrangement would not preclude access to care leavers.

### **Consultations**

District Councils, support providers and young people have been consulted regarding the Supporting People funding proposals.

### **Implications:**

This item has the following implications, as indicated:

## **Legal/Procurement**

It is proposed that existing Supporting People contracts for supported accommodation are extended to September 2018 to enable sufficient time to implement and review the new processes identified within this report. Contracts currently include the provision to extend the term until 2019. The extensions will be approved under the Scheme of Delegation to Heads of Service. Placement of spot contracts outside of existing frameworks will be carefully considered to ensure compliance with LCC Procurement Rules.

## **Financial**

For the financial year 2017/18 the proposals outlined in this report can be delivered within the approved budget envelope, which includes utilisation of up to £1.0M of the planned underspend from the 2016/17 Prevention and Early Help Fund budget as agreed by Cabinet on 8 September 2016.

From April 2018 it is anticipated that this proposal can be delivered within the Medium Term Financial Strategy (MTFS) forecast. The main risk is that young people to whom the County Council owes a statutory duty cannot access the block contracted arrangements and that there is additional spend on spot purchasing over and above the budgeted figure. As outlined above, a task group will be set up involving social care, housing and providers to review practice. This is required in order to ensure that young people to whom the County Council owes a statutory responsibility can access services unless the risks to the safety of the young person, other residents and staff cannot be mitigated to a reasonable level. This will be subject to regular review any change to the financial assumptions will be addressed through the monthly revenue monitoring and MTFS processes.

## **Equality and Cohesion**

An Equality Analysis (EA) relating to young people's Supported People funded services formed part of the report approved by Cabinet on 8 September 2016 which proposed reducing the young people's Supporting People funding to £1.35M; exploring the pooling of funding and reviewing pathways into services.

This report seeks approval to pool the funding, as proposed, and to extend the eligibility of young people who wish to access the service to 21 year olds in order to prevent the "cliff edge" faced at 18 year olds by care leavers.

Consequently, this decision is not likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent beyond the impact considered in the original EA, where it was identified that because Supporting People Services currently accept 16-25 year olds, that the proposal to reduce the eligibility to 16 and 17 year olds would have an disproportionate impact on 18 to 25 year olds. The proposals in this report mitigate some of the original impact by extending eligibility to 21.

## List of Background Papers

Paper	Date	Contact/Tel
Supporting People and the Prevention and Early Help Fund – Cabinet meeting	8 September 2016	Sarah McCarthy - Policy, Information and Commissioning (07917521919)

Reason for inclusion in Part II, if appropriate

NA